



APPLICATION ACCEPTED: March 24, 2009
BOARD OF ZONING APPEALS: September 29, 2009
ADMINISTRATIVELY MOVED AT APPLICANT'S REQUEST
TIME: 9:00 a.m.

County of Fairfax, Virginia

September 22, 2009

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2009-SU-018

SULLY DISTRICT

APPLICANT/OWNER: New Vision Community Church, Inc.

STREET ADDRESS: 14927 Lee Highway

TAX MAP REFERENCE: 64-2 ((3)) 28

LOT SIZE: 10.0 acres

F.A.R.: Phase 1 – 0.02
Phase 2 – 0.06
Phase 3 – 0.08

ZONING DISTRICT: R-C and WS

ZONING ORDINANCE PROVISIONS: 3-C03

PLAN MAP: Residential, .1-.2 du/ac

SPECIAL PERMIT PROPOSAL: To permit a church with a private school of general education.

STAFF RECOMMENDATION: Staff recommends denial of SP 2009-SU-018.

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 Permits\9-29 SP 2009-SU-018 New Vision Community Church\SP 2009-SU-018 staff report.doc
Deborah Hedrick*

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**



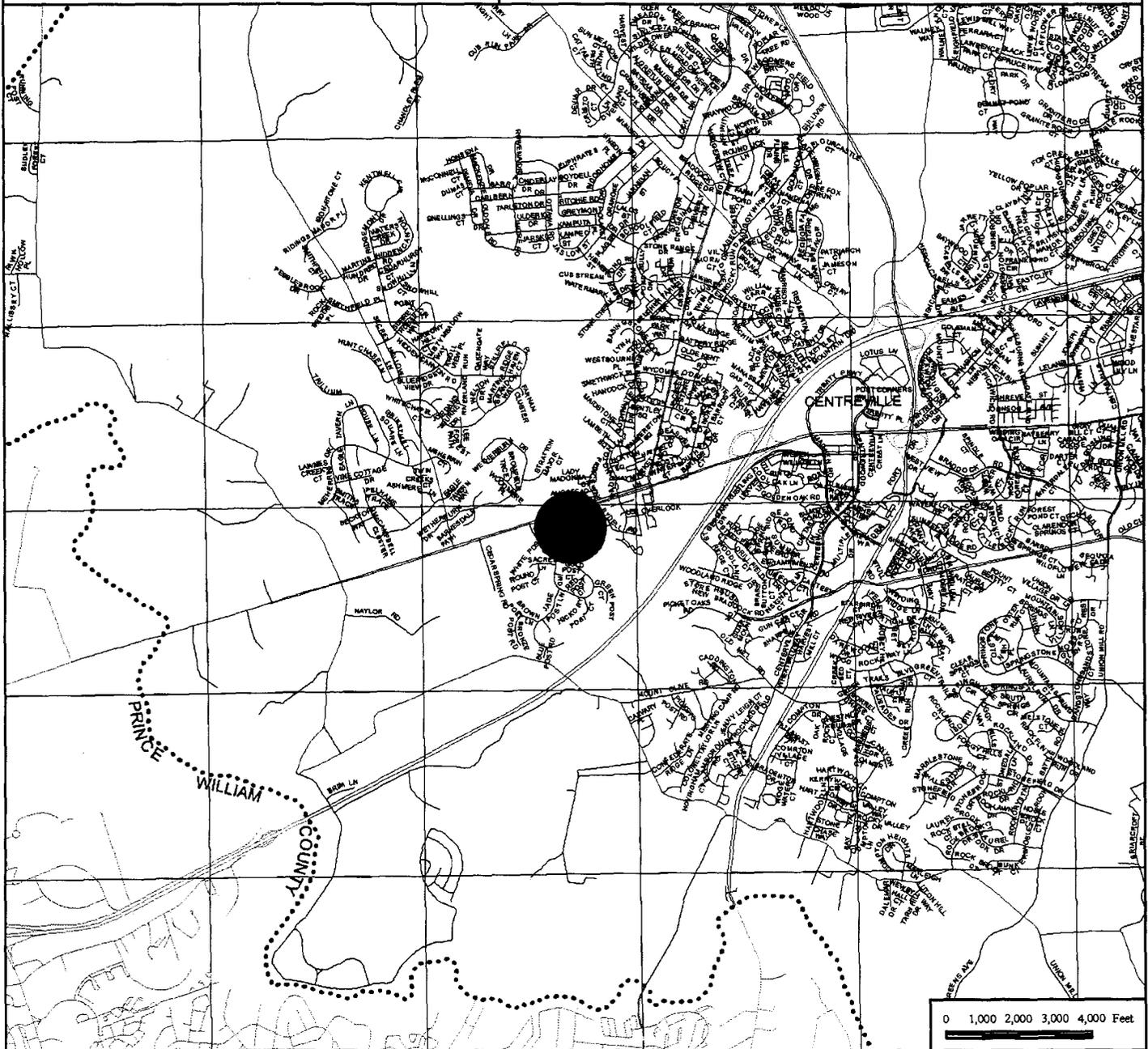
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit
SP 2009-SU-018

Applicant: THE NEW VISION COMMUNITY CHURCH, INC.
Accepted: 03/24/2009
Proposed: CHURCH WITH PRIVATE SCHOOL OF GENERAL EDUCATION



Area: 10 AC OF LAND; DISTRICT - SULLY
Zoning Dist Sect: 03-0C03
Art 8 Group and Use: 3-10
Located: 14927 LEE HIGHWAY
Zoning: R- C
Overlay Dist: WS
Map Ref Num: 064-2- /03/ /0028

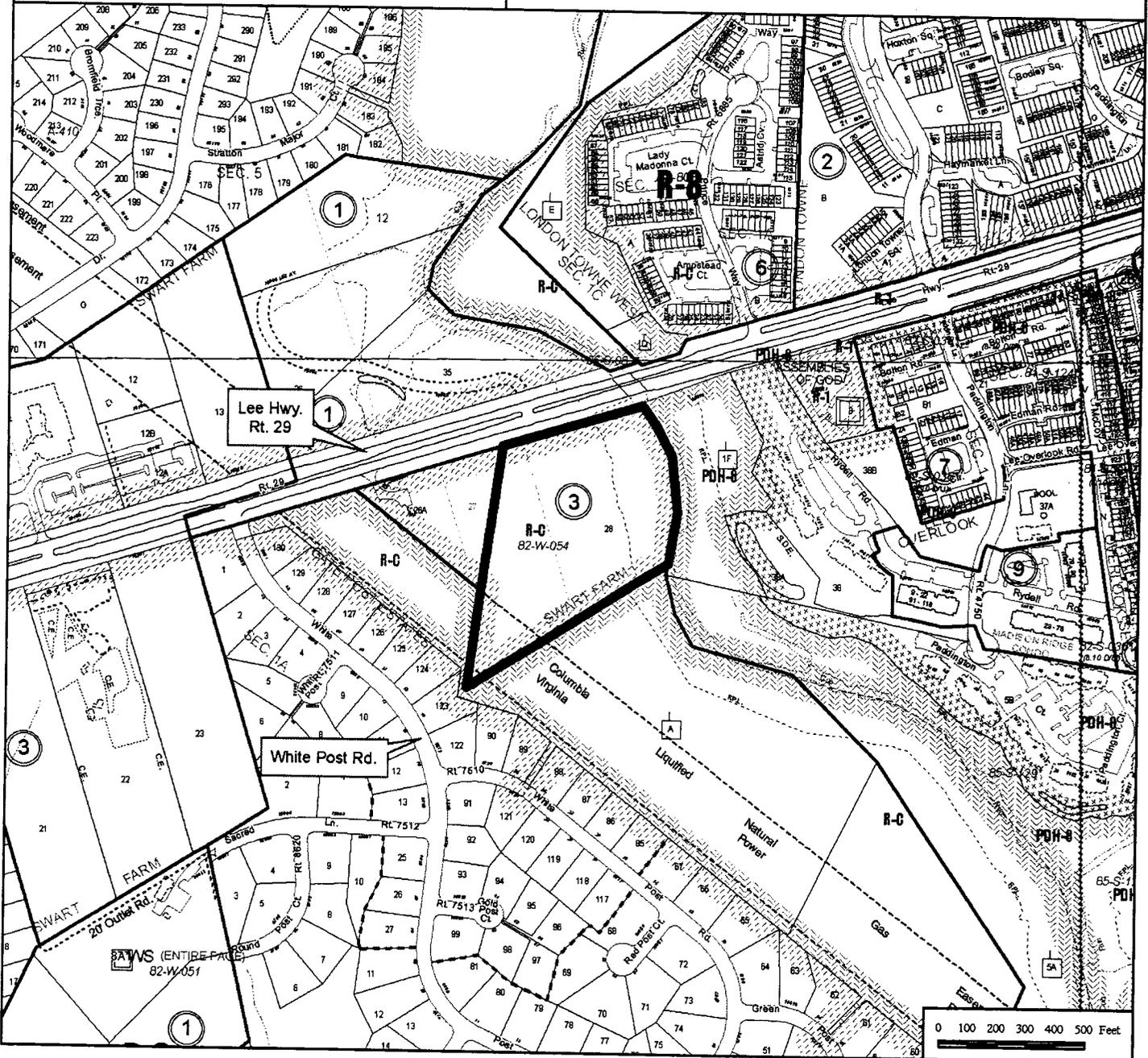
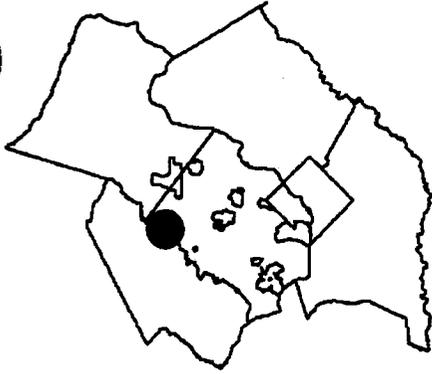


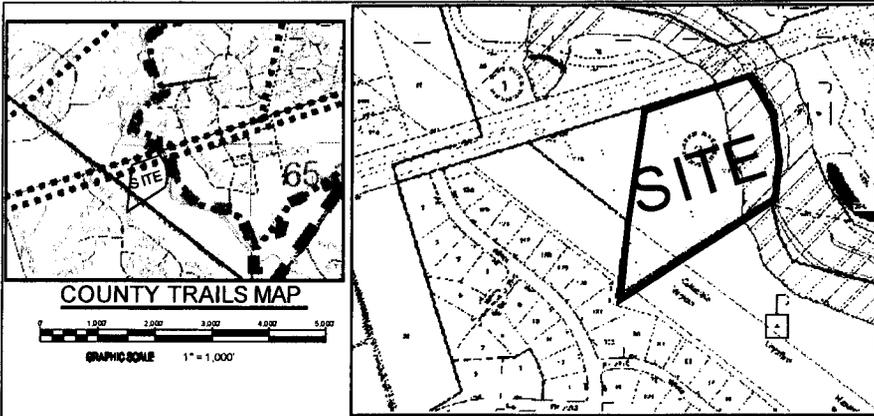
Special Permit

SP 2009-SU-018

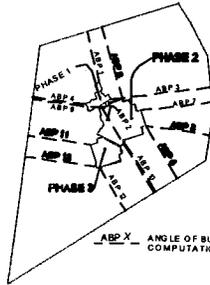
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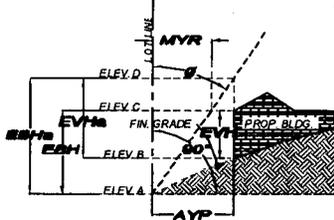
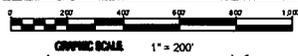




NOTE
 COUNTY MAP IMAGES ARE EXCERPTED FROM FAIRFAX COUNTY DIGITAL MAPPER. EXCERPTS BY HISH AND COMPANY ON 4/9/2008.



