County of Fairfax, Virginia

July 7, 2009

STAFF REPORT

SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 00-S-011

MOUNT VERNON DISTRICT

APPLICANTS:	The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office (St. Raymond Catholic Church)
ZONING:	R-1
LOCATION:	8750 Pohick Road
ZONING ORDINANCE PROVISIONS:	3-103
TAX MAP:	98-1 ((1)) 13A
LOT SIZE:	9.91 acres
FLOOR AREA RATIO (FAR):	0.07
PLAN MAP:	Residential, 2-3 du/ac
SPA REQUEST:	To amend SP 00-S-011 for a place of worship to permit modification of development conditions.

STAFF RECOMMENDATION: Staff recommends approval of SPA 00-S-011 subject to the proposed development conditions contained in Appendix 1.

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

O:\dhedri\Special Permit Amendments\(7-14) SPA 00-S-011 Saint Raymond's\SPA 00-S-011 St Raymond staff report.doc

Deborah Hedrick

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/

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 Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

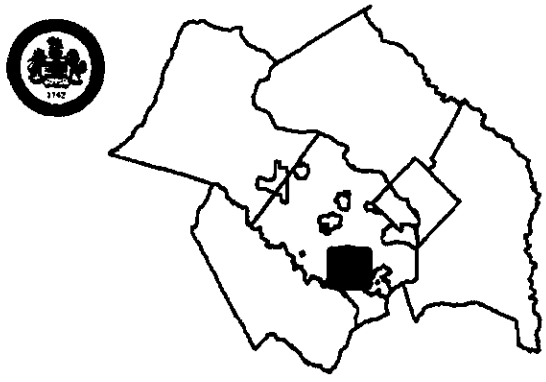
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505**.

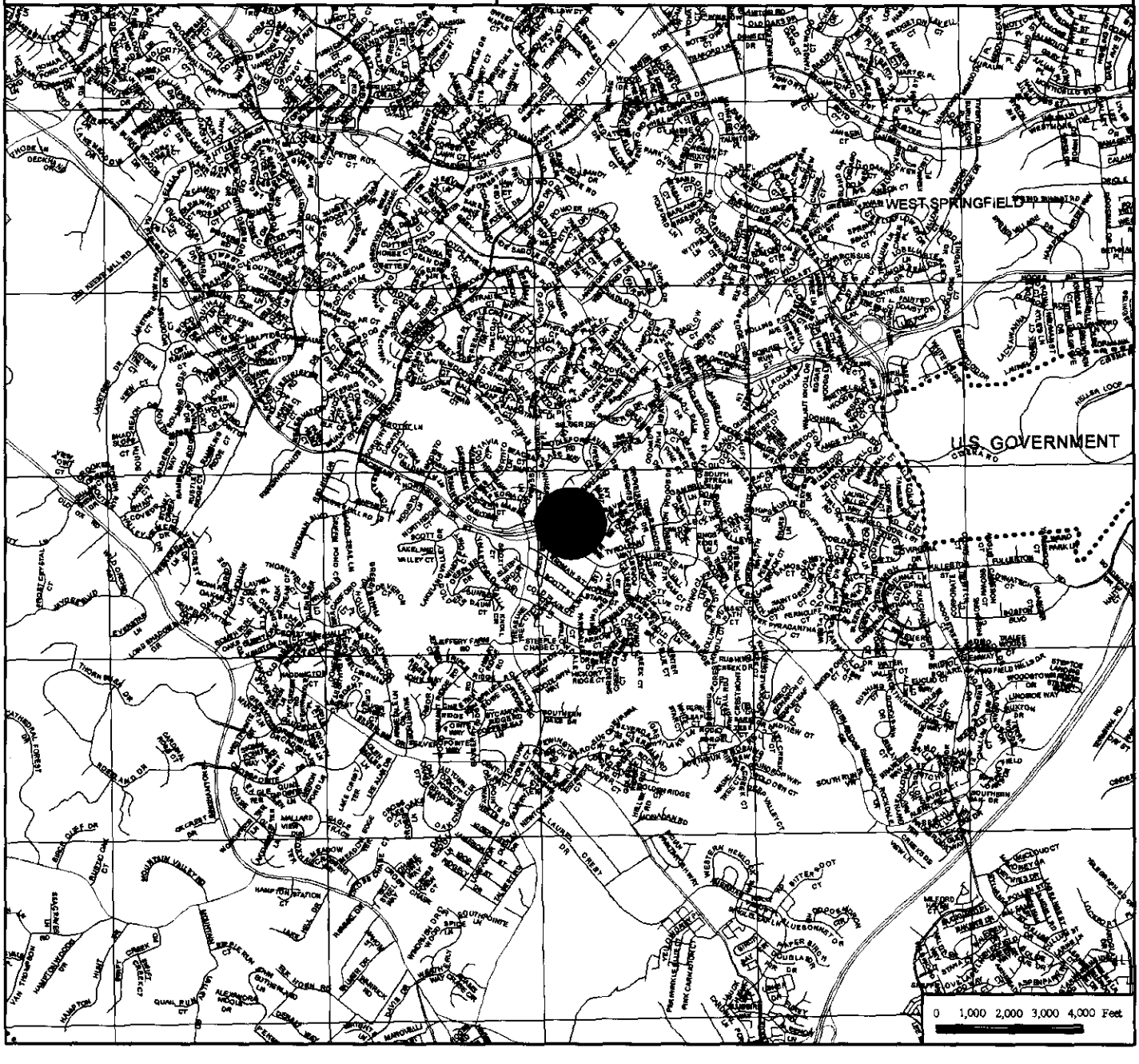
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit Amendment

SPA 00-S -011



Applicant:	THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DICOSE OF ARLINGTON VA AND HIS SUCCESSORS IN OFFICE
Accepted:	04/17/2009
Proposed:	AMEND SP 00-S-011 PREVIOUSLY APPROVED FOR CHURCH AND RELEATED FACILITIES TO PERMIT AMENDMENT OF DEVELOPMENT CONDITIONS
Area:	9.91 AC OF LAND; DISTRICT - MOUNT VERNON
Zoning Dist Sect:	03-0103
Art 8 Group and Use:	3-02
Located:	8750 POHICK ROAD
Zoning:	R- 1
Overlay Dist:	
Map Ref Num:	098-1- /01/ /0013A



