



APPLICATION ACCEPTED: September 19, 2008
PLANNING COMMISSION: June 11, 2009
BOARD OF SUPERVISORS: Not yet Scheduled

County of Fairfax, Virginia

May 28, 2009

STAFF REPORT

APPLICATION SEA 85-L-059-06 and

Resource Protection Area (RPA) Encroachment Request 6562-WRPA-002-1

LEE DISTRICT

APPLICANT: BSI Incorporated T/A Browne Academy

ZONING: R-4

PARCEL(S): 82-4 ((1)) 31A, 32 and 33

ACREAGE: 11.59 acres

FAR: 0.12

PLAN MAP: Residential; 3-4 du/ac

SE CATEGORY: Category 3; Private School of General Education, Nursery School and Child Care Center
Category 6; Uses in the Floodplain

PROPOSAL: To amend SE 85-L-059 previously approved for private school of general education, nursery school, child care center, uses in a floodplain and RPA Exception to permit increase in land area and associated modifications to site design and development conditions.

Kelli Goddard-Sobers

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



STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 85-L-059-06, subject to the proposed development conditions in Appendix 1.

Staff recommends approval of RPA Exception # 6562-WRPA-002-1, subject to the proposed development conditions, dated May 11, 2009, and contained in Attachment A of Appendix 11.

Staff recommends approval of a modification of the transitional screening requirements along all property lines to allow the existing vegetation as depicted on the SEA Plat.

Staff recommends approval of a modification of the barrier requirements along all property lines except the eastern boundary of Lot 33, where the barrier requirement should be waived in favor of the existing vegetation.

It should be noted that it is not the intent of the 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; and that should this application be approved, such approval does not interfere with, abrogate or annul any easements, 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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

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

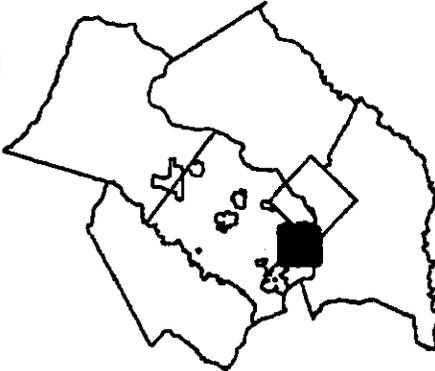
O:\kgodda\SEA\SEA 85-L-059-06 Browne Academy\cover.doc



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

Special Exception Amendment

SEA 85-L-059-06



Applicant:
Accepted:
Proposed:

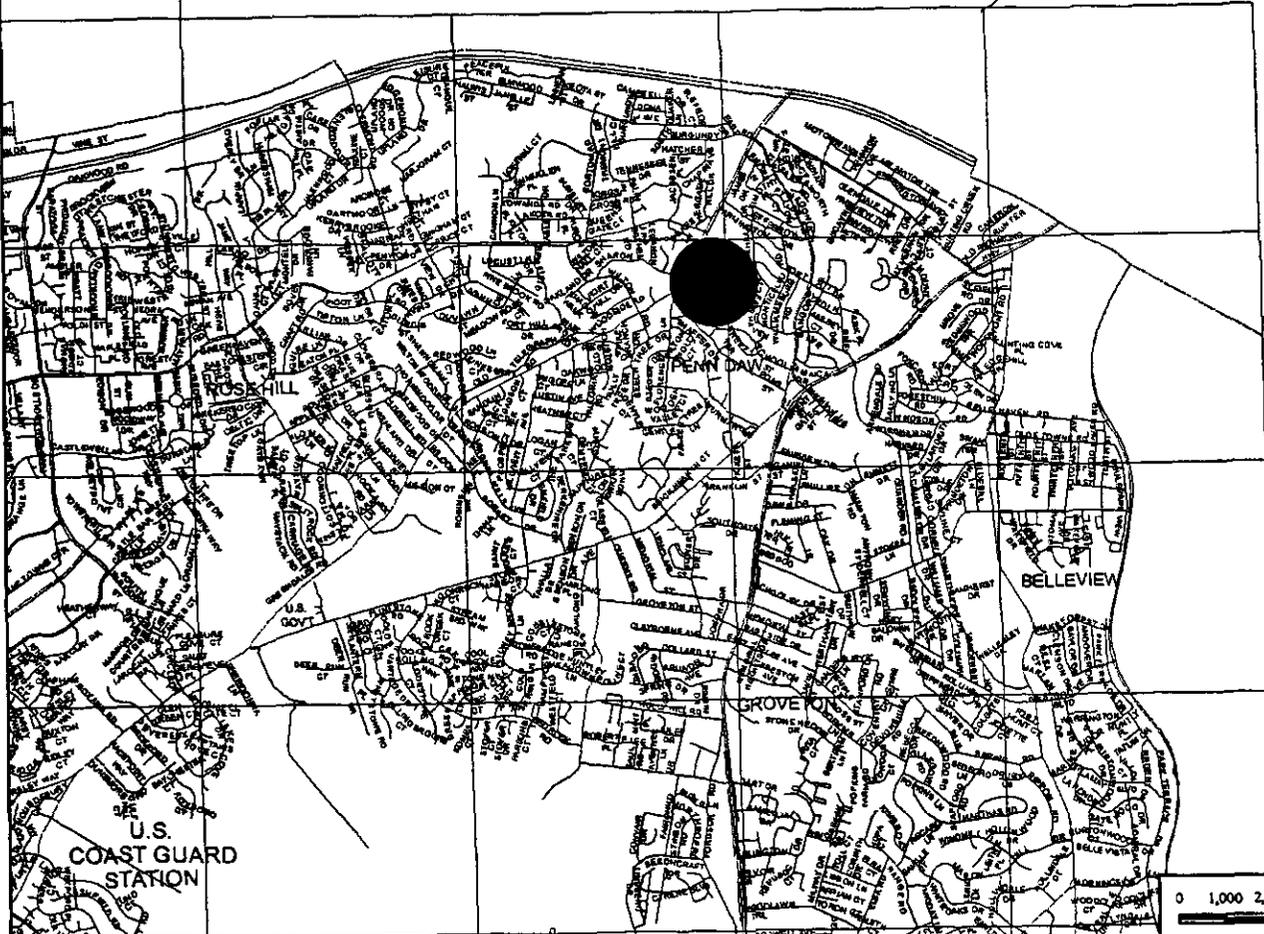
BSI INCORPORATED T/A BROWNE ACADEMY
09/19/2008
TO AMEND SE 85-L-059 PREVIOUSLY APPROVED FOR
A PRIVATE SCHOOL OF GENERAL EDUCATION,
NURSERY SCHOOL, CHILDCARE CENTER, USES IN A
FLOODPLAIN AND RPA EXCEPTION TO PERMIT AN
INCREASE IN LAND AREA AND ASSOCIATED
MODIFICATIONS TO SITE DESIGN AND
DEVELOPMENT CONDITIONS

Area: 11.59 AC OF LAND; DISTRICT - LEE
Zoning Dist Sect: 03-040403-0404
Art 9 Group and Use: 3-10 3-11
Located: 5917 TELEGRAPH ROAD
Zoning: R-4
Plan Area: 4,
Map Ref Num: 082-4 /01/ /0031A /01/ /0032
/01/ /0033

CITY OF ALEXANDRIA

LANDMARK

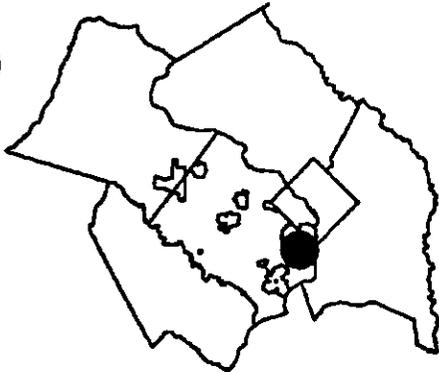
OLDE TOWNE ALEXANDRIA



0 1,000 2,000 3,000 4,000 Feet

Special Exception Amendment

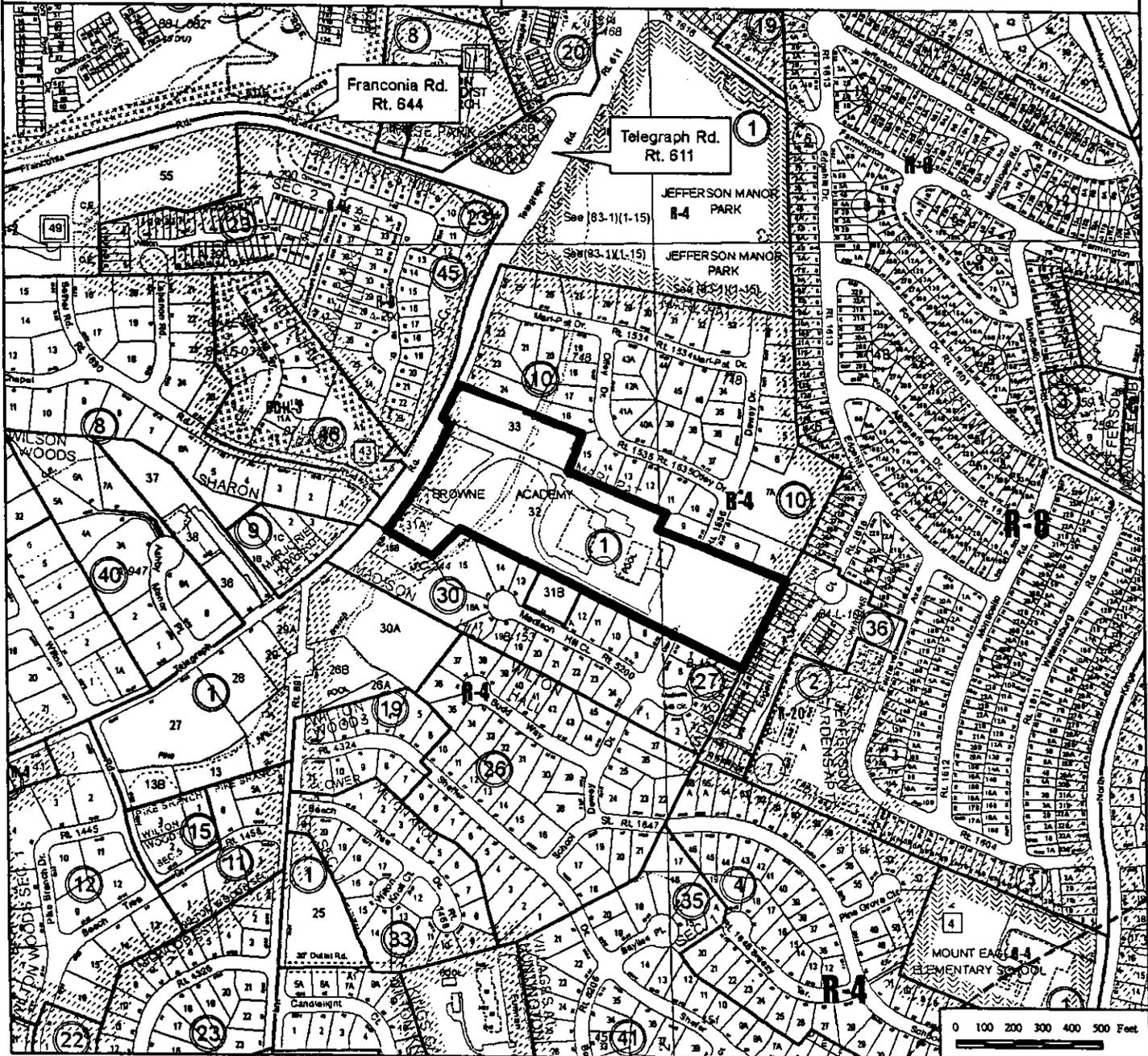
SEA 85-L-059-06



Applicant:
Accepted:
Proposed:

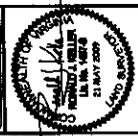
BSI INCORPORATED T/A BROWNE ACADEMY
09/19/2008
TO AMEND SE 85-L-059 PREVIOUSLY APPROVED FOR A PRIVATE SCHOOL OF GENERAL EDUCATION, NURSERY SCHOOL, CHILDCARE CENTER, USES IN A FLOODPLAIN AND RPA EXCEPTION TO PERMIT AN INCREASE IN LAND AREA AND ASSOCIATED MODIFICATIONS TO SITE DESIGN AND DEVELOPMENT CONDITIONS

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Zoning Dist Sect: 03-0404
Art 9 Group and Use: 3-10 3-11
Located: 5917 TELEGRAPH ROAD
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Plan Area: 4,
Map Ref Num: 082-4 /01/ /0031A /01/ /0032 /01/ /0033

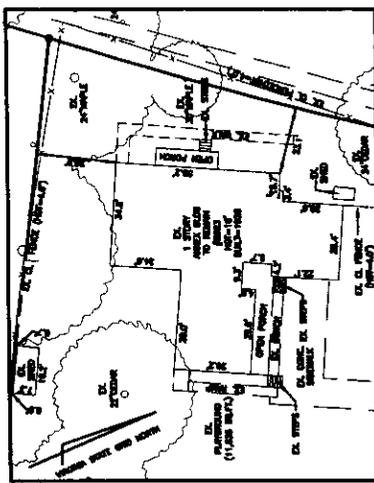
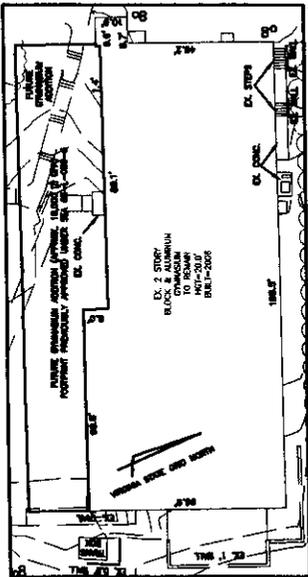


DATE	REVISION
DESIGNER	R.K.B.
DRAWING	D.J.O.
SCALE	AS NOTED
DATE	JUNE 19, 2008
SHEET	3 OF 8
FILE	07-61

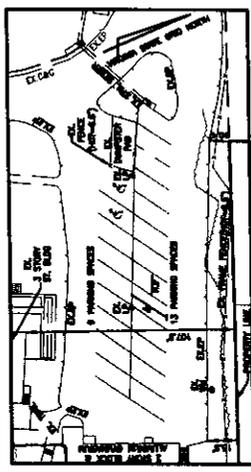
SPECIAL EXCEPTION AMENDMENT PLAN - SITE DETAILS
 THE BROWNE ACADEMY
 THE PROPERTY OF
 5808-5823 TELEGRAPH ROAD
 LEE DISTRICT
 FARFAX COUNTY, VIRGINIA



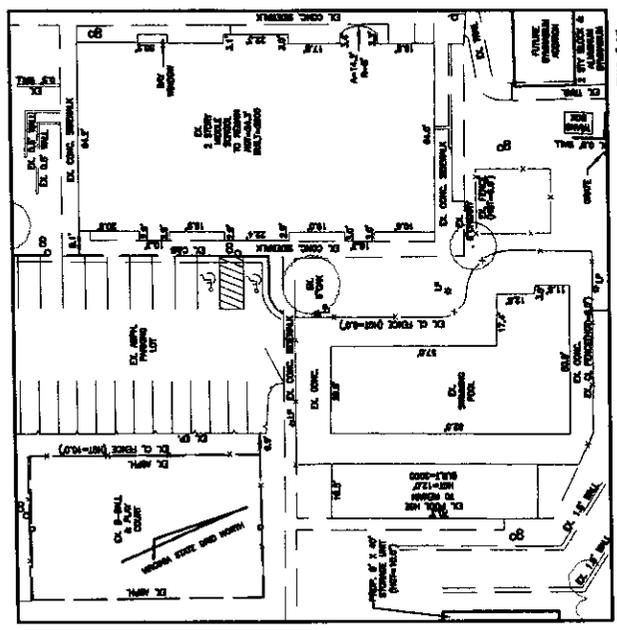
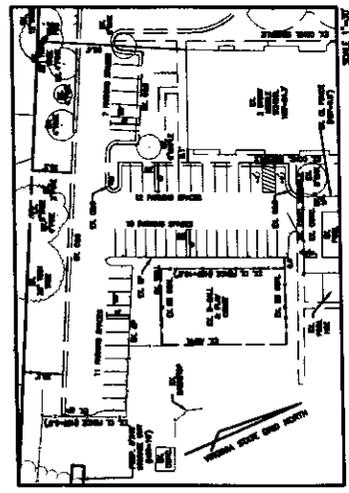
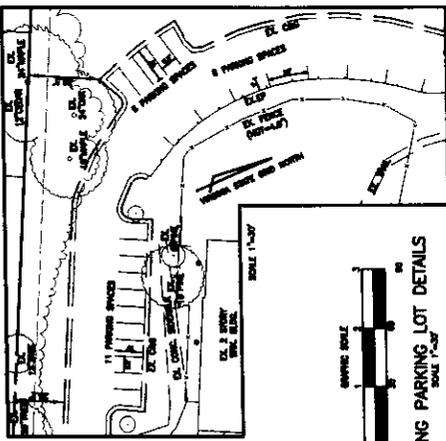
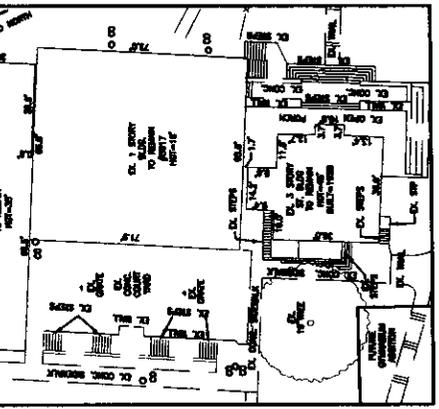
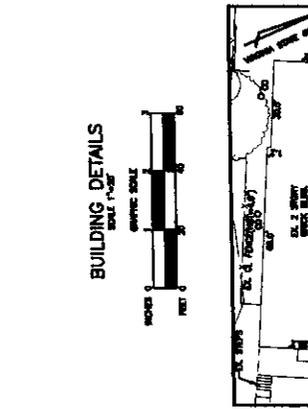
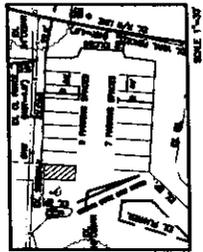
RFP ASSOCIATES
 LAND MARKETING • SITE PLANNING
 1 PROFESSIONAL CORPORATION
 730 S. Washington Street
 Alexandria, Virginia 22314
 (703) 549-6422

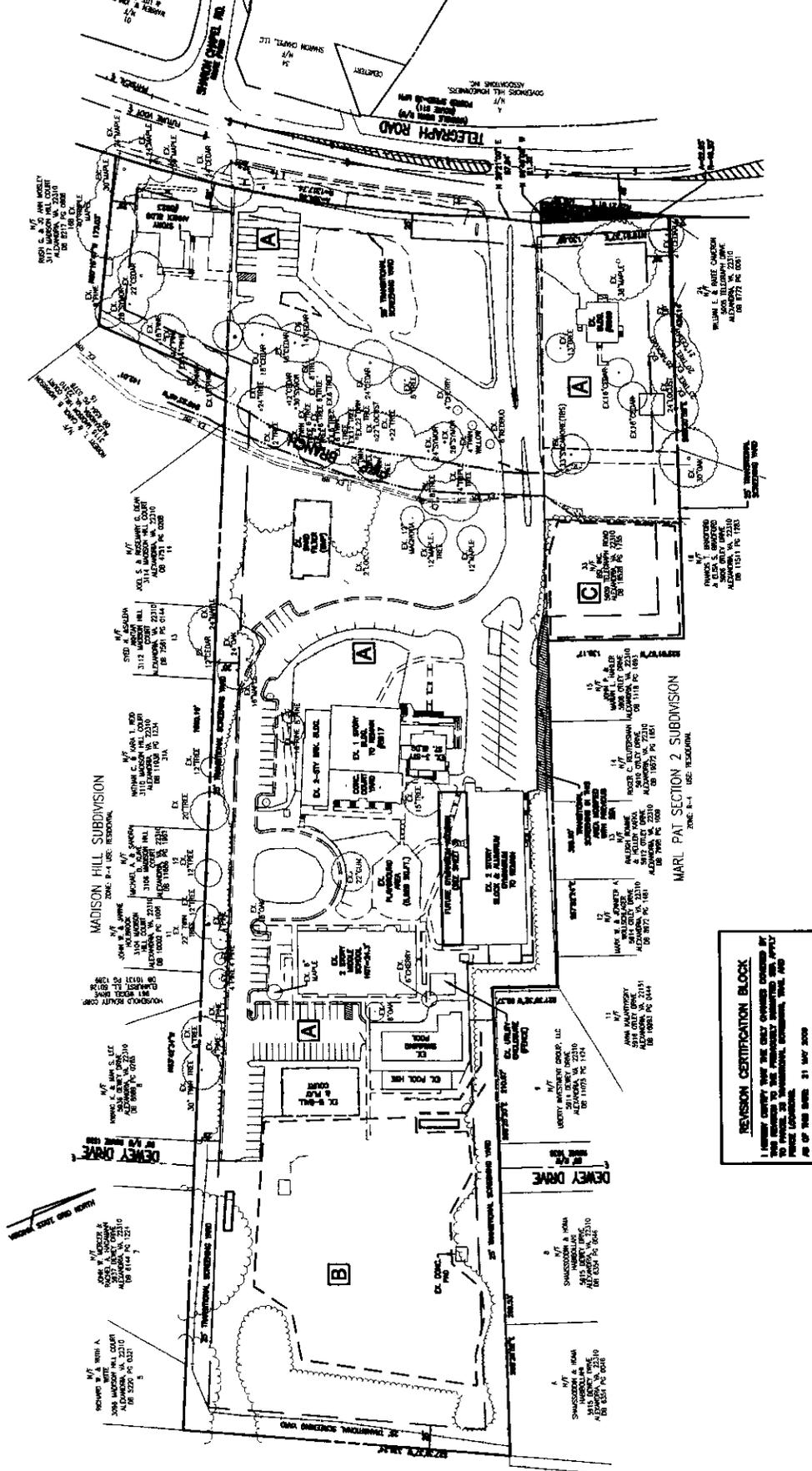


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REVISION CERTIFICATION BLOCK
 I HEREBY CERTIFY THAT THE ONLY CHANGES CONTAINED BY THIS AMENDMENT TO THE PREVIOUSLY SUBMITTED AND APPLICABLE PLAN ARE THOSE SHOWN HEREON. DATE: 21 MAY 2009





VEGETATION DESCRIPTION

COVER TYPE
 THE TREES IN THIS COVER TYPE WERE IN GENERALLY GOOD CONDITION. THE AREA IS MAINLY THE PINE PLANTATION WITH THE CENTRAL PORTION BEING THE OLD PINE AND OAK PLANTATION. THE VEGETATION IS IN GOOD CONDITION AND SHOULD BE PRESERVED WHERE PRACTICABLE. THE VEGETATION IS IN GOOD CONDITION AND SHOULD BE PRESERVED WHERE PRACTICABLE. THE VEGETATION IS IN GOOD CONDITION AND SHOULD BE PRESERVED WHERE PRACTICABLE.

NOTE: REFER TO PLAN FOR TREE SIZE AND LOCATION

THIS SPECIAL EXCEPTION AMENDMENT PLAT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE BOARD OF SUPERVISORS OF THE FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND SAFETY. THE BOARD OF SUPERVISORS SHALL HAVE THE FINAL SAY IN THE MATTER OF ANY EXCEPTIONS TO THE ZONING ORDINANCES. THE BOARD OF SUPERVISORS SHALL BE PROVIDED WITH A DETAILED VEGETATION INVENTORY AND A VEGETATION PRESERVATION PLAN.