ANGLE OF BULK PLANE LOCATION SCHEMATIC



ANGLE OF BULK PLANE DIAGRAM AND LEGEND
 NOT TO SCALE

MYR MIN. YARD REQ'D. BY CODE OR DEED
 EBH** EFFECTIVE BUILDING HEIGHT, ACTUAL
 EBH** EFFECTIVE BUILDING HEIGHT ALLOWED DUE TO BULK PLANE
 EVH** LEAVE HEIGHT ABOVE FIN. GRADE AT BLDG. PERMITTED AT AYP
 EVH** LEAVE HEIGHT ALLOWED DUE TO BULK PLANE
 AYP ACTUAL YARD PROVIDED WITH PLAN
 ELEV. A EX. GRADE ELEV. AT LOT LINE
 ELEV. B EX. GRADE ELEV. AT AYP
 ELEV. C ELEV. OF BULK PLANE AT AYP = ELEV. A + (AYP/100)
 ELEV. D TO BE DETERMINED AT SITE PLAN BASED ON FINAL GRADE.

ANGLE OF BULK PLANE DIAGRAM

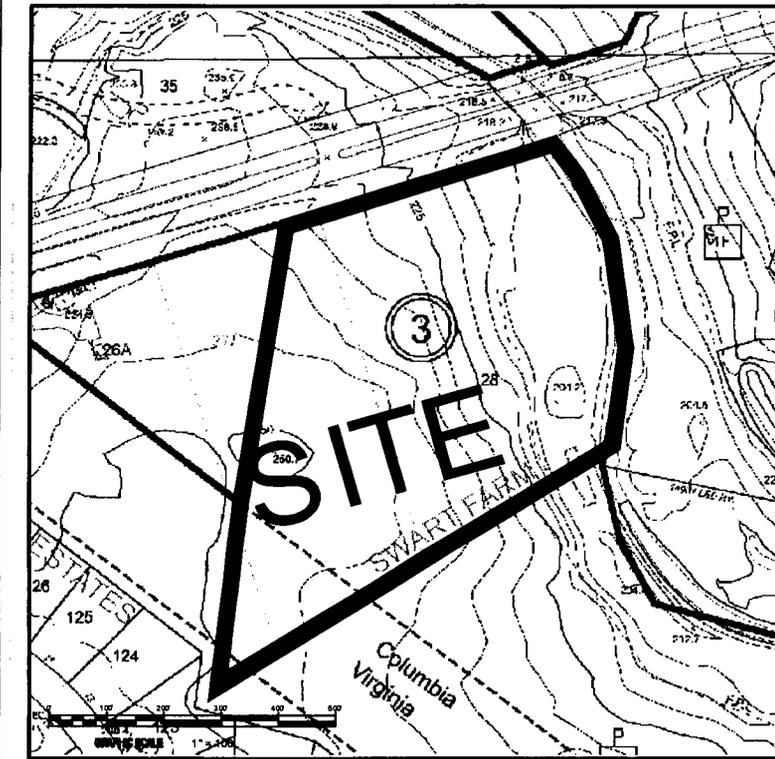
AND LEGEND

NOT TO SCALE

ANGLE OF BULK PLANE TABULATION

AMP ID	PHASE	YARD	BULK PLANE ANGLE	MIN. YARD REQUIRE (BY CODE)	AVAIL. ELEVATION
			DEGREES	RADIAN	FEET
ABP 1	FRONT	0	0.000	11.90	0.00
ABP 1	SIDE EAST	0	0.785	12.00	2.0
ABP 1	SIDE WEST	0	0.785	12.00	2.0
ABP 1	REAR	0	0.000	11.90	0.00
ABP 2	FRONT	0	0.000	11.90	0.00
ABP 2	SIDE EAST	0	0.785	12.00	2.0
ABP 2	SIDE WEST	0	0.785	12.00	2.0
ABP 2	REAR	0	0.000	11.90	0.00
ABP 3	FRONT	0	0.000	11.90	0.00
ABP 3	SIDE EAST	0	0.785	12.00	2.0
ABP 3	SIDE WEST	0	0.785	12.00	2.0
ABP 3	REAR	0	0.000	11.90	0.00

Z.O. ZONING ORDINANCE REQUIREMENT FOR OTHER THAN RESIDENTIAL STRUCTURE ENCLASURE.
 EVH** AYP/TAN θ WITH A MINIMUM OF 30 ABOVE AVERAGE GRADE PLANE AT PAVED ZONE.



COUNTY CONTOUR MAP WITH FLOODPLAIN

- (B) PROVIDE NEW VOTED ENTRANCE TO ROUTE 28-11 WITH RIGHT TURN AND LEFT TURN LANES AND RELOCATE ME CAN BE RELOCATED TO EAST FAIRFAX COUNTY MANGL.
- (C) PROVIDE 8 ANY OTHER NEAR THE TRAIL TO EAST FAIRFAX COUNTY MANGL.
- (D) EXTEND WATER MAIN ALONG NEW DRIVE ABLE FOR FUTURE EXTENSION WORK.
- (E) PROVIDE NEW WALKWAY TO DRIVE AND PARKING.
- (F) PROVIDE 4 NEW TEMPORARY MODULAR BUILDING FOR WORKSHOP SERVICES OF LODGE.
- (G) EACHING TOTAL OF 6,855 SF.
- (H) BMP SATISFIED BY QUALIFYING WATER QUALITY CONSERVATION AREA.

PARKING AND FLOOR AREA TABULATION	P. PROVIDED	GROSS FLOOR AREA	P. REQUIRED	P. PROVIDED	FLOOR AREA RATIO (FAR)	COMMENTS
PHASE 1 TOTALS	1,950	1,950	7	7	0.000	MINIMUM PER 4 SEATS
	1,950	1,950	24	24	0.000	MINIMUM PER 100 SQ FT (PHASE)
	1,950	1,950	24	24	0.000	MINIMUM PER 100 SQ FT (PHASE)

PHASE 1 AREA OF DISTURBANCE TOTAL: 1.18 ACRES SQUARE FEET: 27,298 ACRES. INCLUDES VOTED R.O.M.
 PHASE 1 AREA OF DISTURBANCE ON-SITE: 0.37 ACRES SQUARE FEET: 19,228 ACRES. ON-SITE
 PHASE 1 UNDER TURBID TREATMENT: 27.88 ACRES SQUARE FEET: 9,278 ACRES. ON-SITE
 PHASE 1 "PLACE OF WORKSHOP" USE INCLUDES SMALL FIVE YEAR WORKSHOP SERVICES FOR GROUPS AND CHURCHES.

- PHASE 2 PROPOSED DEVELOPMENT:**
- (A) CONSTRUCT NEW MULTIPURPOSE BUILDING TO HOUSE 300 SEAT WORKSHOP AREA, CHURCH OFFICE & MEETING ROOM, FELLOWSHIP HALL AND 80 STUDENT SCHOOL OF PRIVATE EDUCATION.
 - (B) CONSTRUCT NEW PARKING AND TRAVELWAY 3 QUARTERS OF EXISTING STRUCTURE. EXTENDING TO THE NORTH TO SERVE NEW DEVELOPMENT.
 - (C) DEMOLISH EXISTING RESIDENTIAL STRUCTURE (PHASE 1 USES).
 - (D) REMOVE TEMPORARY MODULAR BUILDING.
 - (E) CONSTRUCT NEW PARKING AREA AS PER EXISTING CONSERVATION AREA LOCATED.
 - (F) BMP SATISFIED BY QUALIFYING WATER QUALITY CONSERVATION AREA.

PARKING AND FLOOR AREA TABULATION	P. PROVIDED	GROSS FLOOR AREA	P. REQUIRED	P. PROVIDED	FLOOR AREA RATIO (FAR)	COMMENTS
PHASE 2 WORKSHOP	75	75	30	30	0.036	300 SEATS AT 19 SPACE PER 4 SEATS
PHASE 2 SCHOOL	27	27	27	27	0.000	MINIMUM OF 30 SPACE PER STUDENT
PHASE 2 RESIDENCE	1,800	1,800	3	3	0.007	MINIMUM PER 100 SQ FT (PHASE 1 USES)
PHASE 2 TOTALS	27,565	105	123	0.043	RATIO= 2.45 SEAT SPACE	

PHASE 2 AREA OF DISTURBANCE: 7.950 ACRES SQUARE FEET: 17,340 ACRES. ON-SITE
 PHASE 2 UNDER TURBID TREATMENT: 2.20 ACRES SQUARE FEET: 9,996 ACRES. ON-SITE
 ACCUMULATED ON-SITE AREA OF DISTURBANCE THROUGH PHASE 1 & 2 ACCOUNTING FOR OVERLAP: 3,138 ACRES. ON-SITE
 AS PERMITTED BY FAIRFAX COUNTY ZONING ORDINANCES, SECTIONS 200 AND 200.1.

- PHASE 3 - LA TRINITE DEVELOPMENT:**
- (A) CONSTRUCT NEW MULTIPURPOSE BUILDING ADDITION TO HOUSE ULTIMATE BUILDING.
 - (B) CONSTRUCT NEW PARKING AND TRAVELWAY.
 - (C) CONSTRUCT EXTENDED DRIVE THROUGH BAMP FACILITY.
 - (D) RELOCATE USES FROM PHASE 2 BUILDINGS TO PHASE 3 BUILDING.
 - (E) EXPAND WORKSHOP AREA TO ULTIMATE 500 SEAT CAPACITY.
 - (F) BMP SATISFIED BY COMBINATION OF QUALIFYING WATER QUALITY CONSERVATION AREA AND EXTENSION OF BENS FOR DEVELOPMENT.

PARKING AND FLOOR AREA TABULATION	P. PROVIDED	GROSS FLOOR AREA	P. REQUIRED	P. PROVIDED	FLOOR AREA RATIO (FAR)	COMMENTS
PHASE 3 WORKSHOP	125	125	160	0.070	500 SEATS AT 19 SPACE PER 4 SEATS	
PHASE 3 SCHOOL	27	27	27	0.000	NON-EMPLOYEES OR INCREASE IN STUDENT CAPACITY	
PHASE 3 RESIDENCE	1,800	3	3	0.007	MINIMUM PER 100 SQ FT (PHASE 1 USES)	
PHASE 3 TOTALS	35,085	155	190	0.026	RATIO= 2.85 SEAT SPACE	

PHASE 3 AREA OF DISTURBANCE: 7.524 ACRES SQUARE FEET: 17,380 ACRES. ON-SITE
 MINIMUM PHASE 3 UNDER TURBID TREATMENT: 1.92 ACRES SQUARE FEET: 4,412 ACRES. ON-SITE
 ACCUMULATED ON-SITE AREA OF DISTURBANCE THROUGH PHASE 1, 2 & 3 ACCOUNTING FOR OVERLAP: 18,382 ACRES. ON-SITE

SITE AREA OF BUILDINGS AND PARKING: 96,302 SF = 2.2108 ACRES
 SITE AREA OPEN SPACE INCLUDING BALCONIES, WALKWAYS, PLAZAS, ETC.: 3,380,380 SF = 7.7193 ACRES = 7%

SITE AREA NOT ENCLOSED BY EASEMENTS = 347,494 SF = 8.436 ACRES
 DISTURBED AREA FOR PORTION OF SITE NOT ENCLOSED BY EASEMENTS = 106,468 SF = 3.6676 ACRES
 PERCENTAGE DISTURBED AREA NOT ENCLOSED BY EASEMENTS = 106,468 SF / 347,494 SF = 41%
 DISTURBED AREA ON-SITE = 186,460 SF = 4.3494 ACRES
 PERCENTAGE DISTURBED AREA ON-SITE = 186,460 SF / 438,952 SF = 41%
 MINIMUM DISTURBED AREA FOR PORTION OF SITE NOT ENCLOSED BY EASEMENTS = 183,747 SF = 4.2183 ACRES
 MINIMUM PERCENTAGE UNDER TURBID TREATMENT = 183,747 SF / 347,494 SF = 51%
 UNDER TURBID TREATMENT ON-SITE = 246,232 SF = 5.6507 ACRES
 PERCENTAGE UNDER TURBID TREATMENT ON-SITE = 246,232 SF / 438,952 SF = 51%



