



APPLICATION ACCEPTED: June 20, 2008
PLANNING COMMISSION: September 9, 2009
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

August 25, 2009

STAFF REPORT ADDENDUM

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

PROVIDENCE DISTRICT

APPLICANT: James W. Jackson

PRESENT ZONING: R-1

REQUESTED ZONING: R-3

PARCEL(S): 48-1((1)) 50

ACREAGE: 1.29 acres

FAR: .21

PLAN MAP: Residential, 3-4 du/ac

SE CATEGORY: Category 3: Child care center and nursery school

RZ PROPOSAL: Rezone the subject site from R-1 to R-3 to permit a building with a maximum FAR of 0.21.

SE PROPOSAL: To permit a child care center and nursery school with maximum enrollment of 170 students.

REQUESTED WAIVERS AND MODIFICATIONS:

Waiver of the service drive requirement along Chain Bridge Road;

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

Suzanne Lin

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
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Modification of the transitional screening requirements along the Sutton Road and Chain Bridge Road frontages of the site, in favor of what is shown on the Generalized Development Plan (GDP)/Special Exception (SE) Plat;

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

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

Waiver of the Tree Inventory and Poor Condition Analysis as outlined in PFM 12.0502.1A

STAFF RECOMMENDATIONS:

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

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

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

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

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

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

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

BACKGROUND

The applicant, James W. Jackson, requests to rezone the 1.29 acre subject site from the R-1 to the R-3 District to permit the development of a child care center and nursery school. Previously, the proposed floor area ratio (FAR) was 0.17; it is now proposed at 0.21.

On May 13, 2009, the Staff Report for RZ 2008-PR-010/SE 2008-PR-021 was published. In this report, staff noted that the design and intensity of the proposed nursery school/child care center offered little opportunity for appropriate site design, landscaping and screening of the site due to the proposed intensity of use on the site, to include both the simple consumption of the land with the parking lot, building footprint and play area as well as the proposed number of students. In staff's opinion, many of these issues might be addressed if the proposed maximum enrollment was reduced since a reduction in enrollment would reduce the number of parking spaces, required square feet of play area and required gross floor area within the center building itself. Staff believed with a smaller building and parking lot, the design could be improved to provide a more landscaped site with the play area further removed from the impacts of Chain Bridge Road.

Staff also expressed concern about the lack of safe and efficient access to the parcel given the proximity of the site entrance to the Sutton Road and Chain Bridge Road intersection. Specifically, staff noted that the access failed to meet the requirements associated with the *Locational Guidelines for Child Care Facilities* (as contained in the Policy Plan) for safe and convenient access. Staff noted that without transportation improvements to include construction of a right turn lane to access Sutton Road from the northbound approach of Chain Bridge Road, the site would be difficult to access and could cause a further failure of the travel lanes on northbound Chain Bridge Road. At the time of the publication of the staff report, the applicant had attempted to mitigate these problems by dedicating land for the future construction of the right turn lane and by consolidating their original two entrances from Sutton Road to one. In addition, the applicant had adjusted the driveway entrance location to be located as far away from the Chain Bridge and Sutton Road intersection as possible on the parcel. However, staff found that the entrance improvements did not alleviate all of the concerns about how this development would impact Chain Bridge and Sutton Roads.

On July 21, 2009, the applicant submitted a revised GDP/SE Plat as revised and signed through July 20, 2009. The following changes are of note:

- The building is now two stories instead of one. As a result of this change, the building footprint has slightly decreased, however the overall size of the building has increased from 9,600 SF to 11,795 SF.
- The full 25 feet of transitional screening and the required 6 foot tall barrier is now provided along the southern boundary, which abuts existing single-family detached dwellings.
- A right turn lane into the subject site has been provided from Sutton Road.

In addition, the applicant is now proposing two alternatives to constructing the right turn lane along Chain Bridge Road onto Sutton Road. The alternatives include: (1) the escrow of funds necessary for construction of a right turn lane; or (2) the construction the right turn lane while leaving the existing utilities as is, and not relocating the existing utility poles along their frontage.

ANALYSIS

Staff notes that the proposed changes to the site layout provide more tree cover. However, staff remains concerned that the overall issues relating to intensity of use remain. While the footprint of the structure may be smaller, the setback of the building from Chain Bridge Road remains approximately 30 feet all along the frontage, which does not provide for further buffering. The applicant has improved the buffer along the southern boundary, buffering the proposed child care use from the closest single family homes. However, as a result, the play area to the southern rear part of the site has actually become smaller (7,200 SF to 6,200 SF). Since the number of students has not been reduced, the number of parking spaces remains the same. Therefore, staff feels that the design changes are incremental in nature and do not address staff's concern that the number of students may be simply too large to be accommodated on this site. Staff remains concerned that even with the proposed changes, the play area remains too proximate to the impacts associated with Chain Bridge Road and that again, a less intensive use would have allowed redesign of the building and site to better buffer the use. More significant design changes, for instance, could shield the play area better from the noise associated with Chain Bridge Road or provide more landscaping opportunities around the entire periphery of this site.

Staff also recognizes that the applicant has attempted to resolve the transportation issues by constructing a right turn lane into their site from Sutton Road and suggesting alternatives to construction of the right turn lane on Chain Bridge Road to Sutton Roads. The right turn lane along Sutton Road to access this site was not requested by staff. Staff remains concerned about the functioning of Chain Bridge Road at Sutton Road but recognizes that the applicant has proffered to escrow the funds for future construction of a right turn lane on that approach, not to include the costs of utility relocation. Ideally, staff would prefer that the applicant construct the turn lane at the time of development since it would seem appropriate given the rest of the site work that would occur during development, especially since the applicant now has committed to dedication and funding of this improvement. Staff notes that since VDOT is not generally supportive of leaving utility poles in a cement "pork chop" at an intersection, it appears unlikely that any alternative design would be approved.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

The proposed changes have not addressed the design and intensity issues previously identified in the staff report. As noted in the original staff report, staff finds that the proposal is not in harmony with the intent of the Comprehensive Plan for the *Locational Guidelines for Child Care Facilities*.

Recommendations

Staff recommends that RZ 2008-PR-010 be denied; however, if it is the intent of the Board of Supervisors to approve RZ 2008-PR-010, staff recommends that the approval be subject to the draft proffers contained in Attachment 1.

Staff recommends that SE 2008-PR-021 be denied; however, if it is the intent of the Board of Supervisors to approve SE 2008-PR-021, staff recommends that the approval be subject to the draft proposed development conditions contained in Attachment 2 of this staff report addendum.

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.

It should be 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.

ATTACHMENTS

1. Proffers (dated August 14, 2009)
2. Draft Development Conditions
3. Reduction of Revised GDP/SE Plat signed July 20, 2009
4. Affidavits

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

March 3, 2009 (**Revised May 8, 2009**) (**Revised July 23, 2009**) (**Revised August 14, 2009**)

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

1. **Generalized Development Plan (GDP)**: The application property shall be developed in substantial conformance with the Generalized Development Plan and Special Exception Plat (GDP) prepared by Barnes & Johnson, Inc., Civil Engineers dated March 17, 2008 (REV through 7/20/09) depicting a Child Care Center and Nursery School with a maximum of 170 students in the R-3 District on 56,009 square feet of land. Minor modifications to the GDP may be made provided that said modifications are in substantial conformance with the GDP as determined by the Zoning Administrator, and provided that the total area of open space is not decreased from that shown thereon, and the limits of clearing and grading are adhered to.

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

The masonry wall constructed parallel to Chain Bridge Road shall be faced with materials which complement the exterior siding materials on the building.