EXISTING VEGETATION MAP INFORMATION:

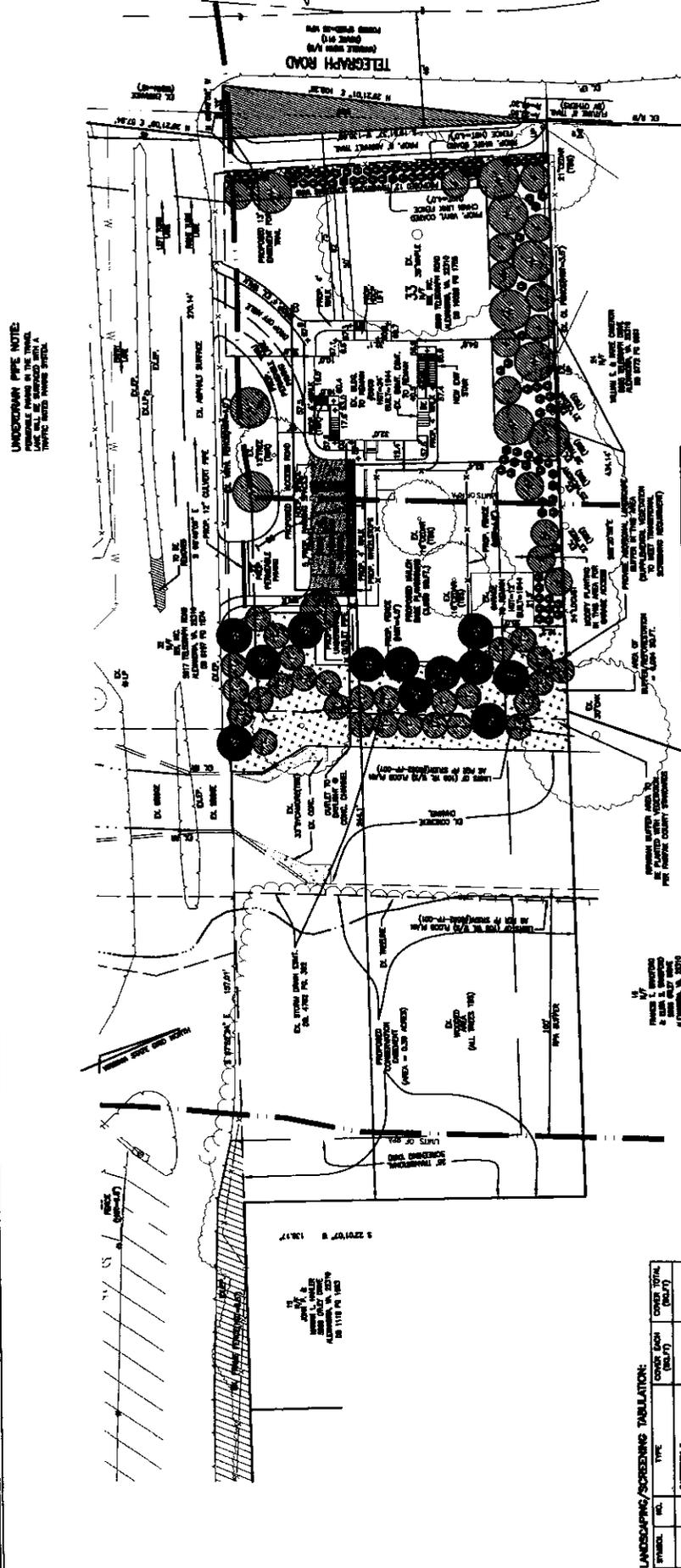
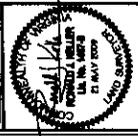
COVER TYPE	PRIMARY SPECIES	SUCCESSIONAL STAGE	CONDITION	ACRES	COMMENTS
A	OLD PINE PLANTATION	SUB-CLIMAX	GENERALLY GOOD	10.04 AC.	IN USE: CONSERVATION
B	OLD PINE PLANTATION	SUB-CLIMAX	POOR TO GOOD	1.31 AC.	TYPICAL, TALL PINE COVER
C	OLD PINE PLANTATION	SUB-CLIMAX	POOR TO GOOD	0.34 AC.	POOR, MATURE PINE COVER

REVISION CERTIFICATION BLOCK

I, **REVISION CERTIFIER**, HAVE THE ONLY ORIGINAL SIGNED BY ME TO BE USED IN THE PREPARATION OF THIS MAP. I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF VIRGINIA.

DATE OF THIS SIGN: 11 MAY 2009

HUNTINGTON COMMONS
 PARCEL 1
 6715 LITTLE RIVER, SUITE 201
 ANNAPOLIS, MD 21403
 (410) 228-7500



LEGEND:

ITEM	DESCRIPTION	QUANTITY
1	UNDERDRAIN PIPE	100
2	CONCRETE	100
3	GRASS	100
4	PLANTING	100
5

REVISION CERTIFICATION BLOCK
 I HEREBY CERTIFY THAT THE ONLY CHANGES COVERED BY THIS REVISION ARE THOSE INDICATED IN THE REVISIONS TO THE ORIGINAL PLAN. NO OTHER CHANGES HAVE BEEN MADE TO THE ORIGINAL PLAN.
 AS OF THIS DATE: 21 MAY 2008

PROPOSED DISTURBED AREA = 16,292 SQ.FT. OR 0.3740 AC.

INTERIOR PARKING LOT LANDSCAPING CALCULATIONS: (MINIMUM 20 ONLY)
 TOTAL DISTURBED AREA: 16,292 SQ.FT.
 TOTAL COVER REQUIRED: 16,292 SQ.FT.
 TOTAL COVER PROVIDED: 16,292 SQ.FT.

PLANTING SCHEDULE FOR BUFFER RESTORATION

TYPE (SYMBOL)	NO.	COMMON NAME	BOTANICAL NAME	SIZE COMMENTS
1	12	SPRING BURNING BUSH	FLORIDA COCCONUTS	6" DIAMETER
2	12

UNDERDRAIN PIPE NOTE:
 ALL UNDERDRAIN PIPES SHALL BE INSTALLED AT THE BOTTOM OF THE EXCAVATION AND SHALL BE COVERED WITH CONCRETE. THE PIPES SHALL BE INSTALLED AT THE BOTTOM OF THE EXCAVATION AND SHALL BE COVERED WITH CONCRETE. THE PIPES SHALL BE INSTALLED AT THE BOTTOM OF THE EXCAVATION AND SHALL BE COVERED WITH CONCRETE.

REVISIONS:
 REVISION 07/15/2008: CORRECTED MISTAKES IN THE PLAN.
 REVISION 06/16/2008: CORRECTED MISTAKES IN THE PLAN.

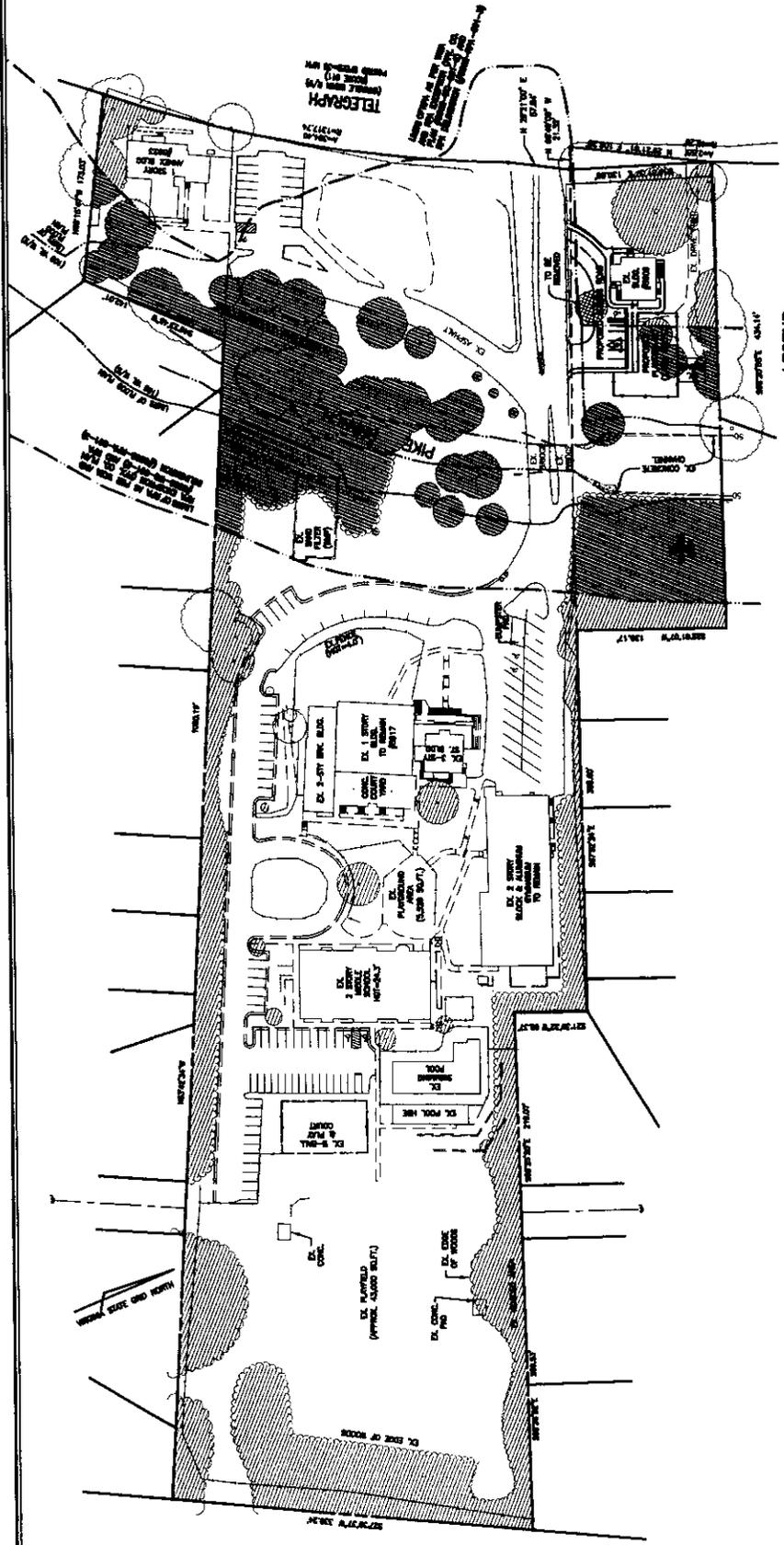
REVISION APPROVED BY:

NO.	DESCRIPTION	REVISION APPROVED BY	DATE
1

AREA TABULATIONS:
 TRANSITIONAL SCREENING YARD: 3,000 SQ.FT.
 TOTAL DISTURBED AREA: 16,292 SQ.FT.
 TOTAL COVER REQUIRED: 16,292 SQ.FT.
 TOTAL COVER PROVIDED: 16,292 SQ.FT.

TRANSITIONAL SCREENING YARD NOTE:
 THE SCREENING YARD SHALL BE INSTALLED ALONG THE PERIMETER OF THE PROPERTY AND SHALL BE COVERED WITH CONCRETE. THE SCREENING YARD SHALL BE INSTALLED ALONG THE PERIMETER OF THE PROPERTY AND SHALL BE COVERED WITH CONCRETE.

AREA TABULATIONS:
 TRANSITIONAL SCREENING YARD: 3,000 SQ.FT.
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 TOTAL COVER REQUIRED: 16,292 SQ.FT.
 TOTAL COVER PROVIDED: 16,292 SQ.FT.



REVISION CERTIFICATION BLOCK
 I HEREBY CERTIFY THAT THE ONLY CHANGES MADE BY THIS REVISION TO THE PREVIOUSLY SUBMITTED SET ARE AS NOTED IN THE REVISIONS. I AM NOT PROVIDING ANY OTHER INFORMATION TO THE PUBLIC RECORDS.
 AS OF THIS DATE: 21 MAY 2009

LEGEND:

- REMOVED TREES TO BE REPLACED
- REMOVED TREES TO BE PRESERVED
- REMOVED TREES TO BE PRESERVED

NO.	DESCRIPTION	REVISION	APPROVED BY	DATE
1	NO	NO	NO	NO

NO.	DESCRIPTION	REVISION	APPROVED BY	DATE
1	NO	NO	NO	NO

NO.	DESCRIPTION	REVISION	APPROVED BY	DATE
1	NO	NO	NO	NO

NO.	DESCRIPTION	REVISION	APPROVED BY	DATE
1	NO	NO	NO	NO

THIS DRAWING IS A SPECIAL EXCEPTION OF THE VIRGINIA BOARD OF PROFESSIONAL ENGINEERS AND ARCHITECTS. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE BOARD. THE BOARD IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

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

DESCRIPTION OF THE APPLICATION

The applicant, BSI Incorporated T/A Browne Academy, wishes to amend SE 85-L-059 previously approved for a private school of general education, a nursery school, a child care center, and uses in a floodplain to permit an increase in land area (1.4 acres) and site modifications. Specifically, the applicant is proposing to expand the existing private school by adding an adjacent parcel [Tax Map 082-4 ((1)) 33] to the current use and by making minor building improvements to the existing structure on that parcel, as well as associated site modifications including parking, drop-off aisles, and sidewalks, to meet the needs of the school. Roadway and frontage improvements are already in place on the property. The applicant is also proposing to construct a 10-foot wide trail in the Telegraph Road right-of-way across the frontage of Parcel 33.

The applicant is also requesting approval of a Resource Protection Area (RPA) Encroachment Exception request to allow an encroachment into the 1993 RPA for the construction of a playground, drop-off aisle and parking on Parcel 33. As mitigation for the encroachment, the applicant is proposing to remove the existing pavement within the RPA and to create both a conservation easement and a revegetated buffer within the RPA. The applicant already has an RPA exception for the school use on Parcels 31A and 32 and this request would add 0.16 acres of land area on Parcel 33 to the area of encroachment. The total encroachment into the 100-year floodplain is 0.03 acres.

The applicant's proposed development conditions, the applicant's Affidavit and Statement of Justification can be found in Appendices 1-3, respectively.

The applicant is also seeking reaffirmation of the modification of the screening and barrier requirements previously approved with SEA 85-L-059-05 along all property lines of Parcels 31A and 32 to that shown on the SEA Plat. The applicant is also seeking modifications of the transitional screening and barrier requirements along the northern and western property lines, and a waiver of the barrier requirement along the eastern property line of Parcel 33 to that shown on the SEA Plat.

LOCATION AND CHARACTER

Site Description:

The subject property is zoned R-4 and is located on the east side of Telegraph Road, south of its intersection with Franconia Road (Rt. 644) in the Lee District. Parcels 31A and 32 are developed with a private school of general education with a nursery school and child care center, which has a maximum enrollment of 365 students. The property slopes generally upward away from Telegraph Road. The Pike Branch stream channel traverses the front portion of the property.

Parcel 33, located to the north of the existing school site, is developed with a structure previously used as a single-family detached dwelling. This parcel also contains a garage and an asphalt driveway. Some gravel and fill were also placed on the southern side of the lot for a makeshift driveway. There are a few trees dispersed throughout the parcel. The open space area on the western side of the Pike Branch stream channel is sparse; it appears that some existing trees were recently removed. On the eastern side of the channel, the area is heavily wooded.

Approximately one-third of the eastern portion of Parcels 31A and 32 and approximately three-quarters of Parcel 33 are located within the 100-year floodplain and the Resource Protection Area (RPA) as defined by the Chesapeake Bay Preservation Ordinance (CBPO).

Surrounding Area Description:

The properties abutting the subject property to the north and south are zoned R-4 and are developed with single-family detached dwellings. The properties to the west, zoned PDH-3, R-2 and R-8, are developed with single-family and multiple-family attached dwellings. The properties to the east zoned R-8 and R-20 are developed with multiple-family attached dwellings.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single-family detached residential (Marl Pat)	R-4	Residential; 3-4 du/ac
South	Single-family detached residential (Madison Hill)	R-4	Residential; 3-4 du/ac
East	Single-family attached residential (Huntington Commons)	R-8	Residential; 8-12 du/ac
West	Single-family detached residential (Sharon and Governors Hill); Private Open Space (Wilton Hill)	R-2, R-8; PDH-3	Residential; 3-4 du/ac Residential; 8-12 du/ac Residential; 3-4 du/ac

BACKGROUND

Site History:

Browne Academy was established in 1986 pursuant to SE 85-L-059. On October 16, 1995, SEA 85-L-059-2 was approved by the Board of Supervisors (BOS) to add land area, increase enrollment from 260 to 300 students, to approve new buildings and site modifications, and to add a temporary classroom trailer.

On May 20, 1996, SEA 85-L-059-3 was approved by the BOS to allow previously approved parking and driveways to be located in the floodplain. No new construction

or changes to structures were approved with SEA 85-L-059-3. Development Condition # 4 required phasing of certain improvements.

On August 3, 1998, SEA 85-L-059-4 was approved by the BOS. Changes included modification of development conditions related to phasing, the addition of temporary classroom trailers, and minor site revisions.

On January 8, 2003, SEA 85-L-059-5 was approved by the BOS to permit an increase in enrollment to a maximum of 365 students, site modifications, and approval of the nursery school/child care center (see Appendix 4). Specifically, this SEA permitted the construction of a 22,000 square foot (sq. ft.) multipurpose building to be added in two phases. The first phase of construction which included a 12,000 sq. ft. building including a gym has occurred, leaving 10,000 sq. ft. of construction remaining to complete the 22,000 sq. ft. building.

COMPREHENSIVE PLAN PROVISIONS (See Appendix 5)

Plan Area: Area IV
Planning District: Mount Vernon
Planning Sector: MV-1 Huntington Community Planning Sector
Plan Map: Residential; 3-4 du/ac
Plan Text:

On page 101 in the Fairfax County Comprehensive Plan, 2007 Edition, Area IV, Mount Vernon Planning District under the MV-1 Huntington Community Planning Sector as amended through January 26, 2009, the Plan states:

Land Unit O (Wilton Woods Neighborhood)

This land unit is located at the western edge of the sector and primarily consists of stable single-family residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

The Browne Academy located on the east side of Telegraph Road is allowed by special permit and should be retained. However, if redevelopment of this site is proposed, it should conform to the general land use recommendation for infill development.

ANALYSIS**Special Exception Amendment Plat (Copy at front of staff report)**

Title of SEA Plat: Special Exception Amendment Plat,
The Browne Academy

Prepared By: RC Fields, Jr. & Associates

Original and Revision Dates: August 25, 2008
as revised through May 21, 2009

The Browne Academy, SEA Plat	
Sheet #	Description of Sheet
1 of 8	Cover Sheet, General Notes, Sheet Index, Vicinity Map, Revision Certification Block, Project Narrative, Transitional Screening/Barrier Note, Trail Note, Conservation Easement Note
2 of 8	Site Plan, Parking Tabulations, Legend, Scale, Revision Certification Block, Interior Parking Lot Landscaping Tabulation
3 of 8	Site Details, Existing Parking Lot Details, Building Details, Revision Certification Block
4 of 8	Earthwork Information, Fence Detail, Area Tabulations, Driveway Removal Note, Revision Certification Block
5 of 8	Existing Vegetative Map, Revision Certification Block
6 of 8	Stormwater Management Requirements, Compliance Worksheet – Option 1, Compliance Worksheet – Option 2, Outfall Narrative, Minimum Stormwater Information Checklist, BMP/Water Quality Narrative, Stormwater Management Narrative, BMP Drainage Divides Map, Revision Certification Block
7 of 8	Landscape Plan, Landscaping/Screening Tabulation, Transitional Screening Yard Note, Planting Schedule for Buffer Restoration, Proposed Disturbed Area, Interior Parking Lot Landscaping Calculations, Legend
8 of 8	Tree Preservation Target Calculations and Statement, 10 Year Tree Canopy Calculation Worksheet

Site Layout, Access and Parking:

Along the northern property line on Parcel 32, there is a 2-story gymnasium building and 22 surface parking spaces. In the center of Parcel 32, there are four (4) buildings ranging from 1 to 3 stories in height, a playground area, a pool house, a swimming pool, a basketball and playcourt, a storage unit, and 43 surface parking spaces. At the rear of the site, there is an approximately 43,000 sq. ft. playfield surrounded by existing mature forest along the northern, eastern and southern property lines. Along

the southern side of Parcel 32, there is an 8' wide x 40' long x 10' high storage structure and 29 surface parking spaces. Parcel 31A, which is at the southern end of the site, is developed with a 1-story annex building and a playground. At the front end of the site on Parcel 32, there is an asphalt driveway which leads to 16 surface parking spaces and an overflow gravel parking area. The site's entrance, which is to the north of the overflow parking area, will remain in its current location. There are no changes being proposed to this portion of the site on Parcels 31A and 32.

At the northern end of the site, the abutting property (Parcel 33) is being added to the site. This parcel is developed with a single-family detached dwelling, a detached garage and an asphalt driveway. The applicant is proposing to construct a playground on the eastern side of the dwelling, as well as an access road and six (6) parking spaces on the southern side (front) of the dwelling. The existing dwelling will remain to be used as a classroom and the garage will also remain to be used for storage. However, the applicant is proposing to remove the existing asphalt driveway, and to replant the area along the northern property line with supplemental vegetation for transitional screening. The area of the property along the western side of Pike Branch is in the Resource Protection Area (RPA). It will be restored with vegetation consisting of a mixture of trees and shrubs. The wooded area on the eastern side of the channel will remain undisturbed.

Floodplain and RPA:

A portion of the site (0.8 acres) on the western end of the subject site is located within the 100-year floodplain and the Resource Protection Area (RPA) as defined by the County's Chesapeake Bay Preservation Ordinance (CBPO). Previously, Browne Academy had received an RPA Exception for the school use on Parcel 31A and 32. An RPA Encroachment Exception Application and a Water Quality Impact Assessment (WQIA) was submitted to DPWES for Parcel 33 to allow encroachment into the 1993 RPA for the construction of a playground, drop-off aisle and parking. In order to mitigate the impact of this proposed encroachment, the applicant proposes to remove the existing pavement within the RPA on Lot 33 and to create a revegetated buffer.

Land Use Analysis

Under this proposal, the private school of general education and nursery school/child care center will remain at an FAR of 0.12, which is in harmony with the use and intensity recommendations of the Comprehensive Plan. The maximum approved enrollment of 365 students will not change under this amendment. As noted, the applicant proposes to add Parcel 33 to the school site. Physical changes to the site are limited to Parcel 33 and include a 3,500 sq. ft. playground, use of the existing garage for storage, and the closing and removal of the existing asphalt driveway at the rear of the site. These proposed changes do not raise any land use issues.

Environmental Analysis (Appendix 6)**Issue: Resource Protection Area (RPA)/Environmental Quality Corridor**

Staff noted that a large portion of Parcel 33 is located within an RPA associated with a portion of the Pike Branch stream valley. Staff also noted that the RPA meets the criteria of the EQC policy. However, this parcel has been disturbed in the past and was not previously designated EQC. As such, staff advised the applicant to minimize disturbance to this area to the greatest extent possible and to restore those areas closest to the stream channel.

Resolution:

The applicant is proposing to convert the interior of the existing single-family detached dwelling on Parcel 33 to a classroom building. As part of the conversion, the applicant is proposing to construct a playground, six (6) parking spaces, a drop-off aisle and a 100-foot long walkway. As mitigation for the encroachment into the RPA, the applicant is proposing to restore the portion of the RPA on the western side of the Pike Branch stream channel and to designate the wooded area on the eastern side of the stream channel as a conservation easement. The applicant has also proposed to remove the existing asphalt driveway at the northern side of the dwelling structure, and to replant the area along the northern property line with supplemental vegetation for transitional screening. With these changes, this issue has been resolved.

Issue: Trail

Staff notes that an 8-foot wide asphalt trail is required by the Trails Map of the Comprehensive Plan along the frontage of Parcel 33 on Telegraph Road. Under the original submission, the applicant had requested a modification to allow a 6-foot wide trail to be built. However, this modification was not supported by the Lee District Trails Committee representative.