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SPA 00-S -011

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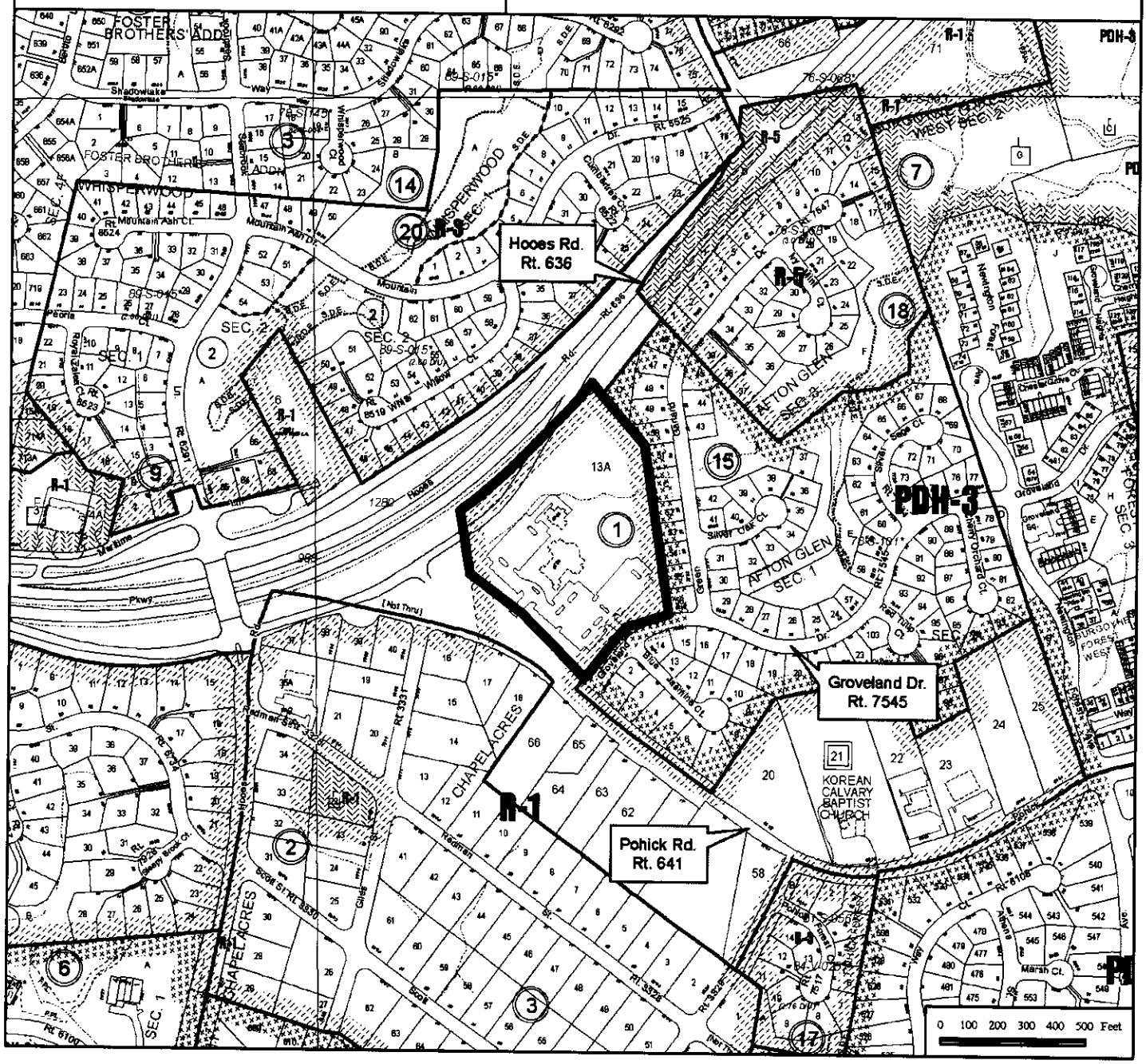
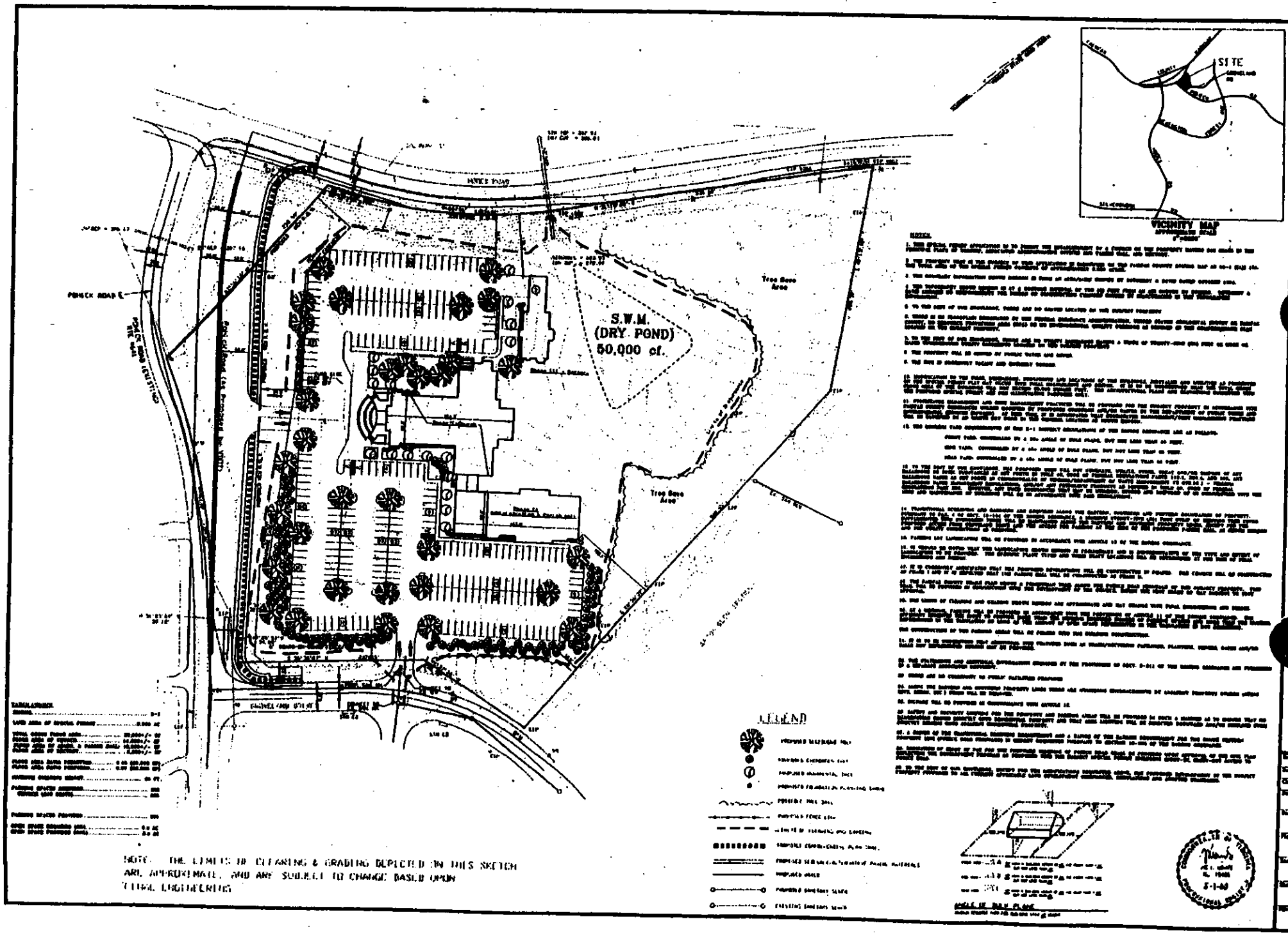
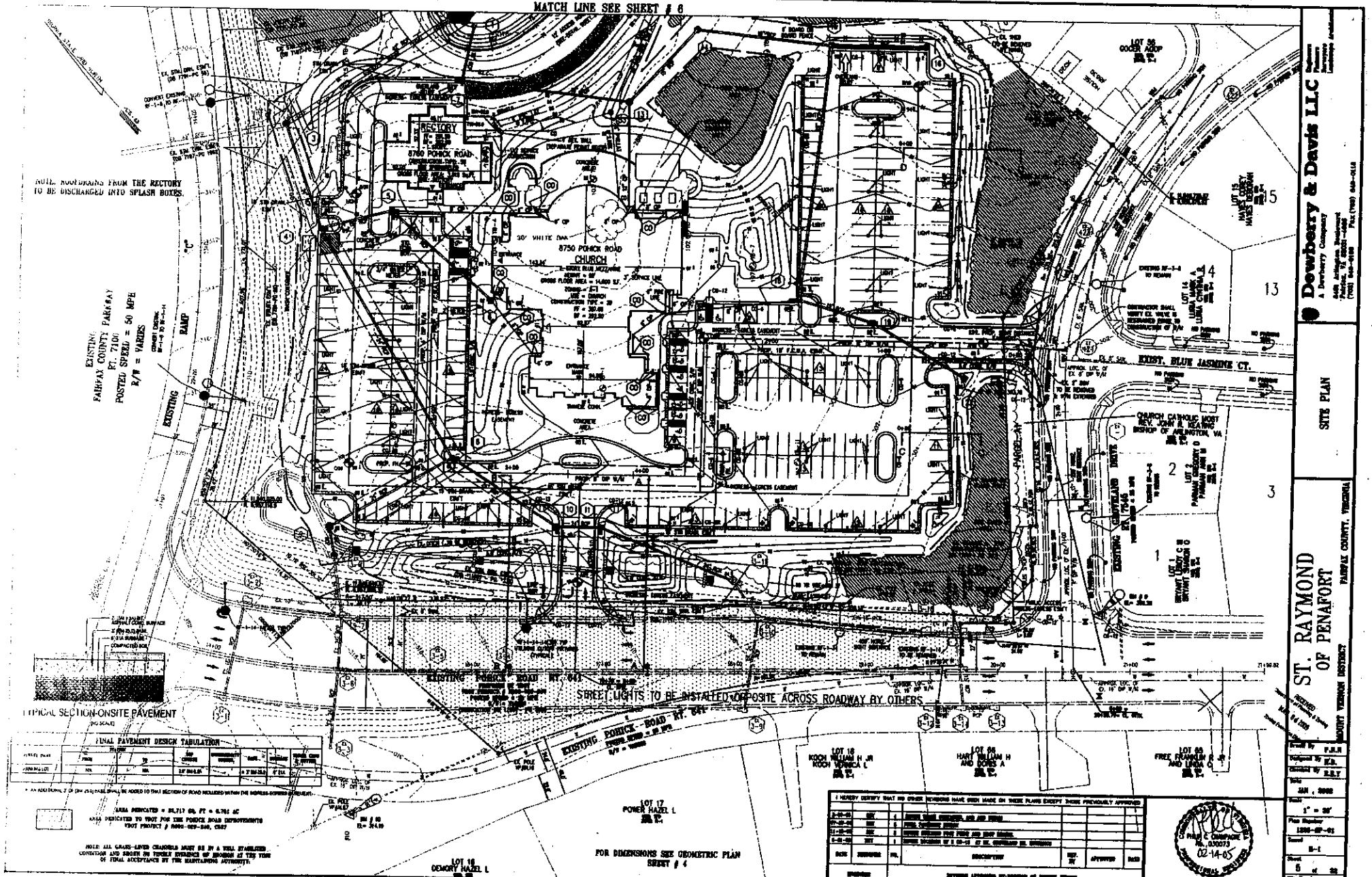
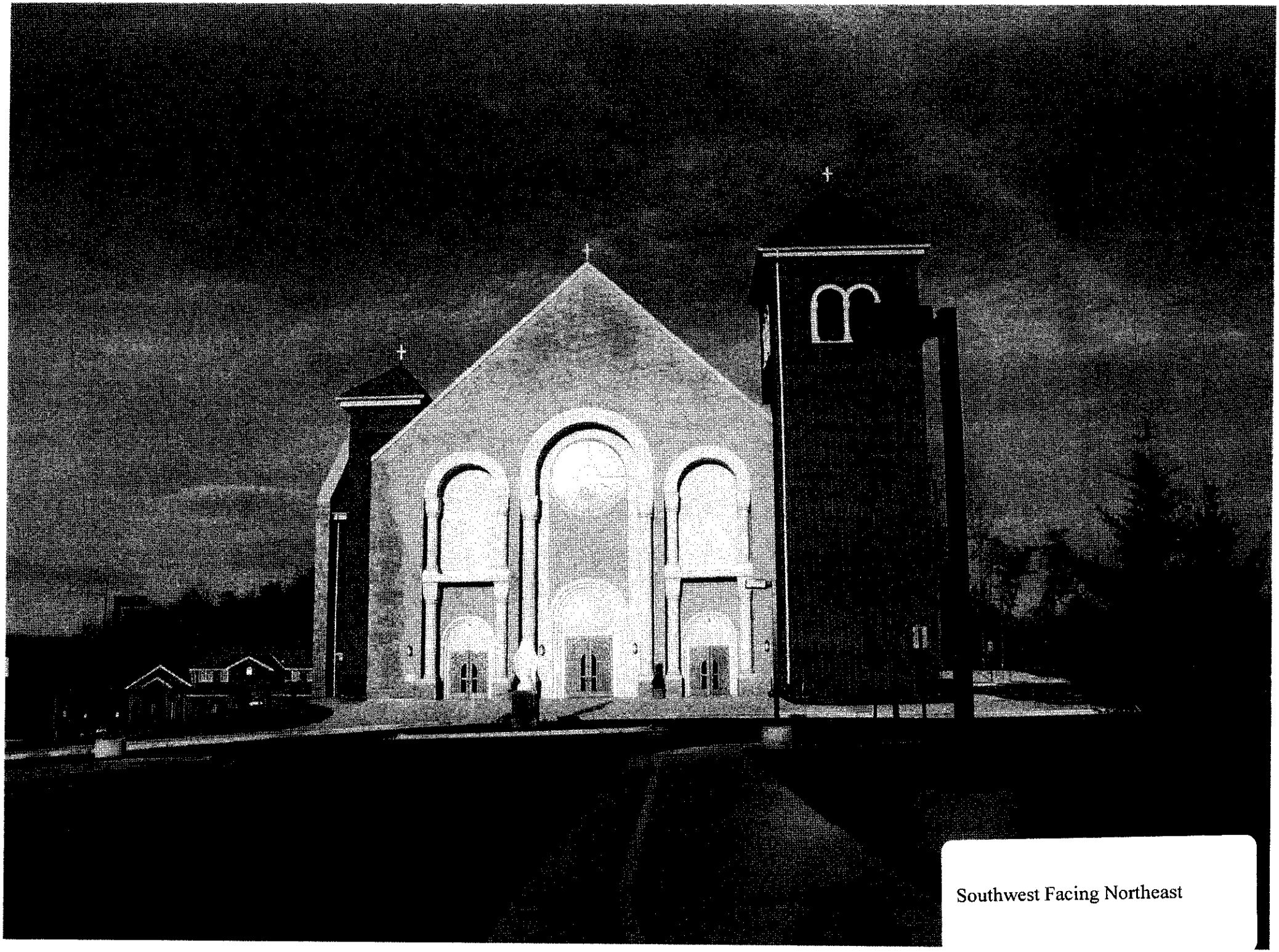