3. Right of Way Dedication on Chain Bridge Road and construction commitments:

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

In addition, Applicant shall:

a. Alternate 1: Escrow with Fairfax County, at the time of site plan approval, the cost of constructing a paved right turn lane according to VDOT design standards from Route 123 northbound into Sutton Road within the dedicated right of way (excluding the cost of utility relocation). The amount of the escrow shall be determined by using then-current Fairfax County unit prices for construction utilized for purposes of bonding public improvements, or

b. Alternate 2: Construct a right turn from Route 123 northbound into Sutton Road, subject to VDOT approval, as shown on the GDP/Special Exception Plat. Should VDOT not approve construction as shown on the GDP/Special Exception Plat, Applicant shall escrow funds with Fairfax County for future construction as set forth in subparagraph 3.a., above.

4. Right of Way Dedication on Sutton Road: Applicant shall dedicate and convey in fee simple

to the Board of Supervisors, right of way for public street purposes (together with all ancillary easements), 66.5 feet from the centerline of Sutton Road as shown on the GDP, and construct public improvements as shown thereon. Such right of way shall be dedicated at the time of site plan approval, or upon demand by the County of Fairfax and/or VDOT, whichever shall first occur. Prior to issuance of a Non-RUP, the Applicant shall construct a right turn lane on Sutton Road into the service drive entrance for the property as shown on the GDP/Special Exception Plat.

5. **Ingress/Egress** : All vehicular traffic shall enter and exit the site by way of the right turn lane into the service drive parallel to Sutton Road. Appropriate signs shall be placed at the entrance to guide the flow of traffic into and out of the property as shown on the GDP.
6. **Maintenance of Bio Retention Facilities (Rain Gardens)**: The rain gardens shown on the subject property will be designed and constructed as determined by DPWES, and shall be maintained by the Applicant.
7. **Park Authority Contribution**: At the time of site plan approval, the Applicant will contribute the sum of \$2,500.00 to the Fairfax County Park Authority for development of recreational facilities at one or more of the FCPA sites located within the service area of the subject property. Applicant shall prepare and submit to the Fairfax County Park Authority a Phase I archaeological report prior to any grading activity on the site, and if warranted by the Phase I archaeological report, Applicant shall conduct a Phase II archaeological study of the property as required by the Fairfax County Park Authority.
8. **Contribution to Oakton Public Library**: Prior to issuance of the first non-RUP, the Applicant shall make a contribution to the Fairfax Regional Library for use in acquiring children's books for the Oakton Public Library in the total amount of \$2,500.00.
9. **Landscape Design**: During the site plan review process, Applicant shall submit a detailed landscape plan which shows the planting of native plant species on the perimeter of the property as shown on the GDP. Such plan shall be subject to review and approval by the Urban Forestry Division and the Director of DPWES.
10. **Tree Preservation**: Applicant shall preserve trees shown on the GDP for preservation on the Application property, or adjoining properties identified by the Urban Forestry Division during site plan review as worthy of preservation, the Applicant shall comply with the following procedures: The applicant shall submit a Tree Preservation plan as part of the first and all subsequent site plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater, and 25

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

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

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

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

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

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The

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

Root Pruning: "The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following: Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches. Root pruning shall take place prior to any clearing and grading, or demolition of structures. Root pruning shall be conducted with the supervision of a certified arborist. An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete."

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

11. Noise

The Applicant shall provide the following noise attenuation measures:

- a) In order to reduce the maximum interior noise to a level of approximately 45 dBA Ldn, the Applicant proffers that those facades impacted by noise from Chain Bridge Road, which shall be annotated and shown as such on the site plan, shall have the following acoustical attributes:
 - i) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 45;
 - ii) Doors and glazing shall have a laboratory STC rating of at least 37 unless doors, windows and glazing constitute more than 20 percent of any façade exposed to noise levels of DNL 65 dBA or above. If doors, windows and other glazed areas constitute more than 20 percent of an exposed façade, then the glazing of such features shall have an STC rating of at least 45; and
 - iii) Measures to seal and caulk between surfaces shall follow methods approved by the American Society for testing and Materials to minimize sound transmission.

In order to reduce the maximum exterior noise to a level of approximately 65 dBA Ldn or less for outdoor play areas, a 7' tall masonry wall as shown on the GDP shall be provided parallel to Chain Bridge Road . The masonry wall shall be faced with materials similar in type and compatible with the exterior building materials.

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

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

14. **Extension of Waterline Service:** Waterline service into the Application property shall be designed, shown on the site plan and constructed according to standards of Fairfax Water Authority.

APPLICANT/OWNER:

JAMES W. JACKSON

James W. Jackson

PROPOSED DEVELOPMENT CONDITIONS

SE 2008-PR-021

August 25, 2009

If it is the intent of the Board of Supervisors to approve SE 2008-PR-021 located at 2701 Chain Bridge Road (Tax Map 48-1 ((1)) 50) for a child care center and nursery school pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. 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 Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Generalized Development Plan/Special Exception Plat entitled Lord Fairfax Academy, prepared by Barnes and Johnson, Inc and dated March 3, 2009 as revised through July 20, 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. Maximum daily enrollment (inclusive of the child care center and the nursery school) shall be limited to 170 children.
6. The hours of operation shall not exceed 6:30 am to 7:00 pm Monday through Friday [with an optional operation from 6:00 pm to 10:00 pm on Friday and Saturday nights.]
7. The maximum number of children in the outdoor play area at any one time shall be limited by the provisions of Paragraph 1 of Section 9-309 and of the Zoning Ordinance, which provides that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any

ATTACHMENT 2

one time.

8. The maximum number of staff on site at any one time shall be 23.
9. The site shall be accessed from one entrance via Sutton Road.
10. Prior to site plan approval, a noise study shall be submitted to DPZ for review which demonstrates exterior noise levels shall not exceed 65 dBA. The noise study shall be conducted in accordance with the attached guidelines. If it is determined that the exterior noise levels exceed 65 dBA, mitigation measures shall be used to reduce noise levels such that they do not exceed 65 dBA.
11. Prior to Non-RUP issuance, the appropriate water line extension, as determined by Fairfax County Water Authority, shall be installed to support this development.
12. Additional Landscaping shall be provided to buffer the wall along Chain Bridge Road as determined by the Urban Forest Management Branch of DPWES.
13. Prior to any land disturbing activities on the property, a Phase I archeological study of the Application Property shall be conducted and the result of such studies shall be submitted to the Heritage Resources Branch of the Fairfax County Park Authority ('Heritage Resources'). If deemed necessary by Heritage Resources, a Phase II and/or Phase III archeological study shall be conducted on only those areas of the Application Property identified for further study by Heritage Resources. The studies shall be conducted by a qualified archeological professional approved by Heritage Resources, and shall be reviewed and approved by Heritage Resources. The studies shall be completed prior to site plan approval.
14. All signage for the child care center shall comply with provisions of Article 12 of the Zoning Ordinance

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or

ATTACHMENT 2

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.