Resolution:

The applicant is now proposing to provide an 8-foot wide trail in a 13-foot wide easement on the subject property as depicted on the SEA Plat. A public access easement will be provided and the trail shall be maintained by DPWES.

Urban Forest Management (UFM) Analysis (Appendix 7)**Issue: Tree Preservation**

UFM staff noted that under the originally submitted layout, that a 13-inch diameter magnolia, located at the southern portion of the parcel and designated to be preserved, would be one-foot away from the proposed curb of the future access road. Because the proposed site design and location of the curb will negatively impact the

tree's root zone, UFM staff recommended that the proposed limits of clearing and grading be relocated 10 feet from the trunk of the magnolia tree in order to protect its root zone. Also, UFM recommended that specific tree preservation measures detailing for this tree will be preserved be prepared by a certified project arborist.

Resolution:

Under the revised submission, this 13-inch diameter magnolia tree is no longer proposed for preservation; instead, the applicant proposes to remove it from site. As a replacement, the applicant would plant two evergreen trees 10 feet from the curb of the access road. UFM staff finds the proposal acceptable; therefore, this issue has been resolved.

Issue: Demolition of Existing Driveway

UFM staff noted that the applicant had not indicated how the existing asphalt driveway could be demolished without damaging the roots of the two adjacent 16-inch eastern red cedar trees or the trees located along the southern boundary which the SE Plat designated for preservation. As such, staff recommended that a demolition plan be prepared in consultation with the project arborist demonstrating how the driveway could be removed without damaging any of the trees. This plan should include specific details explaining how the existing trees and vegetation will be protected during the demolition.

Resolution:

The applicant has agreed to prepare a demolition plan in consultation with a certified arborist at the time of site plan review. A development condition has been included to ensure that this plan is done during the site plan process.

Issue: Transitional Screening and Barrier Requirements

Transitional Screening 1 and either Barrier D, E, or F are required along all of the property lines on the site. The Transitional Screening 1 requirement is a 25-foot wide strip of unbroken open space, planted with mixed evergreens. Barrier D, E, or F require either a 42" - 48" chain link fence, a 6-foot high masonry wall or a 6-foot high solid wood or otherwise architecturally solid fence.

There is some sparse vegetation and a 4-foot high chain link fence along the northern property line of Parcel 33. Because the existing vegetation does not meet the transitional screening requirement between the proposed use and the adjacent single-family detached dwelling located at 5905 Telegraph Road, the applicant is proposing to provide supplemental vegetation to meet the transitional screening requirement. The applicant also proposes to retain the chain link fence in lieu of the barrier requirement.

The applicant is requesting a reaffirmation of the modification of the transitional screening and barrier requirements along all property lines on Parcels 31A and 32. The applicant is also requesting:

- A modification of the transitional screening and barrier requirements along all property lines to allow the existing vegetation as depicted on the SEA Plat.
- A modification of the barrier requirement along the northern, southern and western property lines to permit the existing and proposed barriers as depicted on the SEA Plat.
- A waiver of the barrier requirement along the eastern property line on Parcel 33.

Resolution:

Staff supports the requested waivers and modifications because staff believes that the proposed screening and barriers will adequately buffer the school use from the adjacent properties. Therefore this issue has been resolved.

Fairfax County Park Authority Analysis (Appendix 8)

Issue: Natural Resources Impact

Fairfax County Park Authority (FCPA) has concerns that some of the proposed site development is within the Chesapeake Bay Resource Protection Area (RPA) and that the proposed site improvements will have adverse affects on the Pike Branch stream, its associated RPA, and the Park Authority property at Jefferson Manor. As such, FCPA staff asked the applicant to restore the onsite portion of Pike Branch to a more natural condition, in order to improve water quality and stream habitat.

Resolution:

The applicant is proposing to restore the RPA on the western side of Pike Branch. A 6,064 square foot reforestation area is being proposed within the RPA. The buffer will be located between the new construction and the stream and as a result, will be able to intercept and filter runoff from the developed portion of the site. This new buffer area is more than twice the size of the net increase in impervious area proposed for the site. The applicant is also proposing to designate the heavily wooded area on the eastern side of Pike Branch as a conservation easement. FCPA staff is satisfied with the proposal; therefore, this issue has been resolved.

Transportation Analysis (Appendix 9)

Fairfax County Department of Transportation (FCDOT) staff initially raised some issues which the applicant has addressed. They are as follows:

- The right-of-way to be dedicated should be increased to match that of the adjacent parcel to the north.

The applicant has dedicated right-of-way to match that of the adjacent parcel to the north.

- The existing entrance width does not meet current VDOT standards of 30-40 feet in width.

Staff has determined that the existing entrance does meet the standards of 30-40 feet for the entrance width as the entrance is 45 feet in width.

- The plantings in the existing median on site at the entrance should be low enough so as not to block sight distance to and from the proposed internal access road.

The applicant has agreed to maintain the height of the plantings below three feet so that the sight distance is not blocked. A development condition has been included to address this concern.

Issue: Trail

In its comments, FCDOT noted that if the trail along Telegraph Road is within the right-of-way, it should be built to current VDOT standards in order to be maintained by VDOT. A 5-foot wide sidewalk extends across the frontage of Parcel 31A and 32 along Telegraph Road in the VDOT right-of-way. As stated earlier, the applicant had originally requested a modification of the Comprehensive Plan's 8-foot wide trail requirement in lieu of a 6-foot wide asphalt trail to be located across the frontage of Parcel 33 in the VDOT right-of-way.

Resolution:

The applicant has now agreed to build an 8-foot wide trail in a 13-foot wide easement on the subject property. A public access easement will be provided by the applicant and the trail shall be maintained by DPWES. A development condition has been included to address this issue.

Stormwater Management Analysis (Appendix 10)

Issue: Encroachment in the RPA

Pike Branch and its associated RPA traverse through the site. The applicant has submitted a RPA encroachment exception request under Section 118-6-9 of the CBPO, Application #6562-WRPA-002-1, to allow encroachment into the RPA for the proposed construction of a playground, drop-off aisle and parking on Parcel 33. The applicant is proposing to convert the existing single-family detached dwelling to a classroom building. Areas within the RPA at the side and the rear of the dwelling, which are now covered with grass and compacted gravel, will be converted to a mulched playground, five surface parking spaces, approximately 100 feet of sidewalk and a section of the drop-off aisle.

As mitigation for the proposed and past encroachment, the applicant has proposed to remove the existing pavement within the RPA on Lot 33 and to create both a conservation easement and a revegetated buffer within the RPA. DPWES staff has recommended an approval of the RPA Encroachment Exception request with the implementation of the proposed development conditions contained in the RPA Encroachment Exception and Water Quality Impact staff report under Attachment A (see Appendix 11). These development conditions would require the dedication of the conservation easement, the use of permeable paving for the drop-off aisle, and revegetation of a buffer area of no less than 6,000 square feet west of the stream channel to address the water quality improvements required.

Issue: SWM and BMP

The applicant proposes to use a variety of methods including the use of pervious pavers in the parking area, permeable open block pavers in the drop-off aisle, and open space for SWM and BMP. DPWES stated that the sizes and capacities of these methods and the areas to be served by these devices need to be shown on the SEA Plat so that staff can determine whether or not the proposed facilities will work. The SE Plat indicated that a SWM detention waiver will be requested at the time of site plan due to the small increase in runoff and proximity to Pike Branch. As such, DPWES noted that the phosphorous removal requirement should be based on PFM Section 6-401. Irrespective of the water quality waiver request note on the RPA Encroachment Exception and WQIA plats, the applicant has provided DPWES with the required BMP requirements. The applicant had also proposed to use pervious pavers for the parking area and the access road, which DPWES staff noted cannot be located in travel ways per the Public Facilities Manual (PFM 6-1304.2J). However, DPWES did point out that traffic-rated permeable open block pavers could be used in the travel ways.

Resolution:

The applicant is now proposing to use traffic-rated open block pavers in the travel ways. Development conditions have been included which state that the applicant must address all stormwater and best management practices issues at site plan. Development conditions have also been implemented which require the dedication of the conservation easement, the use of permeable paving (traffic-rated open block pavers) for the drop-off aisle, and revegetation of a buffer area of no less than 6,000 square feet west of the stream channel to address water quality requirements.

Sanitary Sewer Analysis (Appendix 12)

The property is located in the Cameron Run (J1) Watershed and would be sewered into Alexandria Sanitation Authority (ASA). The Office of Waste Management states that, based upon current and committed flow, there is excess capacity in the ASA at this time, and an existing 18-inch line on the property is adequate for the proposed use at the present time.

ZONING ORDINANCE PROVISIONS

Bulk Standards (R-4 Zoning)		
Standard	Required	Provided
Minimum Lot Area	8,400 square feet (SF)	11.59 acres
Front Yard	Controlled by a 35° angle of bulk plane, 25 foot minimum	23.1 feet on Parcel 31A (due to prior right-of-way dedication)
Side Yard	Controlled by a 30° angle of bulk plane, 10 foot minimum	North Side – 54.8 feet South Side on Parcel 31A – 25 feet
Rear Yard	Controlled by a 30° angle of bulk plane, 25 foot minimum	364.7 feet
Building Height	60 feet	40 feet
FAR	0.30 maximum allowed for uses other than residential and public	0.12
Parking Spaces	38 (1 space per faculty, staff member & other full time employee, plus 4 for visitors)	116

Transitional Screening	Required	Provided
North (single-family detached residential)	1 (25 foot-wide unbroken strip)	Previously modified (Parcel 32), seeking modification to allow the existing vegetation as shown on SEA Plat
South (single-family detached residential)	1 (25 foot-wide unbroken strip)	Previously modified (Parcels 31A and 32); seeking modification to allow the existing vegetation as shown on SEA Plat
East (single-family detached residential)	1 (25 foot-wide unbroken strip)	Previously modified (Parcels 31A and 32); seeking modification to allow the existing vegetation as shown on SEA Plat
West (single-family detached residential)	1 (25 foot-wide unbroken strip)	Previously modified (Parcels 31A & 32); seeking modification to allow the existing vegetation as shown on SEA Plat
Barrier	Required	Provided
North (single-family detached residential)	D, E, or F	Previously modified (Parcel 32) ; seeking modification to that shown on SEA Plat
South (single-family detached residential)	D, E or F	Previously modified (Parcels 31A and 32) ; seeking modification to that shown on SEA Plat
East (single-family detached residential)	D, E or F	Previously modified (Parcel 31A and 32) ; seeking modification to that shown on SEA Plat Seeking waiver (Parcel 33)
West (single-family detached residential)	D, E or F	Previously modified (Parcels 31A & 32); seeking modification to that shown on SEA Plat

Waivers/Modifications

The applicant is requesting a reaffirmation of the approval of the modifications of the screening and barrier requirements to that shown on the SEA Plat. Transitional Screening 1 and either Barrier D, E, or F are required along all of the property lines on the site. The Transitional Screening 1 requirement is a 25-foot wide strip of unbroken open space, planted with mixed evergreens. Barrier D, E, or F require either a 42" - 48" chain link fence, a 6-foot high masonry wall or a 6-foot high solid wood or otherwise architecturally solid fence. The applicant is requesting modifications and waivers of the following:

- A modification of the transitional screening requirements along all property lines to allow the existing vegetation as depicted on the SEA Plat.

- A modification of the barrier requirements along all property lines except the eastern boundary of Lot 33, where the barrier requirement should be waived in favor of the existing vegetation.

Modification of the transitional screening requirements along all property lines

The applicant is proposing to provide a 25-foot wide strip of proposed vegetation along the western property line on Parcel 33; however, this landscaping will be less dense than what is required by the Zoning Ordinance as the applicant wants to maintain the residential appearance of the property. The applicant states that due to the topography of the site and of the parcels across Telegraph Road, screening along Telegraph Road will be ineffective as the subject site lies at a lower elevation than the properties across the road. Given this difference in elevation between the school and adjacent dwellings, staff finds the proposed transitional screening satisfactory. The modification would also enable the applicant to preserve an existing large maple tree in the front yard which would be disturbed by excavation and installation of trees normally required for the screening requirement.

The applicant is proposing to provide transitional screening along the northern property line on Parcel 33 ranging from 12 to 25 feet in width. The transitional screening is reduced to 12 feet in width behind the existing garage structure which the applicant is keeping for storage. Staff finds the proposal is satisfactory because the transitional screening will adequately screen the property.

The applicant is seeking a modification of the transitional screening along the eastern lot line on Parcel 33 to allow the existing vegetation as shown on the SEA Plat. Staff finds the proposed screening is satisfactory.

The applicant is also requesting a reaffirmation of the modification of the transitional screening along all property lines on Parcels 31A and 32. The transitional screening had been previously modified and staff believes the existing vegetation still provides adequate screening for the surrounding properties.

Modification of the barrier requirements along all property lines except the eastern boundary of Lot 33, where the barrier requirement should be waived in favor of the existing vegetation.

The applicant is proposing to retain the existing chain link fence along the northern property line on Parcel 33 in lieu of the barrier requirement. The applicant believes that the fence will act as a sufficient barrier and will preserve the character of the community. Staff believes the existing fence meets the barrier requirements.

The applicant is proposing a 4 foot-high white vinyl fence along the western property line on Parcel 33 to match the existing fence along the site's Telegraph Road frontage. The applicant is also proposing to install a 4-foot high chain link fence behind the vinyl fence in order to further protect the school's students, due to the building's close proximity to Telegraph Road. Staff supports the 4-foot high vinyl fence but believes the chain link fence is unnecessary.

The applicant is also requesting a reaffirmation of the modification of the barrier requirement along all property lines on Parcels 31A and 32 to allow the existing barriers as depicted on the SEA Plat. Staff believes the existing barriers is sufficient and supports this request.

Waiver of the barrier requirement along the eastern property line on Parcel 33

The applicant is requesting a waiver of the barrier requirement along the eastern property line on Parcel 33 due to the wooded nature of this area and the existing dense vegetation along the eastern side of Pike Branch. The applicant also notes that this area will be designated for a conservation easement which will prohibit any disturbance and the property line's small length. Staff believes that the existing vegetation will adequately buffer the abutting properties and that a barrier is unnecessary in this location.

Staff supports the requested waivers and modifications.

OTHER ZONING REQUIREMENTS

Special Exception Requirements (See Appendix 13)

- Additional Standards for Nursery Schools and Child Care Centers (Sect. 9-309)
- Additional Standards for Private Schools of General Education (Sect. 9-310)
- Category 3 Standards (Sect. 9-304)
- General Special Exception Standards (Sect 9-006)
- Provisions for Uses in a Floodplain (Sect. 9-606)

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

Par. 1 addresses providing adequate useable outdoor recreation space for the students at a rate of 100 sq. ft. per child. This paragraph also includes specifications for useable outdoor recreation space: that the area not be covered by buildings or required off-street parking areas; that the area is located outside the required front yard, that the area be developable as outdoor recreation spaces; and that the area comprise no more than 80 percent of the combined total area of the required front and side yards. Staff has concluded that with the existing and proposed outdoor recreational areas, the Browne Academy meets this standard.

Par. 2 requires that such schools conform to the standards regarding the type of street and the provision of adequate pick up and delivery of all persons on the site contained in Sect. 9-309 and notes that schools are subject to the provisions of Chapter 30 of the County Code or Title 63.1, Chapter 10 of the Code of Virginia. With regard to the type of street, Telegraph Road is deemed to be adequate to accommodate the number of students at the Browne Academy.

Par. 3 addresses the pick-up and delivery of persons on the site occurs within the campus and adequate areas are available for that purpose. There are three (3) driveways branching off the main drive which provide access to different areas on the site. One driveway provides access to the northern portion of the site, the second driveway leads to a southern area and a central area on site, and the third driveway leads to an overflow parking area towards the front (western) end of the site. Overall, there is adequate space provided throughout the site for pick-up and drop-off activities to occur without causing a backup of traffic onto Telegraph Road. Therefore, staff believes this standard has been satisfied.

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

Par. 1 addresses providing adequate useable outdoor recreation space for the students at a rate of 100 sq. ft. per child in grades K-3 and 430 sq. ft. per child in grades 4-12. This paragraph also includes the same specifications and requirements as Par. 1 under the Additional Standards for Nursery Schools and Child Care Centers (Sect. 9-309) discussed above. Par. 2 addresses the minimum lot size requirements, which are satisfied by this application. Finally, Par. 3 imposes the same requirements as Par 2. and 3 of Sec. 9-309, which staff believes has been satisfied.

Category 3 Standards (Sect. 9-304)

Par. 1 applies to public uses and is not applicable in this instance since the proposed school is private. Paragraphs 2 and 3 require compliance with the lot size and bulk requirements of the applicable zoning district, which, as demonstrated in the Bulk Standards chart above, are satisfied. Paragraph 4 addresses the performance standards contained in Article 14, Performance Standards. The portion of this article that is relevant to this application is Part 9, Outdoor Lighting Standards, primarily illumination of the outdoor playfield area, the pool house and swimming pool, and the basketball and playcourt. The application did not include a sports illumination plan for these outdoor recreational areas as these facilities are only used during the regular school hours. A development condition has been proposed to ensure the outdoor facilities are only used during regular school hours. All other lighting on the property, such as parking lots, security lighting, building lighting, etc. will have to conform with the standards outlined in Part 9 of the Zoning Ordinance. Par. 5 notes that these approvals are subject to the provisions of Article 17, Site Plans.

General Special Exception Standards (Sect 9-006)

General Standard Number 1 states that the proposed use at the specified location shall be in harmony with the adopted comprehensive plan. As noted under Land Use Analysis above, the Plan Map shows this property to be residential. However, there is site specific Plan text which states that the school use is permitted by special permit and should be retained. The Comprehensive Plan text also states that "infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with guidance provided by the Policy Plan under Land Use Objectives 8 and 14." As stated previously, staff believes that the addition and development of Parcel 33 is of a compatible use, type and intensity with the

surrounding area and is in harmony with the Comprehensive Plan. Therefore, this standard has been met.

General Standard Number 2 requires that the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. The purpose and intent of the R-4 District is "...to provide for single-family detached dwellings at densities set forth in Sect. 408 below; to provide for affordable dwelling unit developments; to allow other selected uses which are compatible with the low density residential character of the district; and otherwise to implement the stated purpose and intent of this Ordinance." Staff has concluded that the existing school and the proposed changes satisfy this standard because the school will retain the look of a low-density residential area.

General Standard Number 3 requires that the proposed use be harmonious with and not adversely affect the use or development of neighboring properties in accordance with the comprehensive plan. As illustrated by the description of the proposed improvements and the discussion of the requested modifications of transitional screening and barrier requirements, the proposed development will have a minimal impact on adjacent uses; therefore, staff has concluded that this standard has been met.

General Standard 4 states that the vehicular and pedestrian traffic associated with the proposed use not be hazardous or conflict with existing or anticipated traffic in the neighborhood. As noted in the Transportation Analysis, staff has concluded that the proposed and existing school use meets this standard so long as the existing vegetation in the median is maintained at a height which will not interfere with sight distance at the entrance. The applicant has proposed to provide an 8-foot wide trail within a 13-foot wide easement to align with the existing sidewalk. Therefore, this standard has been met.

General Standard 5 notes that the provisions of Article 13 regarding parking lot landscaping, transitional screening and barriers are applicable. As discussed above, staff believes that the proposed transitional screening and barriers will adequately buffer the abutting areas. The parking lot landscaping was met in the previous SEA application and no more landscaping is required for the six (6) parking spaces proposed on Lot 33.

General Standard 6 requires that open space be provided in accordance with the requirements of the applicable zoning district. This standard does not apply as there is no open space requirement for non-residential uses in the R-4 district.

General Standard 7 addresses utilities, drainage, parking, loading and other facilities necessary for a proposed use. As illustrated on the tabulations, there will be sufficient parking to comply with the requirements of the Zoning Ordinance. However, there are some stormwater management issues that need to be resolved. Although the new impervious areas on the site will be designed to minimize stormwater runoff by incorporating low-impact development practices (which include the use of permeable paving for the drop-off aisle and the revegetation of a buffer area of no less than 6,000

square feet west of the channel), the applicant has indicated on the SEA Plat that the conservation easement is optional, and that they intend to request a waiver of the water quality control requirements. DPWES staff has stated that the waiver will not be favorably considered based on the requirements on the RPA exception request. As a result, staff proposes development conditions which would require dedication of the conservation easement, the use of permeable paving for the drop-off aisle, and revegetation of a buffer area no less than 6,000 square feet west of the stream channel. In addition to these conditions, staff has also included development conditions requiring that all stormwater and best management practices issues be addressed at site plan.

General Standard 8 addresses signage, noting that all signage associated with the proposed facility must meet the provisions of Article 12, Signs. This amendment application does not propose to change the signage at the site.

Provisions for Uses in a Floodplain (Sect. 9-606)

The Board may approve a special exception for the establishment of a use in a floodplain in accordance with the provisions of Part 9 of Article 2. The school use was previously approved in the floodplain on Parcels 31A and 32 by a special exception and the applicant is not proposing any changes to the use on these parcels. The applicant is now proposing to incorporate Parcel 33 into the school use and to make minor building improvements to the existing structure on the parcel and associated site modifications which include parking, drop-off aisles, sidewalks, etc. to meet the needs of the school. A portion of the drop-off aisle on Parcel 33 is proposed within the floodplain and approximately 100 square feet of the median will be resurfaced to provide access into the proposed access road

These changes necessitate approval of a special exception for a use in the floodplain.

Staff has determined that the requested application meets the requirements of Part 9 of Article 2 as follows:

Standard 1 states that except as may be permitted by Par. 6 and 7 of Sect. 903, any new construction, substantial improvements, or other development, including fill, when combined with all other existing, anticipated and planned development, shall not increase the water surface elevation above the 100-year flood level upstream and downstream, calculated in accordance with the provisions of the Public Facilities Manual. Because the proposed fill within the Pike Branch floodplain is fewer than 10 cubic yards, staff believes that it will have an inconsequential impact to the floodplain level on the applicant's property and no impact whatsoever to the floodplain level on adjacent properties. As such, this standard is satisfied.

Standard 2 states that except as may be permitted by Par. 8 of Sect. 903, the lowest elevation of the lowest floor of any proposed dwelling shall be eighteen (18) inches or greater above the water-surface elevation of the 100-year flood level (which is 10 feet) calculated in accordance with the provisions of the Public Facilities Manual. There are no structures proposed for the floodplain in this application.

Standard 3 states that all uses shall be subject to the provisions of Par. 1 of Sect. 602, which states that notwithstanding the provisions of Sect. 601, no building shall be erected on any land and no change shall be made in the existing contours of any land, including any change in the course, width or elevation of any natural or other drainage channel, in any manner that will obstruct, interfere with, or change the drainage of such land, taking into account land development that may take place in the vicinity under the provisions of this Ordinance, without providing adequate drainage in connection therewith as determined by the Director in accordance with the provisions of the Public Facilities Manual. Staff has proposed a development condition which requires that stormwater drainage be directed to the concrete channel constructed to convey Pike Branch through the use of pipes, swales, or other devices, as determined by DPWES. This condition further requires all fill areas to be stabilized, graded, or have drains installed such that normal rainfall will not flow onto adjacent properties, as determined by DPWES.

Standard 4 states that no structure or substantial improvement to any existing structure shall be allowed unless adequate floodproofing as defined in the Public Facilities Manual is provided. There are no structures proposed within the floodplain under this application.

Standard 5 states that to the extent possible, stable vegetation shall be protected and maintained in the floodplain. The area of the property along the western side of Pike Branch in the Resource Protection Area (RPA) will be restored with vegetation consisting of a mixture of trees and shrubs. The wooded area on the eastern side of the channel will remain undisturbed and, with the implementation of the staff-proposed development condition, this area will be designated a conservation easement. Therefore, this standard has been satisfied.

Standard 6 states that there shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., in a floodplain. A development condition to this effect has been proposed to reinforce the federal requirements; therefore, this standard has been satisfied.