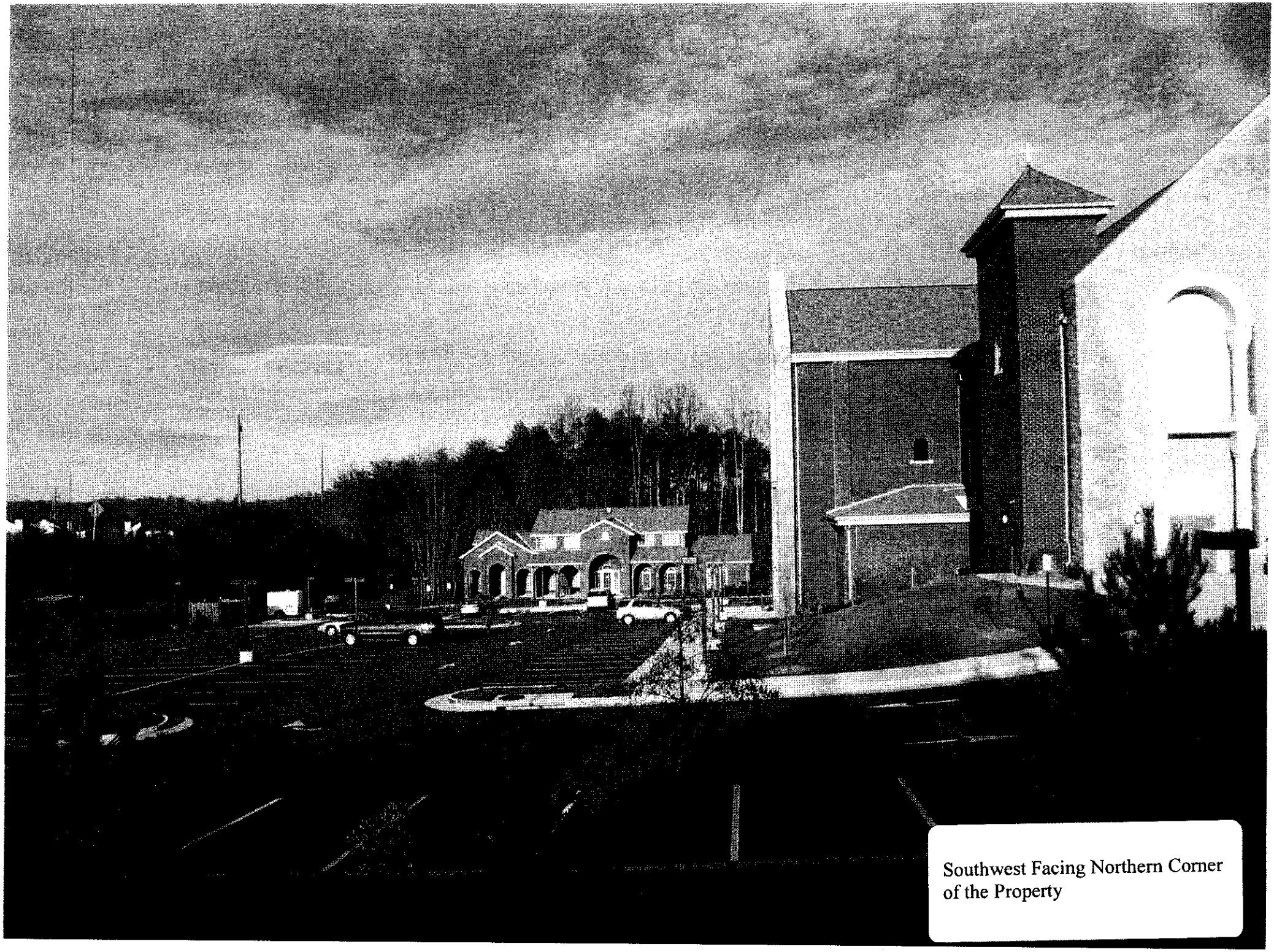
Dewberry & Davis

SPECIAL PERMIT PLAT

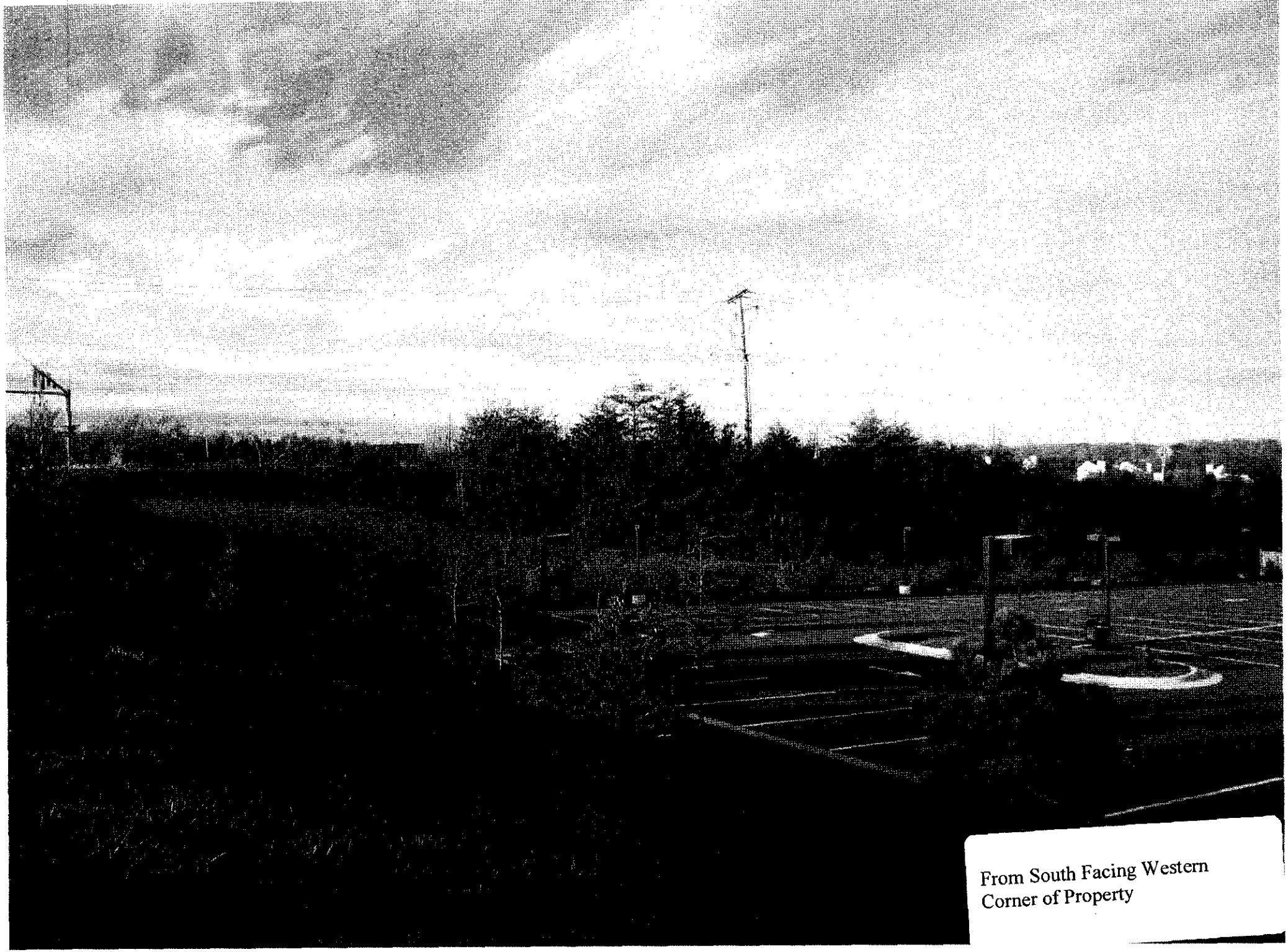

MATCH LINE SEE SHEET # 6
NOTE: ROOFDRAINS FROM THE RECTORY TO BE DISCHARGED INTO SPLASH BOXES.
EXISTING FAIRFAX COUNTY PARKWAY RT. 7100 POSTED SPEED = 50 MPH R/W = VARIES
EXISTING RAMP
RECTORY
8760 POHICK ROAD
8750 POHICK ROAD CHURCH
EXIST. BLUE JASMINE CT.
CHURCH CATHOLIC MOST REV. JOHN R. KEATING BISHOP OF ARLINGTON, VA
EXISTING POHICK ROAD RT. 643
STREET LIGHTS TO BE INSTALLED OPPOSITE ACROSS ROADWAY BY OTHERS
TYPICAL SECTION-ONSITE PAVEMENT
FINAL PAVEMENT DESIGN TABULATION
AREA DEDICATED = 31,717 SQ. FT. = 0.728 AC
AREA DEDICATED TO VDOT FOR THE POHICK ROAD IMPROVEMENTS VDOT PROJECT # 6060-059-240, C501
HOLD ALL GRADE-LIMIT CHANGES MUST BE BY A WELL STABILIZED CONDITION AND SHOWN BY VISIBLE EVIDENCE OF EROSION AT THE TIME OF FINAL ACCEPTANCE BY THE MAINTAINING AUTHORITY.
FOR DIMENSIONS SEE GEOMETRIC PLAN SHEET # 4
LOT 17 POWER HAZEL L
LOT 16 DEMORY HAZEL L
LOT 18 KOCH WILLIAM H JR KOCH VERONICA L
LOT 86 HART WILLIAM H AND DORIS A
LOT 85 FREE FRANKLIN E JR AND LINDA C
LOT 56 COCER ADOP
LOT 15 HAYS COREY HAYS SARAH
LOT 14 LOT 13 LOT 2 LOT 1 BRYANT GREGORY O PARHAM ANN B
I HEREBY CERTIFY THAT NO OTHER IMPROVEMENTS HAVE BEEN MADE ON THESE PLANS EXCEPT THOSE PREVIOUSLY APPROVED
DESCRIPTION
APPROVED
DATE
DIVISION APPROVING DISPOSITION OF DRAINAGE DEFICIENCY
ENGINEER'S SEAL & SIGNATURE
02-14-05
Dewberry & Davis LLC
SITE PLAN
ST. RAYMOND OF PENAFORT
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA
JAN., 2005
1" = 50'
1998-SP-02
R-1
5 of 22
SP-0044



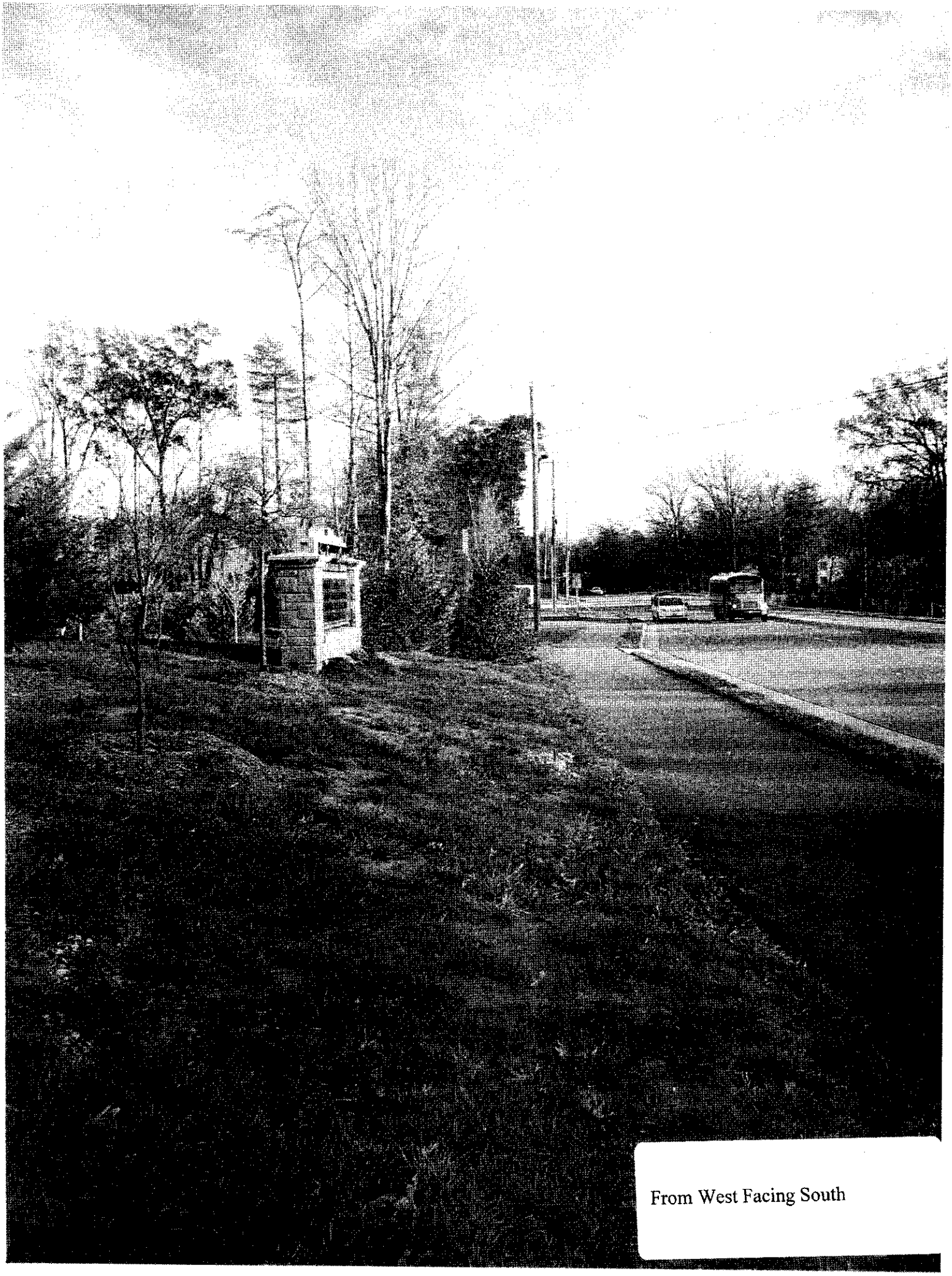
Southwest Facing Northeast



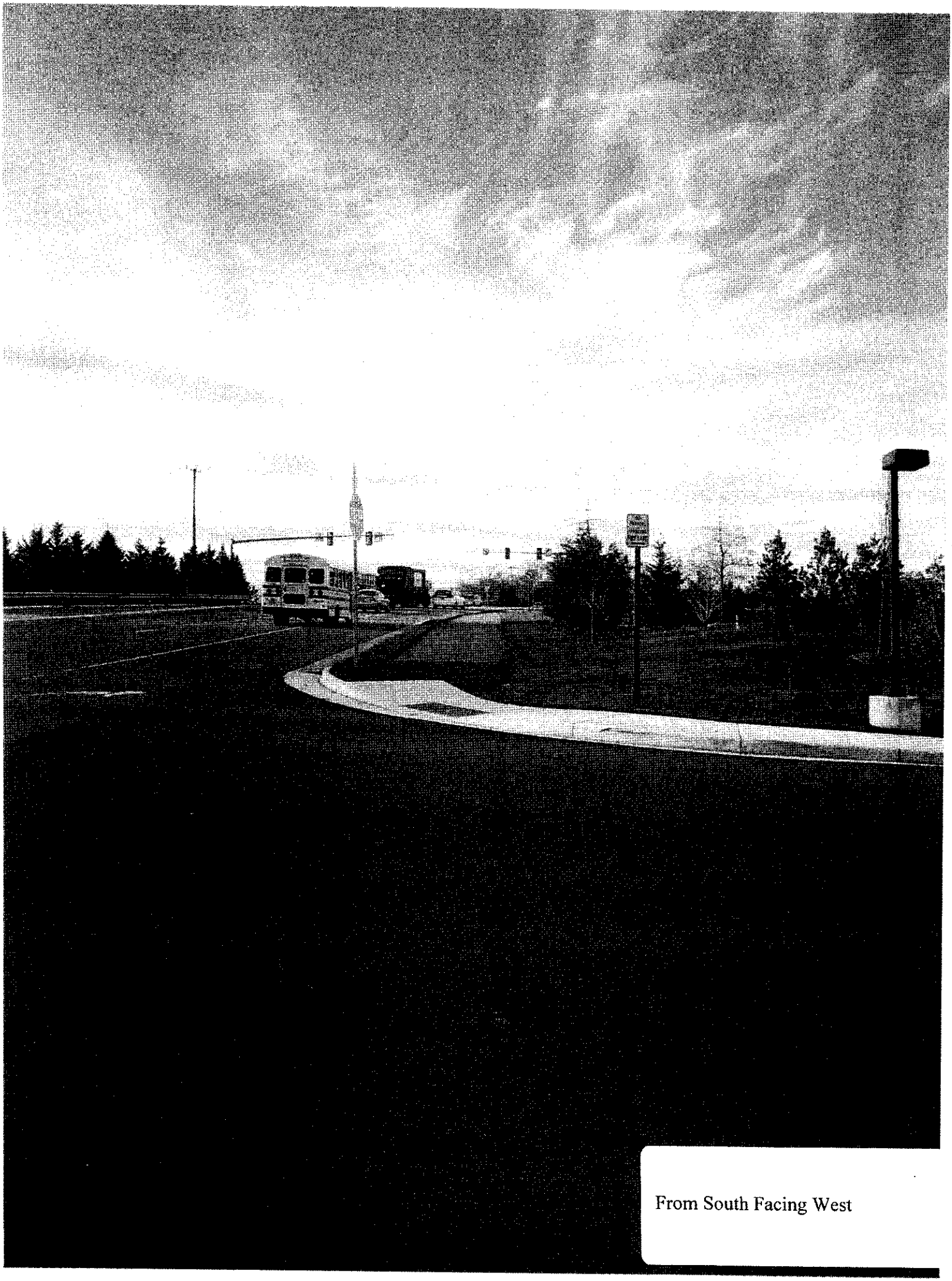
Southwest Facing Northern Corner of the Property