DATE	DESCRIPTION
04/11/08	PRELIMINARY
04/11/08	PARKING TO RPA
04/11/08	PARKING TO FLOODPLAIN
04/11/08	BUILDING TO LOD
04/11/08	BUILDING TO RPA
04/11/08	BUILDING TO FLOODPLAIN
04/11/08	LOD TO RPA
04/11/08	LOD TO FLOODPLAIN

SETBACK DETAIL

High and Company
 CIVIL ENGINEERING PROFESSIONALS
 10000 WOODBRIDGE BLVD, SUITE 200, FAIRFAX, VA 22033
 TEL: 703-441-1111 FAX: 703-441-1112
 WWW.HIGHANDCOMPANY.COM

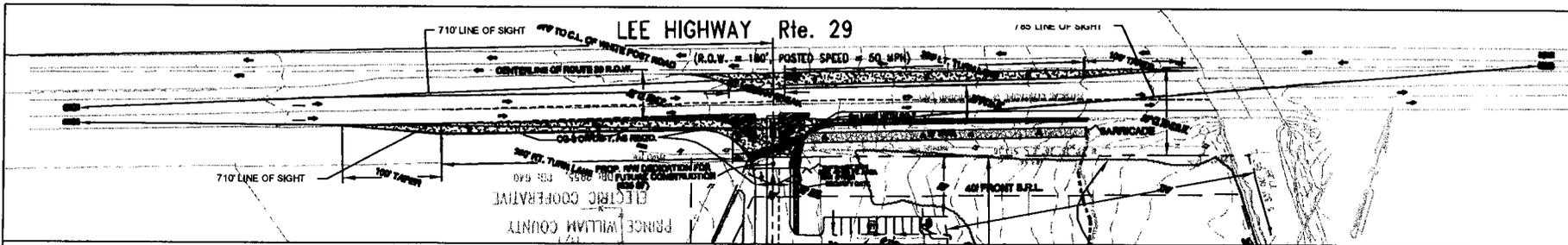
SPECIAL PERMIT PLAT
 CO. MAPS AND SITE TABULATIONS
 NEW VISION COMMUNITY CHURCH
 14627 LEE HIGHWAY (ROUTE 29)
 TAX MAP P-63-033 LOT 28 AND PART OF LOTS 26 & 27

SP 2008-030
 COUNTY PLANNING BOARD

Seal of the County of Loudoun

DATE 04/11/08
SCALE 1" = 60'
JOB NO. 02000
DATE 02/08
FILE NO.

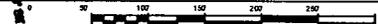
SHEET 2 of 6



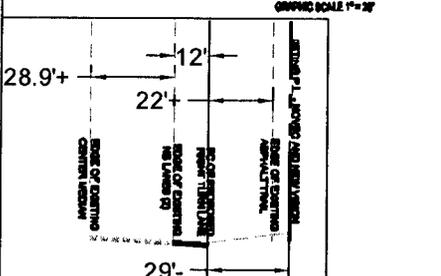
ROUTE 29 IMPROVEMENTS PLAN

SCALE: 1" = 50'

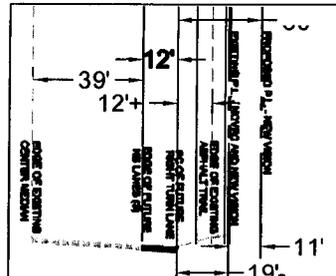
NOTE: FINAL DESIGN OF SITE ENTRANCE SHALL CONFORM TO VDOT ROAD DESIGN MANUAL, UNLESS OTHERWISE APPROVED BY VDOT.



GRAPHIC SCALE 1" = 25'

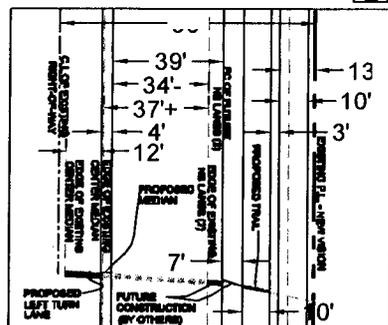


GRAPHIC SCALE 1" = 25'



- * 30' DIMENSION INCLUDES:
- 7' SEPARATION FROM FACE OF CURB TO TRAVELWAY EDGE OF NEW TRAIL
- 10' TRAIL
- 3' SEPARATION FROM NEW TRAIL TO BUFFER
- 10' BUFFER TO PROPERTY LINE

NOTE: ALL "FUTURE" ITEMS ARE TO BE CONSIDERED BY OTHERS AND ARE NOT PROPOSED WITH THIS PLAN.



GRAPHIC SCALE 1" = 25'

PROPOSED AND ULTIMATE IMPROVEMENTS

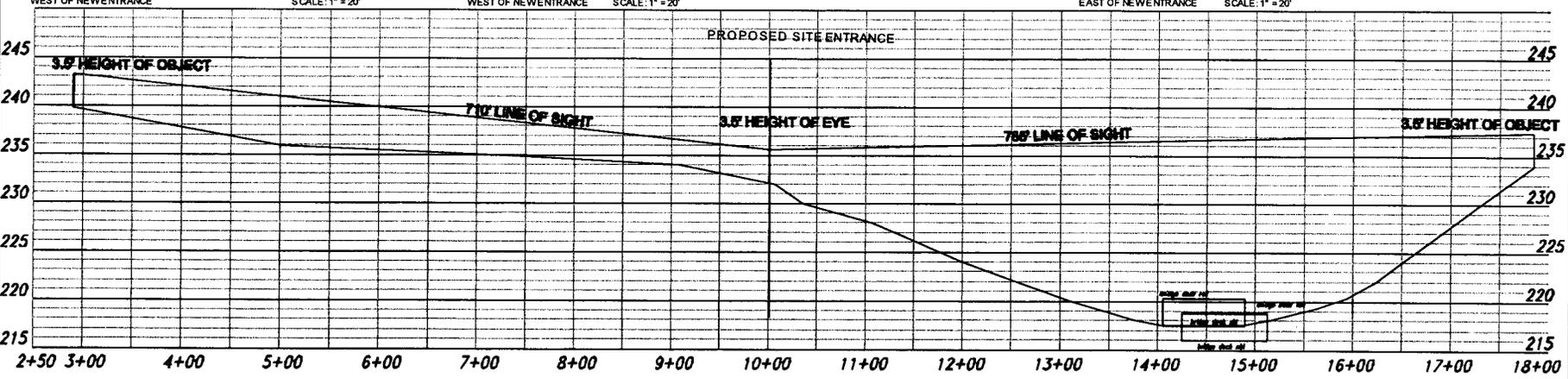
SCALE: 1" = 20'

IMPROVEMENTS PROPOSED WITH THIS PLAN

SCALE: 1" = 20'

ULTIMATE IMPROVEMENTS

SCALE: 1" = 20'

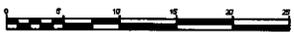


SIGHT DISTANCE PROFILE

SCALE: 1" = 50' (H) / 1" = 5' (V)



GRAPHIC SCALE 1" = 50' (HORIZONTAL)



GRAPHIC SCALE 1" = 50' (VERTICAL)

LEE HIGHWAY, ROUTE 29
R.O.W. VARIES
POSTED SPEED 50 MPH
DESIGN SPEED 55 MPH

Hish and Company
 CIVIL ENGINEERING PROFESSIONALS
 P. O. BOX 1000
 WASHINGTON, D. C. 20001

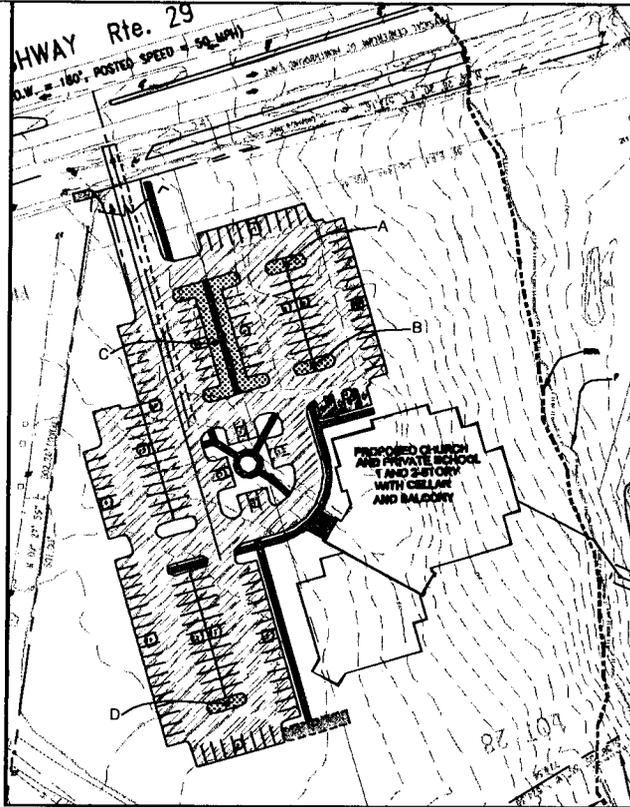
SPECIAL PERMIT PLAN
ROUTE 29 IMPROVEMENTS
 NEW TRAIL R/W VARIATION
 14827 LEE HIGHWAY (ROUTE 29)
 TAX MAP 8 64-2 894 LOT 28 AND PART OF LOTS 26 & 27

SP 2008-030
 COUNTY PLAN NUMBER

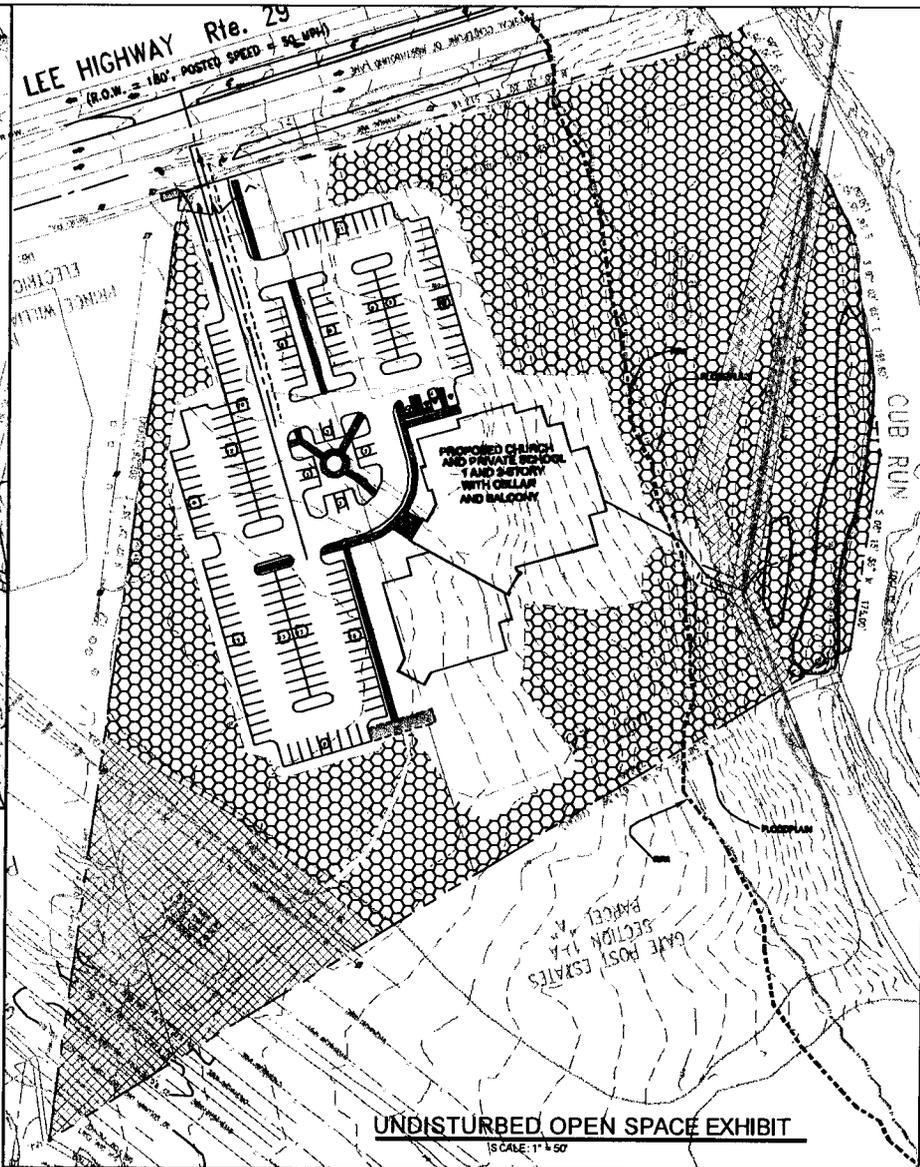


DATE	DESCRIPTION
1/2008	PRELIMINARY PLAN
7/2008	ADD 50' PROJ
7/2008	ADD VDOTING
8/2008	ADD 34' LANE ROAD SECT'D
8/2008	710' SD, STR