Standard 7 states that for uses other than those enumerated in Par. 2 and 3 of Sect. 903, the applicant shall demonstrate to the satisfaction of the approving authority the extent to which: there are no other feasible options available to achieve the proposed use; the proposal is the least disruptive option to the floodplain; and the proposal meets the environmental goals and objectives of the adopted comprehensive plan for the subject property. The applicant has proposed a section of the drop-off aisle in the floodplain and the resurfacing of the median to avoid locating these features in the front yard for several reasons which are as follows:

- To preserve the property's residential character in a residential neighborhood,
- To provide a safe area for the drop off/pick up activities for the children away from Telegraph Road, and

- To prevent the 38" maple tree in the front yard from being damaged.

Therefore, staff believes this standard has been satisfied.

Standard 8 states that nothing herein shall be deemed to prohibit the refurbishing, refinishing, repair, reconstruction or other such improvements of the structure for an existing use provided such improvements are done in conformance with the Virginia Uniform Statewide Building Code and Article 15 of this Ordinance. The applicant is not proposing to do any of the above; therefore, this standard is not applicable.

Standard 9 states that nothing herein shall be deemed to preclude public uses and public improvements performed by or at the direction of the County. This standard is noted.

Standard 10 states that notwithstanding the minimum yard requirements specified by Sect. 415 above, dwellings and additions thereto proposed for location in a floodplain may be permitted subject to the provisions of this Part and Chapter 118 of The Code. As the proposed use does not include dwellings, this standard is not applicable.

Standard 11 states that all uses and activities shall be subject to the provisions of the Chesapeake Bay Preservation Ordinance, Chapter 118 of The Code. As stated above, this standard is satisfied with the request for an RPA Encroachment Exception.

Standard 12 states that when as-built floor elevations are required by federal regulations or the Virginia Uniform Statewide Building Code for any structure, such elevations shall be submitted to the County on a standard Federal Emergency Management Agency (FEMA) Elevation Certificate prior to approval of the final inspection. If a non-residential building is being floodproofed, then a FEMA Floodproofing Certificate shall be completed. There will be no as-built floors built in the floodplain with this application, nor will there be any floodproofing of a non-residential building. Therefore, this standard is not applicable.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject application is in harmony with the Comprehensive Plan and is in conformance with all of the applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of SEA 85-L-059-06 subject to the proposed development conditions in Appendix 1.

Staff recommends approval of RPA Exception # 6562-WRPA-002-1, subject to the proposed development conditions, dated May 11, 2009, and contained in Attachment A of Appendix 11.

Staff recommends approval of a modification of the transitional screening requirements along all property lines to allow the existing vegetation as depicted on the SEA Plat.

Staff recommends approval of a modification of the barrier requirements along all property lines except the eastern boundary of Lot 33, where the barrier requirement should be waived in favor of the existing vegetation.

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 recommendations of staff; it does not reflect the position of the Board of Supervisors.

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Approved Development Conditions and Reduction of SEA Plat for SEA 85-L-059-5
5. Comprehensive Plan Citations
6. Environmental Analysis
7. Urban Forest Management Analysis
8. Park Authority Analysis
9. Transportation Analysis
10. Stormwater/Best Management Practice Analysis
11. Resources Protection Area (RPA) Encroachment Exception & Water Quality Impact Assessment Staff Report
12. Sanitary Sewer Analysis
13. Applicable Zoning Ordinance Provisions
14. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS

SEA 85-L-059-6

May 28, 2009

If it is the intent of the Board of Supervisors to approve SEA 85-L-059-6 located at 5917 Telegraph Road [Tax Map 82-4 ((1)) 31A, 32 and 33], previously approved for a private school of general education, a nursery school, a child care center and uses in a floodplain to permit increase in land area and associated modifications to site design and development conditions pursuant to Sect. 3-401 and 3-404 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions (those carried forward from previous approval are marked with an asterisk).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Amendment Plat approved with this application, as qualified by these development conditions.*
3. A copy of this Special Exception Amendment and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.*
4. This Special Exception Amendment 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 amendment shall be in substantial conformance with the approved Special Exception Amendment plat entitled Special Exception Amendment Plat, The Browne Academy and prepared by R.C. Fields, Jr. & Associates which is dated August 25, 2008 and revised through May 21, 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.
5. Upon the issuance of the non-RUP for this SEA, the combined maximum daily enrollment of the private school of general education and the nursery school/child care center shall be limited to a maximum of 365 students. *
6. The maximum number of employees on the site at any one time shall not exceed eighty (80)*.

7. The normal hours of operation shall be limited to 7:00 AM to 6:00 PM Monday through Friday. Special events, such as teacher's conferences, open houses, etc. which are not part of the normal operations of the school may occur at other times.*
8. Proposed parking lot lighting shall be limited to a pole height not to exceed 10 feet, and shall use full cut-off fixtures as shown on the SEA Plat. Outdoor recreational facilities shall only be used during regular school hours. No outdoor lighting of the outdoor recreation facilities shall be provided. In addition, building-mounted lighting on the multi-purpose building shall be located at a height not to exceed 18 feet and shall consist of full cut-off fixtures, as shown on the SEA Plat.
9. Meetings shall be held between the School and representative(s) of the Greater Wilton Woods Citizens Association (GWWCC) periodically or when appropriate, as mutually determined by the School and the GWWCC, to maintain continuing communication on the operation of the School and any issues that may concern the GWWCC. A 24-hour contact person (such as the School's Director of Finance and Operations) shall be designated by the School to serve as the liaison to the community for any School issues that affect the community. The contact person's information shall be provided to GWWCC and the Lee District Supervisor's Office prior to site plan approval. GWWCC and the Lee District Supervisor's Office will be notified of any change to the contact person.
10. Tree Preservation: A Tree Preservation plan shall be submitted 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 SEA 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."

11. Tree Preservation Walk-Through. The services of a certified arborist or landscape architect shall be retained, limits of clearing and grading shall be 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.
12. Limits of Clearing and Grading. The limits of clearing and grading shall be strictly observed as shown on the SEA, 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 SEA, 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.
13. 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" development condition 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.

14. Root Pruning. Root pruning shall be performed as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site 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:
 - a. Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - b. Root pruning shall take place prior to any clearing and grading, or demolition of structures.
 - c. Root pruning shall be conducted with the supervision of a certified arborist.
 - d. An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.
15. Demolition of Existing Structures. The demolition of all existing features (including the driveway) and structures within areas protected by the limits of clearing and grading areas as shown on the SEA shall be done by hand without heavy equipment and conducted in a manner that does not impact individual trees and/or groups of trees that are to be preserved as reviewed and approved by the UFMD, DPWES.
16. 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 services of a certified arborist or landscape architect shall be retained 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.
17. A reforestation plan for the RPA located in the northeastern portion of the property shall be submitted concurrently with the first and all subsequent site plan submissions for review and approval by Urban Forest Management, DPWES, and shall be implemented as approved. The plan shall propose an appropriate selection of species based on existing and proposed site conditions to restore the area to a native forest cover type. The reforestation plan shall include, but not be limited to the following:
 - plant list detailing species, sizes, and stock types of trees and other vegetation to be planted

- soil treatments and amendments if necessary
 - mulching specifications
 - methods of installation
 - maintenance
 - mortality threshold
 - monitoring
 - replacement schedule
18. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., within the floodplain.
 19. An Access Hold Harmless Agreement shall be executed with the County for all adverse effects which may arise as a result of the location of any structures and/or facilities within a floodplain area.
 20. Best Management Practices (BMPs) shall be provided for the site which meet the requirements of the Chesapeake Bay Preservation Ordinance (CBPO). Should these BMPs fail to be provided or should they fail to meet the required standards of the CBPO, then this Special Exception Amendment shall be rendered null and void.
 21. The US Army Corps of Engineers shall be consulted in writing prior to the final site plan approval to determine whether or not any action is required to ensure compliance with 404 of the Clean Water Act. Any required actions shall be complete prior to grading the site. If any necessary permissions are not granted or the required actions are not completed, this Special Exception Amendment shall be null and void.
 22. Prior to site plan approval or upon the demand of either Fairfax County or VDOT, whichever should first occur, right-of-way to match the existing right-of-way dedications on either side of Parcel 33 from the centerline along the Telegraph Road frontage shall be dedicated and conveyed in fee simple to the Board of Supervisors as shown on the SEA Plat.
 23. Prior to the issuance of the Non-RUP, an 8-foot wide asphalt trail shall be provided in a 13-foot wide easement in front of Parcel 33 along Telegraph Road in the location as shown on the SEA Plat.

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.

APPENDIX 1

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 19, 2009
 (enter date affidavit is notarized)

I, Robert A. Lawrence, Esq., 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

10174/a

in Application No.(s): SEA-85-L-059-6
 (enter County-assigned application number(s), e.g. SE 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
BSI, Inc., a Virginia non-stock corporation, t/a Browne Academy Agents: Margot N. Durkin David S. Germoth Gordon J. Ringer, Jr.	5917 Telegraph Road Alexandria, Virginia 22310	Applicant/Owner of Tax Map 82-4 ((1)) 31A and 32
BMK pc Agent: Theresa del Ninno	209 Commerce Street Alexandria, Virginia 22314	Architect/Agent
R. C. Fields, Jr. & Associates, P.C. Agents: R. C. Fields, Jr. Ronald J. Keller	718 Jefferson Street Alexandria, Virginia 22314	Engineers/Agents

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

- * In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)

DATE: February 19, 2009
(enter date affidavit is notarized)

101741a

for Application No. (s): SEA-85-L-059-6
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Reed Smith LLP Agents: Robert A. Lawrence Grayson P. Hanes Benjamin F. Tompkins J. Howard Middleton, Jr. Linda S. Broyhill	3110 Fairview Park Drive, Suite 1400 Falls Church, Virginia 22042	Attorneys/Agents

(check if applicable)

[]

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 19, 2009
(enter date affidavit is notarized)

101741a

for Application No. (s): SEA-85-L-059-6
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

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

BSI, Inc., a Virginia non-stock corporation
5917 Telegraph Road
Alexandria, Virginia 22310

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)

BSI, Inc. is a non-profit, non-stock corporation

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

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

Special Exception Attachment to Par. 1(b)

DATE: February 19, 2009
(enter date affidavit is notarized)

101741a

for Application No. (s): SEA-85-L-059-6
(enter County-assigned application number (s))

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

BMK pc
209 Commerce Street
Alexandria, Virginia 22314

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)

H. Maginniss
Thomas King
Robert Ashbury
Theresa del Ninno

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

R. C. Fields, Jr. & Associates, P.C.
718 Jefferson Street
Alexandria, Virginia 22314

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)

R. C. Fields, Jr., Sole Owner

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 19, 2009
 (enter date affidavit is notarized)

101741a

for Application No. (s): SEA-85-L-059-6
 (enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)
 Reed Smith LLP
 3110 Fairview Park Drive, Suite 1400
 Falls Church, Virginia 22042

(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)

*Additional Equity Partners

Abbott, Kevin C.
 Abdalla, Tarek F. *
 Alfandary, Peter R. *
 Allen, Thomas L.
 Arkebauer, J. Todd
 Arnold, Roy W.
 Baker, Scott D.
 Ballantine, Frank D.
 Banzhaf, Michael A.
 Barnes, James J.
 Bartfeld, Arnold L.
 Bastier, Ellen L. *
 Beale, Giles W.
 Begley, Sara A.
 Bernier, Maria N.
 Bernstein, Leonard A.

Bevan III, William
 Bickham, J. D.
 Binis, Barbara R.
 Blasier, Peter C.
 Blitch, Stephen G.
 Bobo, Stephen T.
 Boehner, Russell J.
 Bolden, A. S.
 Bonessa, Dennis R.
 Booker, Daniel I.
 Borrowdale, Peter E.
 Boven, Douglas G.
 Bovich, John P.
 Bradley, Patrick E.
 Brand, Mark A.
 Bresch, Jeffrey J.

Brown, George *
 Brown, Michael K.
 Buckley, Mike C.
 Burroughs, Jr., Benton
 Cameron, Douglas E.
 Caplan, Gary S.
 Carder, Elizabeth B.
 Cardozo, Raymond A.
 Castro, Armando *
 Charot, Benoit
 Clark II, Peter S.
 Cobetto, Jack B.
 Colen, Frederick H.
 Colman, Abraham J.
 Connors, Eugene K.
 Convery III, J. Ferd
 Cooper, Steven I.

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

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

Special Exception Attachment to Par. 1(c)

DATE: February 19, 2009
(enter date affidavit is notarized)

101741a

for Application No. (s): SEA-85-L-059-6
(enter County-assigned application number (s))

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

Reed Smith LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042

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

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

Cotler, Alan K.
Davies, Colleen T.
Davis, James M.
Dellenbach, Robert B.
Demase, Lawrence A.
DeNinno, David L.
Dermody, Debra H.
DiFiore, Gerard S.
Dilling, Robert M.
DiNome, John A.
Dittoe, John E.
Dolin, Stewart
Doran, William E.
Dubelier, Eric A.
Dumville, Samuel M.
Duronio, Carolyn D.
Eggert, Russell R.
Ellison, John N.
Epstein, Bette B.
Eskilson, James
Evans, David C.
Fagelson, Ian B.
Fagelson, Karen C.
Fischer, Michael I. *
Flatley, Lawrence E.
Fogel, Paul D.
Foster, Timothy G.
Fox, Thomas C.
Francis, Jr., Ronald L.
Frank, Ronald W.
Frenier, Diane M.
Fritton, Karl A.
Gallagher, Jr., Daniel P.

Gallatin, Jr., James P.
Gallo, Frank J. *
Garcia, Sergio
Gasparetti, Lorenzo E.
Gentile, Jr., Pasquale D.
Gilbert, Jeffrey T.
Glatzer, Jeffrey L.
Greenblatt, Lewis B.
Green-Kelly, Diane *
Greeson, Thomas W.
Grignon, Margaret A.
Grimes, David M.
Gross, Dodi Walker
Guadagnino, Frank T.
Gwynne, Kurt F.
Hackett, Mary J.
Halbreich, David M.
Harris, Judith L.
Hartman, Ronald G.
Hawley, Terence N.
Healy, Christopher W.
Heard, David J. *
Heffler, Curt L.
Hemming, Seth M.
Hierons, Richard *
Hill, Christopher A.
Hill, Robert J.
Hill, Thomas E. *
Hirsch, Austin L.
Hitt, Leo N.
Hofstetter, Jonathan M.
Honigberg, Carol C.
Hooper, John P.
Hultquist, James T.
Hunt, Mark T. *
Husar, Linda S. *
Iino, John M.
Innamorato, Don A.
Jared, Cynthia

Jaskot, Paul J.
Jordan, Gregory B.
Kabnick, Lisa D.
Karides, Constantine
King, Robert A.
Kleier, James
Klein, Murray J.
Kohn, Steven M.
Kozlov, Herbert F.
Kramer, Ann
Krebs-Markrich, Julia
Kugler, Stefan L.
Kwuon, Janet H.
Lacy, Jr., Dennis P.
Lasher, Lori L.
LeDonne, Eugene
Leech, Frederick C.
Leiderman, Harvey L.
Lewis, Jr., Richard P.
Loepere, Carol C.
LoVallo, Michael A.
Lowenstein, Michael E.
Luchini, Joseph S.
Lyons, III, Stephen M.
Magera, George F.
Mahone, Glenn R.
Maiden, Todd O. *
Mann, Sharon J.
Mantell, Nanette W.
Marger, Joseph M.
Martin, James C.
Martini, John D.
McAllister, David J.
McCarroll, James C.
McDavid, George E.

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

Special Exception Attachment to Par. 1(c)

DATE: February 19, 2009

(enter date affidavit is notarized)

101741a

for Application No. (s): SEA-85-L-059-6

(enter County-assigned application number (s))

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

Reed Smith LLP
 3110 Fairview Park Drive, Suite 1400
 Falls Church, Virginia 22042

(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

McGarrigle, Thomas J.
 McGough, W. T.
 McGuan, Kathleen H.
 McKenna, James F.
 McNichol, William J.
 Mehfoud, Kathleen S.
 Melodia, Mark S.
 Metro, Joseph W.
 Meyers, Michael A.
 Miller, Edward S.
 Miller, Steven A.
 Moberg, Marilyn A.
 Morris, Robert K.
 Munsch, Martha H.
 Napolitano, Perry A.
 Naugle, Louis A.
 Neiman, Robert K.
 Nelson, Jack R.
 Nicholas, Robert A.
 O'Brien, Kathyleen A.
 Opperman, Craig P. *
 Patterson, Lorin E.
 Peck, Daniel F.
 Pedretti, Mark G.
 Perfido, Ruth S.
 Peterson, Kurt C.
 Phillips, Robert D.
 Pollack, Michael B.
 Powell, David C.
 Quinn, Jonathan S.

Radley, Lawrence J.
 Rahl, James A.
 Raju, Ajay K.
 Rambaud, Mathieu
 Rawles, Douglas C.
 Raymond, Peter D.
 Reed, W. F.
 Reinke, Donald C.
 Risetto, Christopher L.
 Ritchey, Patrick W.
 Roche, Brian D.
 Rofe, Douglas J.
 Rolfes, James A.
 Rosen, Barry S.
 Rosenbaum, Joseph I.
 Rosenberg, Carolyn H.
 Roth, Robert A.
 Rubenstein, Donald P.
 Rudolf, Joseph C.
 Rydstrom, Kirsten R. *
 Sanders, Michael
 Schaffer, Eric A.
 Schaider, Joel R.
 Schatz, Gordon B.
 Schlecker, David M.
 Schlesinger, Matthew J.
 Schmarak, Bradley S.
 Schumacher, Jeffrey A.
 Scogin, Hugh T.
 Scott, Michael T.
 Scudellari, Richard *
 Seaman, Charles H.
 Sedlack, Joseph M.
 Seeder, Marshall
 Shanus, Stuart A.

Shay-Byrne, Olivia *
 Short, Carolyn P.
 Shugrue, John D.
 Siev, Jordan
 Sigelko, Duane F.
 Silverschotz, Mark D.
 Simons, Bernard P.
 Simons, Robert P.
 Singer, Paul M.
 Smersfelt, Kenneth N.
 Smith, John L.
 Smith, Robert M.
 Sollie, Kyle O.
 Spaulding, Douglas K.
 Speed, Nicholas
 Springer, Claudia Z.
 Stanley, David E.
 Stewart, George L.
 Suddath, Thomas H.
 Sussman, Allen Z.
 Tabachnick, Gene A.
 Tandler, James R.
 Terras, Alexander
 Thallner, Karl A.
 Thomas, Alexander Y.
 Thomas, William G.
 Thompson, Barry J.
 Thompson, David A.
 Thompson, Gary S.
 Tillman, Eugene
 Tocci, Gary M.
 Todd, Thomas
 Tompkins, Benjamin F.
 Trelvelise, Andrew J.
 Unkovic, John C.
 Vishneski, John S.
 Vitsas, John L.

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

Special Exception Attachment to Par. 1(c)DATE: February 19, 2009

(enter date affidavit is notarized)

101741a

for Application No. (s): SEA-85-L-059-6

(enter County-assigned application number (s))

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

Reed Smith LLP
 3110 Fairview Park Drive, Suite 1400
 Falls Church, Virginia 22042

(check if applicable) The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)**

von Waldow, Arnd N.
 Wallis, Eric G.
 Wasserman, Mark W.
 Weissman, David L.
 Weissman, Sonja S.
 Weyman, Mark L.
 Wilkinson, John
 Wilson, Stephanie
 Wolff, Sarah R.
 Wood, Douglas J.
 Wood, James M.
 Wray, Richard K.
 Yavitz, Judith A.
 Yoo, Thomas J.
 Zaines, John P.
 Zhang, Jinshu
 Zoeller, Lee A.

Former Partners

Andrews, Alexander T.
 Christman, Bruce L.
 Conneley, Mark F.
 East, Lindsay T.
 Evagors, Kyriacos
 Floyd, Michele
 Hargreaves, Philip M.
 Hewetson, Charles M.
 Jeffcott, Robin B.
 Jong, Denise
 Myers, Donald
 Phillips, Richard P. S.
 Pike, Jonathan R.
 Shaw, Nicholas J. A.
 Skrein, Stephen P. M.
 Zurzolo, Tracy L.

Former Equity Partners (cont.)**Former Equity Partners**

Barber, William J. G.
 Bhattacharyya, Gautam
 Birt, Steven J.
 Boutcher, David J.
 Brown, Andrew K.
 Brown, Charles A.
 Cheung, Bo Chun J.
 Drew, Jeffrey R.
 Edwards, Stephen S.
 Freeman, Lynne P.
 Green, Terry
 Hardy, Peter
 Hartley, Simon P.
 Harvey, Richard H. J. P.
 Hibbert, Thomas

Former Equity Partners (cont.)

Ho, Delpha
 Holmes, Katherin M.
 Howse, Christopher G.
 Jenkinson, Andrew P.
 Johnston, Paul F.
 Kirkpatrick, Stephen A.
 Kwong, Fung L.N.
 Lai, Ivy
 Montague-Jones, Roy R.
 Morrison, Alexander D.
 Nicoll, Richard C.
 Norman, David M.
 O'Neil, Mark T.
 Paisley, Belinda L.
 Parker, Roger J.
 Pearman, Scott A.

Pepper, Michael R. D.
 Reid, Graham M.
 Rosales, Rex K.
 Rymer, Philip R.
 Sharma, Asha R.
 Smith, Barry H.
 Spafford, Richard A.
 Stephenson, Leon
 Swinburn, Richard G.
 Taylor, Andrew D.
 Taylor, Philip M.
 Teare, Peter A. D.
 Wame, David G.
 Weller, Charles G.
 Wilkinson, James F.
 Williams, Christopher J.
 Winter, Graham P.
 Witty, Huw R. M.
 York, Stephen

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 19, 2009
(enter date affidavit is notarized)

101741a

for Application No. (s): SEA-85-L-059-6
(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:

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

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

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

None

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: February 19, 2009

101741a

(enter date affidavit is notarized)

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.)

William G. Thomas made a donation to Sharon Bulova in excess of \$100
Carol C. Honigberg made a donation to John W. Foust in excess of \$100
Thomas W. Greeson made a donation to Sharon Bulova in excess of \$100

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

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

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

WITNESS the following signature:

(check one)

Applicant

Robert A. Lawrence

Applicant's Authorized Agent

Robert A. Lawrence, Esq.

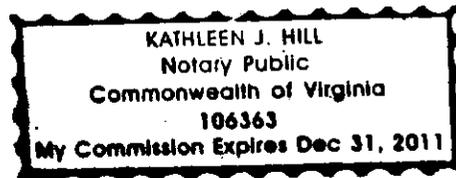
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 19th day of February, 2009, in the State/Comm. of Virginia, County/City of Fairfax.

Kathleen J Hill

Notary Public

My commission expires: 12-31-2011



APPLICANTS STATEMENT
For Special Exception Amendment Application on the
Property of BSI, Inc. T/A (The Browne Academy)

I. Application

The Applicant currently operates the Browne Academy, a private school of general education and a nursery/child care center, on a 10.2 acre tract. This application is filed to amend the previously approved Special Exception (SEA 85-L-059-5) by adding an additional area of 1.4 acres to the site and to make site modifications as shown on the Special Exception Amendment plat filed herein. The expansion includes enhancing the existing private school of general education by adding an adjacent parcel (Tax Map #082-4-001-33) to the current use. In addition, minor building improvements and associated site modifications (parking, drop-off aisles, sidewalks, etc.) to this parcel are proposed to meet the needs as a school use. The proposed gym addition to the multipurpose building is not a new proposal. The previous approval (SEA 85-L-059-5) permitted a 22,000 square foot multipurpose building. The first phase of construction developed a 12,000 square foot building housing a gym; leaving 10,000 square feet of construction remaining to complete the 22,000 square foot building authorized under the previous approval. The gym addition will utilize the remaining 10,000 square feet. The proposed improvements are intended to enhance existing facilities for students and faculty. The applicant is not proposing an increase in the previously approved maximum enrollment of 365 students.