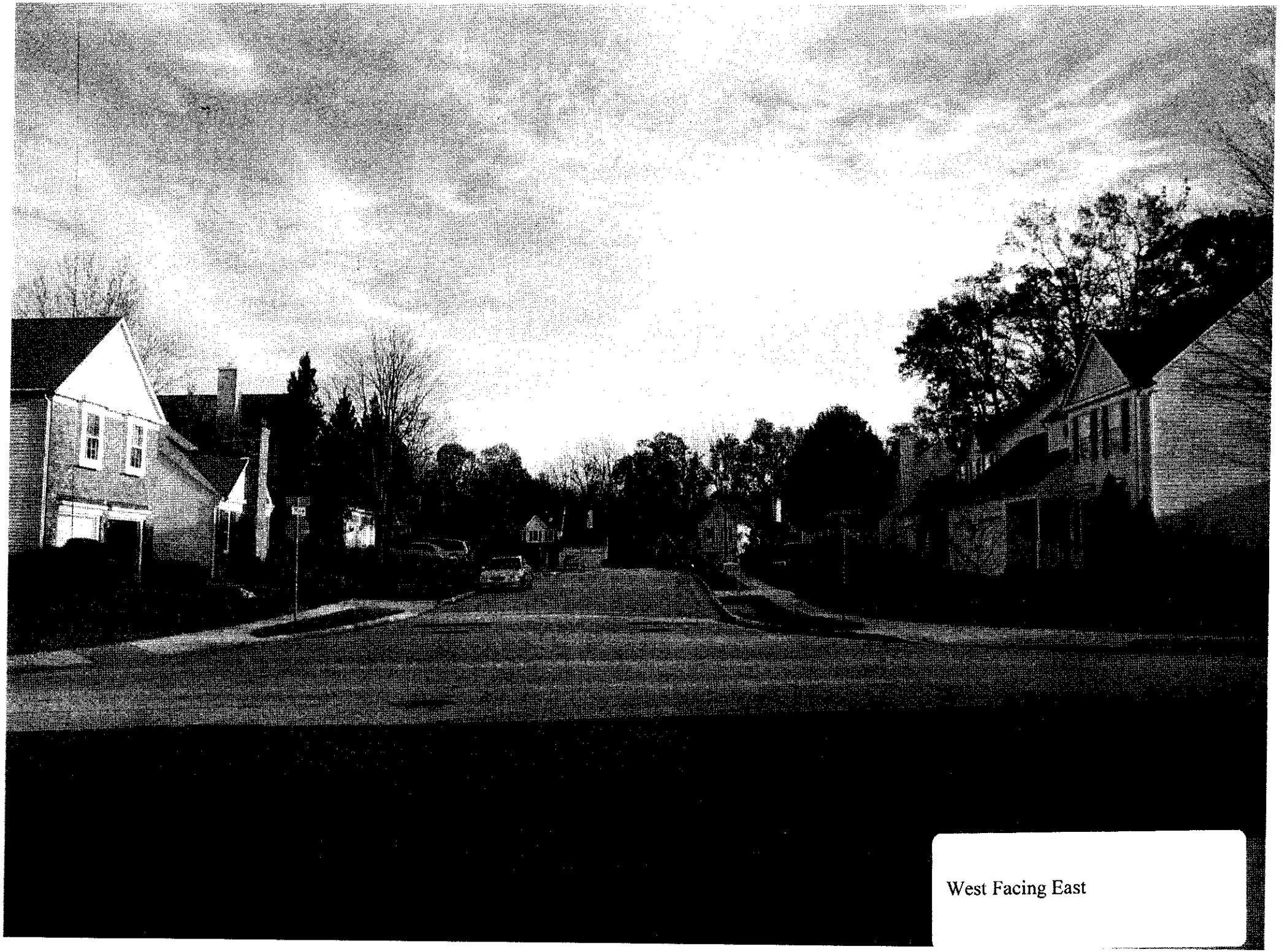
From South Facing Western Corner of Property