GENERAL NOTES

1. THE PROPERTY DELINEATED HEREON IS SHOWN ON FAIRFAX COUNTY TAX ABATEMENT MAP NO. 80-1 (01) 80 AND IS CURRENTLY ZONED R-1.
2. FOR EASEMENTS OR ENCUMBRANCES NOT SHOWN HEREON, IF ANY, PLEASE CONSULT TITLE REPORT. NO TITLE REPORT WAS FURNISHED TO THIS FIRM DURING THE PREPARATION OF THIS PLAN.
3. THE SUBJECT PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
4. BOUNDARY AND TOPOGRAPHIC SURVEY IS FIELD RUN BY JEFF WARNEE LAND SURVEYORS INC. DATED JULY 10, 2007. ELEVATIONS ARE BASED ON NOV 1988 CONTOUR INTERVAL IS 3 FEET.
5. THIS SITE DOES NOT LIE WITHIN ANY KNOWN FLOODPLAIN DEMARCATED BY F.A.A. U.S.G.S. OR FAIRFAX COUNTY, NOR DOES THIS SITE LIE WITHIN A CHESTERAPEAKE BAY PRESERVATION AREA PER CURRENT FAIRFAX COUNTY CHESTERAPEAKE BAY MAPS.
6. THERE ARE NO KNOWN UTILITY EASEMENTS HAVING A WIDTH OF 30' OR MORE ON THE SUBJECT PARCELS.
7. THERE ARE NO KNOWN CEMETERIES OR PLACES OF BURIAL ON THESE PARCELS.
8. THIS SITE IS CURRENTLY VACANT. THIS PLAN HAS BEEN PREPARED TO ACCOMPANY A REZONING & SPECIAL EXCEPTION APPLICATION FOR A NEW DAYCARE FACILITY.
9. THERE ARE NO KNOWN HAZARDOUS MATERIALS CONTAINED WITHIN THIS SITE.
10. STORMWATER MANAGEMENT AND BEST MANAGEMENT PRACTICES WILL BE PROVIDED BY SEVERAL METHODS: UNDERGROUND DETENTION, PERVIOUS PAVEMENT, STORM PIPES, INLETS & MANHOLES. THE SPECIFIC SIZE AND LOCATION OF THESE PRACTICES HAS BEEN SHOWN ON THESE PLANS. HOWEVER, SOME MODIFICATIONS MAY BE REQUIRED UPON FINAL ENGINEERING.
11. ALL STORMWATER BROUEN AND SEDIMENT CONTROL MEASURES WILL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FAIRFAX COUNTY PUBLIC UTILITIES MANUAL, THE VIRGINIA BROUEN AND SEDIMENT CONTROL HANDBOOK (CURRENT EDITION) DURING SITE PLAN REVIEW PROCESS.
12. WAIVER OF SERVICE DRIVE REQUESTED ALONG ROUTE #325 (ARTICLE 17 SECTION 20) (24). ALSO WAIVER OF ANY CONSTRUCTION OF STREET WIDENING ON ROUTE #325 IS HEREBY REQUESTED. STREET DEDICATION IS BEING PROVIDED. SEE SITE PLAN (SHEET #8) AND SECTION (SHEET #9), ON ROAD BIKE TRAIL CONSTRUCTION REQUESTED TO BE WAIVED.
13. MODIFICATION OF TRANSITIONAL SCREENING REQUESTED. SEE LANDSCAPE PLAN FOR DETAIL (ARTICLE 15 SECTION 304 (254)).
14. MODIFICATION OF ARTICLE 15 SECTION 304 (26) IS HEREBY REQUESTED TO ALLOW A 6' HIGH WOOD FENCE ALONG ROUTE #325 (IN LIEU OF THE 4' FENCE HEIGHT MAXIMUM).
15. IT IS ANTICIPATED THAT CONSTRUCTION ON THIS PROJECT CAN BE COMPLETED WITHIN ONE YEAR OF OBTAINING ALL NECESSARY PERMITS.
16. ALL EXISTING STRUCTURES ARE TO BE DEMOLISHED PRIOR TO CONSTRUCTION OF THE DAY CARE FACILITY.

PARKING TABULATION

DAYCARE USE
 PARKING REQUIRED: 10.58 SPACES PER CHILD
 MAXIMUM ENROLLMENT: 170 CHILDREN (INCLUDING A MAXIMUM 16 INFANTS IN NURSERY)
 PARKING REQUIRED = 38 SPACES
 ACCESSIBLE SPACES REQUIRED: 2
 ACCESSIBLE SPACES PROVIDED: 2
 PARKING PROVIDED: 38

FLOOR AREA RATIO TABULATION
 GROSS SITE AREA: 64,000 sq ft OR LESS
 GROSS FLOOR AREA: 11,789 sq ft

FLOOR AREA RATIO: 1,795 / 64,000 = 2%
 MAXIMUM FLOOR AREA RATIO PERMITTED (R-8 ZONE): 25%

BULK REGULATIONS
 MAXIMUM BUILDING HEIGHT PERMITTED: 80'
 BUILDING HEIGHT PROPOSED: 30'

FRONT YARD CONTROLLED BY A 40° ANGLE OF BULK PLANE BUT NOT LESS THAN 30'
 REAR YARD CONTROLLED BY A 30° ANGLE OF BULK PLANE BUT NOT LESS THAN 10'
 REAR YARD CONTROLLED BY A 30° ANGLE OF BULK PLANE BUT NOT LESS THAN 20'
 SEE SHEET #8 FOR ANGLE OF BULK PLANE DETAILS

INTERIOR PARKING LOT LANDSCAPING
 TOTAL AREA OF PARKING LOT AND TRAVEL LANES: 12,840 sq ft
 ITS INTERIOR PARKING LOT LANDSCAPING REQUIRED: 647 sq ft
 INTERIOR PARKING LOT LANDSCAPING PROVIDED: 1,100 sq ft OR 2%

ATTACHMENT 3

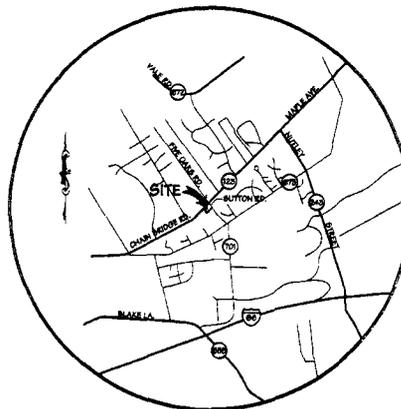
GENERALIZED DEVELOPMENT PLAN AND SPECIAL EXCEPTION PLAT

LORD FAIRFAX ACADEMY

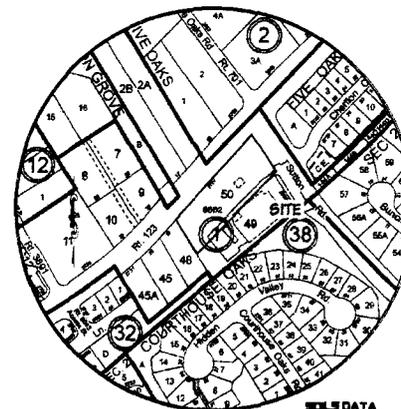
PROVIDENCE DISTRICT FAIRFAX COUNTY, VIRGINIA

SCHEDULE OF SHEETS

- 1: COVER SHEET
- 2A: REZONING & SPECIAL EXCEPTION PLAT - ALTERNATE #1
- 2B: REZONING & SPECIAL EXCEPTION PLAT - ALTERNATE #2
- 3: EXISTING VEGETATION MAP
- 4: LANDSCAPE PLAN
- 5: HANDLE OF BULK PLANE DIAGRAMS
- 6: DRAINAGE DIVIDED TO B.A.M. SYSTEMS
- 7: B.W.M. / B.A.M. CALCULATIONS
- 8: ROADWAY CROSS SECTION & MISCELLANEOUS DETAILS
- 9: OUTLAL ANALYSIS



VICINITY MAP
1" = 800'