The existing uses have been deemed compatible with the surrounding neighborhoods in previous Special Exception approvals. The most recently approved special exception (SEA 85-L-059-5) found the existing uses to be in conformance with the General Standards and the Additional Standards of the Zoning Ordinance as to each use.

Well established buffers and transitional screening yards exist between the existing school use and the surrounding residential neighborhoods. These buffers will be maintained and enhanced where necessary. The proposed improvements will not have a significant visual impact on the existing residential neighborhoods nearby.

Roadway and frontage improvements are already in place on this property. However, the existing trail along Telegraph Road will be extended across to frontage of Parcel 33 to provide additional pedestrian access in the area for local neighborhoods. There will be no change in existing traffic patterns or peak hours of trip generation. Therefore, no adverse impacts on residential properties in the area are anticipated.

II. Applicant Statement Pursuant to Section 9-011, Paragraph 7

A. Type of Operation

Private preschool (nursery school), kindergarten, child care center, elementary and middle school, and a summer day camp program.

RECEIVED
 Department of Planning & Zoning

JUL 17 2008

Zoning Evaluation Division

- B. Hours of Operation: 7:00 a.m. to 6:00 p.m. Monday through Friday.
- C. Number of Pupils: 365.
- D. Number of Employees: 80.
- E. Traffic Impact: No increase in student enrollment is proposed therefore no additional traffic impact is anticipated.
- F. Vicinity Served: Fairfax, Alexandria, and Arlington, Virginia.
- G. Description of Building and Architecture: The multipurpose building houses the gymnasium. It is a concrete and steel frame structure. The addition to the gymnasium will have building materials and architectural treatment compatible with the existing building. The building on parcel 33 will remain residential in appearance. The proposed storage containers will be made of prefabricated steel.
- H. A listing of all hazardous or toxic substances: None.
- I. The proposed use conforms to the provisions of the applicable ordinances, regulations, adopted standards, and any application conditions, except the modification specifically requested on the Special Exception Amendment plat.

July 17, 2008
Date

Robert A. Lawrence
Robert A. Lawrence, Esquire
Attorney/Agent

16 March 2009

Ms. Michelle Brickner, P.E., Director
Environmental and Site Review Division
Office of Site Development Services
Department of Public Works and Environmental Services
Suite 535, Herrity Building
Fairfax, Virginia 22035

**RE: Transitional Screening & Barrier Modification Request
(Z.O. Section 13-303 & 304)
The Browne Academy
5909 Telegraph Road
Tax Map #082-4-01-33**

Dear Ms. Brickner:

On behalf of our client, The Browne Academy, we are requesting a modification of the Transitional Screening and Barrier requirement (Z.O. 13-300) for the above mentioned property. The existing academy is currently located on a parcel of land that is 10.21 acres in size, located at 5923 Telegraph Road. Our client proposes to add an adjacent parcel (5909 Telegraph Road), formerly a private residence, zoned R-4 and 1.38 acres in size for expansion of the school's use. The existing residential building is to remain with minor modifications to comply with new code requirements for the new use as classroom space. Existing Transitional Screening elsewhere on site will be maintained.

Section 13-300 of the Zoning Ordinance requires that "Transitional Screening 1" be placed along the frontage of the newly acquired parcel along Telegraph Road with a width of 25 feet. We are requesting that the screening requirement be modified to reduce the number of required plantings under section 13-305.12 because the topography of the lot providing the screening (the Academy) and the lots being protected (properties across Telegraph Road) is such that screening will not be effective. In addition, we propose a modification because the building, barrier and/or the land between the building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques (Z.O. 13-305.3)

The current topography of the new parcel at Browne Academy is such that it lies at an elevation below Telegraph Road. The properties across Telegraph Road are much higher in elevation (approximately 20 feet) than the property to be screened, rendering the screening ineffective. As a modification of the required screening we propose to maintain the open feel and existing character of the residential development (indeed, it is zoned R-4) and design a less dense transitional screening area of shrubs, mulched landscaping and a few ornamental trees (see attached plan for details). The full 25 foot width of the required screening area shall be preserved but we request that the density of plantings be reduced. We also request this modification because an existing large maple tree, which is to be saved during redevelopment of this parcel, would be adversely affected by the excavation and installation of trees normally required for the screening requirement.

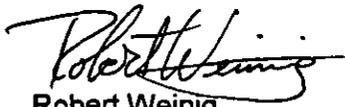
We are also requesting a modification of the Barrier Requirement for this newly acquired parcel for the horizontal location of the barrier upon the Northern and Western property lines as required by 13-303-1. We are requesting to utilize the existing chain link fence along the Northerly boundary as the required barrier along that property line. We believe that the existing fence acts as a sufficient barrier and will preserve the character of the community. For the Westerly portion of the property along Telegraph Road, a 42" chain link and vinyl fence is proposed along the front of the property (see plan for details) and shall conform to the requirements of section 13-304.4(D). The proposed fence will align with the existing fence along the frontage of the Browne Academy property and be in the same character as the current fence. We are requesting that the fence be allowed in front of the modified screening area, adjacent to the right-of-way, to conform to a traditional residential environment.

In addition, we are requesting a waiver of the Barrier Requirement upon the Easterly portion of the newly acquired lot. Due to the existing dense vegetation and wooded nature of the area on the Easterly side of Pike Branch, the property line's small length, and that this area will be dedicated within a conservation area which shall prohibit disturbance, we feel a barrier is unnecessary.

We feel that due to the existing topography, zone, architecture, proposed landscaping and the preservation of existing vegetation, that there is reasonable justification to support a modification of the Screening and Barrier Requirement for this property.

If you have any questions or require additional information, please do not hesitate to contact our office. We appreciate your consideration of this request.

Respectfully,
R.C. Fields, Jr. & Associates, P.C.


Robert Weing
Project Manager

To: Department of Public Works and
Environmental Services
Office of Site Development Services
Plan Control Section
12055 Government Center Parkway
Fairfax, Virginia 22035-5503

- FOR OSDS USE ONLY -	
Waiver # _____	Logged in by: _____
Page 1 of _____	Fee Amount _____
Paid on ____/____/____	Receipt # _____
Logged to UFB on _____	

**REQUEST FOR WAIVER/MODIFICATION OF THE PROVISIONS OF
ARTICLE 13 OF THE FAIRFAX COUNTY ZONING ORDINANCE**

COVER SHEET

NOTE: a complete waiver/modification request must contain all of the following items:

- (4) copies of a complete application (this cover sheet and appropriate attachment)
- (4) sets of landscape plans with complete plant schedule and details
- (4) copies of the applicant's letter of justification

WAIVER TYPE

- transitional screening and/or barrier (USE ATTACHMENT A)
- tree cover (USE ATTACHMENT B)
- interior parking lot (USE ATTACHMENT C)

SUBDIVISION PLANS ONLY:

If tree cover waiver/modification request is for a subdivision plan, the notification requirements of County Code section 101-2-2(9) must be met. Include with this request (4) copies of the typical letter of notification that was sent to adjoining or affected property owners and include a list of the property owners notified. At a minimum the letter should include the County requirements and a description of the proposed waiver/modification to those requirements.

1. APPLICATION INFORMATION (please print or type)

PROJECT NAME THE BROWNE ACADEMY TAX MAP # 082 - 4 - ((.01)) - () - 0033

SUPERVISORY DISTRICT LEE

PROPERTY OWNER OR DEVELOPER BSI, Inc. PHONE 703-960-3000

ADDRESS 5917 Telegraph Road, Alexandria, VA 22310

AGENT FOR APPLICANT R.J. Keller of R.C. Fields, Jr. & Associates, PC PHONE 703-549-6422

ADDRESS 730 South Washington Street, Alexandria, VA 22314

2. PROPOSED USE: Private School EXISTING USE: Private School ZONING: R-4

USE MATRIX CATEGORY NUMBER FOR PROPOSED USE: 4

SITE PLAN SUBMITTED: YES NO PLAN NUMBER (if applicable): N/A

3. ZONING ORDINANCE REFERENCE

Section and paragraph under which modification or waiver is requested: 13-305- 3 & 12

4. APPLICANT/AGENT SIGNATURE Kenneth Keller DATE 17 MAR. 2009

ATTACHMENT A: TRANSITIONAL SCREENING AND/OR BARRIER WAIVER

NOTE: THIS FORM IS AN ATTACHMENT TO THE COVER SHEET

1. WEST PROPERTY LINE: Adjacent Use: Residential SE OR SP Use? NO Adjacent Zoning: R-8

SCREENING REQUIRED: None:
Screening yard required: 1 (25')
NO. OF TREES: 2 large evergreens 6 medium evergreens
2 large deciduous 2 small deciduous 32 evergreen shrubs

SCREENING PROVIDED: None:
Screening yard provided: 25' NOTE: EXISTING TREES WILL BE PRESERVED. LIMITED PLANTING SPACE DUE TO SAVING EXISTING TREE.
NO. OF TREES: 0 large evergreens 2 medium evergreens 35 evergreen shrubs
1 large deciduous 0 small deciduous

BARRIER TYPE: Existing: NONE Required: D, E or F Provided: 42" Fence (D)

2. NORTH PROPERTY LINE: Adjacent Use: Residential SE OR SP Use? NO Adjacent Zoning: R-4

SCREENING REQUIRED: None:
Screening yard required: 1 (25') NOTE: EXISTING TREES WILL BE PRESERVED. LIMITED PLANTING SPACE DUE TO SAVING EXISTING TREES.
NO. OF TREES: 4 large evergreens 13 medium evergreens
5 large deciduous 5 small deciduous 57 evergreen shrubs

SCREENING PROVIDED: None:
Screening yard provided: 25'
NO. OF TREES: 3 large evergreens 8 medium evergreens
2 large deciduous 3 small deciduous 59 evergreen shrubs

BARRIER TYPE: Existing: Fence Required: D, E or F Provided: 42" Fence (D)

3. EAST PROPERTY LINE: Adjacent Use: Residential SE OR SP Use? NO Adjacent Zoning: R-4

SCREENING REQUIRED: None:
Screening yard required: 1 (25')
NO. OF TREES: large evergreens medium evergreens
 large deciduous small deciduous evergreen shrubs

SCREENING PROVIDED: None:
Screening yard provided: > 25' EXISTING WOODED AREA TO SERVE AS SCREENING.
NO. OF TREES: large evergreens medium evergreens
 large deciduous small deciduous evergreen shrubs

BARRIER TYPE: Existing: None Required: D, E or F Provided: NO

4. SOUTH PROPERTY LINE: Adjacent Use: School SE OR SP Use? Yes Adjacent Zoning: R-4

SCREENING REQUIRED: None:
Screening yard required:
NO. OF TREES: large evergreens medium evergreens
 large deciduous small deciduous evergreen shrubs

SCREENING PROVIDED: None:
Screening yard provided:
NO. OF TREES: large evergreens medium evergreens
 large deciduous small deciduous evergreen shrubs

BARRIER TYPE: Existing: N/A Required: N/A Provided: N/A

NOTE: Use additional copies of Attachment A as needed to describe every property line.

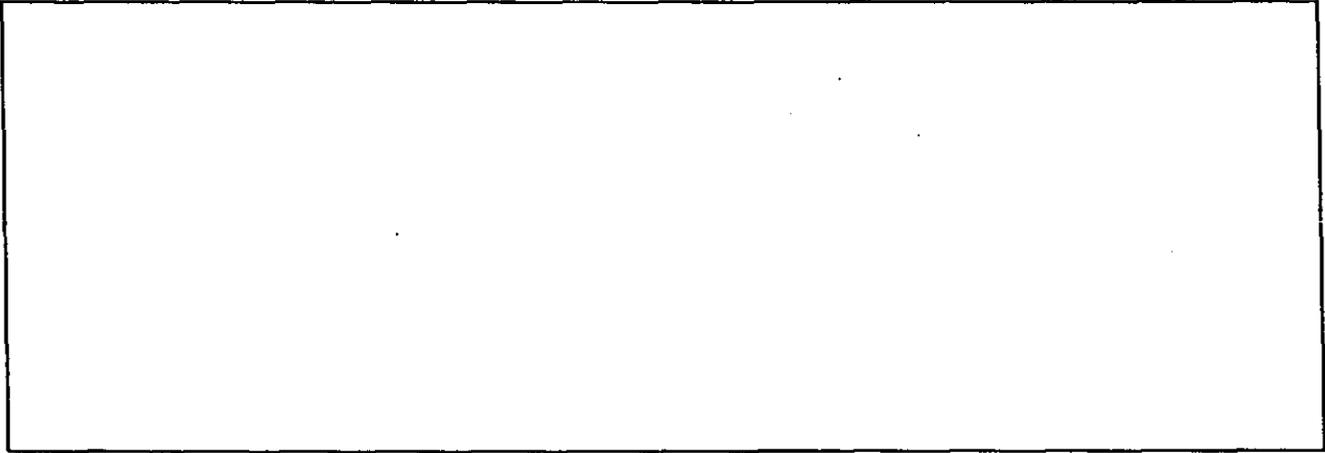
ATTACHMENT B: TREE COVER WAIVER

NOTE: THIS FORM IS AN ATTACHMENT TO THE COVER SHEET

TREE COVER REQUIRED: _____ PERCENT

TREE COVER PROPOSED: _____ PERCENT

IDENTIFY WOODED AREAS AND INDIVIDUAL TREES TO BE USED FOR PROPOSED TREE COVER (areas to be used to meet tree cover requirements should be shaded on the submitted plan):



SHOW TREE COVER CALCULATIONS HERE:

ATTACHMENT C: INTERIOR PARKING LOT LANDSCAPING WAIVER

NOTE: THIS FORM IS AN ATTACHMENT TO THE COVER SHEET

Interior parking lot landscaping may only be waived for certain I-District parking lots and for certain parking lot expansions for existing uses. Peripheral parking lot landscaping cannot be waived or modified.

TOTAL AREA OF THE PARKING LOT (include all travel aisles and roadways that directly serve the parking lot): _____

TOTAL SQUARE FOOTAGE OF LANDSCAPING PROPOSED: _____

TOTAL PERCENTAGE OF PARKING LOT LANDSCAPING PROPOSED: _____



FAIRFAX COUNTY

APPENDIX 4

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

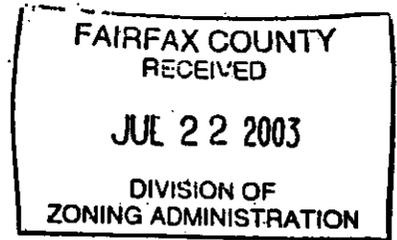
V I R G I N I A

www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm

Email: clerktothebos@fairfax-county.gov

June 13, 2003

Grayson P. Hanes, Esquire
Reed Smith, LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042



RE: Special Exception Amendment Application
Number SEA 85-L-059-5

Dear Mr. Hanes:

At a regular meeting of the Board of Supervisors held on March 24, 2003, the Board approved Special Exception Amendment Application Number SEA 85-L-059-5 in the name of BSI, Incorporated, T/A Browne Academy, located at 5917 Telegraph Road (Tax Map 82-4 ((1)) 31A and 32) previously approved for a private school of general education and uses in a floodplain, to allow an increase in enrollment, site modifications and a nursery school/child care center pursuant to Sections 3-401 and 3-404 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions. These development conditions are in addition to those approved with SEA 85-L-059-4, which remain in effect.

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Amendment Plat approved with this application, as qualified by these development conditions.
3. A copy of this Special Exception Amendment and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Exception Amendment 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 Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled **Special Exception Amendment, Browne Academy and prepared by R.C. Fields, Jr. & Associates which is dated June 4, 2002 and revised through November 27, 2002** and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

5. Upon the issuance of the non-RUP for this Special Exception Amendment, the combined maximum daily enrollment of the private school of general education and the nursery school/child care center shall be limited to a maximum of 365 students. This maximum shall be permitted to include up to 90 preschool and kindergarten students, and up to 49 extended day preschool and kindergarten students. This increase in enrollment shall not become effective until the additional parking on-site has been constructed, as shown on the Special Exception Amendment Plat.
6. Upon issuance of the non-RUP for this Special Exception Amendment, the maximum number of employees on the site at any one time shall not exceed eighty (80).
7. Upon issuance of the non-RUP for this Special Exception Amendment, the normal hours of operation shall be limited to 7:00 AM to 6:00 PM Monday through Friday. Special events, such as teacher's conferences, open houses, etc. which are not part of the normal operations of the school may occur at other times.
8. Proposed parking lot lighting shall be limited to a pole height not to exceed 10 feet, and shall use full cut-off fixtures as shown on the Special Exception Amendment Plat. In addition, building-mounted lighting on the multi-purpose building shall be located at a height not to exceed 18 feet and shall consist of full cut-off fixtures, as shown on the Special Exception Amendment Plat.

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 Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment 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 Amendment. 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.

June 13, 2003

3 -

The Board also modified the transitional screening and barrier requirements in favor of that shown on Sheet 2 of the Special Exception Amendment Plat.

If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

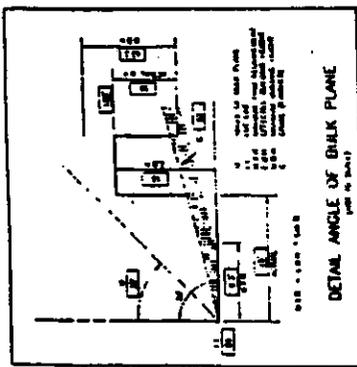
Sincerely,



Patti M. Hicks
Deputy Clerk to the Board of Supervisors

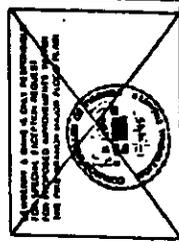
PMH/ns

cc: Chairman Katherine K. Hanley
Supervisor Kauffmann, Lee District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Enforcement Branch
John Crouch, Deputy, Zoning Enforcement Branch, ZPRB
Audrey Clark, Director, BPRD, DPWES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPWES
DPWES - Bonds & Agreements
Department of Highways, VDOT
Land Acq. & Planning Div., Park Authority
District Planning Commissioner



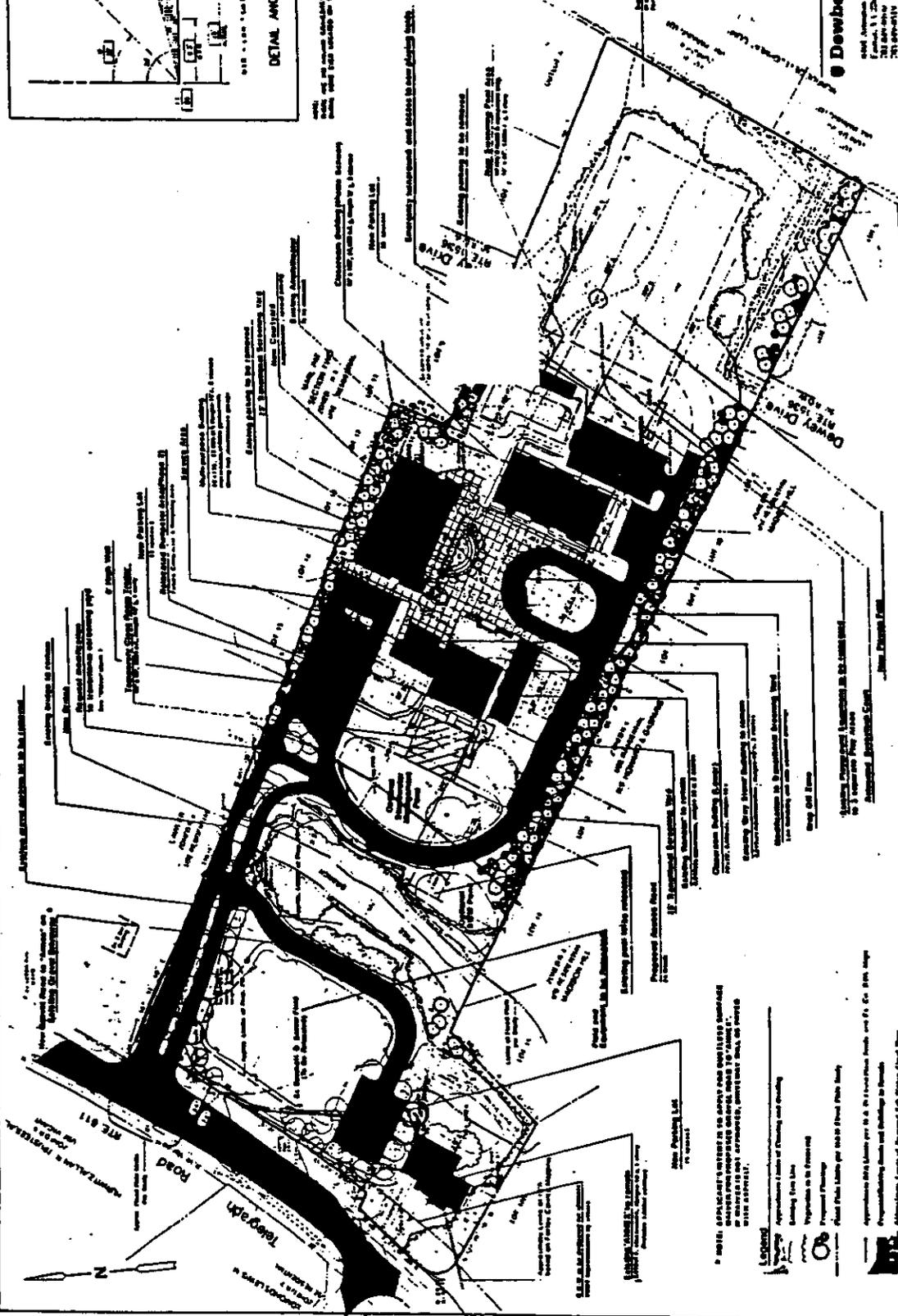
ALL THE WORK SHOWN ON THIS PLAN WAS PREPARED AND CHECKED BY THE ARCHITECT AND ENGINEER FOR THE PROJECT AND IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT AND ENGINEER.

DATE: 11-15-2011



Dewberry & Davis
 2000 American Boulevard
 Suite 1100
 Fairfax, VA 22031-1000
 703-890-1210

DATE	11-15-2011
PROJECT	BROWNE ACADEMY
CLIENT	PHRYA
DESIGNER	D&D
CHECKER	D&D
SCALE	AS SHOWN



PHRYA

Professional Planning & Real Estate Services, Inc.
 10000 Old Dominion Road, Suite 100
 Fairfax, VA 22031
 703-261-1000

SPECIAL EXCEPTION AMENDMENT PLAT

BROWNE ACADEMY
 LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10

NOTE: APPLICANT'S OBLIGATION TO COMPLY WITH ALL APPLICABLE ORDINANCES AND REGULATIONS IS NOT RELIEVED BY THE PRESENTING OF THIS PLAN.

- Legend**
- Proposed Building Footprint
 - Existing Footprint
 - Proposed Driveway
 - Proposed Stormwater Management
 - Proposed Parking Lot
 - Proposed Road
 - Proposed Utility
 - Proposed Landscaping
 - Proposed Fencing
 - Proposed Planting
 - Proposed Signage
 - Proposed Other

APPROVED BY THE BOARD OF SUPERVISORS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS ON 11/15/2011.

APPROVED BY THE BOARD OF SUPERVISORS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS ON 11/15/2011.

Land Unit O (Wilton Woods Neighborhood)

This land unit is located at the western edge of the sector and primarily consists of stable single-family residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

The Browne Academy located on the east side of Telegraph Road is allowed by special permit and should be retained. However, if redevelopment of this site is proposed, it should conform to the general land use recommendation for infill development. The planned density for this area (TM 82-4((1))30A) is for residential use at 2-3 dwelling units per acre.

Most of the western portion of Parcel 30A (TM 82-4((1))30A) is within a Chesapeake Bay Resource Protection Area. Any development should be at the low end of the Plan range and should avoid the environmentally sensitive area. The density of development may be reduced due to the extent of environmental constraints.