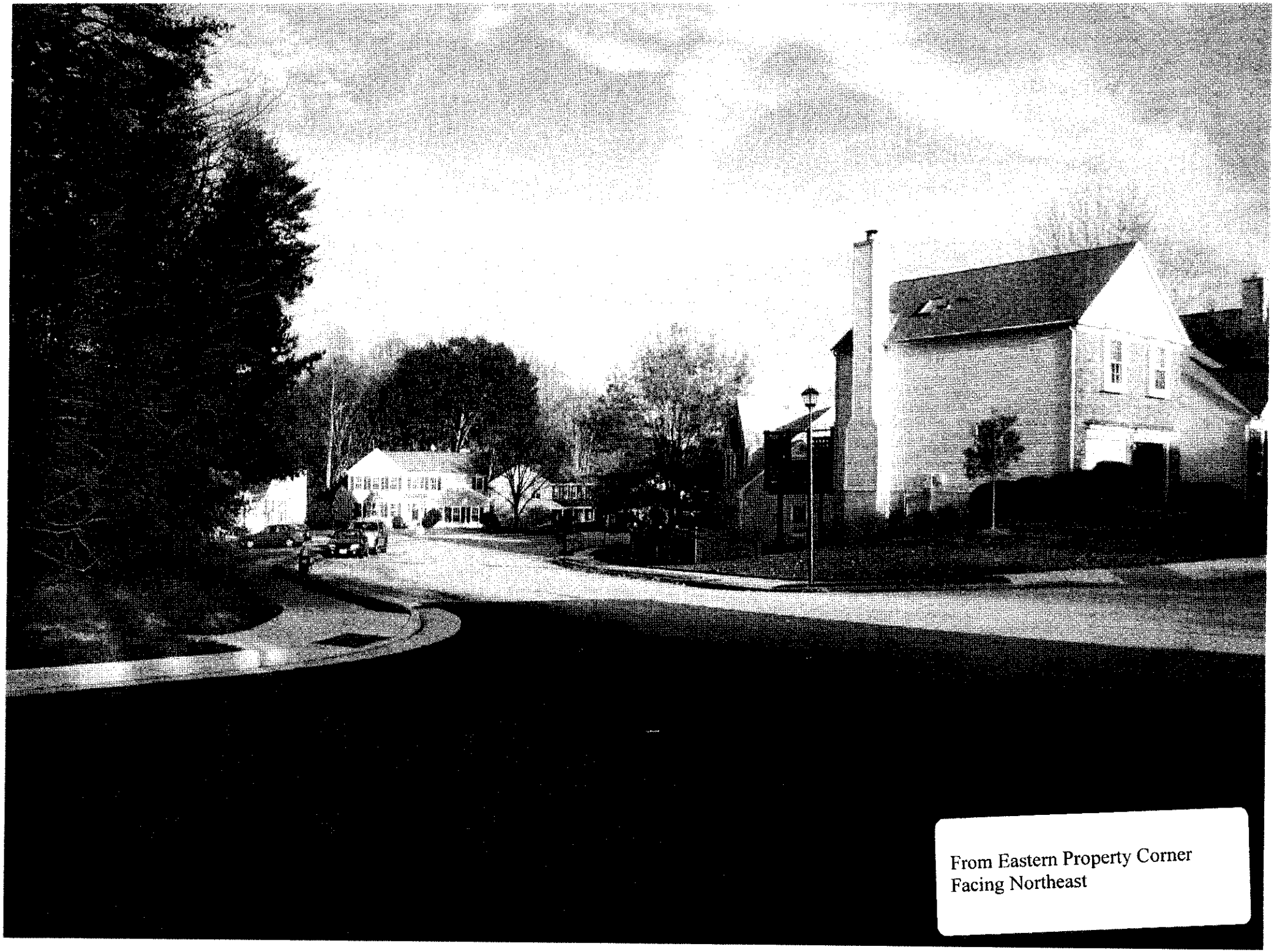
From West Facing South



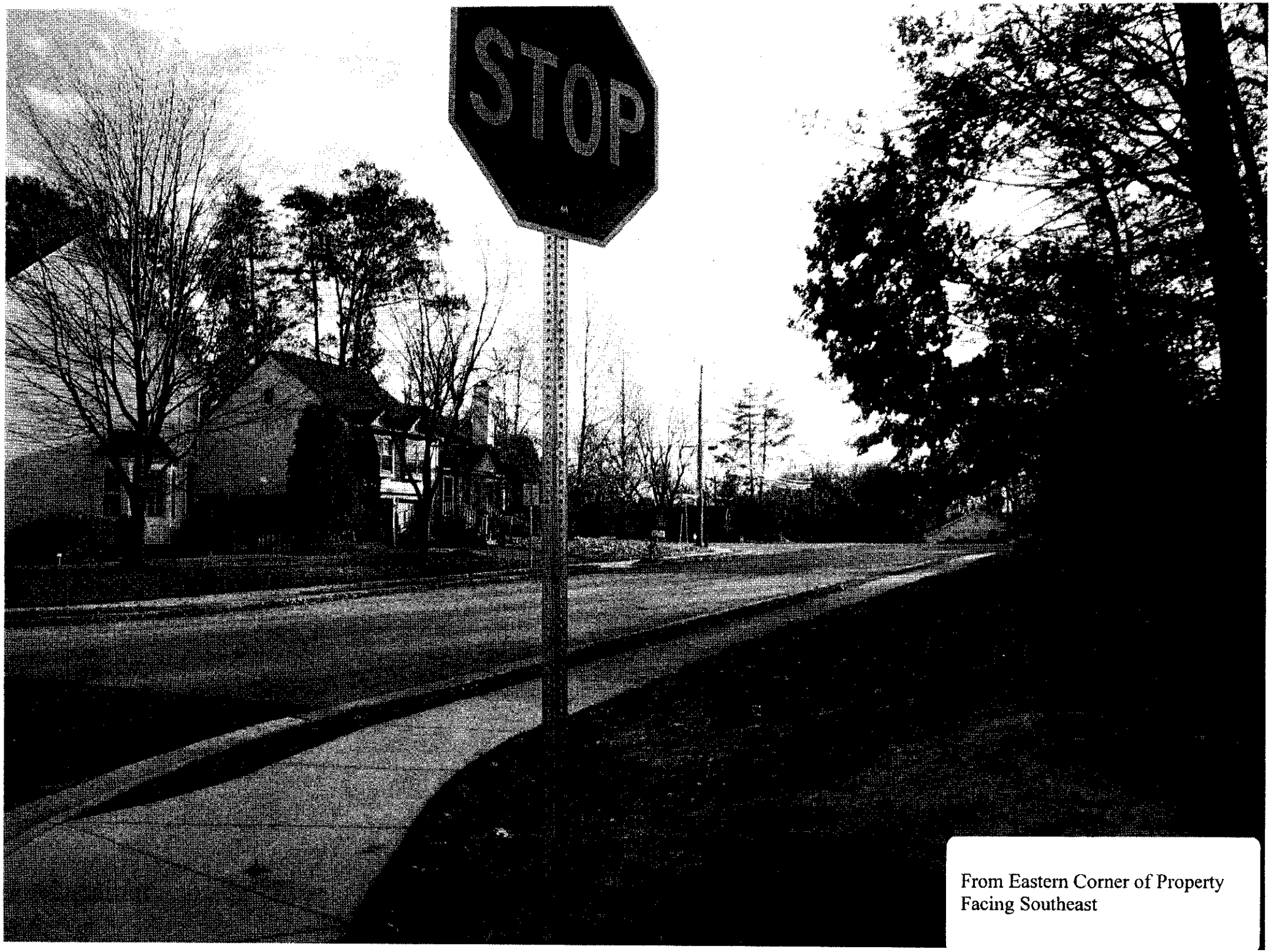
From South Facing West



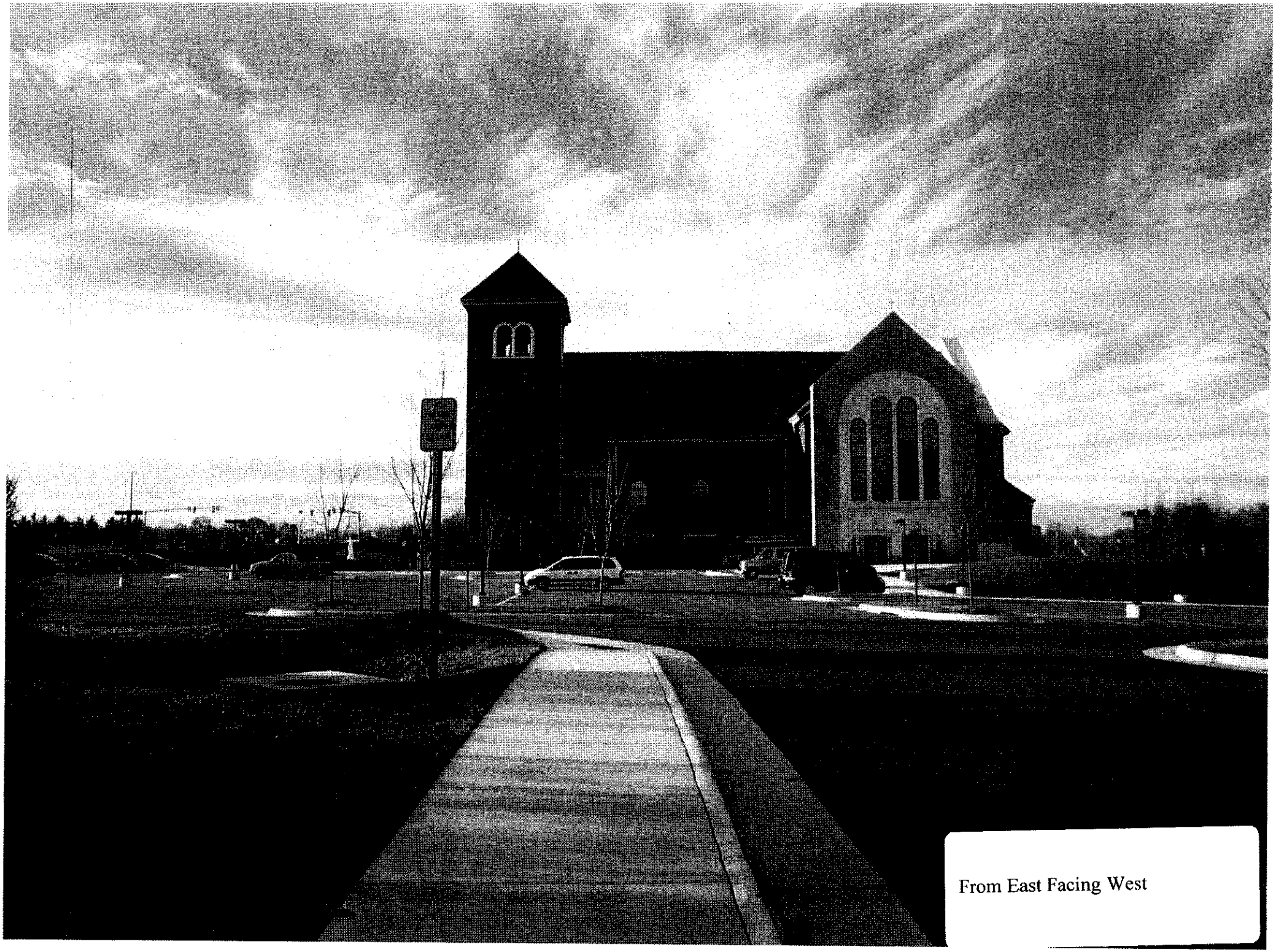
West Facing East



From Eastern Property Corner
Facing Northeast

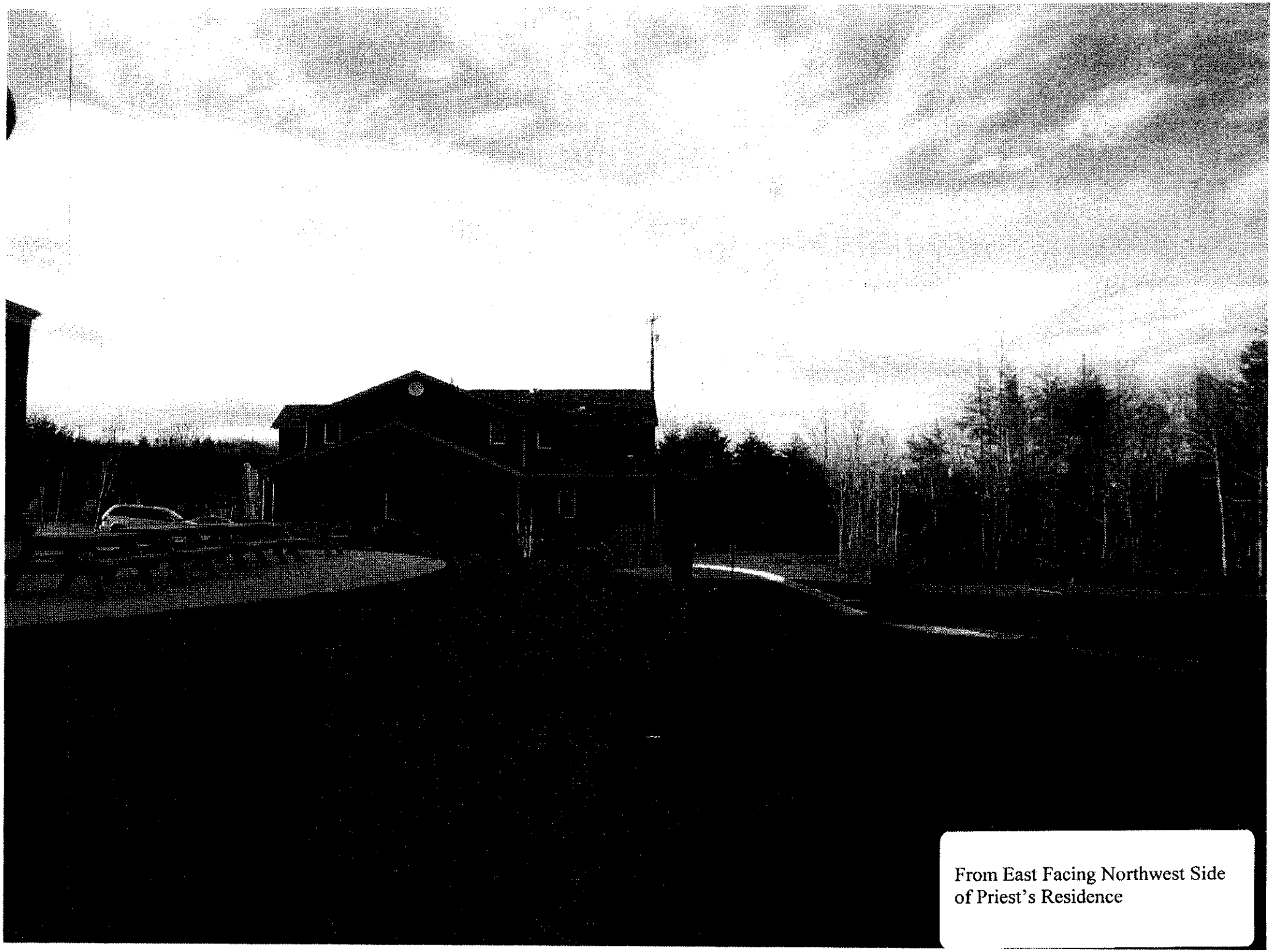


From Eastern Corner of Property
Facing Southeast



From East Facing West

From East Facing Northern Property Line



From East Facing Northwest Side of Priest's Residence

DESCRIPTION OF THE APPLICATION

Special Permit Request: To amend SP 00-S-011 previously approved for a church and related facilities to permit modification of development conditions to delete development condition 18 regarding the posting of no church parking signs. No other site modifications or other changes are proposed with this application from previously approved.

Size: 9.91 acres

Parking: 285 spaces

FAR: 0.07

Number of Seats: 850 seats

Hours of Operation: Monday through Friday – Mass is held at 9:00 am
Church administrative offices are open from 9:00 am to 5:00 pm
Saturday and Sunday from 9:00 am to 8:00 pm with the following mass schedule:

- Saturday masses are held at 5:00 pm and 6:30 pm
- Sunday masses are held at 9:00 am, 10:30 am and 12:00 pm

Employees: The total number of employees associated with all uses is nine (9)

LOCATION AND CHARACTER

Existing Site Description:

The subject property is located on the southeast side of the Fairfax County Parkway at its intersection with Hooes Road and Pohick Road. The property has frontage on Pohick Road, Hooes Road and Groveland Drive. The 9.91 acre site is currently developed with a sanctuary consisting of 14,000 square feet; a rectory consisting of 3,815 square feet and 285 parking spaces. There is an existing 6 foot board on board fence located along the eastern portion of the subject property, along with two existing tree save areas adjoining the Afton Glen subdivision.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Fairfax County Parkway and Hooes Road		
South	Single family detached residential (Afton Glen Subdivision)	PDH-3	Residential; 2-3 du/ac
East	Single-family detached residential (Afton Glen Subdivision)	PDH-3	Residential; 2-3 du/ac
West	Fairfax County Parkway and Pohick Road and single family detached residential (Chapel Acres Subdivision)	R-1	Residential; 1-2 du/ac

BACKGROUND

Site History

On December 12, 1999, the Board of Zoning Appeals (BZA) denied special permit SP 99-S-044 on the subject application property which was a request to permit a 940 seat church with a private school of general education for 250 children for reasons related to pedestrian and vehicular traffic.

On June 27, 2000, special permit SP 00-S-011 was approved to permit a church and related facilities in three (3) phases with a maximum of 850 seats; 285 parking spaces; modification of transitional screening; and waiver of barrier requirements. Phases I and III, which consist of the sanctuary and rectory were completed in 2006. Phase II, consisting of a 10,200 gross square foot administration and parish hall has not been constructed as of this time. A copy of the Resolution approved in conjunction with SP 00-S-011 is included as Appendix 4.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Pohick Planning District, Area III

Planning Sector: Main Branch Community Planning Sector (P2)

Plan Map: Residential; 2-3 du/ac

ANALYSIS

Special Permit Amendment Plat (Copy at front of staff report)

Title of Plat: Special Permit Plat, St. Raymond of Penteford Church

Prepared By: Dewberry & Davis

Dated: June 5, 2000

Proposed Use

The applicant requests approval to permit the modification of previously approved development condition number 18 regarding the posting of 'No Church Parking' signs on several side streets within the Afton Glen subdivision adjacent to the subject property. The applicant has been advised by the Virginia Department of Transportation (VDOT) that the "No Parking" signs can not specify the church use, if installed within the VDOT right-of-way, as the restriction would be discriminatory.

Discussion

The Afton Glen homeowners are concerned with sight distance and safety issues when individuals park along the side streets of their neighborhood. However, the posting of non-specific "No Parking" signs would affect the individual homeowners residing in the subdivision and would not allow them to park on the streets of their neighborhood, which they are not in favor of.

The applicant has met with the Afton Glen Homeowners Association and the two parties have come to an agreement that would be acceptable to the affected homeowners in the subdivision. The applicant proposes to stripe the curbs yellow at the intersections of Groveland Drive and Pohick Court; Blue Jasmine Court and Groveland Drive; and Groveland Drive and Green Garland Drive so that parking is not permitted in these areas. In addition, the curbs in proximity to fire hydrants will be painted yellow to ensure parking does not take place in these areas as well. The applicant has prepared a striping plan and is prepared to submit that information to VDOT for their review and approval. With the proposed deletion of development condition number 18, staff has included a supplemental development condition requiring the striping.

The applicant has also agreed to provide a parking coordinator to monitor the situation on a periodic basis to ensure parking restrictions are adhered to. The applicant has agreed to post the parking restrictions in their church bulletin to further inform their congregation of these requirements. Staff has included development conditions to require these measures.