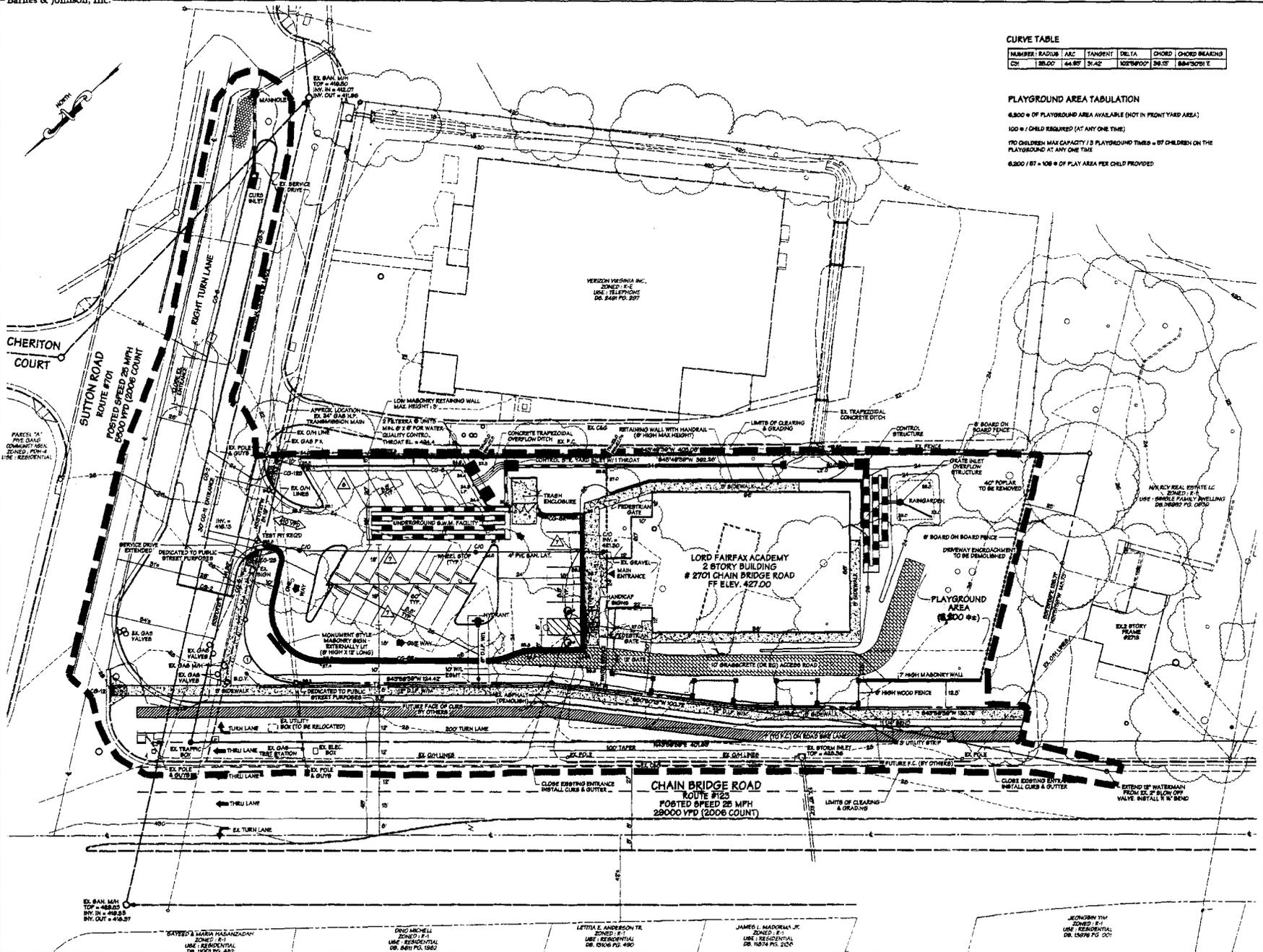
SOILS MAP
1" = 800'

SOILS DATA
 SOIL NUMBER: 0590
 SOIL NAME: CHESAPEAKE BUTT LOAM
 SLOPE RANGE: 2% - 7%
 PROBLEM CLAS: C
 ESTIMATED PERCENT OF EACH
 SOIL TYPE: 100%



Barnes & Johnson, Inc.
LAND ENGINEERS
 8505 Euclid Avenue
 Suite One
 Manassas Park, Virginia 20111
 703 - 530 - 8300 / Box 703 - 530 - 8397

Project #	2400
Date	03-17-2008
Sheet #	1
File #	445 SEP



CURVE TABLE

NUMBER	RADIUS	ARC	TANGENT	DELTA	CHORD	CHORD BEARING
C1	182.00	44.87	31.42	102°59'00"	38.15	S84°30'51" E

PLAYGROUND AREA TABULATION

6,300 sq ft OF PLAYGROUND AREA AVAILABLE (NOT IN FRONTYARD AREA)
 100 # / CHILD REQUIRED (AT ANY ONE TIME)
 170 CHILDREN MAX CAPACITY / 3 PLAYGROUND TIMES = 57 CHILDREN ON THE PLAYGROUND AT ANY ONE TIME
 6,300 / 57 = 108 # OF PLAY AREA PER CHILD PROVIDED



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LORD FAIRFAX ACADEMY
 SCHOOL FOR EARLY LEARNING
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 REZONING & SPECIAL EXCEPTION PLAN
 ALTERNATE #1



Scale
 1" = 20'

Project #
 2400

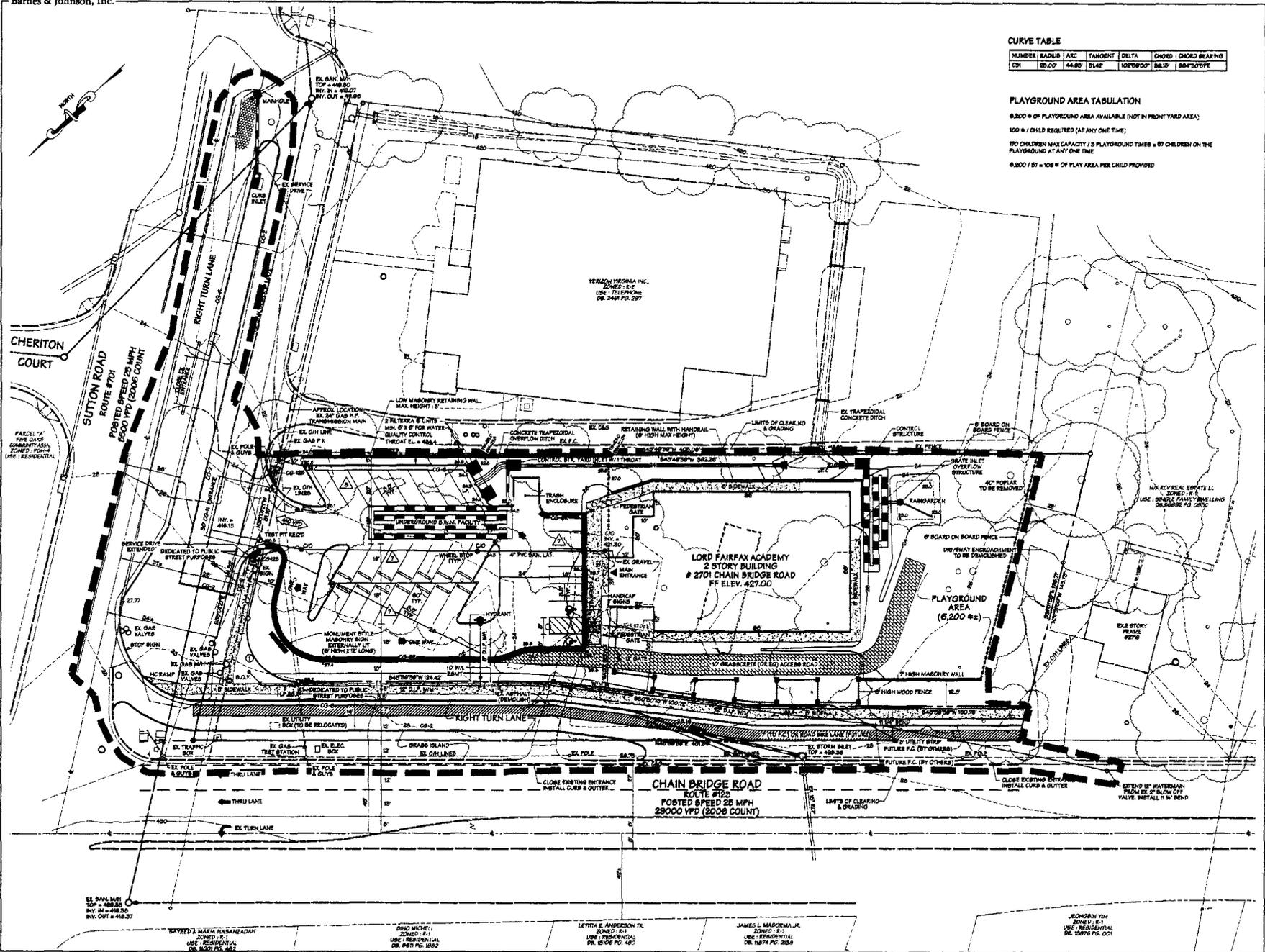
Date
 06-06-2008

Revisions

No.	Description	Date	By

Sheet #
 2A

File #
 445 SEP



CURVE TABLE

NUMBER	RADIUS	ARC	TANGENT	DELTA	CHORD	CHORD BEARING
CR	29.07	44.48	31.42	102°00'00"	38.17	84°30'00"