Land Unit P (Fairhaven Neighborhood)

The Fairhaven neighborhood is located south of the Metro station and is generally bounded by Fort Drive on the north, commercial uses along Richmond Highway on the east, Jamaica Drive on the south and North Kings Highway on the west. The land use recommendations for this area (Land Unit P) encourage the preservation of the Fairhaven community.

Fairhaven (Land Unit P) is a stable neighborhood of single-family detached dwellings that is planned for 3-4 dwelling units per acre.

Land Units Q, R, S and U (North Gateway Area)

The area south of Huntington Avenue and west of Richmond Highway is built-out. Land Unit Q is designated for residential use at 35-40 dwelling units per acre, reflecting the build-out of the Montebello and Belle Haven Towers high-rise residential projects. The Berkshire townhouse developments which comprise Land Unit U have been built in conformance with the planned density of 8-12 dwelling units per acre.

Near the intersection of Richmond Highway and Huntington Avenue, one portion of Land Unit R has been developed with the Hunting Creek condominiums at the planned density of 16-20 dwelling units per acre. The other portion of this land unit, approximately 9 acres, is approved for a mixed-use project of 443 dwelling units and 39,200 gross square feet of commercial space. This site (Tax Map 83-3((1))76) is planned for residential development at 40 dwelling units per acre in the event that the following conditions are met. Coordinated development should take place so that:

- Project design and layout provides a high quality development in keeping with the character of residential development in the area;
- Development is screened and set back from Richmond Highway to avoid excessive building bulk in proximity to Richmond Highway and to provide an adequate transition toward the lower residential densities existing and planned south of Richmond Highway and west of Fort Hunt Road;
- Mixed-use is encouraged provided that the traffic impact is thoroughly analyzed and mitigated so that Huntington Avenue and Richmond Highway adjacent to the site will operate at levels of service acceptable to the Virginia Department of Transportation and



County of Fairfax, Virginia

MEMORANDUM

DATE: April 15, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: ENVIRONMENTAL ASSESSMENT for: SEA 85-L-059-06
Browne Academy

This memorandum, prepared by John R. Bell, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. The citations are followed by a discussion of environmental concerns, including a description of potential impacts that may result from the proposed development as depicted on March 4, 2009. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible 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:

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through December 3, 2007, on page 7 through 15, 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 d. Preserve the integrity and the scenic and recreational value of stream valley EQCs when locating and designing storm water detention and BMP facilities. In general, such facilities should not be provided within stream valley EQCs unless they are designed to provide regional benefit or unless the EQCs have been significantly degraded. When facilities within the EQC are appropriate, encourage the construction of facilities that minimize

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Planning Division
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clearing and grading, such as embankment-only ponds, or facilities that are otherwise designed to maximize pollutant removal while protecting, enhancing, and/or restoring the ecological integrity of the EQC. . . .

Policy k. For new development and redevelopment, apply better site design and low impact development techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created. . . .

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.

Proposals that include the use or storage of hazardous materials should provide adequate containment facilities, monitoring, and spill prevention strategies to protect surface and groundwater resources consistent with State regulations.

Programs to improve water quality in the Potomac River/Estuary, and Chesapeake Bay will continue to have significant impacts on planning and development in Fairfax County. There is abundant evidence that water quality and the marine environment in the Bay are deteriorating, and that this deterioration is the result of land use activities throughout the watershed.

In order to protect the Chesapeake Bay and other waters of Virginia from degradation resulting from runoff pollution, the Commonwealth has enacted regulations requiring localities within Tidewater Virginia (including Fairfax County) to designate "Chesapeake Bay Preservation Areas". Within which land uses are either restricted or water quality measures must be provided. Fairfax County has adopted a Chesapeake Bay Preservation Ordinance pursuant to these regulations.

The more restrictive type of Chesapeake Bay Preservation Area is known as the "Resource Protection Area (RPA)." With a few exceptions (e.g. water wells, recreation, infrastructure improvements, "water dependent" activities, and redevelopment), new development is prohibited in these areas. In Fairfax County, RPAs include the following features:

- water bodies with perennial flow;
- tidal wetlands;
- tidal shores;

- nontidal wetlands contiguous with and connected by surface flow to tidal wetlands or water bodies with perennial flow;
- a buffer area not less than 100 feet in width around the above features; and
- as part of the buffer area, any land within a major floodplain.

The other, less sensitive category of land in the Preservation Areas is called the "Resource Management Area (RMA)." Development is permitted in RMAs as long as it meets water quality goals and performance criteria for these areas. These goals and criteria include stormwater management standards, maintenance requirements and reserve capacity for on-site sewage disposal facilities, erosion and sediment control requirements, demonstration of attainment of wetlands permits, and conservation plans for agricultural activities. In Fairfax County, RMAs include any area that is not designated as an RPA. . . .

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. . . .

Objective 9: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.

Policy a: For ecological resource conservation, identify, protect and restore an Environmental Quality Corridor system (EQC). . . Lands may be included within the EQC system if they can achieve any of the following purposes:

- **Habitat Quality:** The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest.
- **"Connectedness":** This segment of open space could become a part of a corridor to facilitate the movement of wildlife.
- **Aesthetics:** This land could become part of a green belt separating land uses, providing passive recreational opportunities to people.
- **Pollution Reduction Capabilities:** Preservation of this land would result in significant reductions to non-point source water pollution, and/or, micro climate control, and/or reductions in noise.

The core of the EQC system will be the County's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. The stream valley component of the EQC system shall include the following elements.

- All 100 year flood plains as defined by the Zoning Ordinance;
- All areas of 15% or greater slopes adjacent to the flood plain, or if no flood plain is present, 15% or greater slopes that begin within 50 feet of the stream channel;
- All wetlands connected to the stream valleys; and
- All the land within a corridor defined by a boundary line which is 50 feet plus 4 additional feet for each % slope measured perpendicular to the stream bank. The % slope used in the calculation will be the average slope measured within 110 feet of a stream channel or, if a flood plain is present, between the flood plain boundary and a point fifty feet up slope from the flood plain. This measurement should be taken at fifty foot intervals beginning at the downstream boundary of any stream valley on or adjacent to a property under evaluation.

Modifications to the boundaries so delineated may be appropriate if the area designated does not benefit habitat quality, connectedness, aesthetics, or pollution reduction as described above. In addition, some intrusions that serve a public purpose such as unavoidable public infrastructure easements and rights of way are appropriate. Such intrusions should be minimized and occur perpendicular to the corridor's alignment, if practical.

Preservation should be achieved through dedication to the Fairfax County Park Authority, if such dedication is in the public interest. Otherwise, EQC land should remain in private ownership in separate undeveloped lots with appropriate commitments for preservation. The use of protective easements as a means of preservation should be considered.”

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. 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.

Resource Protection Area (RPA)/Environmental Quality Corridor (EQC)

Issue:

The vast majority of the subject property is located within an RPA associated with a portion of Pike Branch stream valley. The RPA also meets the criteria of the EQC policy. However, the area of the property which is the subject of this application has been disturbed in the past and was not previously designated as an EQC. The current application seeks to add land area to the school and create a new classroom, surface parking and playground area. Due to the location

within the RPA staff had requested that the applicant minimize any disturbed areas to the greatest extent possible, while also providing some measure of restoration in those areas closest to the stream channel.

Resolution:

The applicant should be encouraged to provide supplemental plantings where possible. Staff does not feel that designating any portion of the subject property as EQC would be greatly beneficial at this time as some of the adjacent properties are not designated with EQC areas. The applicants will be subject to any additional regulatory requirements of the Chesapeake Bay Preservation Ordinance and the previously noted RPA on the subject property.

Trails

The Fairfax County Trails Plan show an 8-foot wide asphalt trail at the front of the subject property running parallel to Telegraph Road at this location. The applicant is requesting a modification to allow a trail of 6-feet in width at this location based on the existing conditions at this site.

PGN:JRB

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Sheng Leu 
Facilities Planning Branch, DPZ

FILE: 09.04 (ZTW)

SUBJECT: Trail Waiver
SEA 85-L-059-06

DATE: March 5, 2009

The Facilities Planning Branch consulted Robert Michie, the Lee District representative of the Trails and Sidewalks Committee, for review and recommendation on the request to install a 6-foot asphalt trail along the Telegraph Road frontage of Tax Map 82-4-001-33, and to allow the existing 5-foot asphalt trail along the Telegraph Road frontage of Tax Map 82-4-001-32 to satisfy the Trails Plan requirements of a major paved trail and on-road bike lanes. Mr. Michie recommends that the request be denied.

If you have any questions, please call me at extension 41272.

SJL

cc: Pam Nee, Environment and Development Review Branch, PD, DPZ
Robert Michie, Trails and Sidewalks Committee



County of Fairfax, Virginia

MEMORANDUM

March 13, 2009

TO: Kelli-Mae Goddard-Sobers, Staff Coordinator
Zoning Evaluation Division, DPZ

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

SUBJECT: Browne Academy; SEA 85-L-059-06

RE: Request for assistance dated March 9, 2009

This review is based on the Special Exception Amendment Plat (SEA) 85-L-059-06 stamped "Received, Department of Planning and Zoning, March 6, 2009." A site visit was conducted on January 23, 2009, as part of a review of the SEA stamped "Received, Department of Planning and Zoning, November 19, 2008."

General Comment: Comments of the previously submitted SEA were provided to you in my memo dated January 29, 2009. The comments contained in that memo are still valid for this latest SEA submission. Additional comments are provided to address the proposed proffers, proposed landscaping and tree cover requirements on the SEA.

- 1. Comment:** Preliminary 10-year tree canopy calculations have been provided, however, the 78,766 square feet claimed as "total canopy area meeting standards" and the 63,535 square feet claimed as "canopy area of trees within RPA" are unclear.

Recommendation: The areas of existing vegetation to be credited toward the tree cover requirements should be shaded and labeled indicating the amount of tree cover credit claimed for each area.

- 2. Comment:** A 13-inch diameter magnolia located at the southern portion of the parcel, south of the existing building labeled to remain, appears to be located approximately 1-foot away from the proposed curb. The proposed site design and proximity of the proposed curb will not adequately protect this tree. In addition, the note on sheet 4 states "the limits of clearing and grading are to be kept as far away from this tree as possible. The project arborist will be consulted regarding tree protection measures to be employed during construction to improve its chances of survival".



Recommendation: In accordance with note 4, the proposed limits of clearing and grading as shown on the SEA should be located approximately 10 feet from the trunk of this tree. In addition, specific tree preservation measures detailing how this tree will be preserved should be prepared by the project arborist, who should be a certified arborist, as part of the SEA submission.

3. **Comment:** There is an existing asphalt driveway located directly adjacent to the two 16-inch diameter eastern redcedar trees and several existing trees located along the northern property line. It is unclear how it will be demolished without damaging these trees. In addition, it does not appear the driveway removal note on sheet 4 was prepared in consultation with a project arborist as this note does not provide specific details how the driveway will be removed without damaging the existing trees and vegetation, nor does it specify how trees and vegetation will be protected and preserved during the demolition.

Recommendation: A demolition plan should be prepared in consultation with the project arborist that demonstrates how the existing asphalt driveway will be demolished without damaging the two existing eastern redcedar trees and the trees located along the northern property boundary. Specific tree preservation measures should include the following details

- The existing surface of the driveway shall be removed down to the sub base layer using a rubber tired skid steer to lift and pull the existing asphalt away from these trees and associated roots, working from the end of the asphalt toward Telegraph Road without using any equipment on the exposed sub base layer;
- The sub base layer shall remain and this area shall be immediately backfilled with soil without using equipment on the exposed sub base layer;
- After the existing surface of the driveway is removed and the area is backfilled with soil, tree protection fencing shall be relocated to the southern side of the previously existing driveway.

4. **Comment:** Transitional screening type 1 and barrier D, E, or F are not shown or identified along the western property boundary where the site faces the single family detached dwellings along the western side of Telegraph Road. In addition, the note on sheet 4 requesting a modification to maintain the existing character of the property is not a valid justification under section 13-304 of the Zoning Ordinance.

Recommendation: Transitional screening type 1 and barrier D, E, or F should be shown and identified along the western property boundary where the site faces the single family detached dwellings along the western side of Telegraph Road or a transitional screening yard and barrier waiver/modification application, complete with the required justification letter in accordance with section 13-304 of the Zoning Ordinance, should be submitted to UFMD for review and approval.

5. **Comment:** Green ash trees are included in the 'Planting Schedule for Buffer Restoration'. These trees are susceptible to various boring insects including the emerald ash borer. These trees are considered undesirable for this environment.

Browne Academy
SEA 85-L-059-06
March 13, 2009
Page 3 of 3

Recommendation: Green ash trees should be removed from the 'Planting Schedule for Buffer Restoration' and replaced with an alternative overstory tree.

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

TLN/
UFMID #: 141502

cc: RA File
DPZ File



FAIRFAX COUNTY PARK AUTHORITY

M E M O R A N D U M



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

FROM: Sandy Stallman, Manager 
 Park Planning Branch

DATE: December 8, 2008

SUBJECT: SEA-85-L-059-06, Browne Academy - **Revised**
 Tax Map Number(s): 82-4((1)) 31A, 32, 33

BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated June 2008, for the above referenced application. The Development Plan shows the addition of a 1.4-acre parcel to the site with minor building and associated site improvements. These include parking, drop off aisles, and sidewalks. The plan does not propose to increase enrollment or staff.

COMPREHENSIVE PLAN CITATIONS

1. Resource Protection (The Policy Plan, Parks and Recreation Objectives 2 & 5, pp. 5-7)

“Objective 2: Protect appropriate land areas in a natural state to ensure preservation of significant and sensitive natural resources.”

“Policy g: Protect parklands from encroachments and minimize adverse human impacts to natural areas.”

“Policy j: Minimize adverse impacts of development on water resources and stream valleys.”

“Policy k: Minimize the effects of storm water outfalls on parkland.”

“Objective 5: Ensure the long term protection, preservation and sustainability of park resources.”

“Policy a: Protect parklands from adverse impacts of off-site development and uses. Specifically, identify impacts from development proposals that may negatively

affect parklands and private properties under protective easements and require mitigation and/or restoration measures, as appropriate.”

ANALYSIS AND RECOMMENDATIONS

Natural Resources Impact:

The applicant's property straddles both sides of Pike Branch directly upstream of Jefferson Manor Park owned and operated by the Fairfax County Park Authority.

Pike Branch has substantially degraded biological and habitat integrity. The portion of Pike Branch between the Browne Academy site and Jefferson Manor Park has been channelized. As a result of this artificial channel, significant stream degradation has occurred.

Some of the applicant's proposed site development is within the existing Chesapeake Bay Resource Protection Area (RPA). Staff is concerned that the proposed site improvements will have adverse affects on Pike Branch, the RPA, and Park Authority property at Jefferson Manor. FCPA requests that the applicant restore the onsite portion of Pike Branch to a more natural condition, which could improve water quality and stream habitat.

FCPA Reviewer: AG

DPZ Coordinator: KMGS

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



County of Fairfax, Virginia

MEMORANDUM

DATE: April 23, 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: 3-5 (SE 85-L-059)

SUBJECT: Transportation Impact, Addendum

REFERENCE: SEA 85-L-059-6 Browne Academy
Traffic Zone: 1480
Land Identification: 82-4 ((1)) 31A, 32, 33

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 June 16, 2008, and revised through March 4, 2009.

The right-of-way dedication shown is adequate for the future widening of Telegraph Road, however, it does not accommodate a standard ten-foot wide trail which requires an additional twenty feet. The Facilities Planning Branch is responsible for the trail itself.

AKA/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES



County of Fairfax, Virginia

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: 3-5 (SE 85-L-059)

SUBJECT: Transportation Impact

REFERENCE: SEA 85-L-059-6; BSI Incorporated t/a Browne Academy
Traffic Zone: 1480
Land Identification Map: 82-4 ((1)) 31A, 32, 33.

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 June 16, 2008, and revised through November 17, 2008. The application is to amend the previously approved application in order to add an additional area of 1.4 acres to the site and to make site modifications. The existing six-foot asphalt trail will be extended across the frontage of Parcel 33 and additional right-of-way dedicated.

- The right-of-way to be dedicated should be increased to match that of the adjacent parcel to the north.
- The existing entrance does not meet current VDOT standards of 30-40 feet in width.
- The plantings in the existing median at the entrance should be low enough so as not to block sight distance to and from the proposed access road.
- The trail is within the right-of-way and should be built to current VDOT standards in order to be maintained by VDOT.

AKR/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES



County of Fairfax, Virginia

MEMORANDUM

DATE: DEC 19 2008

TO: Kelli-Mae Goddard-Sobers, Staff Coordinators
Zoning Evaluation Division
Department of Planning and Zoning

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

SUBJECT: Special Exception Amendment Application, SEA 85-L-059-06, Browne Academy, Plat Dated November 17, 2008, LDS Project #6562-ZONA-001-2, Tax Map #082-4-01-0031A, 0032, and 0033, Lee District

We have reviewed the subject application and offer the following comments related to stormwater management (SWM).

Chesapeake Bay Preservation Ordinance (CBPO)

There is a Resource Protection Area (RPA) along Pike Branch through the site. RPA delineation Plan #6562-WQ-001-2 was approved by the County on November 11, 1998 for lots 31A and 32. The applicant has proposed to add lot 33 and a new access road, parking area, and playground within the RPA. The applicant has submitted a RPA encroachments exception request under Section 118-6-9 of the CBPO. 6562-WRPA-002-1 is under review. A separate staff report will be provided.

The previously approved RPA delineation plan did not include Lot 33, therefore a redelineation plan to cover this lot needs to be submitted. It would be logged as a new RPA, but the start of delineation must be from the previously approved plan to help the tie-in.

Floodplain

There is a floodplain on the site. A reference to floodplain study needs to be labeled on the plan. Any new uses within the floodplain will need to be included in the SEA.

Downstream Drainage Complaints

There is no complaint on file.



SWM

The applicant proposes to use filtration system, Bio-retention Filter or Basin, Pervious pavement, open space, etc. Their sizes, capacities, and the areas served need to be shown. The applicant states that a SW detention waiver will be requested because of small increase in runoff and proximity to Pike Branch. The phosphorus removal requirement should be based on PFM Section 6-0401. Pervious pavements shall not be located in travel ways (PFM 6-1304.2J)

Site Outfall

Narrative for outfall has provided. Site outfalls into an existing concrete ditch. Any new and/or existing SWM facilities shall be privately maintained and the owner(s) will be required to execute and stormwater maintenance agreement with the County.

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

QK/mw

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Jeremiah Stonefield, Chief, Stormwater and Geotechnical Section, ESRD, DPWES
Beth Forbes, Stormwater Engineer, Stormwater and Geotechnical Section, ESRD,,
DPWES
Zoning Application File

MAY 11, 2009

DEPARTMENT OF PUBLIC WORKS & ENVIRONMENTAL SERVICES

ENVIRONMENTAL & SITE REVIEW DIVISION

STAFF REPORT

**RESOURCES PROTECTION AREA (RPA)
ENCROACHMENT EXCEPTION #6562-WRPA-002-1 &
WATER QUALITY IMPACT ASSESSMENT #6562-WQ-002-4**

In conjunction with Special Exception Amendment SEA 85-L-059-06

LEE DISTRICT

APPLICANT: BSI, Inc.

PROJECT LOCATION: 5907-5923 Telegraph Road

TAX MAP REFERENCE: 082-4-01-0031A, -0032, -0033

APPLICATION SUBMITTED: December 9, 2008

APPLICATION ACCEPTED: December 29, 2008

WATERSHED: Cameron Run

RPA EXCEPTION REQUEST: General Resource Protection Area Encroachment Request, Chesapeake Bay Preservation Ordinance (CBPO) Section 118-6-9

PROPOSAL: Exception to allow encroachment into the 1993 RPA for the construction of a playground, drop-off aisle and parking

LOT SIZE: The new encroachment is proposed within the 1.38-acre lot 33; the total site is 11.59 acres.

AREA OF REQUESTED ENCROACHMENT: 0.16 acres

PUBLIC HEARING: General RPA Encroachment Requests under CBPO Section 118-6-9 associated with a Special Exception Application require approval by the Board of

Supervisors through a public hearing held conjunction with the public hearing for the Special Exception per procedures of CBPO Section 118-6.

DESCRIPTION:

The applicant would like to convert an existing single-family dwelling to a classroom building. As part of the conversion, it has proposed a playground, 4½ parking spaces, and a portion of the drop-off aisle and walkways to be constructed within the RPA. As mitigation for the encroachment, the applicant proposes removing the existing pavement within the RPA on lot 33 and creating both a conservation easement and a revegetated buffer within the RPA.

BACKGROUND:

The applicant operates a private school. In 2004, it acquired an adjacent lot having a single-family dwelling and an accessory structure. It would like to convert this adjacent lot for scholastic uses.

The most recent Floodplain Study, #6562-FPV-001-A-1, was approved January 27, 1999. The existing campus and lot 33 were included in this study.

The most recent Resource Protection Area delineation study approval was on April 16, 2009 (#6562-RPA-002-1).

**DOCUMENTS AND
CORRESPONDENCE:**

The following information is part of this application:

- RPA Encroachment Exception Application dated September 19, 2008, and signed December 9, 2008 (Attachment B)
- RPA Encroachment Exception Justification Statement dated December 5, 2008 (Attachment C)
- Special Exception Amendment Plat – The Brown Academy prepared by R.C. Fields, Jr. & Associates dated June 16, 2008, and revised through April 10, 2009 (Attachment D)
- Water Quality Impact Assessment dated June 16, 2008, and revised through April 3, 2009 (Attachment E)
- DPWES letter accepting the RPA Encroachment Exception Request #6562-WRPA-002-1 and

Water Quality Impact Assessment, dated
December 29, 2008 (Attachment G)

- Soil Data Map showing unofficial 2008 soils
(Attachment H)

ANALYSIS:

The applicant acquired lot 33, adjacent to its property, in 2004. Since then the existing single-family dwelling and the garage on the lot have been used for storage. To improve passage between the existing campus and lot 33, vegetation along the property line was removed and a compacted gravel area was added to the rear yard. The RPA was impacted by the gravel and removal of vegetation without approval.

The applicant would like to convert the existing single-family dwelling on lot 33 to a classroom building. Areas within the RPA at the side and rear of the dwelling, now covered with grass and compacted gravel, would be converted to a mulched playground, slightly more than 4 parking spaces, about 100 linear feet of sidewalk and a section of the drop-off aisle.

The parking, playground, and drop-off aisle were not proposed for the front yard of the dwelling within the Resource Management Area

- in order to preserve the property's residential character in a residential neighborhood,
- since young children will be using these features, they are best located as far away from the Telegraph Road traffic as possible, and
- having these features in the front yard would unduly impact a 38" maple tree.

The drop-off aisle and parking areas have been proposed to be constructed of pervious pavers. While considered impervious when calculating the percentage of a lot with impervious coverage, in some instances pervious pavers can be used as water quality controls. The use of pervious pavers, however, are not allowed in travelways. Pervious pavers are less sturdy than standard pavers and cannot withstand heavy weights and turning vehicles. A permeable paving scheme in which vehicle-rated pavers are underlain by porous materials and underdrains should

be considered for the drop-off aisle. Pervious pavers can be used in the parking area and the walkways.

The access road on the existing campus will be enlarged about 100 square feet within the RPA to improve turning into the drop-off aisle.

The applicant would remove an existing impervious driveway on the north side of the lot. About 750 square feet of this driveway is within the RPA. Much of the area the driveway now occupies will be revegetated as part of the transitional screening requirements.

A 6,064-square-foot reforestation area within the RPA has been proposed to be revegetated. The buffer will be located between the new construction and the stream and will, therefore, be able to intercept and filter runoff from the developed portion of the site. The new buffer is more than twice the size of the net increase in impervious area proposed for the site.