Land Use Analysis

The site has been designated for residential use at a density of 2-3 dwelling units per acre in the Comprehensive Plan. The proposed use and intensity are in keeping with the recommendations of the Comprehensive Plan.

There are no land use issues associated with this request.

Environmental Analysis

There are no environmental issues associated with this application.

Transportation Analysis

There are no transportation issues associated with this application.

Stormwater Management Analysis

There are no stormwater management issues associated with this application.

ZONING ORDINANCE PROVISIONS

Bulk Standards (R-1 Zoning)		
Standard	**Required**	**Provided**
Lot Size	36,000 square feet	9.91 acres
Building Height	60 feet	60 feet
Front Yard	50 degree ABP, 40 feet	Pohick Road – 115 feet Hooes Road – 79.3 feet (rectory) Groveland Road – 145 feet
Side Yard	45 degree ABP, 20 feet	109.5 feet
Rear Yard	Not applicable	Not applicable
FAR	0.15 maximum	0.07
Parking Spaces	235 spaces	285 spaces

Transitional Screening		
North	TS 1 – 25 feet	50 feet wide area; existing vegetation in part of the area (supplemented with evergreen trees along Pohick Road)
East	TS 1 – 25 feet	33.5 feet wide area; existing vegetation in some areas supplemented with evergreen trees, shrubs and bushes
South	TS 1 – 25 feet	40 feet wide area of existing minimal vegetation supplement with trees and landscaping
West	TS 1 – 25 feet	50 feet wide area; existing vegetation in part of the area (supplemented with evergreen trees along Pohick Road)
Barrier		
North	D, E or F	None
East	D, E or F	6.0 foot high board on board fence along perimeter of eastern parking lot area off Groveland Drive
South	D, E or F	6.0 foot high board on board fence along perimeter of parking lot area
West	D, E or F	None

*Approved in conjunction with SP 00-S-011

WAIVERS/MODIFICATIONS REQUESTED

Waiver/Modification:

Basis: Par. 3 of Sect. 13-304 states that transitional screening and barrier requirements may be waived or modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through the combination of architectural and landscaping techniques. The applicant continues to seek modification of transitional screening along all lot lines and a waiver of the barrier requirement along the northern, eastern, and a portion of the southern and western lot lines, to allow existing vegetation to satisfy screening requirements.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 5)

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sect. 8-303)

Summary of Zoning Ordinance Provisions

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

CONCLUSIONS

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

RECOMMENDATIONS

Staff recommends approval subject to the Proposed Development Conditions in Appendix 1.

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

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

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 the application.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Approved Resolution and Plat for SP 00-S-011
5. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SPA 00-S-011

July 7, 2009

If it is the intent of the Board of Zoning Appeals to approve SPA 00-S-011 located at Tax Map 98-1 ((1)) 13A previously approved for a church (place of worship) to permit modification of development conditions pursuant to Section 3-103 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit are marked with an asterisk (*). Minor edits have been made to these conditions to conform to current terminology and have been underlined.

1. This approval is granted to the applicant only, and is not transferable without further action of this Board, and is for the location indicated on the application, 8750 Pohick Road, and is not transferable to other land.*

2. This special permit is granted only for the purposes, structures and/or uses indicated on the special permit plat prepared by Dewberry & Davis, dated June 5, 2000, and approved with this application, as qualified by these development conditions.*

3. A copy of this Special Permit 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 Permit is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.*

5. The maximum number of seats in the church shall be 850.*

6. Notwithstanding Note 20 on the Special Permit plat, two hundred and eighty-five (285) parking spaces shall be provided. All parking for the use shall be on site as shown on the Special Permit plat.*

7. All areas indicated on the plat as "tree save" areas shall be preserved. In addition, a tree preservation plan shall be provided to the County Urban Forester for review and approval at the time of site plan review. The tree preservation plan shall include revised limits of clearing and grading adjacent to the proposed stormwater management pond in order to reduce the clearing limits and achieve maximum preservation of existing trees on the site. If other SWM designs are provided as outlined in condition #10, the vegetation within the proposed SWM pond shall be preserved. Additionally, the limits of clearing and grading adjacent to the Afton glen Subdivision at the southeast corner of the parking lot shall be reduced to save to the maximum extent possible existing vegetation, which shall be supplemented with landscape material as shown on the plat and outlined below.*

8. In order to soften the impact of the non-residential buildings on the adjacent residential subdivision, a landscape plan shall be submitted for review and approval by the County Urban Forester at the time of site plan review and shall depict a combination of flowering and evergreen trees and shrubs along the perimeters of all parking areas, and building foundation landscaping plantings to the satisfaction and approval of the County's Urban Forester.*

9. Transitional screening 1 shall be modified along all lot lines to allow the existing vegetation tree save areas and additional landscaping as outlined in conditions #7 and #8 to satisfy screening requirements. The areas between the parking lot and building adjacent to Groveland Drive and the Afton Glen subdivision shall be further supplemented with evergreen trees and shrubs to the satisfaction of the Urban Forester to provide screening from the parking lot and vehicular lights for the residents along Groveland Drive and in the Afton Glen subdivision. All screening shall be placed on the Afton Glen side of the proposed six foot high board on board fence. Additionally, evergreen trees and shrubs shall be planted along the outside perimeter of the western parking area along Hooes Road.

   The barrier requirements shall be waived except along the southern and southeastern lot line adjacent to the Afton Glen subdivision. In addition to the fence shown on the special permit plat, a six foot high board on board fence shall be provided adjacent to the parking lot from the Groveland Road entrance east to the corner of the parking lot and north to the parish hall.*

10. Stormwater Management (SWM) and Best Management Practices (BMPs) shall be provided as required to the satisfaction of the Department of Public Works and Environmental (DPWES). Subject to the approval of DPWES, final stormwater management design shall provide for bioretention mechanisms and/or embankment-only facilities within the site, or other such innovative SWM measures, where practical to preserve existing vegetation, the stream valley and associated wetlands. Locations of any bioretention areas may be adjusted within the site to the satisfaction of DPWES. If the SWM/BMP structure is waived or

other alternatives are allowed, the areas shown on the plat between the proposed tree save area and the rectory shall be preserved.*

11. Lighting of the church property shall be focused onto the subject property. Parking lot lighting fixtures on the site shall be limited in height to twelve (12) feet. All lighting fixtures shall be full cut-off lights and shall be fully shielded in such a manner to prevent light from projecting off-site. No up-lighting of buildings or signs shall be permitted on the site.*

12. The Non-Residential Use Permits (Non-RUP) for the parish hall or rectory shall not be issued until the Virginia Department of Transportation (VDOT) Pohick Road project is opened to traffic.*

13. Except as noted herein, the application property shall not have access to Pohick Road until the Pohick Road improvements are constructed in accordance with the design plans prepared by VDOT. However, if the above referenced road improvements have not been bid for construction within 30 months from the final date of approval of this special permit, the applicant shall have the option to access Pohick Road subject to the construction of interim access improvements as deemed appropriate by VDOT.*

14. Access to the site from Pohick Road shall be a right-in, right-out only and a permanent right turn lane shall be provided into the proposed site entrance on Pohick Road. The permanent right turn lane shall either be constructed at such time as access is provided, or the funds escrowed for construction concurrent with the VDOT Pohick Road project, as deemed appropriate at the time of site plan review. The escrow amount shall be determined by DPWES.*

15. Construction traffic shall use Pohick Road as the sole means of ingress/egress to the site, if permitted by VDOT.*

16. All right-of-way and easements associated with the Pohick Road project (# R000-029-249, PE 105, C527, B684) shall be provided in fee simple at the time of site plan review or upon demand by the Board of Supervisors.*

17. All signs on the property shall be provided in accordance with the requirements of Article 12, Signs, of the Zoning Ordinance.*

~~18. Groveland Drive and Blue Jasmine Court shall be signed for no church parking between the site entrance and Green Garland Drive and shall be striped for right and left turn lanes at the intersection of Pohick Road and Groveland Drive.~~

18. The curbs at the intersections of Groveland Drive and Pohick Court; Blue Jasmine Court and Groveland Drive; Groveland Drive and Green Garland Drive will be painted yellow to prohibit parking in proximately to these intersections. A striping plan shall be submitted to VDOT for their review and approval prior to the striping.

19. The curbs in proximity to fire hydrants shall be painted yellow to ensure that parking is not permitted in these areas.

20. The applicant shall appoint a parking coordinator to ensure that the parking lot adequately provides for necessary parking and that the church parking does not take place into the surrounding neighborhood streets. If a problem is detected, then the church shall implement one or a combination of the following steps:

    a. Car pooling;
    b. Announcements by the church pastor requesting car pooling after a problem is detected or for special events or services for which a large turnout is expected;
    c. Staggering of church services, or holding more than one Easter and Christmas service;
    d. Arranging for parking at an appropriate alternate facility and providing transportation from such facility to the church;
    e. Any other measure necessary to prevent parking from spilling into the residential neighborhood;
    f. The applicant shall post the parking restrictions in their church bulleting each week to inform the congregation of these requirements.

21. A minimum of forty-five (45) minutes shall be provided between the completion of one service and the commencement of the next service.*

22. No bells (or recorded bells) shall be rung except for between the hours of 9:00 am and 6:00 pm. The ringing of the bells shall not exceed the duration of thirty (30) seconds.*

23. The applicant shall coordinate with VDOT and the Fairfax County Department of Transportation to facilitate the timely completion of improvements to Pohick Road.*

24. A police officer shall be employed by the applicant to direct traffic in and out of the application property on Sundays at the intersection of Groveland Drive and Pohick Road.*

25. The applicant, upon approval and authorization by Fairfax County and VDOT, shall notify parishioners of a commuter park-n-ride lot located north along Hooes Road in proximity to the application property. The applicant shall encourage the

use of the parking lot by parishioners on Saturdays and Sundays, and carpooling by parishioners to the application property. This obligation is limited to negotiating appropriate arrangements with Fairfax County and VDOT, providing notice of availability, and encouraging use, but shall not be construed as a commitment to provide shuttle bus service.*

26. At the time of site plan approval, the applicant shall record a deed of Public Ingress and Egress to Groveland Drive. The applicant further agrees that the existing improvements, including a gazebo, constructed on the adjacent parcel, shall not be removed by the applicant. The applicant will require execution of a hold harmless agreement related to the gazebo from the adjacent Afton Glen homeowners association.*

27. The applicant shall maintain the adjacent outlot, Tax Map 98-1 ((15)) A1, in common ownership with Parcel 13A.*

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 responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently prosecuted. Establishment of Phase 1 shall establish the use as approved pursuant to this special permit. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. 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.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: November 5, 2008
(enter date affidavit is notarized)

I, Lynne J. Strobel, attorney/agent, 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

102853

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

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

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

NAME (enter first name, middle initial, and last name)	**ADDRESS** (enter number, street, city, state, and zip code)	**RELATIONSHIP(S)** (enter applicable relationships listed in **BOLD** above)
The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office	200 North Glebe Road, Suite 704 Arlington, Virginia 22203	Applicant/Title Owner of Tax Map 98-1 ((1)) 13A
Agents: Rev. James R. Gould J. Reid Herlihy Francis M. Parek		

(check if applicable) [✓] There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance 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).

Application No.(s): _____

(county-assigned application number(s), to be entered by County Staff)

Special Permit/Variance Attachment to Par. 1(a)

DATE: November 5, 2008
(enter date affidavit is notarized)

102853

(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)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent

(check if applicable) [ ] There are more relationships to be listed and Par. 1(a) is continued further on a "Special Permit/Variance Attachment to Par. 1(a)" form.

Application No.(s): _____

(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: November 5, 2008 102853

(enter date affidavit is notarized)

==========

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, number, street, city, state, and zip code)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

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)

David J. Bomgardner, E. Andrew Burcher, Thomas J. Colucci, Peter M. Dolan, Jr., Jay du Von, Jerry K. Emrich, William A. Fogarty, John H. Foote, H. Mark Goetzman, Bryan H. Guidash, Michael D. Lubeley, J. Randall Minchew, M. Catharine Puskar, John E. Rinaldi, Lynne J. Strobel, Garth M. Wainman, Nan E. Walsh, Martin D. Walsh

(check if applicable) [ ] There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance 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.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: November 5, 2008 102853
(enter date affidavit is notarized)

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)
None

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

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

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance 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.