PLAYGROUND AREA TABULATION

6,200 # OF PLAYGROUND AREA AVAILABLE (NOT IN FRONT YARD AREA);
 100 # / CHILD REQUIRED (AT ANY ONE TIME);
 150 CHILDREN MAX CAPACITY / 15 PLAYGROUND TIMES = 87 CHILDREN ON THE PLAYGROUND AT ANY ONE TIME
 6,200 / 87 = 71 # OF PLAY AREA PER CHILD PROVIDED

B

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**LORD FAIRFAX ACADEMY
 SCHOOL FOR EARLY
 LEARNING**

PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

REZONING & SPECIAL
 EXCEPTION PLAN
 ALTERNATE #2



Scale
 1" = 20'

Project #
 2400

Date
 05-06-2008

Revisions

No.	Description	Date	By

Sheet #
 2B

File #
 445 SEP

Barnes & Johnson, Inc.

Table 12.13 Tree Preservation Target Calculations and Assumptions

A. Pre-development area of existing tree canopy (from Rating Vegetation Map) = 28,750 SF

B. Percentage of gross site area covered by existing tree canopy = 31%

C. Percentage of 10-year tree canopy requirement for site (see Table 12.4) = 30%

D. Percentage of the 10-year tree canopy requirement that should be met through tree preservation = 13.0%

E. Proposed percentage of canopy requirement that will be met through tree preservation = 0%

F. Has the Tree Preservation Target minimum been met? No

G. If no to the last F, then a request to determine if the Tree Preservation Target shall be adjusted on the plan that states one or more of the justifications listed in § 12-0507.3 along with a narrative that provides a site-specific explanation of why the Tree Preservation Target cannot be met. Provide sheet number where narrative request is located.

H. If map G requires a narrative, it shall be prepared in accordance with § 12-0507.4

I. Place this information on file in the 10-year Tree Canopy Calculations as per instructions in Table 12.12.

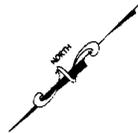


Table 12.14 10-Year Tree Canopy Calculation Worksheet

A. Tree Preservation Target and Assumptions

A1. Place the Tree Preservation Target calculations as if previous have provided for 10-year tree canopy calculation

B. Tree Canopy Requirement

B1. Identify gross site area = 56,690 SF

B2. Subtract area dedicated to paths, road, drainage, and other uses = 1,000 SF

B3. Subtract area of easements = 0

B4. Adjusted gross site area (B1 - B2) = 55,690 SF

B5. Multiply site area by canopy requirement = 16,707 SF

B6. Percentage of 10-year tree canopy requirement = 30%

C. Tree Preservation

C1. Tree Preservation Target Area = 13.0%

C2. Total canopy area existing on site at 12-0500 = 0

C3. Total canopy area provided by mature or volunteer trees or ecological enhancement = 0

C4. Total canopy area provided by "strategic," "defensive," "retention," or "new" trees = 0

C5. Canopy area of trees within 80-foot Preservation Area and 100-foot Easement = 0

C6. Canopy area of trees within 80-foot Preservation Area and 100-foot Easement = 0

C7. Total of C2, C3, C4, C5, and C6 = 0

D. Tree Planting

D1. Area of canopy to be met through tree planting = 15,990 SF

D2. Area of canopy planned for site utility benefits = 0

D3. Area of canopy planned for ecological enhancement = 0

D4. Area of canopy planned for "strategic," "defensive," "retention," or "new" trees = 0

D5. Area of canopy provided by mature trees = 8,750 SF

D6. Area of canopy provided by improved site conditions = 0

D7. Area of canopy provided through tree planting = 0

D8. Area of canopy provided through tree planting = 0

D9. Area of canopy provided through tree planting = 0

D10. Percentage of D14 requirement by D15 = 0

D11. Total of canopy area provided through tree planting = 0

D12. Is an utility planting credit requested? No

D13. Canopy area requested to be provided through utility planting or tree planting = 0

D14. Amount to be deposited into the Tree Preservation Fund = 0

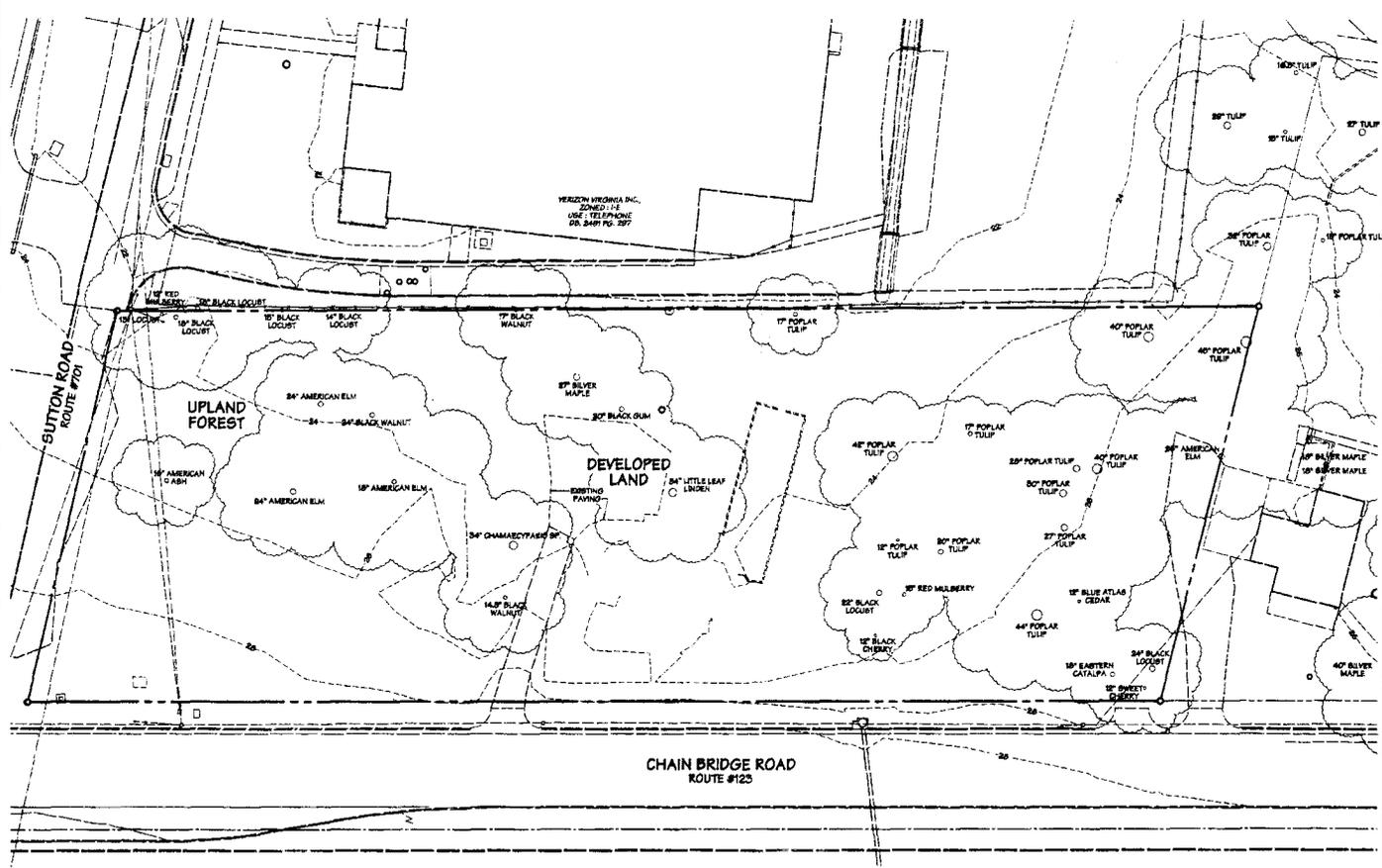
E. Total of 10-year Tree Canopy Provided

E1. Total of canopy area provided through tree preservation = 0

E2. Total of canopy area provided through tree planting = 15,990 SF

E3. Total of canopy area provided through utility planting = 0

E4. Total of 10-year Tree Canopy Provided = 15,990 SF



THE SITE CONTAINS ONE COVER TYPE, DEVELOPED LAND. PRIMARY SPECIES: TULIP, POPLAR, AMERICAN ELM, BLACK LOCUST, SILVER MAPLE, MULBERRY. SUCCESSIONAL STAGE: N/A. CONDITION: POOR. ACREAGE: 0.00.