The total encroachment into the proposed RPA is 0.16 acres. The total encroachment into the 100-year floodplain is 0.03 acres. About 70% of the encroachment will be a mulched playground and a vegetated buffer.

The original campus is adequately served by water quality controls. The applicant has proposed to provide a revegetated buffer, dedicate a conservation easement, and construct a water quality control device within the RPA on lot 33 to meet the water quality control requirements for lot 33. Water quality control devices are not allowed in the RPA, but may be approved with an RPA exception. In order to meet the additional finding that the water quality benefits exceed the associated detriments, a water quality control waiver is not approvable. The applicant must provide sufficient controls to meet the additional standard of the RPA exception.

REQUIRED FINDINGS:

General RPA Encroachment Exceptions may be granted only upon the findings listed in CBPO Section 118-6-6 and the additional finding in CBPO Section 118-6-9. It is the opinion of County staff that

the required findings, as discussed below, have been satisfied in this application.

- The exception to the criteria is the minimum necessary to afford relief. The applicant's use of the property by young children requires that some of the uses be in the rear yard within the RPA and not in the front yard near a heavily traveled road.
- Granting the exception will not confer upon the applicant any special privileges that are denied by this part other property owners who are subject to its provisions and who are similarly situated.
- The exception is in harmony with the purpose and intent of the CBPO and is not of substantial detriment to water quality. Although the new impervious areas on the site will be designed to minimize stormwater runoff by incorporating low-impact development practices, the applicant has indicated on the SEA Plat that the dedication of the conservation easement for the BMP is optional and that it intends to request a waiver of the water quality control requirements. A water quality control waiver will not be favorably considered based on the requirements on the RPA exception request. Dedication of the conservation easement will be required.
- The exception request is not based upon conditions or circumstances that are self-created or self-imposed. The applicant is redeveloping an existing structure that was constructed prior to the RPA being designated on the site.
- Reasonable and appropriate conditions are imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality. The proposed Development Conditions, dated May 11, 2009, are included in Attachment A and specify water quality related improvements including, but not limited to, the proposed RPA buffer restoration area which is 10% of the lot's area and is located between the encroachments and the stream in order to intercept and filter the stormwater runoff. Also, the

- General RPA Encroachment Exception requests pursuant to CBPO 118-6-9 are subject to the additional finding that the water quality benefits resulting from the proposed facility or improvement exceed the associated water quality detriments. The phosphorus removal provided by the parking area's pervious pavers will decrease the phosphorus load as compared to the current conditions. The water quality improvements will, therefore, exceed the detriments.

STAFF RECOMMENDATION: Staff recommends approval of 6562-WRPA-002-1 and 6562-WQ-002-4 and recommends that the approval be subject to the Development Conditions dated May 11, 2009, listed in Appendix A.

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

It should be further noted that the content of this report reflects the analysis and recommendations of the staff; it does not reflect the position of the Board of Supervisors. For further information, contact the Environmental and Facilities Review Division, Office of Land Development Services, Department of Public Works and Environmental Services, 12055 Government Center Parkway, Suite 535, Fairfax, Virginia 22035-5505, 703-324-1720.

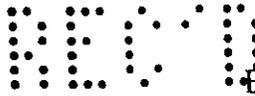
PROPOSED DEVELOPMENT CONDITIONS

6562-WRPA-002-1

May 11, 2009

If it is the intent of the Board of Supervisors to approve 6562-WRPA-002-1 for the properties located at 5909, 5917 and 5923 Telegraph Road (Tax Map #082-4-01-0031A, -0032, and -0033) to allow encroachment in the Resource Protection Area (RPA) pursuant to Section 118-6-9 of the Fairfax County Chesapeake Bay Preservation Ordinance (CBPO), staff recommends that the Board condition the approval by requiring conformance with the following conditions:

1. This RPA Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This RPA Exception is granted only for the purposes, structures or uses indicated on the plat approved with the application, as qualified by these development conditions.
3. Any plan submitted pursuant to this RPA Exception shall be in substantial conformance with the approved plat entitled Special Exception Amendment Plat, The Browne Academy, 5909-5923 Telegraph Road, dated June 16, 2008, and revised through April 10, 2009, and these conditions.
4. In order that the land disturbed within the RPA can be considered to be the minimum necessary to afford relief for the proposed construction, indigenous vegetation shall be preserved to the maximum extent possible, and the limits of clearing and grading must be clearly shown on the site plan and include adequate access and areas for stockpiles and will be subject to approval by the Department of Public Works and Environmental Services (DPWES). The limits of clearing and grading must be strictly observed and enforced. Any encroachment into, and/or disturbance of, the RPA not shown on the approved plan will be considered a violation of the CBPO and is subject to the penalties of CBPO Article 9.
5. The drop-off aisle will be constructed using permeable paving to minimize the stormwater runoff from the new impervious surface.
6. A conservation easement of no fewer than 0.39 acres will be established on lot 33 east of the channel.
7. A buffer area of no fewer than 6,000 square feet west of the channel shall be revegetated according to the specifications in CBPO Section 118-3-3(f).

Exception # 6562-WRPA-002-1**APPLICATION FORM****For Resource Protection Area (RPA) Encroachment Exceptions**

Pursuant to Article 6 of the Chesapeake Bay Preservation Ordinance (Public Hearing Required)

**Part 1****Property Information**

Property Owner	BSI, INC.
Property Address	5909 - 5923 TELEGRAPH ROAD, ALEXANDRIA
Property Description (Lot #, Subdivision, etc.)	The Property of BSI, Inc. (Parcels one & two D.B. 8197, PG. 1879 and D.B. 16528, PG 1755)
Project Name	THE BROWNE ACADEMY
Tax Map Number	082-4-001-31A, 32 and 33
Magisterial District	LEE

Part 2**Exception Type**

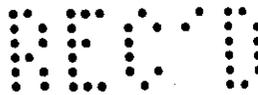
Check One	CBPO Section	Exception Types: (Refer to CBPO for detailed list of qualifications and limitations)
	118-6-7	Loss of buildable area within an RPA on a lot or parcel recorded prior to November 18, 2003. The proposed construction encroaches into the seaward 50 feet of the RPA buffer.
	118-6-8(a)	Accessory structure within the RPA, where the principal structure was established (i.e. RUP issued) as of July 1, 1993 and the proposed construction encroaches into the 1993 RPA.
	118-6-8(b)	Accessory structure in the RPA, where the principal structure on the lot or parcel was established (i.e. RUP issued) between July 1, 1993 and November 18, 2003 and the construction encroaches into the 2003 RPA.
<input checked="" type="checkbox"/>	118-6-9	General RPA encroachment request for encroachments into either the 1993 or 2003 RPA that do not qualify for waivers under CBPO Article 5 and do not qualify under any of the above Sections.

Part 3**General Description of Exception Request**

Property Area (acres or sq. ft.): 11.59 ac.	Disturbed Area in RPA (ac. or sq. ft.): 0.19 ac.	Impervious Area within RPA (ac. or sq. ft.): 0.07 ac.
Brief Description of Project and RPA Encroachment	Convert Existing Dwelling to Pre-School. Maintain existing garage in RPA, construct playground and a portion of the driveway and parking in the RPA. Restore RPA Buffer.	

Check here if a Special Exception (SE) and/or Rezoning (RZ) application has been/will be submitted. The public hearing will be conducted by the Board of Supervisors in conjunction with the SE or RZ hearing.

SE and/or RZ application No.: 85-L-059-06 Date submitted: September 19, 2008

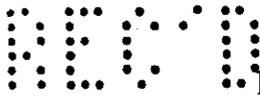


Exception # _____

Part 4

Submission Checklist

118-6-5(a)	Four (4) copies of this <i>application form</i> , completed and signed by the applicant.	
118-6-5(b)	Four (4) copies of a <i>Water Quality Impact Assessment (WQIA)</i> . The WQIA may be submitted with the application as a combined document.	
118-6-5(c)	Fourteen (14) copies of a <i>plat</i> which meets the submission requirements of Zoning Ordinance Section 9-011, paragraph 2. In addition, four (4) letter size copies of the plat that are suitable for reproduction and distribution.	
118-6-5(d)	<i>Photographs</i> of the property showing existing structures, terrain and vegetation	
118-6-5(e)	Four (4) copies of a <i>map identifying classification of soil types</i> , at a scale of one inch equals five hundred feet (1" = 500'), covering an area at least 500 feet beyond the perimeter of the proposed development.	
118-6-5(f)	A <i>statement of justification</i> which addresses how the proposed development complies with the factors set forth in Sections 118-6-6(a) through (f). (See Part 5 below).	
118-6-3(c)	A List of property owners, with addresses, to be notified (minimum of 5). Include all properties abutting, immediately across the street from, and within 500 feet of the subject property (including all properties which lie in adjacent municipalities). In addition, the name and address of a Homeowners or Civic Association that is within the immediate area that will be notified.	
118-6-3(d)	OR: If the exception is associated with a RZ or SE, the notification shall be conducted concurrently with the RZ or SE notification, and the public hearing will be conducted by the Board of Supervisors. Provide a list of owners, with addresses, to be notified in accordance with Zoning Ordinance Article 18 instead of CBPO Section 118-6-3(c).	
104-1-3(d)(8)(C), 101-2-10(a)(4), and 112-17-109.4.C	Application Fees (must be paid at the time of submission of the application):	
	Exception request fee: \$160 per lot (not to exceed \$690) for individual lots; \$690 for subdivisions or site plans.	\$ 690
	WQIA fee (if submitted as a combined document): \$245 for single lot, \$935 for subdivision or site plan.	+ Paid
	A public hearing is required for all exceptions under Article 6. There is an additional fee of \$345 per exception request.	+ \$250.00 \$ 345
	Total Fee: (minimum fee is \$505, maximum is \$1970)	\$ 1035



Exception # _____

Part 5

Statement of Justification

Address, at a minimum, the items listed below and the additional criteria or conditions for the specific exception. Provide a detailed description of the project and the encroachment into the RPA.

<input checked="" type="checkbox"/>	118-6-6(a)	The requested exception of the criteria is the minimum necessary to afford relief.
<input checked="" type="checkbox"/>	118-6-6(b)	Granting the exception will not confer upon the applicant any special privileges that are denied by this part to other property owners who are subject to its provisions and who are similarly situated.
<input checked="" type="checkbox"/>	118-6-6(c)	The exception is in harmony with the purpose and intent of this Chapter and is not of substantial detriment to water quality.
<input checked="" type="checkbox"/>	118-6-6(d)	The exception request is not based upon conditions or circumstances that are self-created or self-imposed.
<input checked="" type="checkbox"/>	118-6-6(e)	Reasonable and appropriate conditions are imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality.
<input checked="" type="checkbox"/>	118-6-6(f)	Other findings, as appropriate and required for the specific exception being applied for, are met. The additional criteria are listed in CBPO Sections 118-6-7(a) through (f), CBPO Section 118-6-8(a)(1) and (2), CBPO Section 118-6-8(b)(1) and (2), or CBPO Section 118-6-9.

Part 6

All information in this application and all documents submitted in support of this request are correct to the best of my knowledge and belief.

Owner: BSI, Inc. (The Browne Academy) (please print)
Address: 5917 Telegraph Road, Alexandria, Virginia 22310

Agent: Robert A. Lawrence (please print)
Company: Reed Smith LLP
Address: 3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042
Telephone: 703-641-4284 Facsimile: 703-641-4340

Signed: Robert A. Lawrence (Owner/Agent) Date: 12/9/08

Submit to: Plan and Document Control, Land Development Services, DPWES, County of Fairfax
12055 Government Center Parkway, Suite 506, FAIRFAX VA 22035-5503

5 December 2008

Ms. Michelle Brickner, P.E.
Office of Site Development Services, DPW&ES
12055 Government Center Parkway
Fairfax, VA. 22033-5503

RE: **RPA Exception Request and
Water Quality Impact Assessment 118-6-9:
Browne Academy, SEA 85-L-059-06
5719 Telegraph Road, Alexandria, Va.
Tax Map Reference #82-4-001-31A, 32 & 33**

Dear Ms. Brickner

On behalf of our client, The Browne Academy, we are requesting consideration of an RPA Exception (RPAE) request and Water Quality Impact Assessment (WQIA) on the above referenced property as permitted under Section 118-6-9 of the Fairfax County Chesapeake Bay Preservation Ordinance. The Applicant proposes the expansion of the existing private school use on the Browne Academy property located at 5917 Telegraph Road in Lee District. The expansion includes enhancing the existing private school of general education by adding an adjacent parcel (Tax Map #082-4-001-33) located at 5909 Telegraph Road to the current use. In addition, minor building improvements and associated site modifications (parking, drop-off aisles, sidewalks, etc.) to this parcel are proposed to meet the needs as a school use. The proposed improvements are intended to enhance existing facilities for current students and faculty. The applicant does not propose to increase the number of students enrolled at the school. This parcel is presently Zoned R-4 (Residential at Four Dwelling Units per Acre) and the use has been deemed compatible with the surrounding neighborhoods in previous Special Exception applications. The proposed Floor Area Ratio (FAR) of 0.12 will be well below the allowable FAR of 0.30.

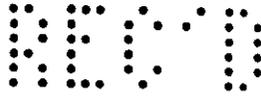
This newly acquired lot (Parcel 33) is currently occupied by a dwelling that has been in use since the 1940's. The site contains Resource Protection Area (RPA) and 100 year floodplain. The owner plans to renovate the existing two-story dwelling to create classroom space for the existing private school. Parcel 33 is located in the R-4 Zoning district and is 59,989 sq. ft. or 1.3771 acres in size. The site currently has 5,071 sq. ft. (9%) of impervious surfaces. The proposed re-development will increase the imperviousness to 7,382 sq. ft. or 12.3%. Total land disturbance proposed is approximately 16,292 sq. ft. or 0.37 acres. Disturbance in the RPA will be 7,104 sq. ft or 0.16 ac. The minimum amount of disturbance is being proposed to re-develop this site.

Statement of Justification:

The following is the Statement of Justification which addresses how the development complies with the factors set forth in Sections 118-6-6 (a) through (f):

(a) *The requested exception to the criteria is the minimum necessary to afford relief;*

The proposed disturbance in the RPA will be limited to the construction of the playground, access aisle, sidewalk, associated grading and the RPA buffer restoration and planting. The existing asphalt driveway will be completely removed. Total disturbance shall be approximately 16,292 sq. ft., with less than 7,110 sq. ft. disturbed in the Resource Protection



Area (RPA). The impervious area within the RPA will be increased slightly from 1,338 sq. ft. to 2,531 sq. ft. Pervious pavers, though considered impervious in the RPA, will be utilized for the proposed driveway and parking area to minimize the impact and promote filtration of pollutants. Total impervious area on the entire parcel will increase from 5,071 sq. ft. to 7,382 sq. ft. Only work for the RPA restoration and playground will encroach into the 50-foot seaward side of the RPA totaling approximately 6,064 sq. ft of disturbance therein. Grading for the proposed development will be minimal and will not raise existing grades or introduce any significant fill material. We are of the opinion that this request is the minimum necessary to afford relief.

- (b) *Granting the exception will not confer upon the applicant any special privileges that are denied by this part to other property owners who are subject to its provisions and who are similarly situated;*

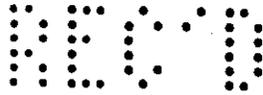
An existing dwelling currently exists upon this lot. Existing dwellings on other lots are currently situated along Pike Branch in a similar configuration and condition with regard to the RPA. Therefore, no special privileges are being granted to the Applicant. The location of the proposed playground is best suited for the area behind the building so that children are not exposed to the high traffic volumes and potential safety issues close to Telegraph Road. Access to the drop off aisle and parking cannot be accommodated farther to the front of the lot. This would result in vehicle movement conflicts and safety issues at the main entrance to the site. Further, it is the intent of the applicant to maintain the residential appearance of this parcel along the frontage of Telegraph Road in order to be sensitive to neighboring properties.

- (c) *The exception is in harmony with the purpose and intent of this Chapter and is not of substantial detriment to water quality;*

Since a large portion of this site is within the RPA and access to the property is in the RPA as well, this exception request is for a reasonable amount of construction and disturbance on site. This is in harmony with the purpose and intent of the Chapter. The subject development proposes a significant improvement to the RPA buffer through buffer restoration plantings. Imperviousness on the parcel will increase slightly but the use of a pervious paver block system for the proposed driveway and parking will help minimize the impacts. Specifically, the proposed overall increase in impervious area (2,311 sq. ft.) for the proposed use is more than offset by the proposed 6,064 sq. ft. of RPA buffer restoration and reforestation. The proposed RPA buffer area square footage is over 2.5 times the increase in impervious area and is greater than the proposed buffer encroachment. The buffer planting area will incorporate 14 overstory trees, 28 understory trees and 150 shrubs. These plantings are to be placed at the lower portion (rear) of the lot to filter the runoff for an increase in water quality. Structural BMP facilities are not always suitable on a site like this for multiple reasons, including: poor permeability of soils, excessive work and land disturbance required for construction of a facility, probable damage to a facility with an underdrain even during minor flooding (due to placement at the lower portion of the site; too close to the stream itself), and the high level of potential damage to such facilities located adjacent to the stream in the RPA.

- (d) *The exception request is not based upon conditions or circumstances that are self-created or self-imposed;*

The RPA was created by Fairfax County with the adoption of the CBPO to cover an area that



was already developed and utilized as a residential use. Safe and adequate access to the parcel has to be modified to be in harmony with the proposed use and the adjacent arterial roadway (Telegraph Road). Closure of the existing driveway access is being requested by Fairfax County and VDOT and very limited disturbance is proposed. Earthwork and grading will be minimal (no significant fill) to establish the new facilities. These conditions and circumstances are not self-created or self-imposed.

- (e) *Reasonable and appropriate conditions are imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality; and*

The proposed development proposes a total impervious area of 7,382 sq. ft. or 12.3% of the site. This percentage is below the adopted 18% Fairfax County land cover condition. In addition, 6,064 sq. ft. of buffer restoration and reforestation equal to over 2.5 times the increase in impervious area is to be planted in the RPA to mitigate the disturbance and imperviousness proposed on site. The proposed buffer area will exceed the area of the proposed encroachment. In addition, the grassed surface in the proposed playground area will be removed and a mulch base will be installed. Mulch is a preferred filtration medium over a grassed lawn surface which requires periodic nutrient applications and pesticide controls. This dense buffer will provide filtering of onsite stormwater prior to entering Pike Branch.

- (f) *Other findings, as appropriate and required herein, are met.*

In our opinion, no such other findings are required. Additional information will be provided upon request.

Water Quality Impact Assessment (WQIA):

As aforementioned, this parcel is presently Zoned R-4 (Residential at Four Dwelling Units per Acre) and has been deemed compatible with the surrounding neighborhoods in previous Special Exception applications. The site is bounded by residential lots, and to the Southeast is Pike Branch. Pike Branch is a perennial stream with a consistent flow. On both sides of the stream, the land surface slopes toward Pike Branch. Approximately 34,825 sq. ft. of Parcel 33 (or 58%) is located in the RPA.

Stormwater Best Management Practice's (BMP's) are presently in place on the school campus to treat stormwater runoff. The existing facilities include a sand filter, a cartridge filter unit and several conservation areas that are covered by easements. The applicant will continue to maintain these facilities to ensure that the water quality requirements are met. This application proposes the re-establishment of a portion of the Resource Protection Area (RPA) buffer adjacent to Pike's Branch on parcel #33. A vegetated buffer will be created to filter runoff, retard surface flows and increase residence times on-site and provide for the interception of pollutants in surface runoff. In addition, trees and other vegetated practices will be employed to help enhance runoff quality and improve the overall visual impact of the site. Existing flood plain and storm drainage facilities associated with Pike Branch will not be altered or modified with this plan. The conveyance of stormwater runoff through the property from the upper reaches of the drainageshed will not be affected. This plan will not impact any wetlands or environmental quality corridors.

The existing and proposed conditions can be seen on the plat submitted with this document.

Pursuant to Section 118-4-3, the following Water Quality Impact Assessment Components,



which demonstrate the proposed project's overall compliance with the Ordinance, are discussed below:

(a) *Display the boundaries of RPA.*

The RPA boundary on Parcel 33 has been field delineated by Angler Environmental of Manassas, Virginia. A RPA delineation plat along with the supporting analysis will be submitted to Fairfax County for review and approval. This RPA boundary line is also shown on the plat, located through the central part of the school property running with Pike Branch. The RPA on the main campus was delineated in a study prepared by Dewberry and Davis dated February 1996 under Fairfax County Plan #6562-RPA-001-3 (Approved 19 July 1996). The area of RPA on this site is approximately 163,637 Square Feet or 3.76 acres. Pike Branch is a Tributary Stream with perennial flow.

A concrete drainage channel that was installed by Fairfax County runs through the center of the property. The crest of the concrete channel on both sides of Pike Branch is the defining limit of the perennial stream, and the 100 foot buffer is measured in a landward direction from the top of the bank. A small portion of the flood plain on the southerly side of parcel 33 is located parallel with the existing access road. This is due to the headwater condition above the existing bridges that cross Pike Branch for the school access road. The RPA follows the limits of the major flood plain in this location.

(b) *Display and describe the location and nature of the proposed encroachment into and/or impacts to the RPA, including any clearing, grading, impervious surfaces, structures, utilities, and sewage disposal systems;*

Clearing and grading will be minimal within the RPA. Currently the area in the RPA is primarily maintained grass, a gravel driveway and parking area with an existing garage. There are approximately four (4) mature trees in the RPA on parcel 33 west of Pike Branch. The existing trees will be retained and protected during construction.

The existing garage building (548 sq. ft.) that is located in the RPA will not be significantly altered other than to perform standard maintenance (caulking, painting, etc.) There will be no increase in the structure footprint and there will be no disturbance in the RPA associated with the maintenance operations. A playground will be constructed in the RPA, and a fence will be placed around the playground. The playground will not have any impervious surfaces and the base will be mulch. The mulch will be replenished on an annual basis or as needed to ensure a safe play surface and filtering cover.

The existing structure to be renovated into classroom space will continue to be served by existing utility connections. The structural improvements to this building will consist of providing adequate emergency egress (stairs) and accessibility improvements for ADA compliance. No new utilities or sewage disposal systems will be installed on this parcel. The site is currently developed, but vegetation is present throughout the site and there are no areas of un-stabilized earth or signs of erosion. The limits of clearing and grading are shown and are minimized to reduce disturbance within the RPA.

An existing driveway (Approximately 2,908 Sq. Ft.) will be removed on the Northerly side of the parcel. A pervious paver surface is proposed to support vehicles that will park at the classroom structure. The proposed surface will not encroach on the seaward 50 feet of the buffer area. A sidewalk will be constructed to accommodate pedestrians. The removal of the

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existing driveway and the incorporation of a pervious paver system will reduce runoff potential and enhance infiltration.

A playground will be constructed over the existing grassed surface between the existing building and Pike Branch. The playground will be fenced, and all fencing will meet Fairfax County requirements for fencing allowed in an RPA. The playground surface will be aged hardwood and/or pine bark mulch at a minimum depth of six (6) inches. The mulch surface will accept rainfall and surface runoff for adjacent areas. A sheet flow condition will be maintained. Removal of the existing grassed surface will mean that no fertilizers, herbicides or pesticides will be used on this area that is within 50 feet of the top of bank for Pike Branch. Existing grades will be maintained, and there will be no significant fill introduced (less than 10 Cu. Yds.) in this area. Proposed surface grading will be adjusted as necessary to ensure positive drainage across all surfaces. Grade adjustments will be minimal.

The proposed disturbed area in the RPA for the access and playground construction will be approximately 7,104 sq. ft., and the impervious surfaces in the RPA will increase from 1,338 sq. ft. to 2,531 sq. ft. Access facilities have been kept away from the banks of Pike Branch so that the buffer will not be less than 50 feet. The majority of the buffer is between 60 and 80 feet in width. A small amount of grading will take place for the preparation of the subgrade. Most of the roadway surfaces will match the existing grade and there will be no significant fill in the RPA or flood plain. There will be no change in the limits of the 100-year flood plain.