Application No.(s): _____

(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: November 5, 2008 102853

(enter date affidavit is notarized)

==========

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

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

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

2. That no member of the Fairfax County Board of Zoning Appeals, 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 Permit/Variance Attachment to Par. 2" form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: November 5, 2008 102853
(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 Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than $100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

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

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance 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:

Lynne J. Strobel

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

Lynne J. Strobel, attorney/agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 5 day of November 2008, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K Follin
Notary Public

My commission expires: 11/30/2011

KIMBERLY K. FOLLIN
Registration # 283945
Notary Public
COMMONWEALTH OF VIRGINIA

FORM SP/VC-1 Updated (7/1/06)

APPENDIX 3

RECEIVED
Department of Planning & Zoning
JAN 29 2009
Zoning Evaluation Division

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

January 29, 2009

Via Hand Delivery

Virginia Ruffner
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: Special Permit Amendment Application
Applicant: The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office
St. Raymond Catholic Church (the "Church")
Temporary Application Number SPA 2008-0325

Dear Ms. Ruffner:

I am in receipt of your letter dated December 16, 2008 regarding the referenced submission. In response to the deficiencies identified in your letter, I have enclosed the following:

- Four (4) copies of a revised special permit application form.
- Four (4) copies of a statement of justification that has been revised to include the seating capacity of the Church.

I am hopeful that the pending application will be promptly accepted upon a determination that a waiver of the requirement to submit a special permit plat is appropriate. Should you have any questions regarding the enclosed, or require additional information, please do not hesitate to give me a call. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.

Lynne J. Strobel

Enclosures
cc: J. Reid Herlihy Father Gould Martin D. Walsh
{A0160093.DOC / 1 Submission Ltr 2 to Ruffner 000714 000025}

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

RECEIVED
Department of Planning & Zoning
JAN 29 2009
Zoning Evaluation Division

REVISED
January 27, 2009

Via Hand Delivery

Regina C. Coyle, Director
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: SPA 00-S-011
Applicant: The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office
St. Raymond Catholic Church

Dear Ms. Coyle:

Please accept the following as a statement of justification in conjunction with a special permit amendment to modify a previously approved development condition.

St. Raymond Catholic Church (the "Church") is an existing place of worship that is located on property identified among the Fairfax County tax map records as 98-1 ((1)) 13A (the "Subject Property"). The Subject Property is also known as 8750 Pohick Road and was the subject of a special permit referenced as SP 00-S-011 that was approved by the Board of Zoning Appeals at its hearing held on June 27, 2000. The Church was completed in 2006 and is comprised of a sanctuary, a rectory and associated parking. The special permit was approved subject to 25 development conditions that are listed in the Resolution adopted by the Board of Zoning Appeals. The Applicant proposes to modify one (1) of the approved development conditions.

Development Condition 18 adopted with the special permit states the following: "Groveland Drive and Blue Jasmine Court shall be signed for 'No Church Parking' between the site entrance and Green Garland Drive and shall be stripped for right and left turn lanes at the intersection of Pohick Road and Groveland Drive." The specific issue associated with this application is the requirement to provide "No Church Parking" signs. The Applicant proposes that this condition be modified.

The condition as currently written cannot be implemented by the Applicant. The Applicant proposed the installation of signs within the VDOT right-of-way of Groveland Drive and Blue Jasmine Court reading "No Church Parking" as required by Development Condition 18. It is my understanding that VDOT will not allow these signs

to be installed within the public right-of-way as the restriction is discriminatory. Individuals or groups cannot be prohibited from using public on-street parking that is open to others. Further, enforcement of such a restriction, if permitted, would be impossible due to the inability to distinguish vehicles owned by local residents from vehicles owned by Church members. One solution is to install signs that are applicable to everyone, and will prohibit all parking, or prohibit parking on certain days of the week during certain times to limit on-street parking during Church services. It is my understanding that this solution is not acceptable to the adjacent Afton Glen community. In the alternative, the Church is submitting this application to amend the development condition.

The Church has had the opportunity to meet with representatives of the Afton Glen Homeowners Association in an effort to find a solution to ensure safe on-street parking. The Church proposes that the curbs at the intersections of Groveland Drive and Pohick Court; Blue Jasmine Court and Groveland Drive; Groveland Drive and Green Garland Drive will be painted yellow to prohibit parking in proximity to these intersections. In addition, the curbs in proximity to fire hydrants will be painted yellow to ensure that parking is not permitted in these areas. The Applicant, in coordination with the community, believes that this action will address safety concerns associated with on-street parking. If, for any reason, the curb painting as proposed is not permitted by VDOT, the Church will install "No Parking" signs to prevent parking in proximity to the intersections and/or fire hydrants.

The Applicant is in compliance with the remainder of the approved development conditions, including those associated with traffic management. The Applicant hires a police officer on Sundays to direct traffic in and out of the Subject Property at the intersection of Groveland Drive and Pohick Road. The presence of a police officer will assist with the enforcement of the "No Parking" areas identified herein. The Applicant does not propose any modifications to the existing physical improvements constructed on the Subject Property, or any of the remaining development conditions.

In accordance with the requirements of Section 8-011 of the Fairfax County Zoning Ordinance, the existing Church operates in accordance with the following:

- The type of operation is a Catholic Church and related uses. Typical operations include daily and weekend masses and instruction in the Catholic religion. The Church has a maximum of 850 seats.

- The hours of operation are as follows:

  -- Monday through Friday – Mass is held at 9:00 a.m. Church administrative offices are open from 9:00 a.m. to 5:00 p.m.

- Saturday and Sunday from 9:00 a.m. to 8:00 p.m. with the following mass schedule:
  - Saturday masses are held at 5:00 p.m. and 6:30 p.m.
  - Sunday masses are held at 9:00 a.m., 10:30 a.m. and 12:00 p.m.
- The fellowship hall primarily is used in the evenings, beginning at approximately 7:00 p.m.
- A rectory is located on the Subject Property and serves as a priests' residence.

- The number of parish families that is served is approximately 1,700.
- The total number of employees associated with all uses is 9.
- The traffic impacts associated with the use of the Subject Property vary by time of day and type of service. All parishioners come to the Subject Property by private vehicle. During the week there are minimal impacts during the day associated with the Church. On Saturday, moderate impacts are during the period of 4:00 p.m. through 7:00 p.m. On Sunday, the maximum trip generation is during the period of 8:30 a.m. to 1:30 p.m. with a total of approximately 266 trips during the peak hour. In addition, there is traffic associated with the religious education classes on Sunday morning during the period of 10:30 a.m. to 11:30 a.m.
- The vicinity or general area served by the use is primarily the areas of Springfield, Fairfax Station and Lorton.
- The existing buildings are constructed of brick and masonry with a shingle roof. The buildings are designed to complement the residential character of the area.
- The Applicant is unaware of any hazardous or toxic substances located on the Subject Property.
- The proposed use conforms to the provision of all applicable ordinances, regulations, adopted standards and applicable conditions except as may be noted on the special permit plat.

Should you have any questions regarding this request, or require additional information, please do not hesitate to give me a call. This application is filed solely to allow a modification to a previously approved development condition that cannot be implemented or enforced. The Applicant proposes alternative measures to ensure the safe use of surrounding roadways and control on-street parking. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Board of Zoning Appeals at your earliest convenience.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.

Lynne J. Strobel

LJS/kae
cc: J. Reid Herlihy
Father Gould
Martin D. Walsh

{A0160019.DOC / 1 Amended Statement of Justification 000714 000025}

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

March 4, 2009

RECEIVED
Department of Planning & Zoning
MAR 04 2009
Zoning Evaluation Division

Via Hand Delivery

Virginia Ruffner
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: Special Permit Amendment Application
Temporary Application Number SPA 2008-0325
Applicant: The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office

Dear Ms. Ruffner:

On January 29, 2009, I submitted a corrected application form and a revised statement of justification to respond to the deficiencies identified in your letter dated December 16, 2008. Your letter states that a request to waive the plat submission requirement submitted concurrently with the application remains outstanding.

Based on messages exchanged with Susan Langdon, I understand that the request to waive the plat submission requirement will not be granted. In the alternative, Ms. Langdon suggested submitting portions of the previously approved site plan for the application property to illustrate the existing improvements. Therefore, I have enclosed twenty-three (23) copies and a reduction of Sheet 5 of the site plan that was approved by Fairfax County. I trust that the submission of the enclosed copies will allow for the prompt approval of a modification of the plat submission requirement, acceptance of the referenced application, and the scheduling of a public hearing before the Fairfax County Board of Zoning Appeals.

Should you have any questions regarding this submission, or require any additional information, please do not hesitate to give me a call. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.

Lynne J. Strobel

LJS/kae
Enclosures
cc: J. Reid Herlihy
Father Gould
Francis Parek
Raul Yepez
Martin D. Walsh

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

RECEIVED
Department of Planning & Zoning
APR 03 2009
Zoning Evaluation Division

April 3, 2009

Via Hand Delivery

Virginia Ruffner
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: Special Permit Amendment Application
Temporary Application Number SPA 2008-0325
Applicant: The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington and his Successors in Office

Dear Ms. Ruffner:

The referenced application was initially submitted on November 24, 2008. Subsequently, a letter was issued dated December 16, 2008 identifying certain deficiencies with regard to the application form and statement of justification. These deficiencies were corrected in a package delivered to you on January 29, 2008. I understand that the last issue remaining prior to application acceptance is the approval of a request to waive the plat submission requirements that was submitted concurrently with the original application.

Based on messages exchanged with Susan Langdon, I understood that the plat requirement would not be waived but modified, and subsequently submitted twenty-three (23) copies and a reduction of Sheet 5 of the Site Plan that was approved by Fairfax County. These materials were submitted on March 4, 2009. Ms. Langdon has further requested copies of the previously approved special permit plat to identify those improvements that have not yet been constructed. Therefore, I have enclosed twenty-three (23) copies and a reduction of the originally approved special permit plat. I trust that the enclosed copies, in conjunction with the previously submitted sheet of the Site Plan, will allow for the prompt approval of a modification of the plat submission requirement, acceptance of the referenced application, and the scheduling of a public hearing before the Fairfax County Board of Zoning Appeals.

Should you have any questions regarding this submission, or require any additional information, please do not hesitate to give me a call. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.

Lynne J. Strobel

LJS/kae
Enclosures
cc: Susan Langdon
J. Reid Herlihy
Father Gould
Francis Parek
Raul Yepez
Martin D. Walsh

{A0164689.DOC / 1 Ruffner resubmission ltr 4-23-09 000714 000025}

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

RECEIVED
NOV 24 2008
Zoning Evaluation Division

November 24, 2008

Via Hand Delivery

Virginia Ruffner
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035-5505

Re: Special Permit Amendment Application
Applicant: The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office
St. Raymond Catholic Church

Dear Ms. Ruffner:

In conjunction with the referenced request, I have enclosed the following for your review and acceptance:

- Special permit amendment application checklist.
- Four (4) copies of a special permit application form with required affidavit.
- One (1) copy of a request to waive the requirement to submit a special permit plat.
- Fairfax County zoning section sheet 98-1 with the application property outlined in red.
- Photographs and accompanying CD of the application property.
- Four (4) copies of a written statement of justification.
- Original completed VDOT Chapter 527 TIA Review Form.
- Original, notarized statement authorizing representatives of Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. to act as agents for the Applicant.

- Application fee in the amount of one hundred seventy-seven dollars and fifty cents ($177.50) in the form of a check made payable to the County of Fairfax.

I would appreciate your review of the enclosed. Should you have any questions regarding the submission, or require additional information, please do not hesitate to contact me. As always, I appreciate your cooperation and your assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.

Lynne J. Strobel

Enclosures

cc: J. Reid Herlihy
Father Gould
John Davies
Martin D. Walsh

{A0147793.DOC / 1 Submission Ltr to Ruffner 000714 000025}

RECEIVED
Department of Planning & Zoning
NOV 24 2008
Zoning Evaluation Division

State Checklist for Rezoning Applications
(24 VAC 30-155-40)

Project Name: St. Raymond Catholic Church

Applicant Name: The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office

Tax Map Parcel Reference: 98-1 ((1)) 13A

Please check which apply:

☒ **My rezoning application does not meet the thresholds according to 24 VAC 30-155-40. Please sign at the bottom of this sheet.**

☐ **My rezoning application meets the thresholds according to 24 VAC 30-155-40. Please complete checklist below to indicate the required material is included in your application package and sign at the bottom of this sheet. Please also complete the TIA Review Form.**

☐ A COVER SHEET containing:
- ☐ **Contact Information** for the
  - ☐ Locality,
  - ☐ Developer (or owner), if applicable;
- ☐ **Site Information**
  - ☐ Rezoning location,
  - ☐ Highways adjacent to the site,
  - ☐ Parcel number or numbers;
- ☐ **Proposal Summary** with the
  - ☐ Development's name,
  - ☐ Size (acreage),
  - ☐ Proposed zoning, and
  - ☐ Proposed types of land uses, including maximum number of lots or maximum business square feet;
- ☐ **A Statement** regarding the proposal's compliance with the comprehensive plan.