DATE	DESIGNER
DATE	CHECK
DATE	APPROVED
SCALE	GRAPHIC
JOB NO.	
DATE	8/2008
FILE NO.	
SHEET	5 of 6



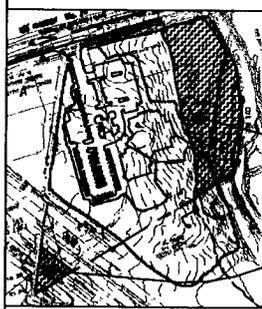
INTERIOR PARKING LOT LANDSCAPING EXHIBIT
SCALE: 1" = 50'



UNDISTURBED OPEN SPACE EXHIBIT
SCALE: 1" = 50'

MINIMUM UNDISTURBED OPEN SPACE = 183,747 SF = 50% OF UNENCUMBERED AREA

AREA ENCUMBERED BY EASEMENTS



PARK DEDICATION EXHIBIT
SCALE: 1" = 200'

AREA OF PROPOSED DEDICATION



AREA OF PARKING LOT
INTERIOR PARKING LOT LANDSCAPING AREA
X = AREA IDENTIFICATION

ON-SITE RPA
AREA = 2.50 AC. ±

ON-SITE EASEMENTS
AREA = 0.24 AC. ±

AREA OF PARKING LOT - INTERIOR PARKING LOT LANDSCAPING AREAS:			
A	404	SF	
B	404	SF	
C	3,400	SF	
D	344	SF	
TOTAL	4,552	SF	= 6.7%



High and Company
CIVIL ENGINEERING PROFESSIONALS

14827 LEE HIGHWAY (ROUTE 29)
LOT 28 AND PART OF LOTS 26 & 27

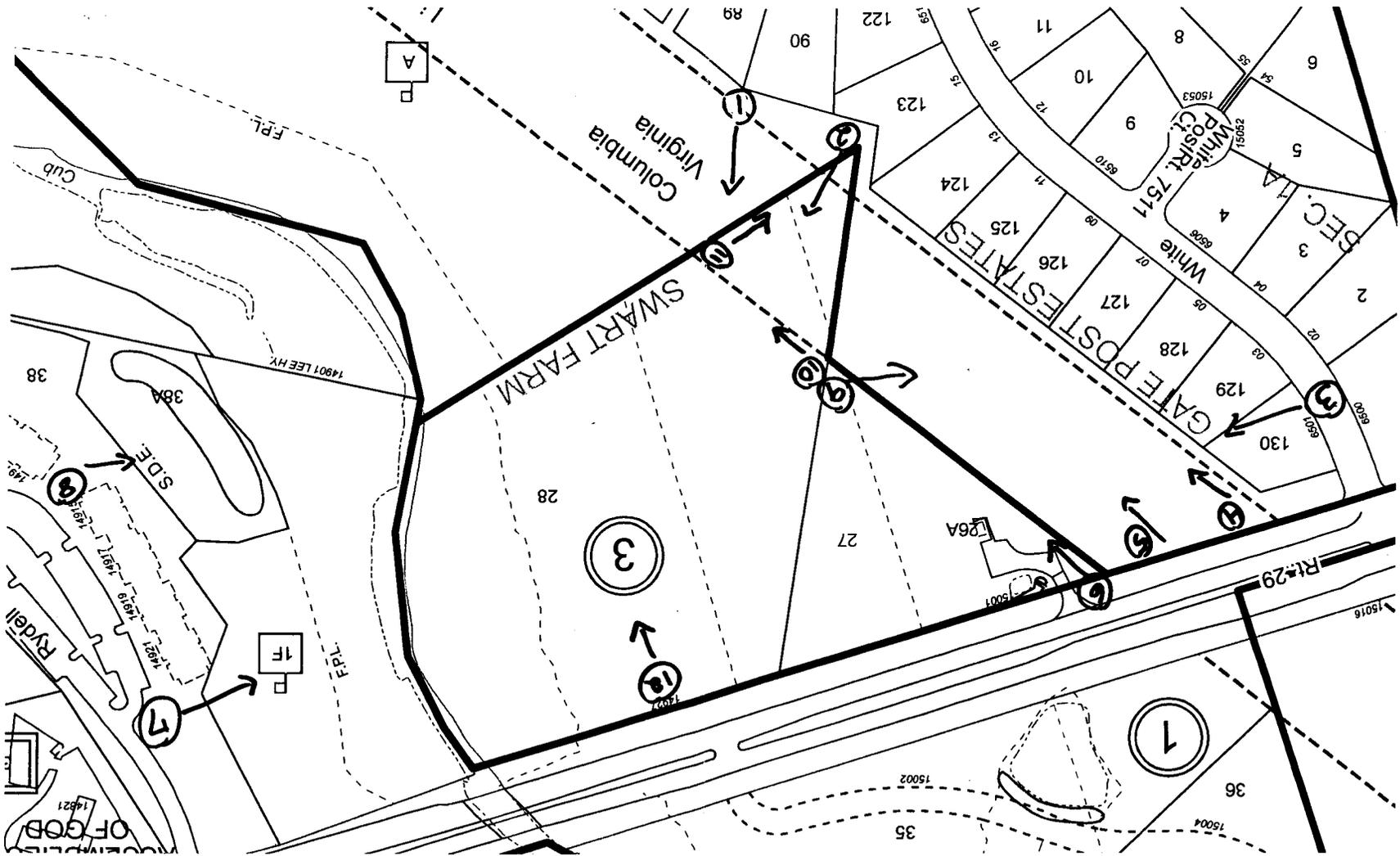
SPECIAL PERMIT PLAT
OPEN SPACE & PARKING EXHIBITS
NEW VISION COMMUNITY CHURCH
14827 LEE HIGHWAY (ROUTE 29)
LOT 28 AND PART OF LOTS 26 & 27