A riparian buffer area will be established directly adjacent to the existing concrete channel associated with Pike Branch. The buffer will be densely planted with riparian vegetation in accordance with Fairfax County and CBLAD re-vegetation Standards. Land disturbance associated with the buffer restoration will be for the removal of existing grasses and the preparation of planting beds for riparian plantings. Plantings in the buffer area will be performed by hand to the maximum extent possible. No large grading equipment is anticipated. The surface in the RPA shall be prepared for planting by loosening any compacted topsoil with a roto-tiller or other small hand operated equipment. Construction equipment proposed for the site modifications will consist of small rubber track graders or bobcat type of mechanized vehicles with pneumatic tires.

No disturbance in the stream channel will be necessary. Refer to the plan view for the proposed encroachments.

(c) *Provide justification for the proposed encroachment into and/or impacts to the RPA;*

The private school use has been previously approved by Fairfax County to allow for construction in the flood plain/RPA under previous SEA's (SEA 85-L-059-5). The property has been utilized as a Private School since 1941. Parcel 33 has been used as a single family residence since 1944. The area adjacent to Pike Branch has been utilized for residential lawn, gravel parking, play areas, roadway access, and refuse storage for a number of years.

The access facilities proposed will disturb the minimum area necessary and no work will be required within the streambed of Pike Branch. Although the access facilities (Roadway) will be expanded by this plan in order to provide safe ingress-egress to the site, the travel lanes are not closer than 50 feet to the banks of Pike Branch. The existing gravel parking will be removed from the RPA which will mean less exposure of vehicles to the RPA in the future.

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The proposed open block paver system will adequately support vehicles and provide a porous surface that will promote infiltration and the filtration of pollutants.

Additionally, the restoration of the areas adjacent to Pike Branch to a functioning buffer will retard runoff, prevent erosion, and filter non-point source pollution in accordance with section 118-3-3 (d) of the CBPO. All drainage from the westerly side of Pike Branch will drain through the buffer area in a sheet flow condition that will be non-erosive. These areas will be treated in the buffer, and an increased pollutant removal efficiency for the site will be realized.

- (d) *Describe the extent and nature of any proposed disturbance or disruption of wetlands;*

No disturbance or disruption of any wetlands is proposed as part of this RPA exception. There are no wetlands in the proposed area of land disturbance. Any wetlands permits discovered to be required will be obtained as necessary.

- (e) *Display and discuss the type and location of proposed best management practices to mitigate the proposed RPA encroachment and/or adverse impacts;*

The main campus area of the site is presently served by Best Management Practices (BMP's) to treat runoff. These facilities (An Austin style sand filter and a cartridge filter system) will be maintained. In addition, natural areas of the site have been set aside in conservation and flood plain/storm drainage easements to preclude future development and maintain undisturbed open space.

Pollutant removal efficiency for the original school campus was computed using Northern Virginia and Fairfax County PFM Standards on the approved Site Plan #6562-SP-003. The sand filters were rated at sixty percent (60%) pollutant removal efficiency. The conservation areas were rated at eighty percent (80%) efficiency because they are primarily re-established natural areas. Thus, a forty percent (40%) minimum phosphorus removal was originally provided for the entire project area.

For the recently acquired parcel 33 a portion of the buffer area adjacent to Pike Branch (approx. 6,000 sq. ft.) will be re-vegetated and restored to a functioning buffer and will not be mowed or maintained in a traditional manner. The area of the proposed restoration and reforestation will exceed the area of the proposed impervious area in the RPA. This area is currently a maintained lawn grass surface that contains a few mature trees. Additional dense plantings and other natural vegetation will be provided within the RPA in order to add to the efficiency of the natural filtering process. This will act as a natural riparian buffer and filter for runoff prior to entering Pike Branch. The restoration of the buffer area adjacent to Pike Branch will allow for the treatment of any runoff draining to the stream via sheet flow. Nearly all runoff from the proposed encroachment will drain through a filtration medium. The net result will be higher pollutant removal and sediment capture than currently exists. The proposed open block porous paver system for the access aisle and parking area is a recognized low impact development technique that reduces runoff and promotes the filtration of pollutants. We are of the opinion that the proposed improvements and restoration of the RPA buffer will produce water quality benefits that exceed the existing conditions.

- (f) *Demonstrate the extent to which the proposed activity will comply with all applicable performance criteria of the Chapter;*

118-3-2

Analysis relative to Section 118-3-2 of the Ordinance

Analysis relative to Section 118-3-2 of the Ordinance shows that the plan is compliant to the following:

- a. The proposed activity will disturb no more land than is necessary to provide vehicular traffic adequate and safe access to the site.
- b. Indigenous vegetation will be preserved to the maximum extent possible. Buffer areas will be re-established where they currently do not exist. Refer to the RPA Buffer Restoration Landscape Plan for plantings proposed.
- c. Existing BMP's are covered by maintenance agreements to ensure they will function properly and continue to serve the site. Any new BMP's installed that require maintenance agreements will have the appropriate agreements executed.
- d. Impervious area will be kept to a minimum as depicted on this assessment.
- e. The proposed land disturbing activity will meet the requirements of Chapter 104 of the Fairfax County Code. All appropriate permits and plans for erosion and sediment controls will be prepared for the proposed construction.
- f. Water Quality Facilities are present on-site (Main Campus Area) and will be maintained. The projected phosphorus load after re-development will not exceed the existing phosphorus runoff pollutant load due to the incorporation of a reforested buffer and a permeable open joint pavement block system.
- g. No disturbance or disruption of any wetlands is anticipated as part of the RPA exception. All plans of development will be provided with a certification to this requirement. No land disturbing activities on the subject property will occur until the appropriate permits are obtained by the applicant and provided to Fairfax County.
- h. No on-site sewage systems are proposed so there will be no restrictions on the use by the State Water Control Board of the Virginia Department of Health. If a VPDES Permit is required for the proposed construction activity, it will be obtained prior to construction.
- i. Not applicable: the proposed project is not associated with agricultural activities.

Analysis relative to the criteria in Section 118-3-3 of the Ordinance, Additional Performance Criteria for Resource Protection Areas, shows that the plan is compliant to the following:

- a. This Water Quality Impact Assessment (WQIA) is submitted for the proposed development within an RPA that is not exempt pursuant to Article 5 of the Ordinance.
- b. The proposed development is not a water dependent facility. Thus, this encroachment requires an RPA Exception under chapter 118-6-9.

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- c. Not applicable. The proposed RPA encroachment is not considered as redevelopment.
 - d. As previously detailed, the proposed RPA restoration plantings are to minimize any adverse effects of the proposed construction activity. It is anticipated that the functional value of the RPA is not only maintained but improved.
 - e. Not applicable. The subject site is not on agricultural lands.
 - f. The proposed RPA buffer area shall consist of a mixture of overstory and understory trees, shrubs and groundcovers. The density of overstory trees shall be a minimum of 100 trees per acre: specifically, 14 overstory trees for this site. The density of understory trees shall be a minimum of 200 trees per acre: specifically, 28 understory trees for this site. The density of shrubs shall be a minimum of 1089 plants per acre: specifically 150 shrubs for this site. The location of proposed RPA buffer restoration and vegetation schedule of planting is on the plat attached to this document.
- (g) *Provide any other information deemed by the Director to be necessary to evaluate potential water quality impacts of the proposed activity.*

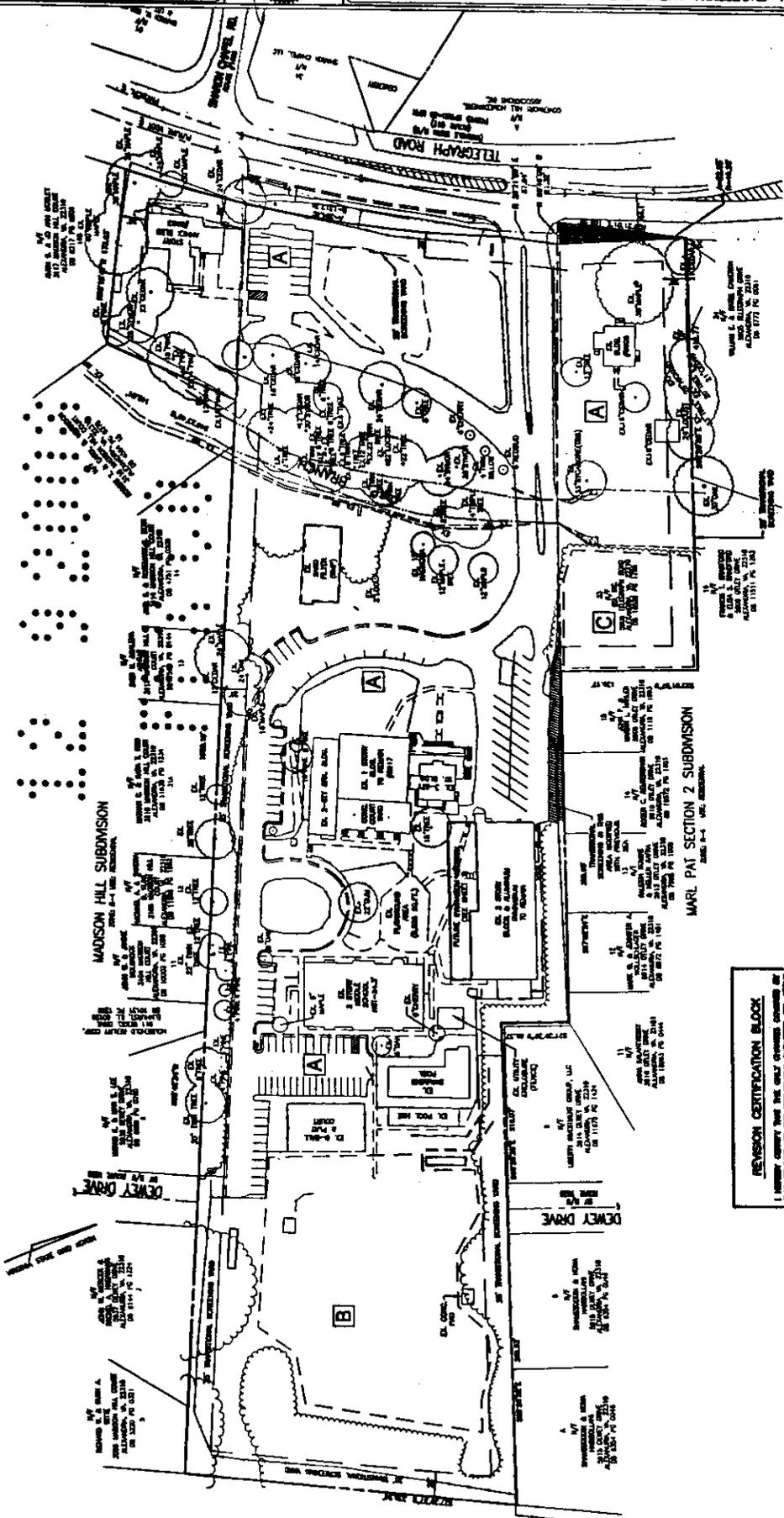
No other information has been requested to date. Additional information will be provided upon request.

If you have any questions or require any additional information, please do not hesitate to contact our office. We appreciate your consideration of this request.

Respectfully submitted,
R.C. Fields, Jr. and Associates, P.C.



R. J. Keller, L.S.
Senior Project Manager



CONVENTION DESCRIPTION
 COVER TYPE: THE TREES IN THIS COVER TYPE ARE IN VARIOUS GOOD CONDITIONS. THIS COVER TYPE SHALL BE MAINTAINED WITH THE EXISTING TREES. THE USE OF THE COVER TYPE SHALL BE MAINTAINED IN ACCORDANCE WITH THE EXISTING VEGETATION MAP. THE COVER TYPE SHALL BE MAINTAINED IN ACCORDANCE WITH THE EXISTING VEGETATION MAP. THE COVER TYPE SHALL BE MAINTAINED IN ACCORDANCE WITH THE EXISTING VEGETATION MAP.

NOTES: REFER TO PLAN FOR TREE SIZE AND LOCATION.
 THE COVER TYPE SHALL BE MAINTAINED IN ACCORDANCE WITH THE EXISTING VEGETATION MAP. THE COVER TYPE SHALL BE MAINTAINED IN ACCORDANCE WITH THE EXISTING VEGETATION MAP. THE COVER TYPE SHALL BE MAINTAINED IN ACCORDANCE WITH THE EXISTING VEGETATION MAP.

EXISTING VEGETATION MAP INFORMATION:

COVER TYPE	PLANT SPECIES	PERCENTAGE COVER	COMMENTS
A	CLARK DOGWOOD, PINK DOGWOOD, RED DOGWOOD, WHITE DOGWOOD	18.04 AC	IN GOOD CONDITION
B	DOGWOOD, PINK DOGWOOD, RED DOGWOOD, WHITE DOGWOOD	1.81 AC	POOR TO FAIR
C	DOGWOOD, PINK DOGWOOD, RED DOGWOOD, WHITE DOGWOOD	0.24 AC	POOR TO FAIR

REVISION CERTIFICATION BLOCK
 I HEREBY CERTIFY THAT THE ONLY CHANGES COVERED BY THIS REVISION TO THE PROFESSIONAL AMENDMENT MAP APPLY TO THE EXISTING VEGETATION MAP. THE REVISION WAS MADE ON 11/17/09.



OUTFALL MAP
SCALE 1:500

OUTFALL NARRATIVE

The 11.6-acre site is located within the County of Fairfax, Virginia, and is bounded by the City of Fairfax to the north, the County of Loudoun to the south, and the City of Fairfax to the east. The site is currently undeveloped and is zoned for residential use. The site is bounded by the City of Fairfax to the north, the County of Loudoun to the south, and the City of Fairfax to the east. The site is currently undeveloped and is zoned for residential use. The site is bounded by the City of Fairfax to the north, the County of Loudoun to the south, and the City of Fairfax to the east. The site is currently undeveloped and is zoned for residential use.

- 1. A minimum of 10% of the site area shall be dedicated to open space.
- 2. A minimum of 5% of the site area shall be dedicated to open space.
- 3. A minimum of 2% of the site area shall be dedicated to open space.
- 4. A minimum of 1% of the site area shall be dedicated to open space.
- 5. A minimum of 0.5% of the site area shall be dedicated to open space.
- 6. A minimum of 0.2% of the site area shall be dedicated to open space.
- 7. A minimum of 0.1% of the site area shall be dedicated to open space.
- 8. A minimum of 0.05% of the site area shall be dedicated to open space.
- 9. A minimum of 0.02% of the site area shall be dedicated to open space.
- 10. A minimum of 0.01% of the site area shall be dedicated to open space.

STORMWATER MANAGEMENT REQUIREMENTS:

1. The stormwater management system shall be designed to meet the requirements of the Virginia Stormwater Management Manual (1999).

2. The stormwater management system shall be designed to meet the requirements of the Fairfax County Stormwater Management Manual (2000).

3. The stormwater management system shall be designed to meet the requirements of the Loudoun County Stormwater Management Manual (2000).

4. The stormwater management system shall be designed to meet the requirements of the City of Fairfax Stormwater Management Manual (2000).

STORMWATER MANAGEMENT REQUIREMENTS:

1. The stormwater management system shall be designed to meet the requirements of the Virginia Stormwater Management Manual (1999).

2. The stormwater management system shall be designed to meet the requirements of the Fairfax County Stormwater Management Manual (2000).

3. The stormwater management system shall be designed to meet the requirements of the Loudoun County Stormwater Management Manual (2000).

4. The stormwater management system shall be designed to meet the requirements of the City of Fairfax Stormwater Management Manual (2000).

STORMWATER MANAGEMENT NARRATIVE:

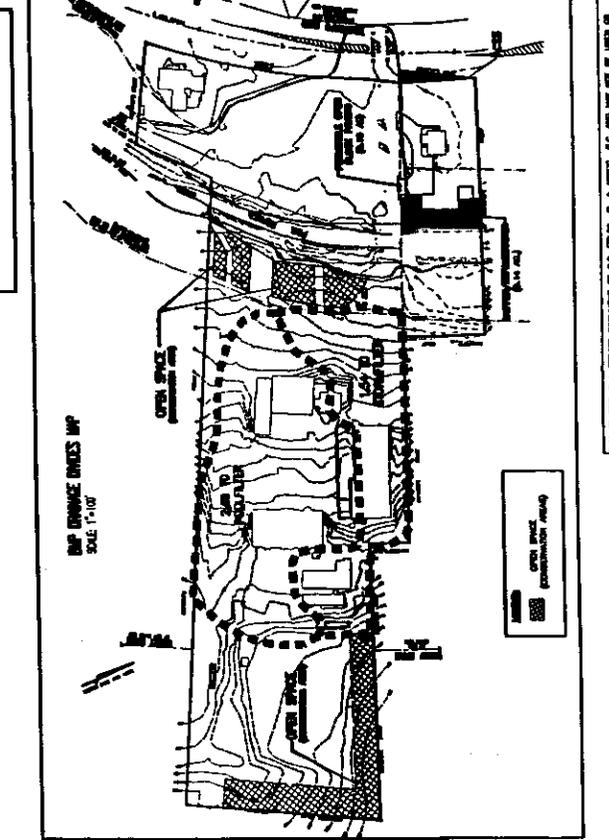
The stormwater management system for this project is designed to meet the requirements of the Virginia Stormwater Management Manual (1999), the Fairfax County Stormwater Management Manual (2000), the Loudoun County Stormwater Management Manual (2000), and the City of Fairfax Stormwater Management Manual (2000). The system consists of a series of detention basins, infiltration basins, and open spaces that will capture and treat stormwater runoff from the site. The system is designed to reduce the peak flow rate of stormwater runoff and to infiltrate the water into the ground, thereby reducing the volume of water that enters the stormwater system.

SWAMP/WATER QUALITY NARRATIVE:

The site is located in an area that is designated as a wetland. The wetland is located to the south of the site and is bounded by the City of Fairfax to the north, the County of Loudoun to the south, and the City of Fairfax to the east. The wetland is currently undeveloped and is zoned for residential use. The site is currently undeveloped and is zoned for residential use. The site is bounded by the City of Fairfax to the north, the County of Loudoun to the south, and the City of Fairfax to the east. The site is currently undeveloped and is zoned for residential use.

REVISION CERTIFICATION BLOCK

DATE: 17 NOVEMBER 2008



STORMWATER CALCULATIONS & NARRATIVES (SPECIAL PERMIT AMENDMENT)

FAIRFAX COUNTY, VIRGINIA
LEE DISTRICT
5908-2923 TELEGRAPH ROAD
THE BROWNE ACADEMY
THE PROPERTY OF

DESIGN: R.C.B.
DRAWING: D.A.D.
SCALE: AS NOTED
DATE: JUNE 16, 2008
SHEET 6 OF 6
FILE: 07-01



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

DEC 29 2008

R.J. Keller, L.S.
R.C. Fields, Jr. & Associates, P.C.
730 S. Washington Street
Alexandria, Virginia 22314

Subject: The Browne Academy, 5909 Telegraph Road, Special Exception Amendment Application #85-L-059, Tax Map #082-4-01-0031-A, 0032 and 0033, Lee District

Reference: Resource Protection Area Encroachment Exception Request #6562-WRPA-002-1 and Water Quality Impact Assessment

Dear Mr. Keller:

Your request for a Resource Protection Area Encroachment Exception under the Chesapeake Bay Preservation Ordinance (CBPO) Section 118-6-9 has been received. The submittal has been determined to be complete.

The application package will be forwarded to the Board of Supervisors for a concurrent public hearing with the subject Special Exception Amendment application. The Department of Planning and Zoning will inform you of the public hearing date for your application.

The public hearing shall be held within 12 months of the date of this letter as described in CBPO 118-6-1. Written notices of the hearing to nearby property owners shall meet the requirements of CBPO 118-6-3(d).

Please note that any change, modification, addition, amendment or addendum to the referenced project application must also be submitted to this agency for review. Failure to provide revised copies in a timely manner may result in deferral of the public hearing.

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



ATTACHMENT G

R.J. Keller, L.S.

RPA Encroachment Exception Request #6562-WRPA-002-1

Page 2 of 2

If you have any questions or need additional information, please contact Beth Forbes, Stormwater Engineer, Stormwater and Geotechnical Section, Environmental and Site Review Division (ESRD), at 703-324-1720 or Beth.Forbes@FairfaxCounty.gov.

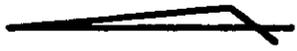
Sincerely,



Jeremiah Stonefield, Chief
Stormwater and Geotechnical Section
ESRD

JBS/dah

cc: Regina Coyle, Director, Zoning Evaluation Division, DPZ
Kelli-Mae Goddard-Sobers, Staff Coordinator, Zoning Evaluation Division, DPZ
Craig Carinci, Director, Stormwater Planning Division, DPWES
John Zemlan, Senior Engineering Inspector, Code Enforcement Branch, DPWES
Gursharan Sidhu, Chief Site Review Engineer, ESRD East, DPWES
Qayyum Khan, Senior Stormwater Engineer, ESRD, DPWES
Beth Forbes, Stormwater Engineer, ESRD, DPWES



SOIL DATA MAP	
71C	KINGSTOWNE SASSFRAS-MARUMSCO COMPLEX 7 TO 15 PERCENT SLOPES
71D	KINGSTOWNE SASSFRAS-MARUMSCO COMPLEX 15 TO 25 PERCENT SLOPES
95	URBAN LAND KINGSTOWNE COMPLEX
103A	WHEATON-CODORUS





County of Fairfax, Virginia

MEMORANDUM

DATE: October 28, 2008

TO: Staff Coordinator
Zoning Evaluation Division
Department of Planning & Zoning

FROM: Lana Tran (Tel: 703 324-5008)
Wastewater Planning & Monitoring Division
Department of Public Works & Environmental Services

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. SEA85-L-059-06
Tax Map No. 082-4-/01//0031A, 0032, 0033

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the Cameron Run (J1) watershed. It would be sewer into the Alexandria Sanitation Authority (ASA).
2. Based upon current and committed flow, there is excess capacity in the ASA at this time. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 18 inch line located on the property is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

Sewer Network	Existing Use +Application		Existing Use + Application Previous Rezoning		Existing Use + Application + Comp Plan	
	Adeq.	Inadeq.	Adeq.	Inadeq.	Adeq.	Inadeq.
Collector	<u>X</u>	---	<u>X</u>	---	<u>X</u>	---
Submain	<u>X</u>	---	<u>X</u>	---	<u>X</u>	---
Main/Trunk	<u>X</u>	---	<u>X</u>	---	<u>X</u>	---
Interceptor	---	---	---	---	---	---
Outfall	---	---	---	---	---	---

5. Other pertinent information or comments:



9-006 General Standards

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

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-304 Standards for all Category 3 Uses

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

1. For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location.

2. Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located.
3. Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.
4. All uses shall comply with the performance standards specified for the zoning district in which located.
5. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

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

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

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

- A. That area not covered by buildings or required off-street parking spaces.
- B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.
- C. Only that area which is developable for active outdoor recreation purposes.
- D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

2. All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

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

3. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.

4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

9-310 Additional Standards for Private Schools of General Education and Private Schools of Special Education

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

A. 200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 that may use the space at any one time, and

B. 430 square feet of usable outdoor recreation area shall be provided for each child in grades 4-12 that may use the space at any one time.

Such usable outdoor recreation area shall be delineated on a plat submitted at the time the application is filed.

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

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

B. That area outside the limits of the required front yard.

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

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

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

3. All private schools shall be subject to the provisions set forth in Par. 2 and 3 of Sect. 309 above. If applicable, such uses shall also be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

9-606 Provisions for Uses in a Floodplain

The Board may approve a special exception for the establishment of a use in a floodplain in accordance with the provisions of Part 9 of Article 2.

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Abbreviations Commonly Used in Staff Reports

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