☐ A TRAFFIC IMPACT ANALYSIS in accordance with 24-VAC-30-155-60 and a completed TIA Review Form (attached)

☐ A CONCEPT PLAN of the proposed development.

☐ ANY PROFFERED CONDITIONS submitted by the applicant.

☐ FEES (submitted directly to VDOT)
- ☐ **For the initial or second review** of a rezoning proposal, a single fee for both reviews will be determined by the number of vehicle trips generated per peak hour of the generator, as follows:
  - ☐ 100 or less vehicles per peak hour - $500
  - ☐ More than 100 vehicles per peak hour - $1,000
- ☐ **For a third or subsequent submission** of a rezoning proposal that is requested by VDOT on the basis of the failure of the applicant to address deficiencies previously identified by VDOT, the fee is equal to the initial fee paid.

Applicant Signature: Lynne J. Strobel, Agent Date: November 6, 2008

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA AND HIS SUCCESSORS IN OFFICE, SP 00-S-011 Appl. under Sect(s). 3-103 of the Zoning Ordinance to permit a church and related facilities. Located at the intersection of Hooes Rd. and Pohick Rd. on approx. 9.90 ac. of land zoned R-1. Springfield District. Tax Map 98-1 ((1)) 13A. (Moved from 5/9/00) (Def. for dec. only from 6/13/00) Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 27, 2000; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sect(s). 3-103 of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, and is not transferable without further action of this Board, and is for the location indicated on the application, Pohick Road, Hooes Road and Groveland Drive (9.906 acres) and is not transferable to other land.

2. This Special Permit is granted only for the church and related facilities as indicated on the special permit plat prepared by Jiri F. Kovats, dated June 5, 2000, and approved with this application, as qualified by these development conditions.

3. A copy of this Special Permit 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 Permit 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 permit shall be in substantial conformance with the approved Special Permit plat and these development conditions. Minor modifications to the approved special permit may permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning

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DIVISION OF
ZONING ADMINISTRATION

Ordinance.

5. The maximum number of seats in the church shall be 850.

6. Notwithstanding Note 20 on the Special Permit plat, two hundred and eighty-five (285) parking spaces shall be provided. All parking for the use shall be on site as shown on the Special Permit Plat.

7. All areas indicated on the plat as "tree save" areas shall be preserved. In addition, a tree preservation plan shall be provided to the County Urban Forester for review and approval at the time of site plan review. The tree preservation plan shall include revised limits of clearing and grading adjacent to the proposed stormwater management pond in order to reduce the clearing limits and achieve maximum preservation of existing trees on the site. If other SWM designs are provided as outlined in condition #10, the vegetation within the proposed SWM pond shall be preserved. Additionally, the limits of clearing and grading adjacent to the Afton Glen Subdivision at the southeast corner of the parking lot shall be reduced to save to the maximum extent possible existing vegetation, which shall be supplemented with landscape material as shown on the plat and outlined below.

8. In order to soften the impact of the non-residential buildings on the adjacent residential subdivision, a landscape plan shall be submitted for review and approval by the County Urban Forester at the time of site plan review and shall depict a combination of flowering and evergreen trees and shrubs along the perimeters of all parking areas, and building foundation landscaping plantings to the satisfaction and approval of the County's Urban Forester.

9. Transitional screening 1 shall be modified along all lot lines to allow the existing vegetation tree save areas and additional landscaping as outlined in conditions #7 and #8 to satisfy screening requirements. The areas between the parking lot and building adjacent to Groveland Drive and the Afton Glen subdivision shall be further supplemented with evergreen trees and shrubs to the satisfaction of the Urban Forester to provide screening from the parking lot and vehicular lights for the residents along Groveland Drive and in the Afton Glen subdivision. All screening shall be placed on the Afton Glen side of the proposed six foot high board on board fence. Additionally, evergreen trees and shrubs shall be planted along the outside perimeter of the western parking area along the Hooes Road.

   The barrier requirements shall be waived except along the southern and southeastern lot line adjacent to the Afton Glen subdivision. In addition to the fence shown on the special permit plat, a six foot high board on board fence shall be provided adjacent to the parking lot from the Groveland Road entrance east to the corner of the parking lot and north to the parish hall.

10. Stormwater Management (SWM) and Best Management Practices (BMPs) shall be provided as required to the satisfaction of DPWES. Subject to the approval of DPWES, final stormwater management design shall provide for bioretention mechanisms and/or embankment-only facilities within the site, or other such innovative SWM measures, where

practical to preserve existing vegetation, the stream valley and associated wetlands. Locations of any bioretention areas may be adjusted within the site to the satisfaction of DPWES. If the SWM/BMP structure is waived or other alternatives are allowed, the areas shown on the plat between the proposed tree save area and the rectory shall be preserved.

11. Lighting of the church property shall be focused onto the subject property. Parking lot lighting fixtures on the site shall be limited in height to twelve (12) feet. All lighting fixtures shall be full cut-off lights and shall be fully shielded in such a manner to prevent light from projecting off-site. No up-lighting of buildings or signs shall be permitted on the site.

12. The Non-Residential Use Permits for the parish hall or rectory shall not be issued until the VDOT Pohick Road project is opened to traffic.

13. Except as noted herein, the application property shall not have access to Pohick Road until the Pohick Road improvements are constructed in accordance with the design plans prepared by the Virginia Department of Transportation. However, if the above referenced road improvements have not been bid for construction within 30 months from the final date of approval of this special permit, the applicant shall have the option to access Pohick Road subject to the construction of interim access improvements as deemed appropriate by VDOT.

14. Access to the site from Pohick Road shall be a right-in, right-out only and a permanent right turn lane shall be provided into the proposed site entrance on Pohick Road. The permanent right turn lane shall either be constructed at such time as access is provided, or the funds escrowed for construction concurrent with the VDOT Pohick Road project, as deemed appropriate at the time of site plan review. The escrow amount shall be determined by DPWES.

15. Construction traffic shall use Pohick Road as the sole means of ingress/egress to the site, if permitted by VDOT.

16. All right-of-way and easements associated with the Pohick Road project (# R000-029-249, PE 105, C527, B684) shall be provided in fee simple at the time of site plan review or upon demand by the Board of Supervisors.

17. All signs on the property shall be provided in accordance with the requirements of Article 12, Signs, of the Zoning Ordinance.

18. Groveland Drive and Blue Jasmine Court shall be signed for no church parking between the site entrance and Green Garland Drive and shall be striped for right and left turn lanes at the intersection of Pohick Road and Groveland Drive.

19. A minimum of 45 minutes shall be provided between the completion of one service and the commencement of the next service.

20. No bells (or recorded bells) shall be rung except for between the hours of 9:00 a.m. and 6:00 p.m. The ringing of the bells shall not exceed the duration of thirty (30) seconds.

21. The applicant shall coordinate with the Virginia Department of transportation (VDOT) and Fairfax County Department of Transportation to facilitate the timely completion of improvements to Pohick Road.

22. A police officer shall be employed by the applicant to direct traffic in and out of the application property on Sundays at the intersection of Groveland Drive and Pohick Road.

23. The Applicant, upon approval and authorization by Fairfax County and VDOT, shall notify parishioners of a commuter park-n-ride lot located north along Hooes Road in proximity to the application property. The applicant shall encourage the use of the parking lot by parishioners on Saturdays and Sundays, and carpooling by parishioners to the application property. This obligation is limited to negotiating appropriate arrangements with Fairfax County and VDOT, providing notice of availability, and encouraging use, but shall not be construed as a commitment to provide shuttle bus service.

24. At the time of site plan approval, the Applicant shall record a deed of Public Ingress and Egress to Groveland Drive. The Applicant further agrees that the existing improvements, including a gazebo, constructed on the adjacent parcel shall not be removed by the applicant. Applicant will require the execution of hold harmless agreement related to the gazebo from the adjacent Afton Glen homeowners association.

25. The applicant shall maintain the adjacent outlot, Tax Map 98-1((15))A1, in common ownership with Parcel 13A.

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 responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval* unless construction has commenced and been diligently prosecuted. Establishment of Phase 1 shall establish the use as approved pursuant to this special permit. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. 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.

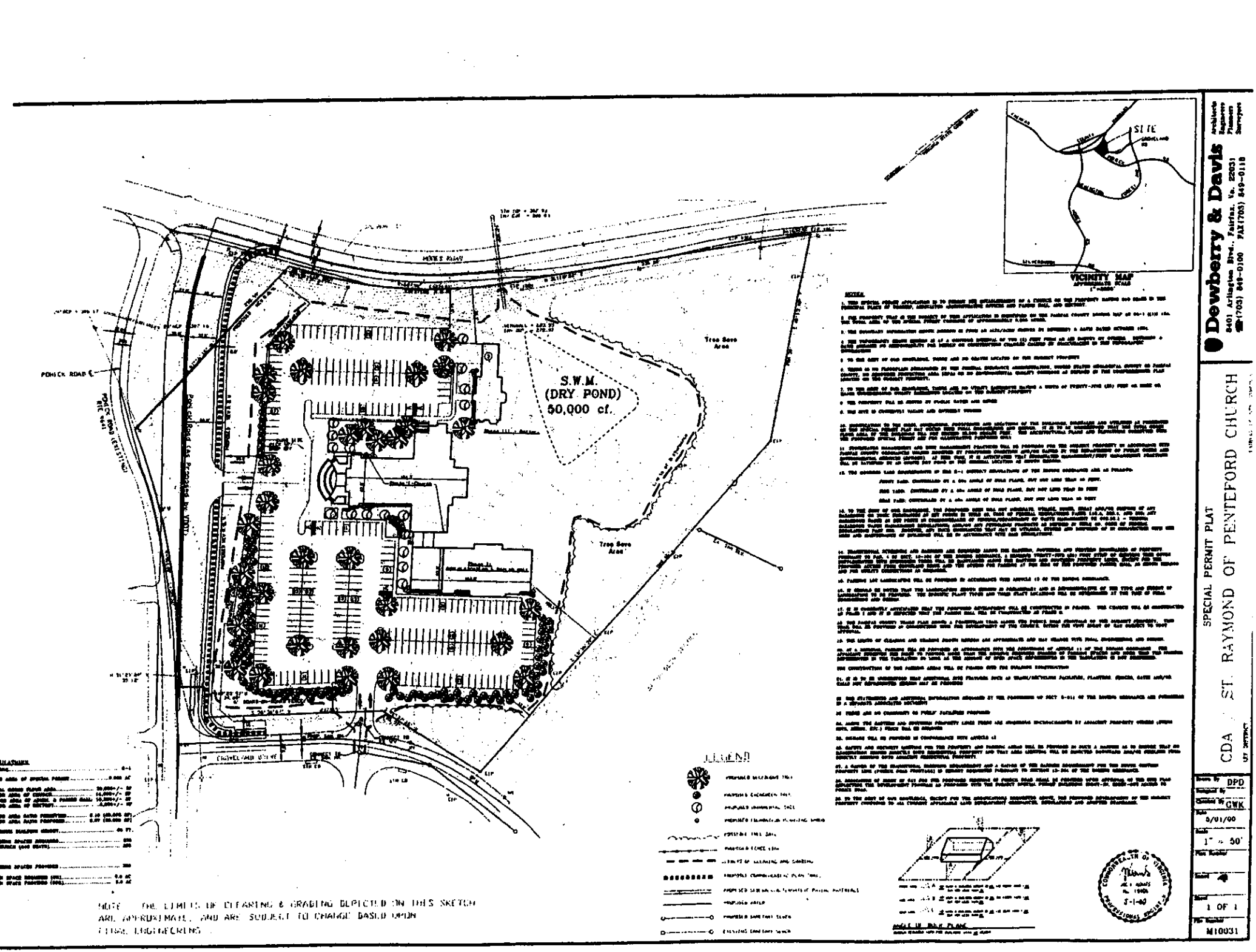
Ms. Gibb seconded the motion which carried by a vote of 7-0. Mr. Kelley moved that the Board waive the 8-day waiting period. Mr. Hart seconded the motion which carried by a vote of 7-0.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on June 27, 2000. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:

Regina Thorn Corbett

Regina Thorn Corbett, Clerk
Board of Zoning Appeals



Dewberry & Davis
8401 Arlington Blvd., Fairfax, Va. 22031
(703) 849-0100 FAX (703) 849-0118

SPECIAL PERMIT PLAT

CDA - ST. RAYMOND OF PENTEFORD CHURCH

Drawn By	DPD
Designed By	
Checked By	GWK
Date	5/01/00
Scale	1" = 50'
Plat Number	
Sheet	1
Total	1 OF 1
File Number	M10031

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit 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 group or use, the BZA 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 BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

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

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.

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

3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.