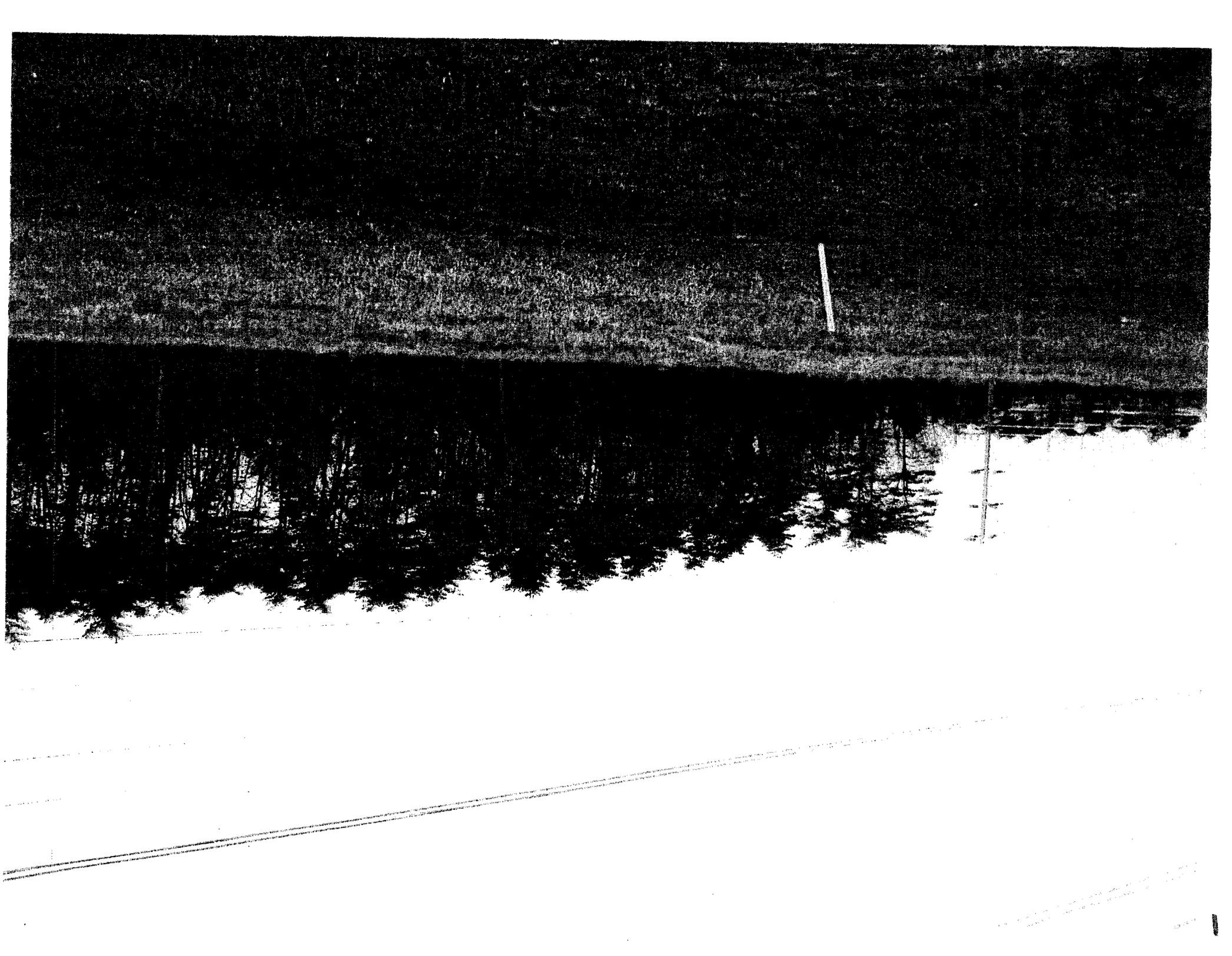
SP 2008-030
COUNTY PLAN 1818

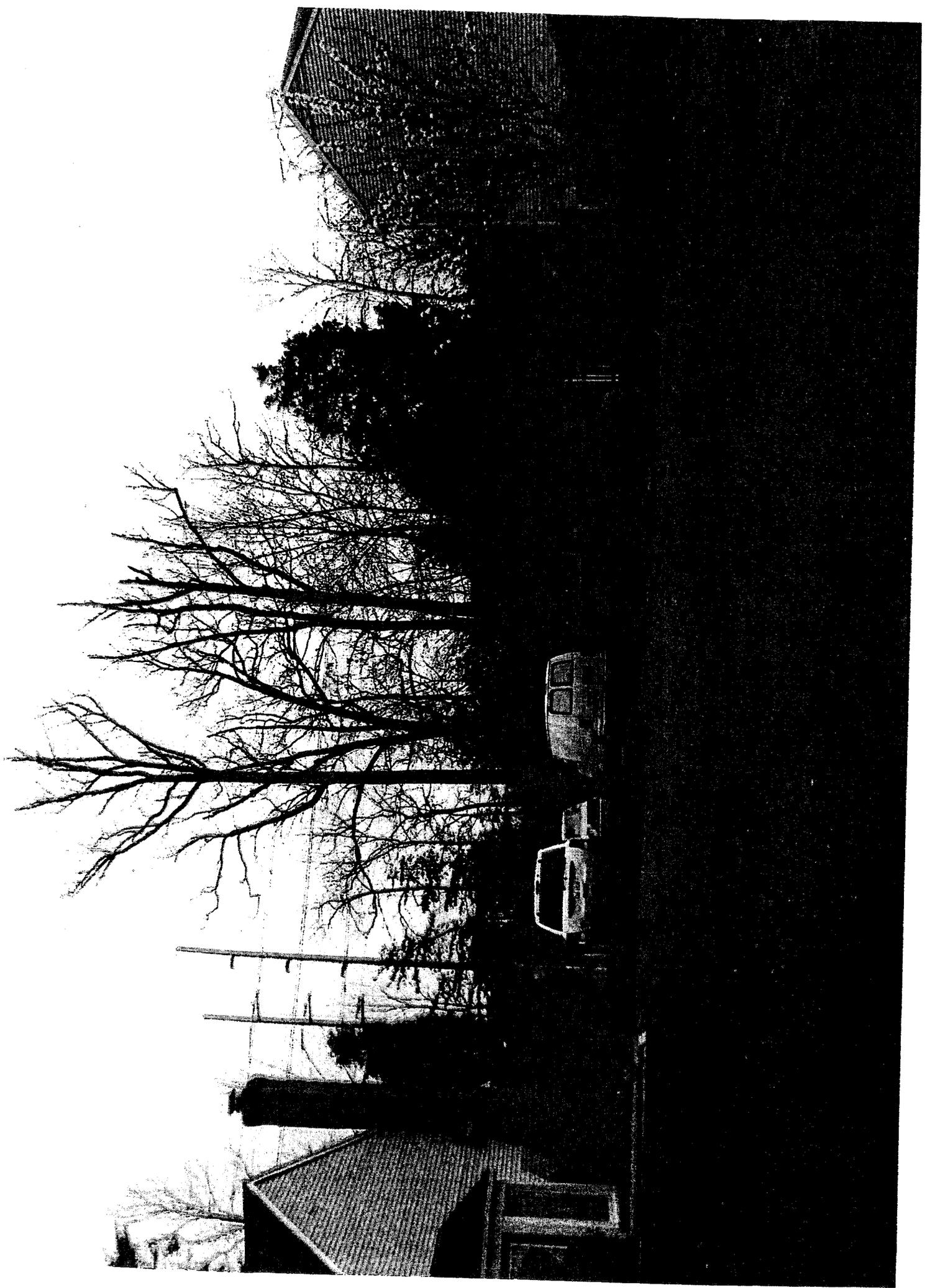


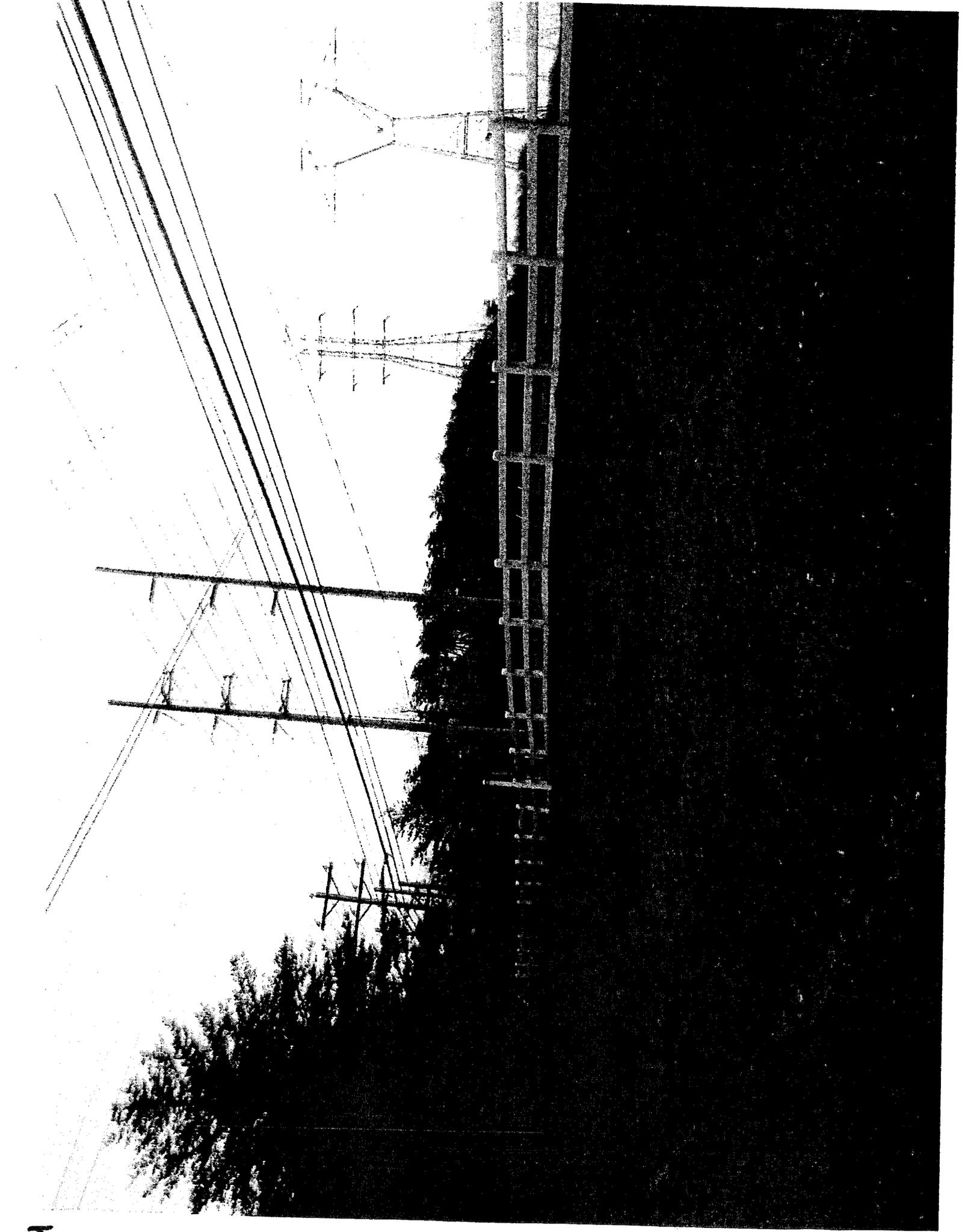
PLAN NAME
DATE
SCALE
JOB NO.
DATE: 02/09
FILE NO.