COMMENTS: THIS SITE IS A HIGHLY DISTURBED URBAN LOT. IT HAS BEEN EXTREMELY DISTURBED BY THE REMOVAL OF EXISTING TREES, GRADING, FILL, AND OTHER PAINT USES. THE TREES ARE OF VERY POOR CONDITION WITH FEW EXCEPTIONS. THERE ARE SOME REMNANT TREES OF BOTTOMLAND FOREST TYPE TOWARD THE SOUTHERN PART OF THE SITE. HOWEVER THESE REMNANT TREES NO LONGER CREATE A CONTINUOUS CANOPY AND DOES NOT HAVE THE CHARACTERISTICS OF FOREST OF ANY TYPE. THE UNDERSTORY IS HIGHLY DISTURBED AND CONSISTS PRIMARILY OF ENGLISH IVY, BLACK ORANGE, AND BANANO. THERE ARE VERY FEW TREES WITHIN THIS LOT THAT WARRANT CONSIDERATION FOR PRESERVATION, GIVEN THE EXTENT OF HISTORIC DISTURBANCE. PRESERVATION OF ANY KIND WOULD BE REPRESENT A SIGNIFICANT RISK OF FAILURE.

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LORD FAIRFAX ACADEMY
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 LEARNING
 PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA



Scale
 1" = 20'

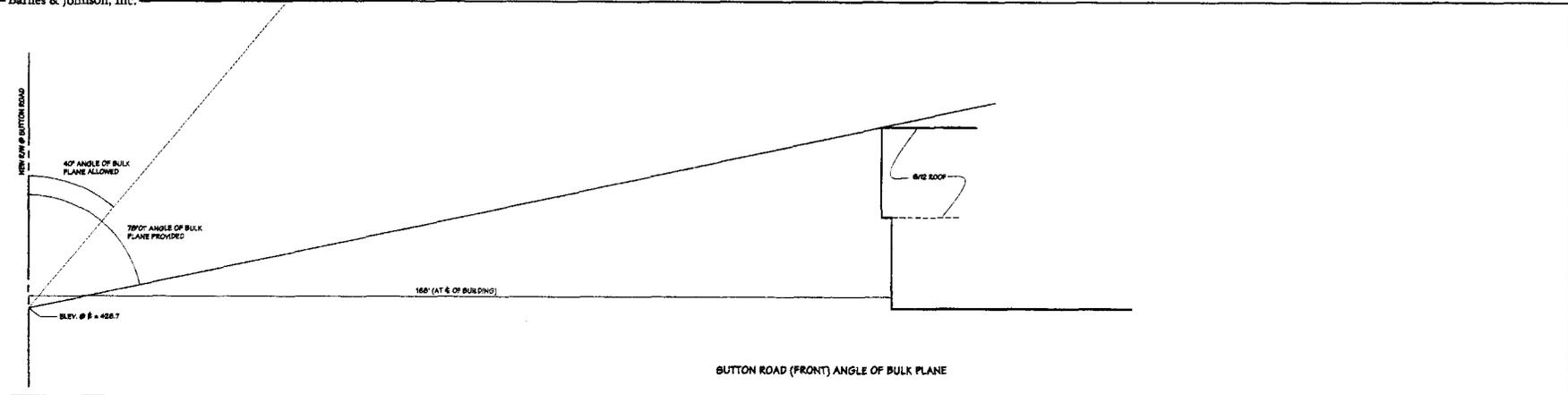
Project #
 2400

Date
 05-06-2008

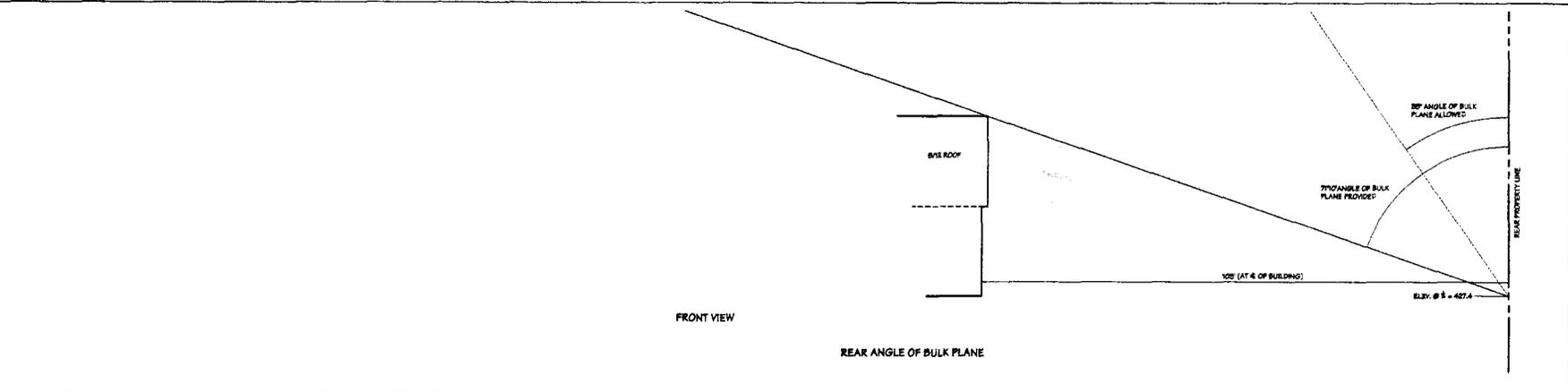
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 3

File #
 445 SEP

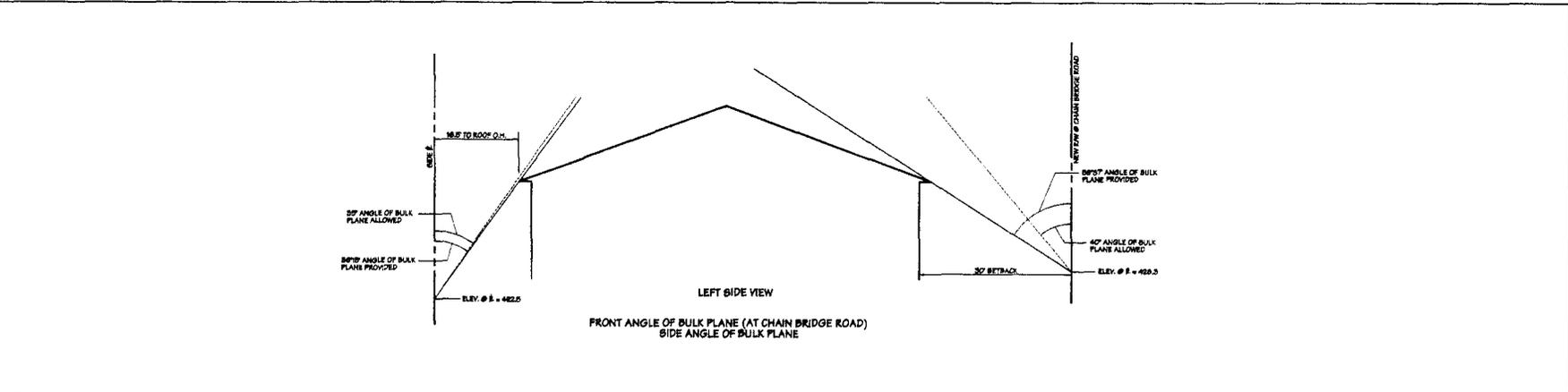


BUTTON ROAD (FRONT) ANGLE OF BULK PLANE



FRONT VIEW

REAR ANGLE OF BULK PLANE



LEFT SIDE VIEW

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



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

BULK PLANE



Scale
1" = 10'
0 10 20

Project #
2400
Date
06-06-2008

Revisions

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5

File #
445 SEP



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LORD FAIRFAX ACADEMY
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 LEARNING

PROVIDENCE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

DRAINAGE DIVIDES



Scale

1" = 20'



Project #

2400

Date

05-06-2008

Revisions

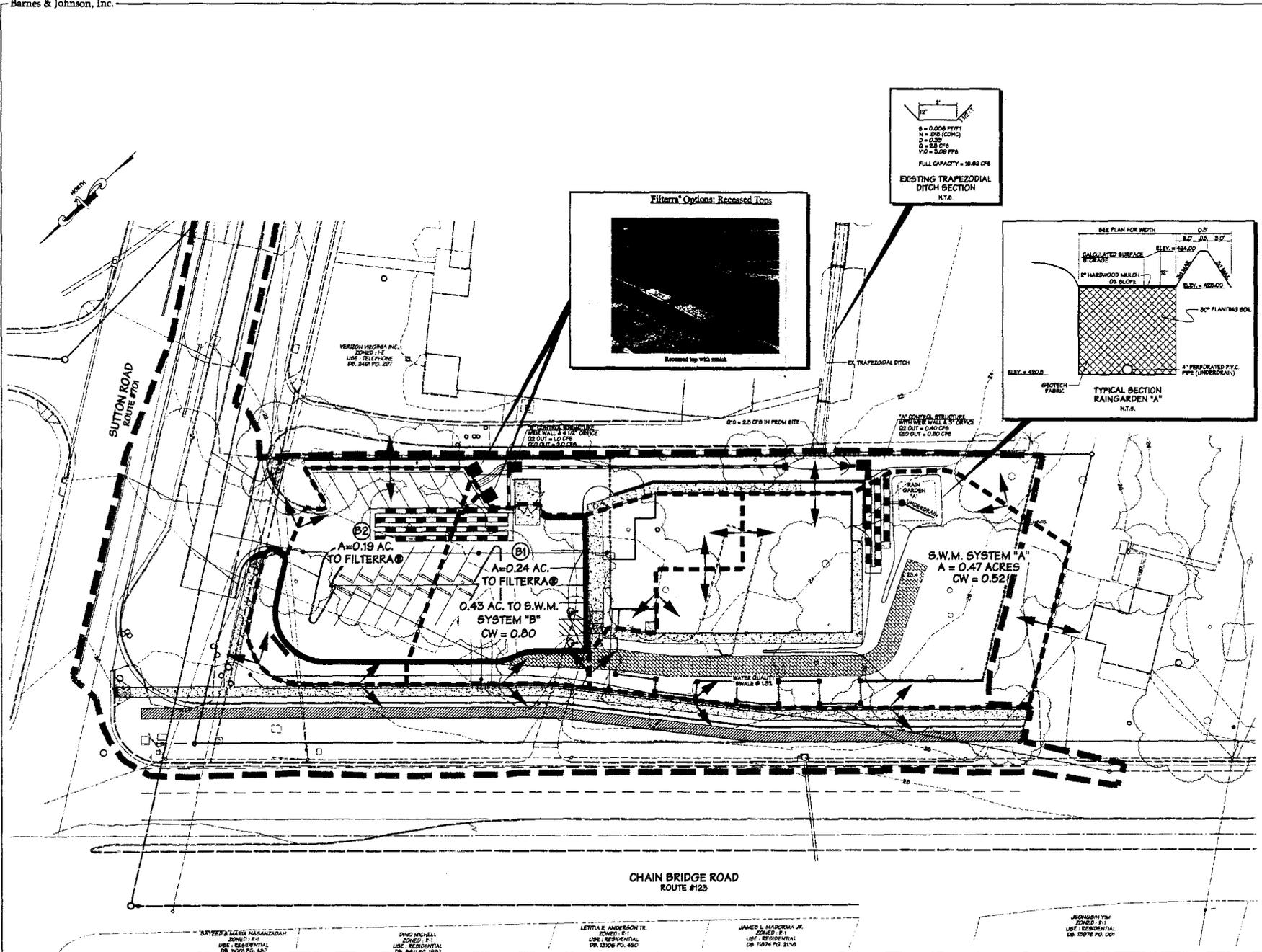
No.	Description	Date	By

Sheet #

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File #

445 SEP





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

ROADWAY CROSS
 SECTIONS



Scale
 N/A

Project #
 2400

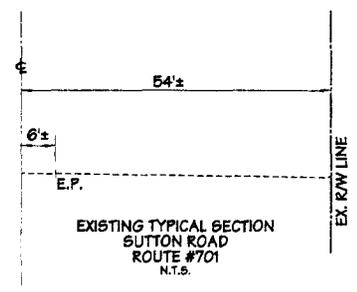
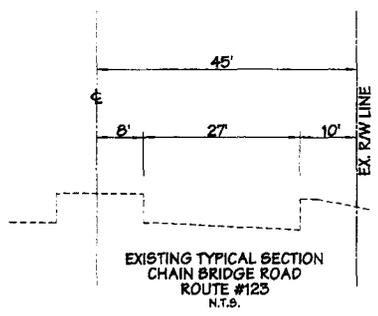
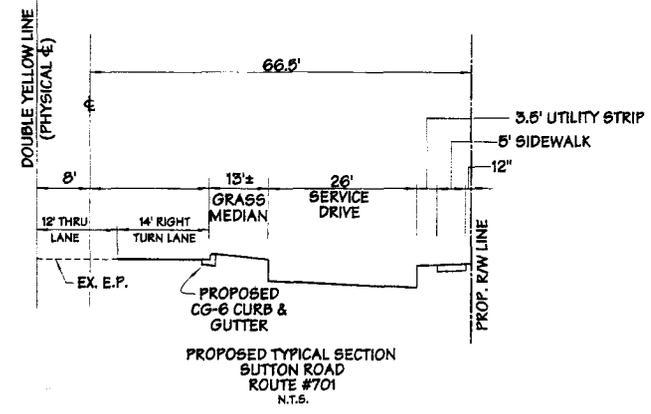
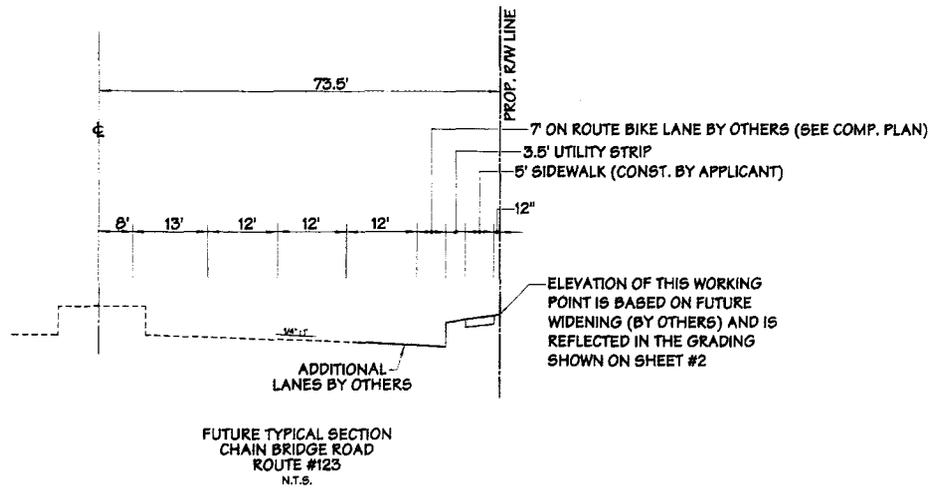
Date
 05-06-2008