DATE: 02/09
DATE: 02/09
FILE NO.
SHEET 6 of 6





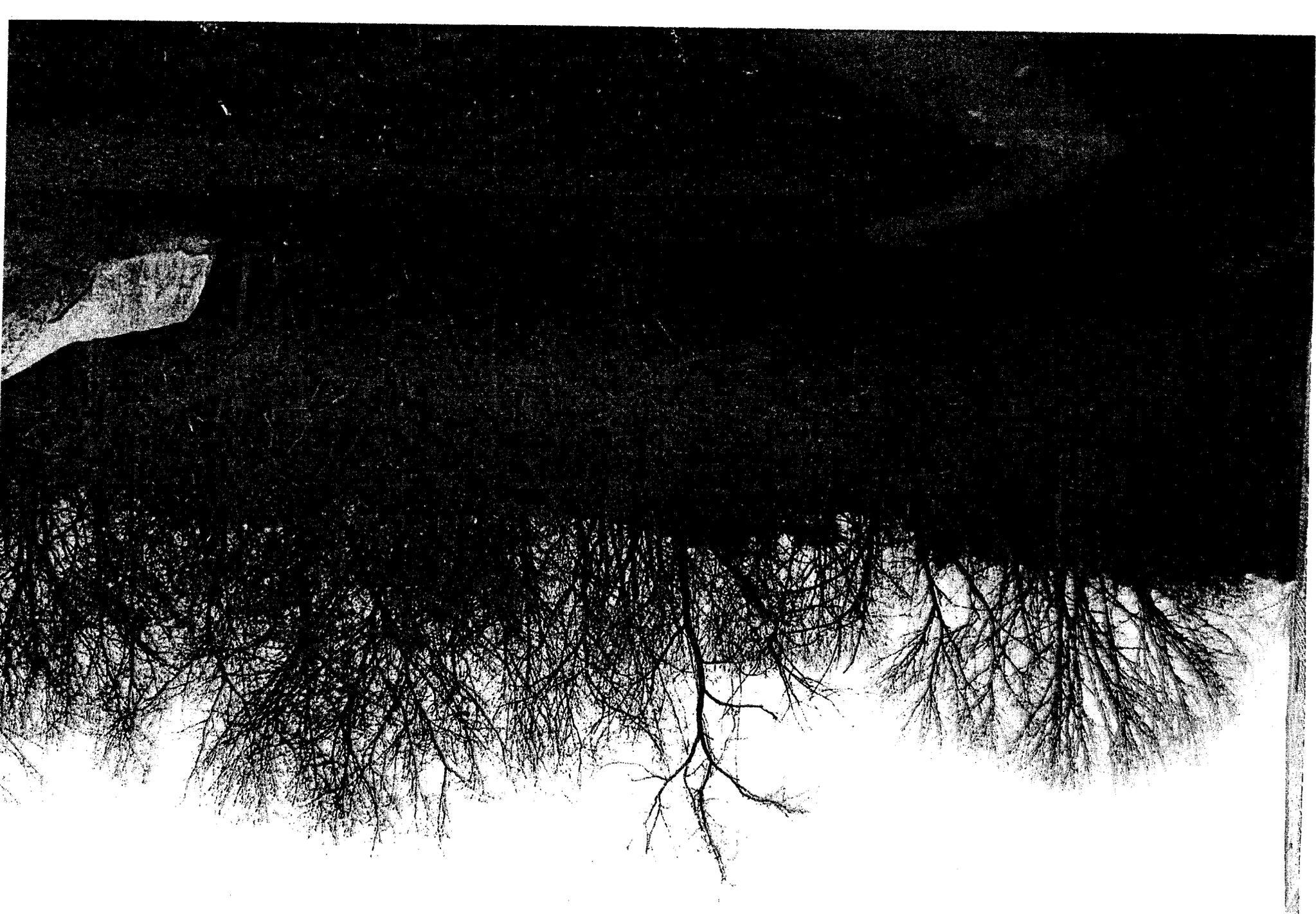


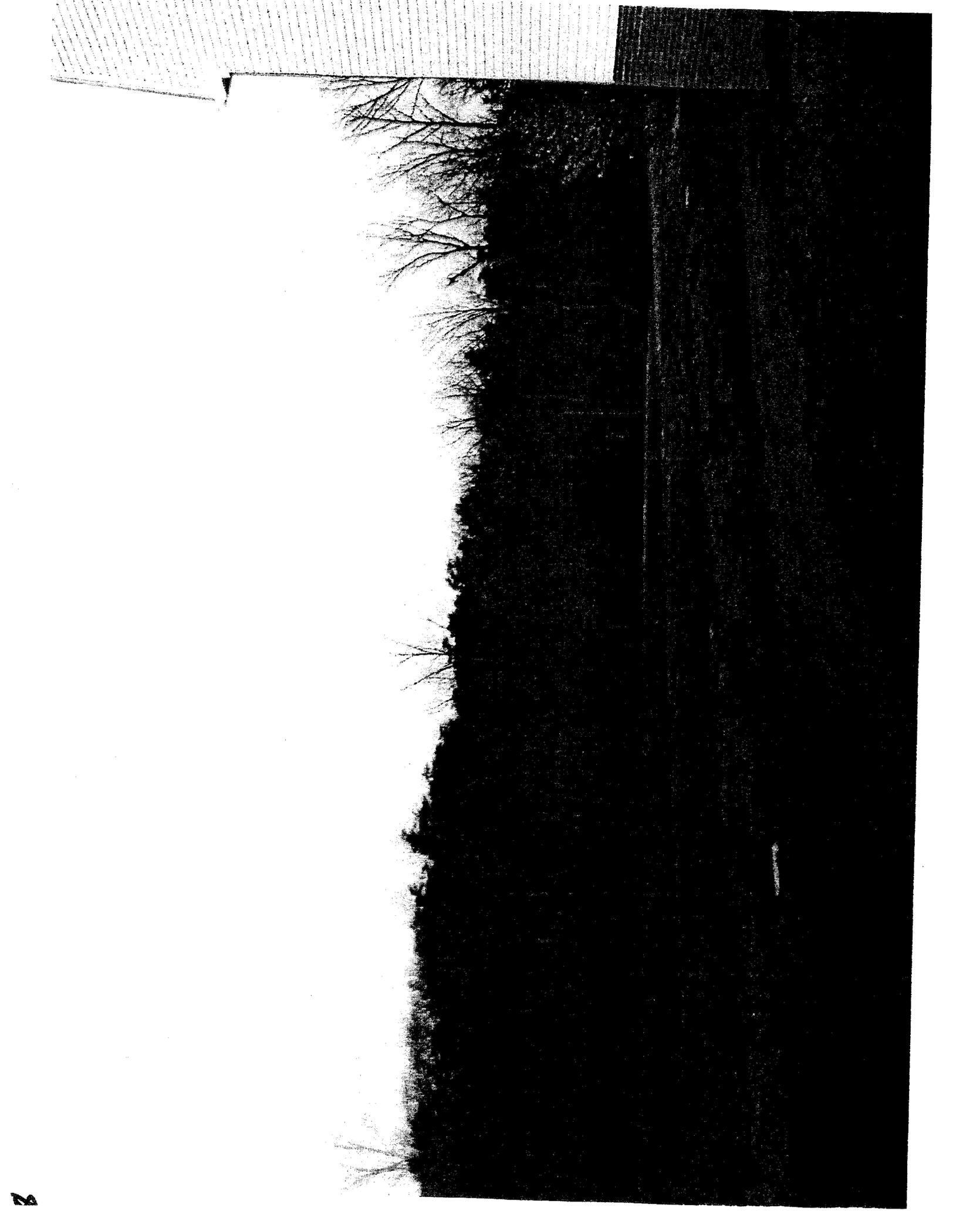


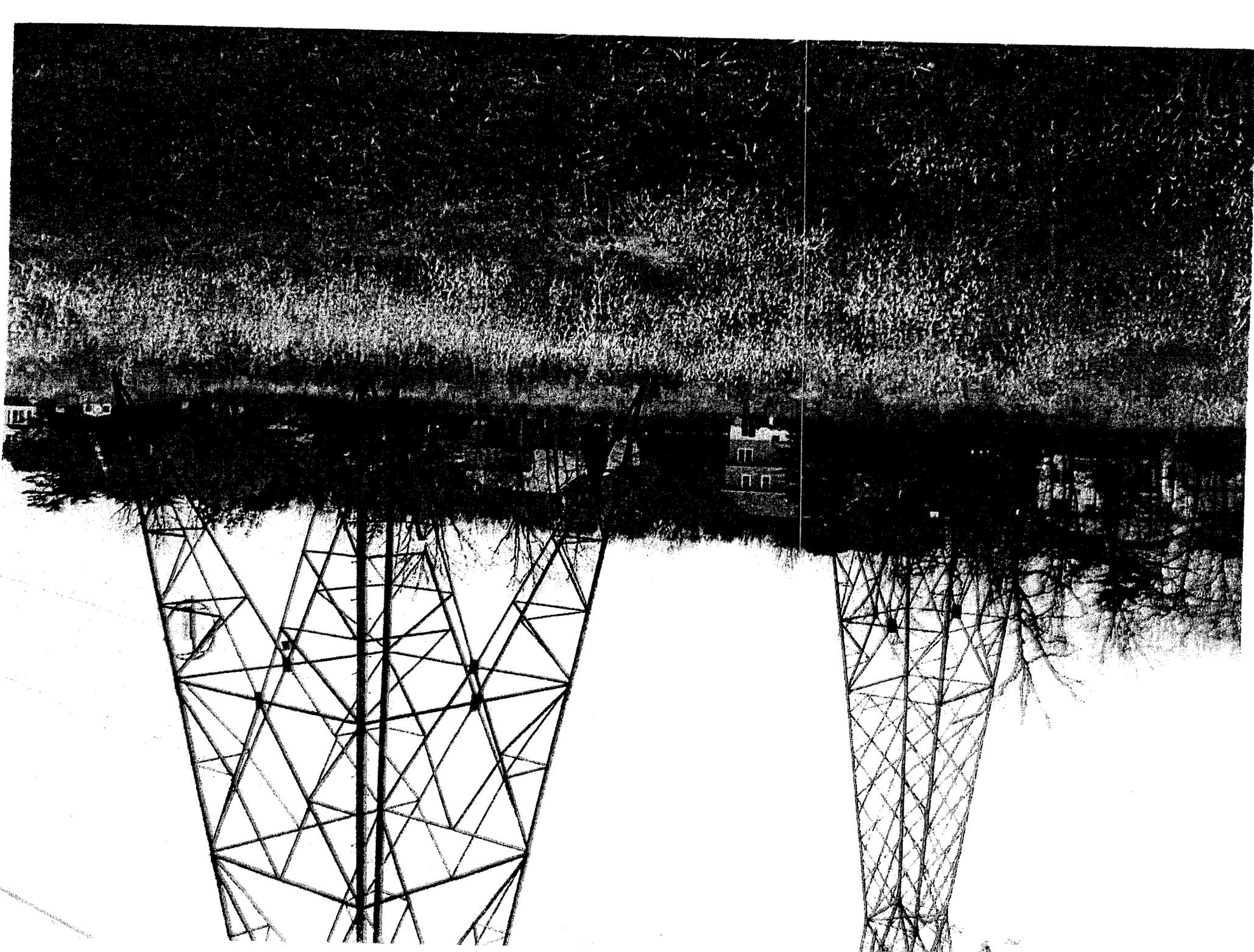


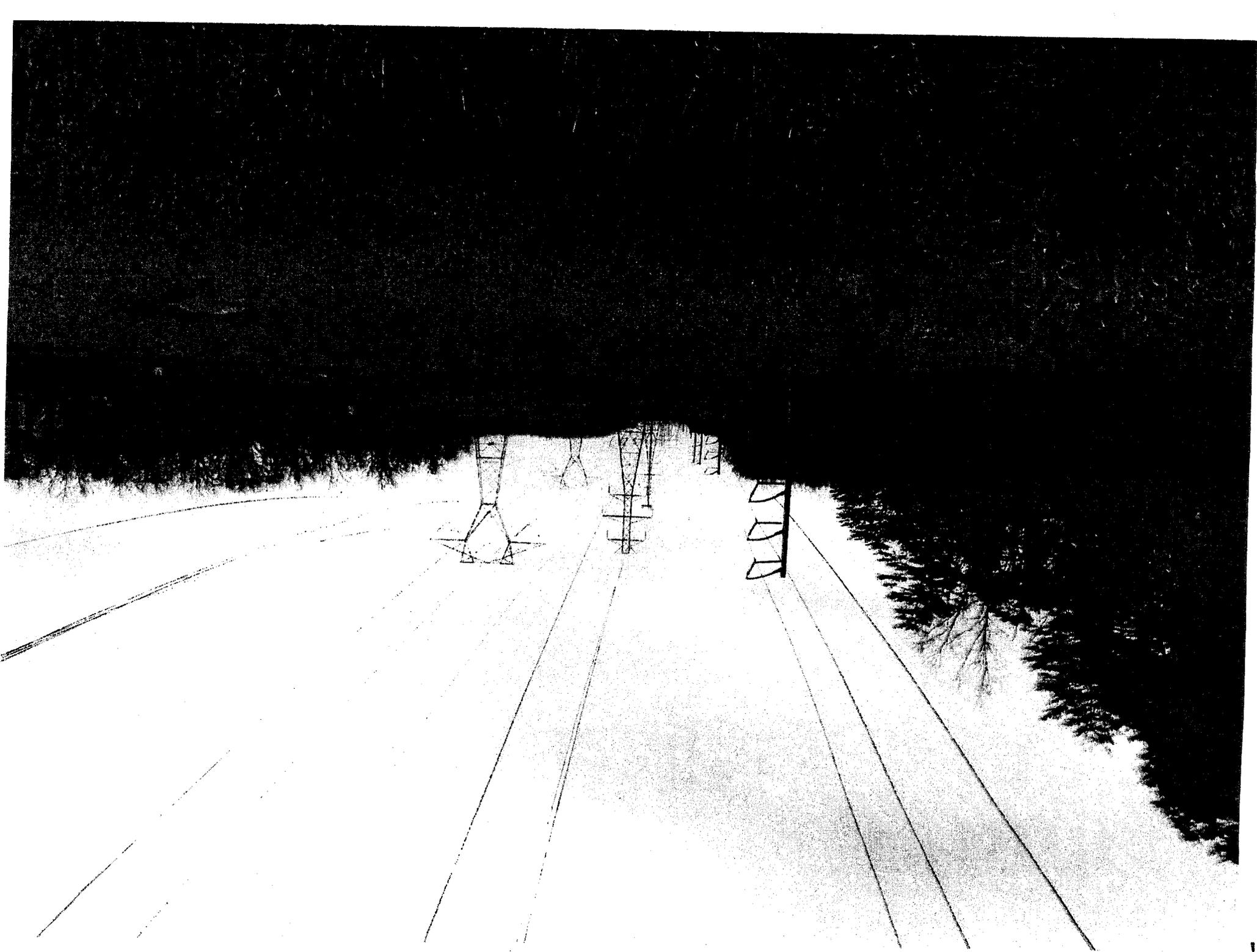


19-11-20

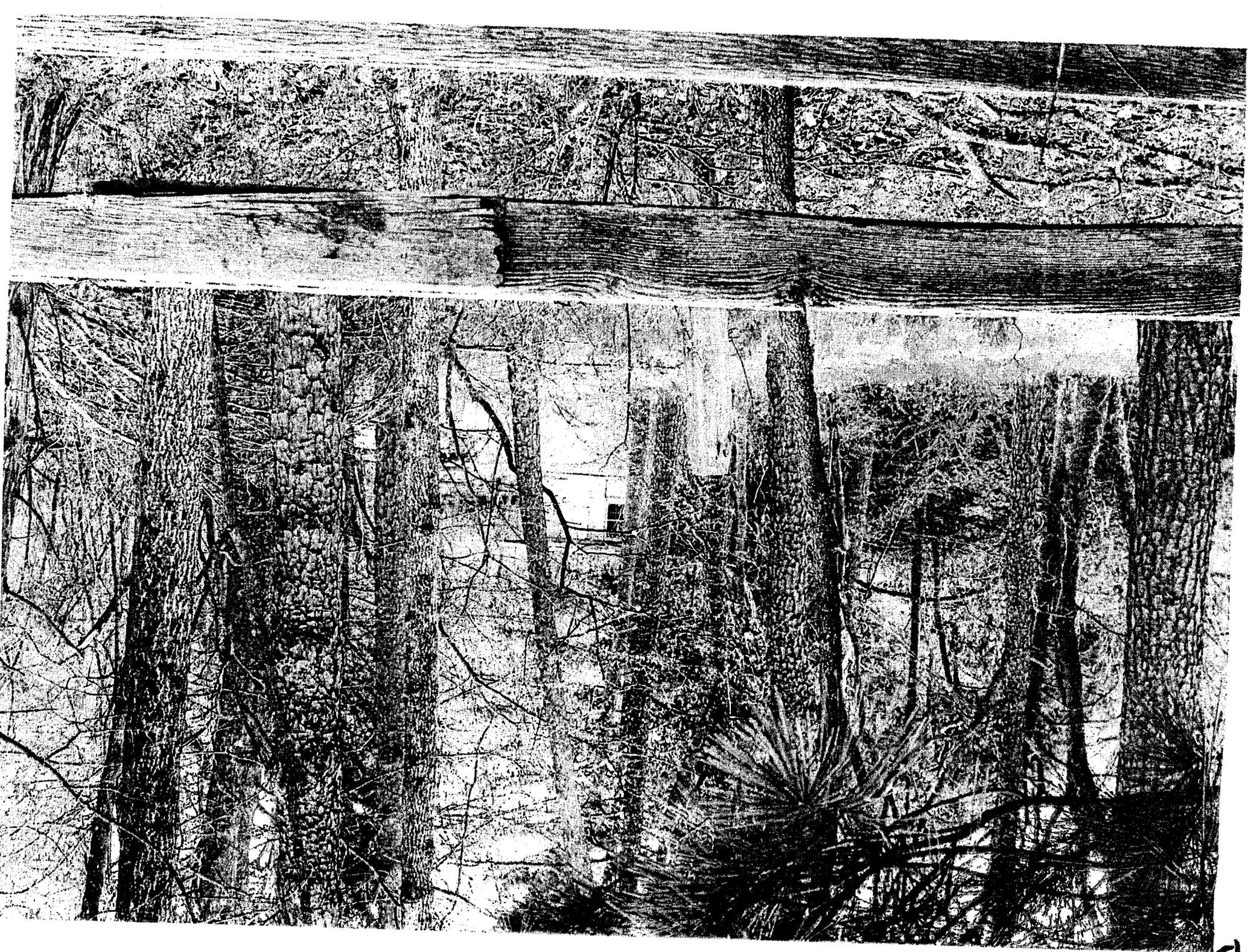


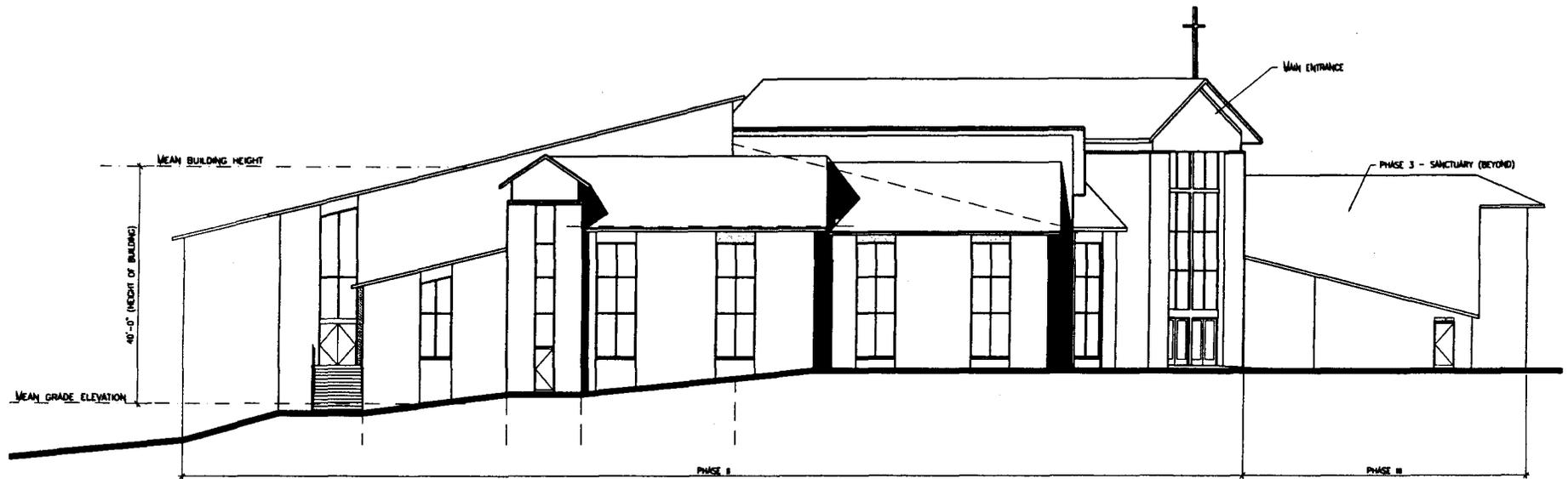






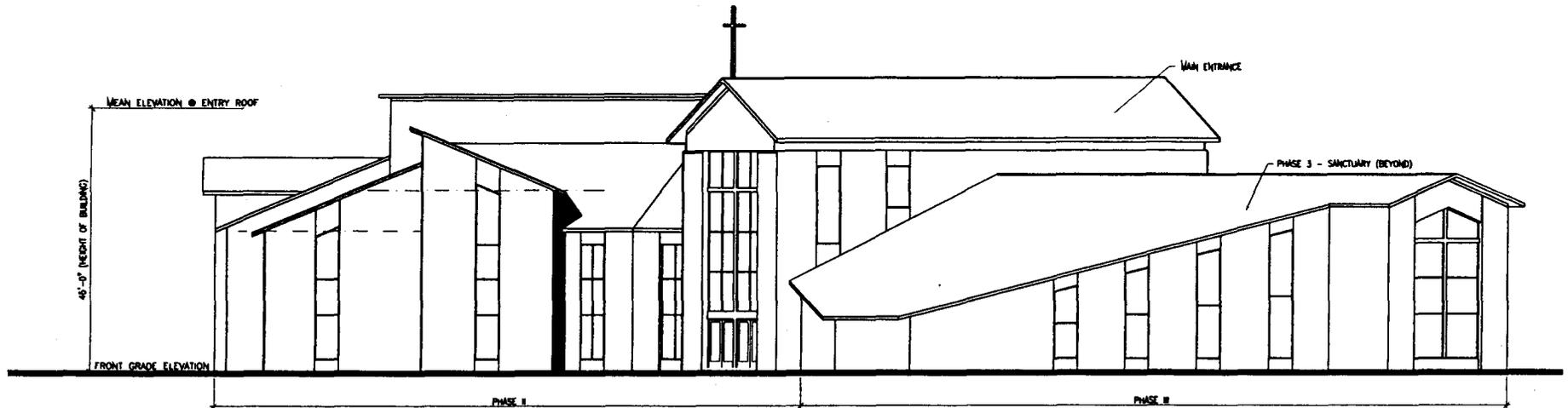






- NOTES:
- 1) THIS ELEVATION IS FOR ILLUSTRATIVE PURPOSES ONLY AND REPRESENTS THE GENERAL CHARACTER, PROPOSED BUILDING HEIGHT AND MASSING.
 - 2) PROPOSED WALL MATERIALS MAY INCLUDE BRICK VENEER, SPLIT FACE, EFIS, HORIZONTAL SIDING OR COMBINATION THEREOF.
 - 3) ROOF MATERIALS SHALL INCLUDE ASPHALT SHINGLES AND OR PORTIONS OF METAL ROOF.

NORTH (LEE HIGHWAY) ELEVATION
N.T.S.



- NOTES:
- 1) THIS ELEVATION IS FOR ILLUSTRATIVE PURPOSES ONLY AND REPRESENTS THE GENERAL CHARACTER, PROPOSED BUILDING HEIGHT AND MASSING.
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 - 3) ROOF MATERIALS SHALL INCLUDE ASPHALT SHINGLES AND OR PORTIONS OF METAL ROOF.

PARKING LOT ELEVATION
N.T.S.

DESCRIPTION OF THE APPLICATION

Special Permit Request:

The applicant is requesting special permit approval to permit the development of a church with a private school of general education in three (3) phases located on 10.0 acres of land. The first phase will consist of renovations to the existing one (1) story with basement residential dwelling and the addition of four modular trailer buildings, which will be used for ministry activities, prayer groups, church offices and the minister's residence. Phase 1 will provide a maximum of 100 seats for worshippers and will include the addition of 58 total parking spaces. The second phase will consist of the demolition of the existing residential structure, construction of additional parking, the construction of a multipurpose building which will seat up to 300 worshippers and the addition of a private school of general education. A 13,900 square foot play area is proposed to accommodate the private school of general education. The modular trailers are proposed to be removed upon the issuance of a Non-Residential Use Permit (Non-RUP) at Phase 2. Phase 2 will include an additional 67 parking spaces, providing a total of 123 parking spaces on-site. Phase 3 of the proposed development will include the construction of a building addition to the Phase 2 building, which will bring the total maximum number of seats to 500 and 193 parking spaces.

	Phase 1	Phase 2	Phase 3
Size	Existing Residential Dwelling = 3,500 square feet Addition of Four Modular Trailers – 1,500 square feet for each trailer – total of 6,000 square feet	New Building – 27,565 square feet + 11,400 square feet of cellar space	New Building – 8,320 square feet + 7,200 square feet of cellar space – Total Building Area – 35,885 square feet + 18,600 square feet of cellar space
Parking	58 spaces	67 additional spaces for a total of 123 spaces	70 additional spaces for a total of 193 spaces
FAR	0.02	0.06	0.08
Number of Seats	100 seats maximum	300 seats maximum	500 seats maximum
Number of Students in Private School	None	90 students maximum daily	No Change from Phase 2

Hours of Operation: Worship Services –
9:00 am, 10:30 am and 1:30 pm on Sunday

Private School of General Education –
7:00 am to 4:30 pm Monday through Friday

Number of Employees/Staff: Maximum of 12 at any one time after all Phases

Waivers and Modifications:

The applicant is seeking a waiver of the barrier requirement along the north, east and a portion of the western lot lines. The applicant also requests a modification of the transitional screening requirements along the north, east and a portion of the western lot lines.

LOCATION AND CHARACTER

Existing Site Description:

The subject property contains approximately 10 acres of land, located on the south side of Lee Highway (Route 29), approximately one mile west of I-66. The property is currently developed with a single-family detached dwelling. The subject property is forested by a wide variety of trees and shrubs. An approximate 2.5 acres of the subject property, located along the sites entire eastern lot line, is encumbered by a Resource Protection Area (RPA), floodplain and an Environmental Quality Corridor (EQC), which runs along the Cub Run Stream Valley. The entire southwestern portion of the subject property is encumbered by multiple utility easements. The property has sloping topography from the western lot line to the eastern lot line.

CHARACTER OF SURROUNDING AREA

Direction	Use	Zoning	Plan
North	London Towne West	R-8 and WS	Residential; .1 - .2 du/ac
South	Fairfax County Park	R-C and WS	Public Park
East	Madison Ridge Apartments & Condos	PDH-8 and WS	Residential; .1 - .2 du/ac
West	NOVEC Substation Gatepost Estates single family subdivision	R-C and WS	Residential; .1 - .2 du/ac

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area III

Planning Sector: Bull Run Planning District
BR5 Stone Bridge Community Planning Sector

Plan Map: Residential, .1-.2 du/ac

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

Title of SPA Plat: Special Permit Plat, Ultimate Site Development, New Vision Community Church

Prepared By: Hish and Company

Dated: January 30, 2009, as revised through September 2, 2009

Proposed Use:

The applicant is requesting special permit approval to permit the development of a church with a private school of general education in three (3) phases. The first phase of development (Phase 1), proposes renovations to an existing one (1) story with basement residential dwelling and the addition of four modular trailer buildings. The modular trailers will consist of 1,500 square feet for each trailer, for a total square footage of 6,000 square feet, in addition to the residential dwelling, which consists of 3,500 square feet for an FAR of 0.02. The trailers and first floor of the residential dwelling will be used for ministry activities, prayer groups and church offices. The minister's residence will be located in the basement of the existing dwelling. Phase 1 will provide a maximum of 100 seats for worshippers and will include 58 total parking spaces. Additionally, at this phase of development, the applicant has confirmed that a public sewer connection will be utilized.

The second phase of development (Phase 2) will consist of the demolition of the existing residential structure, where an additional 67 parking spaces will be constructed, and the construction of a 27,565 square foot, 45 foot high, multipurpose building, which will seat up to 300 worshippers. Phase 2 will also include 11,400 square feet of cellar space. This building will include a fellowship hall, church office, and a rectory/minister's residence. Phase 2 will also provide for a private school of general education with a total maximum enrollment of 90 students daily. The school's proposed hours of operation are 7:00 a.m. to 4:30 p.m. Monday through Friday, with a total of 12 employees and/or volunteers. The applicant has not proposed specific grades for the school use. The applicant proposes 13,900 square feet of outdoor play areas. The first

play area, at Phase 2, will consist of 10,700 square feet, while an additional 3,200 square feet will be added at Phase 3. The play area is proposed to be located along the side and rear of the church building. The applicant has also indicated an additional open grassed play area which is located over an existing area of multiple easements in the lower southwestern portion of the subject property. The modular trailers proposed in Phase 1 will remain for a maximum of five (5) years, and are proposed to be removed upon the issuance of a Non-RUP at the completion of Phase 2. The total parking spaces provided at the completion of Phase 2 will be 123 spaces on-site.