Revisions

No.	Description	Dep.	By

Sheet #
 8

File #
 445 SEP



SPECIAL EXCEPTION AFFIDAVIT

DATE: August 4, 2009
 (enter date affidavit is notarized)

I, Stephen K. Fox, Agent for James W. Jackson, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 1005214

in Application No.(s): SE 2008-PR-021
 (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)
James W. Jackson	11325 Lee Highway, #110, Fairfax, VA. 22030	TITLE OWNER/ APPLICANT
Barnes & Johnson, Inc.	8503 Euclid Avenue, #1, Manassas Park, VA. 20111	ENGINEER/ SURVEYOR/AGENT
Kerry L. Skinner, L.S.	8503 Euclid Avenue, #1, Manassas Park, VA. 20111	SURVEYOR/AGENT
Stephen K. Fox, P.C.	10511 Judicial Drive, #112, Fairfax, VA. 22030	ATTORNEY/AGENT
Stephen K. Fox	10511 Judicial Drive, #112, Fairfax, VA. 22030	ATTORNEY/AGENT
M.J. Wells & Associates, Inc. T/A Wells & Associates	1420 Sprig Hill Road, #600, McLean, VA. 22102	TRANSPORTATION ENGINEER
Robin L. Antonucci	11441 Robertson Drive, #201, Manassas, VA. 20109	TRANSPORTATION ENGINEER
William F. Johnson	11441 Robertson Drive, #201, Manassas, VA. 20109	TRANSPORTATION ENGINEER
Priyatham Konda	11441 Robertson Drive, #201, Manassas, VA. 20109	TRANSPORTATION ENGINEER

(check if applicable)

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

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

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

Special Exception Attachment to Par. 1(a)

DATE: August 4, 2009
(enter date affidavit is notarized)

(0052)4

for Application No. (s): SE 2008-PR-021
(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)
James Leland Parker	10826 Splitrail Drive Manassas, VA 20112	Architect/Agent
Parker and Associates Architects, Inc.	10826 Splitrail Drive Manassas, VA 20112	Architect/Agent

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 4, 2009
(enter date affidavit is notarized)

1005210

for Application No. (s): SE 2008-PR-021
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 4, 2009
(enter date affidavit is notarized)

1005216

for Application No. (s): SE 2008-PR-021
(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) Barnes & Johnson, Inc. 8503 Euclid Avenue, #1 Manassas Park, VA. 20111

DESCRIPTION OF CORPORATION: (check one statement)

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

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

James A. Johnson, Jr.
Joseph W. Webb

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

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

Special Exception Attachment to Par. 1(b)

DATE: August 4, 2009
(enter date affidavit is notarized)

1005214

for Application No. (s): SE 2008-PR-021
(enter County-assigned application number (s))

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

Parker and Associates Architects, Inc.
10826 Splitrail Drive
Manassas, VA 20112

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)

James Leland Parker

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 4, 2009
(enter date affidavit is notarized)

100521v

for Application No. (s): SE 2008-PR-021
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

Application No.(s): SE 2009-PR-021
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: August 4, 2009
(enter date affidavit is notarized)

1005210

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:

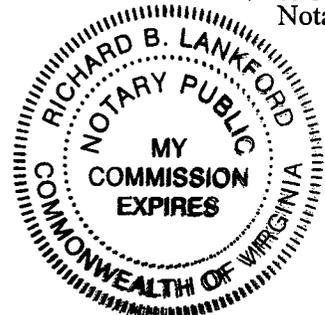
(check one) [] Applicant [x] Applicant's Authorized Agent

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

Subscribed and sworn to before me this 4th day of August 2009, in the State/Comm. of Virginia, County/City of Fairfax.

Richard B. Lankford
Notary Public

My commission expires: 08/31/09
Reg # 306783



REZONING AFFIDAVIT

DATE: August 4, 2009
(enter date affidavit is notarized)

I, Stephen K. Fox, Agent for James W. Jackson, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 100520-0

in Application No.(s): RZ 2008-PR-010
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
James W. Jackson	11325 Lee Highway, #110, Fairfax, VA. 22030	TITLE OWNER/APPLICANT
Barnes & Johnson, Inc.	8503 Euclid Avenue, #1, Manassas Park, VA. 20111	ENGINEER/SURVEYOR/AGENT
Kerry L. Skinner, L.S.	8503 Euclid Avenue, #1, Manassas Park, VA. 20111	SURVEYOR/AGENT
Stephen K. Fox, P.C.	10511 Judicial Drive, #112, Fairfax, VA. 22030	ATTORNEY/AGENT
Stephen K. Fox	10511 Judicial Drive, #112, Fairfax, VA. 22030	ATTORNEY/AGENT
M.J. Wells & Associates, Inc. T/A Wells & Associates	1420 Spring Hill Road, #600, McLean, VA. 22102	TRANSPORTATION ENGINEER /Agent
Robin L. Antonucci	11441 Robertson Drive, #201, Manassas, VA. 20109	TRANSPORTATION ENGINEER
William F. Johnson	11441 Robertson Drive, #201, Manassas, VA. 20109	TRANSPORTATION ENGINEER
Priyatham Konda	11441 Robertson Drive, #201, Manassas, VA. 20109	TRANSPORTATION ENGINEER } Agents

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

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

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

Rezoning Attachment to Par. 1(a)

DATE: August 4, 2009
(enter date affidavit is notarized)

1005206

for Application No. (s): RZ 2008-PR-010
(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)
James Leland Parker	10826 Splitrail Drive Manassas, VA 20112	Architect/Agent
Parker and Associates Architects, Inc.	10826 Splitrail Drive Manassas, VA 20112	Architect/Agent

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

REZONING AFFIDAVIT

DATE: August 4, 2009
(enter date affidavit is notarized)

1005206

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

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

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

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

James A. Johnson, Jr.

Joseph W. Webb

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer, etc.**)

James A. Johnson, Jr., PRESIDENT, TREASURER, DIRECTOR

Joseph W. Webb, VICE PRESIDENT, SECRETARY, DIRECTOR

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

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

Rezoning Attachment to Par. 1(b)

DATE: August 4, 2009
(enter date affidavit is notarized)

1005208

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

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

Stephen K. Fox, P.C.
10511 Judicial Drive, #112
Fairfax, VA. 22030

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Stephen K. Fox

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)
Stephen K. Fox, PRESIDENT, DIRECTOR

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

M.J. Wells & Associates, Inc.
1420 Spring Hill Road, #600
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)
Martin J. Wells, PRESIDENT and SECRETARY
Terence J. Miller, VICE PRESIDENT AND TREASURER

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

Rezoning Attachment to Par. 1(b)

DATE: August 4, 2009
(enter date affidavit is notarized)

1005204

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Parker and Associates Architects, Inc.
10826 Splitrail Drive
Manassas, VA 20112

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)
James Leland Parker

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)
James Leland Parker, President/Director

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

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

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

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

REZONING AFFIDAVIT

DATE: August 4, 2009
(enter date affidavit is notarized)

1005206

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

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

PARTNERSHIP INFORMATION

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

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

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

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

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

REZONING AFFIDAVIT

DATE: August 4, 2009
(enter date affidavit is notarized)

1005206

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

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

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

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

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

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

NONE

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

REZONING AFFIDAVIT

DATE: August 4, 2009
(enter date affidavit is notarized)

1005206

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

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

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

NONE

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

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

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

WITNESS the following signature:

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

Stephen K. Fox, Agent

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

Subscribed and sworn to before me this 4th day of August 2009, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 08/31/09
Reg# 306783