The third phase of development (Phase 3) will include the construction of an 8,320 square foot building addition, with an additional 7,200 square feet of cellar space. Two hundred seats will be added in this phase of development for a total of 500 seats. Sunday worship services are to be held at 9:00 a.m., 10:30 a.m. and 1:30 p.m. Undisturbed open space is noted as 50% for the entire site area. The applicant is proposing 193 parking spaces at a ratio of 2.6 spaces per seat in the sanctuary at the completion of Phase 3. Upon completion of all three (3) phases, there will be 35,885 gross square feet of development at a floor area ratio (FAR) at 0.0824.

The applicant proposes to dedicate approximately 2.74 acres of the subject property to the Fairfax County Park Authority. The areas to be dedicated include a 2.5 acre portion along the eastern lot line, which is completely encumbered by an RPA, floodplain and EQC. The Park Authority will construct a trail in this area which will connect to an existing trail along Cub Run. An additional 0.24 acres of the subject property, which is located in the southwestern corner of the site, will also be dedicated to the Park Authority and will provide an area for an additional trail connection.

The applicant is seeking a waiver of the barrier requirement along the north, east and a portion of the western lot lines since the church building will be located a minimum of 300 feet from adjoining residential lots. The applicant also requests a modification of the transitional screening requirements along the north, east and a portion of the western lot lines to use the existing wooded area to meet screening requirements. A waiver of the stormwater management (SWM) requirement will be requested for the site. The applicant indicates that adequate outfall exists for design storms and detention facilities would require additional clearing of the woodlands, which are currently shown as undisturbed open space.

The applicant is proposing that all parking lot lighting will be low level bollard lighting.

Land Use Analysis and Environmental Analysis (Appendix 4)

The Comprehensive Plan recommends residential development at .1-.2 dwelling units per acre. The applicant is proposing to develop a new church and school of general education on the subject property within an area predominantly planned for very low residential use (10 to 5 acre lots) and zoned Residential Conservation (R-C) District. The proposed use at this location appears to have little direct impacts on surrounding

properties. The proposed phased development of the property is generally sensitive to concepts for good site design and appears to provide adequate on-site parking for the proposed uses.

Compatibility

The intensity of the proposed use is not anticipated to result in significant impacts on adjacent residential parcels. Noise and visual impacts of the proposed parking lot and building mass appear to be adequately mitigated through internal siting of the development and limiting building height to 2 stories or 45 feet. In addition, provisions for screening, buffers, and barriers meet or exceed what is typically required for institutional uses in the R-C District.

Open Space

The applicant has identified the amount of undisturbed open space on the special permit plat as 50% undisturbed open space at the completion of the proposed development. In an effort to address the purpose and intent of the R-C District and water quality goals associated with development within the Occoquan Reservoir and in keeping with the existing and planned very low density residential character of the area, staff has consistently recommended that at least 50% of a site be retained in undisturbed open space when considering special permit and special exception uses.

The one remaining concern is that should some element of the proposed development be changed during final site plan design it could result in a reduction in the undisturbed open space to less than the 50% which is currently proposed. Any modification to the right-of-way dedication, turning lanes, trails, stormwater management facilities, and limits of clearing and grading could result in a reduction of the undisturbed open space. If the 50% undisturbed open space is achieved, staff would conclude that the proposed development is in harmony with the land use recommendations of the Comprehensive Plan.

Water Quality/Occoquan Watershed

The subject property is located within the Cub Run Creek Watershed and the Water Supply Protection Overlay District. It is appropriate for special permit and special exception uses proposed in the R-C District to be able to achieve water quality goals through the preservation of undisturbed open space as opposed to structural techniques. This generally can be accomplished through the preservation of at least 50% of the area of the subject property as perpetually undisturbed open space.

The applicant seeks to develop the subject property with a place of worship and related facilities. While the current special permit plat depicts the ultimate development of the proposed uses with the recommended 50% undisturbed open space, the slightest modification to any of several elements of the proposed development could result in less than 50% undisturbed open space on this site.

Staff has consistently recommended that at least 50% of a site be retained in undisturbed open space when considering special exception and special permit uses in the R-C District. While staff feels that the applicant has made a substantial effort to achieve this goal there are still some reservations regarding the ability of the applicant to clearly provide 50% undisturbed open space at the development build-out. In order to ensure a greater level of certainty that the applicant will ultimately meet this, staff has included a development condition which will require, if necessary, the applicant to either submit a special permit amendment request or modify the site design in a manner which will achieve 50% undisturbed open space at the development build-out.

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

There is a portion of the Cub Run stream channel which crosses the eastern boundary of the subject property. This area is clearly delineated as RPA on the special permit plat by the applicant. This area is also EQC as defined by the Policy Plan. This portion of the subject property is shown on the Comprehensive Plan map as public park. The Fairfax County Park Authority asked that this area be dedicated as an element of the Cub Run Stream Valley Park. The only proposed encroachments into this area are a trail connection and sanitary sewer connection. The applicant has agreed to dedicate this area to the Fairfax County Park Authority as requested.

Countywide Trails Plan

The Countywide Trails Plan depicts a minor paved trail with parallel natural surface or stone dust along the entire frontage of Lee Highway (Route 29) of the subject property. The applicant is proposing a 10-foot wide trail along Lee Highway within the right-of-way in accordance with VDOT standards. The Countywide Trails Plan also depicts a major paved trail/stream valley trail along Cub Run. This trail has been constructed on the adjacent Park Authority property. Finally, the Countywide Trails Plan depicts a natural surface or stone dust trail within the Dominion Power/Columbia Gas easement area. This trail has been constructed by the Park Authority.

The applicant has committed to dedicate approximately 2.5 acres of the subject property to the Fairfax County Park Authority, which is encumbered by an RPA, Floodplain and EQC. This dedication will allow for a trail connection along the Cub Run stream valley, which will provide a substantial amount of protected vegetation, as it would be incorporated in a floodplain easement, upon dedication to the County parkland. The applicant will also dedicate an addition 0.24 acres in the southwestern corner of the site, which will enable the Fairfax County Park Authority to connect an existing trail on either side of the application property.

Urban Forestry Management Analysis (Appendix 5)

The subject site is forested by a wide variety of native tree species, ranging from lowland forest to highland forest species. The understory shows signs of predominantly non-native invasive weeds and other vegetation on the forest floor. There are also

major signs of previous heavy storm damage in the forested areas, leaving some gaps in the canopy. All forested areas are in approximately the same stage of maturity and appear to be in moderate to good health.

The applicant was asked to preserve trees in the largest possible contiguous areas to ensure the survivability of vegetation and to provide for maximum functioning for water and air quality. This recommendation is especially important along the stream valley to maintain a healthy and sustainable buffer, and in areas of the site that will retain a sloping grade.

The applicant has addressed this issue by their commitment to dedicate approximately 2.5 acres of the subject property to the Fairfax County Park Authority. This area is encumbered by an RPA, floodplain and EQC and will allow for the completion of a trail connection along the Cub Run stream valley and will provide a substantial amount of protected vegetation. Given the amount of undisturbed contiguous open space, at 50% of the subject property, staff believes the preservation of vegetation has been adequately addressed.

Park Planning Analysis (Appendix 6)

Trail Connectivity

As noted in Land Use Analysis, the Comprehensive Plan identifies trails within the subject property. A planned natural surface or stone dust trail is identified within the Dominion Power/Columbia Gas easement area. A trail has been constructed on the adjacent park authority property as a 6 foot asphalt trail. A major paved trail is identified along Cub Run and a minor paved trail is identified along Route 29. The park authority has constructed a concrete and asphalt trail with fair weather crossing downstream from the application property.

As noted previously, the applicant has committed to dedicate property to the Fairfax County Park Authority. This dedication will allow for the completion of the trail connection along the Cub Run stream valley. The applicant has also proposed a 10 foot wide trail along Route 29 and has committed to dedicate funds, in the amount of \$5,600, in lieu of construction of a 300 foot, 4 foot wide natural surface trail section from Route 29 to the waterline easement along Cub Run.

Stormwater Management Analysis (Appendix 7)

Staff from the Environmental and Site Review Division of the Department of Public Works and Environmental Services (DPWES) has met with the applicant's engineer on several occasions to discuss inconsistencies with the special permit plat and the stormwater narrative provided on Sheet 4 of 6 of the plat. Staff continues to encourage the applicant to provide adequate detail as required by the Chesapeake Bay Preservation Ordinance (CBPO), the Public Facilities Manual (PFM), and the Zoning Ordinance.

Staff notes that stormwater detention, or an approved detention waiver, will be required for site plan approval. The applicant intends to pursue a detention waiver, and staff believes a waiver would likely be approved, as long as adequate outfall can be demonstrated. Instead of detention, level-spreading techniques to reduce the erosiveness of the increased runoff are mentioned in the narrative; however, their locations are not shown on the plat. Staff notes that these devices cannot be located within easements, tree preservation areas or used for landscaping or any other activities.

In addition, the applicant's engineer was advised that possible underground storage shown on the plat as an alternative to the level-spreading devices and the detention waiver should either of those strategies not work. No mention has been made to the underground storage as an alternative in the narrative. The narrative also mentions that a water quality impact assessment and RPA encroachment exception may be required for drainage improvements. Staff believes it is imperative to note that the limits of disturbance may require alteration for this type of work to be performed, no matter what form of detention is provided, whether the work is downstream of the level-spreading devices, downstream of the BMP facility, or downstream of the underground detention facility. Under no circumstance can the limits of disturbance affect the overall 50% undisturbed open space. The applicant will also be required to provide an RPA delineation before site plan approval. Staff believes the special permit plat and the narrative should be consistent.

A revised plat dated September 2, 2009, was submitted and reference made to a level-spreading device on Sheet 1, along the downstream edge of the major parking area. The engineer has shown in the text on Sheet 4, Item D, that in the event that a detention waiver is not approved, an area for an underground BMP/SWM facility would be provided below the largest parking area. Staff was provided this information at such a late date that there has not been time for any formal review by DPWES of the revised plats. This remains an outstanding issue.

Fairfax County Department of Transportation (FCDOT) and Virginia Department of Transportation (VDOT) Analysis (Appendix 8)

The following transportation related items are identified from memoranda received from both the Fairfax County Department of Transportation (FCDOT) and the Virginia Department of Transportation (VDOT). Staff has met with the applicant on numerous occasions to discuss these issues and the items listed below remain unresolved. Legislation was enacted in July 2007, under Chapter 115 of the Code of Virginia, requiring a Transportation Impact Analysis (TIA) if any project substantially affects the transportation on State controlled highways, if it meets or exceeds trip generation criteria, which is more than 250 trips in the park hour. Due to this State requirement, the applicant was required to submit a TIA with the submission of this special permit application. The TIA was determined unacceptable by VDOT on May 21, 2009 and the applicant was required to submit a revised TIA. The revised TIA was submitted by the applicant on August 4, 2009. VDOT requires forty-five (45) days to review a TIA request. The VDOT response is due by September 18, 2009. To date, the applicant

has not received final approval from VDOT of their TIA. Publication of this staff report is September 22, 2009, which means both the draft and final report were due September 14, 2009. As of that date, we had not received a memo from VDOT on the status of the TIA.

As a result of the first TIA submission, VDOT had indicated that the existing median break, as proposed to be utilized by the applicant, is substandard and would not support the use as requested. The applicant was advised, and submitted on August 14, 2009, design waivers/exceptions to VDOT with regard to the Access Management Design Exception for the proposed substandard crossover spacing; a Design Waiver for the proposed substandard right turn deceleration lane; and, a Design Waiver for the proposed substandard left turn deceleration lane; however, adequate time has not been provided for their review. VDOT has stated that it could take up to six (6) months to review these requests.

VDOT and FCDOT staff do not support this application proceeding until a position has been taken by VDOT on the above mentioned waivers/exceptions. In particular, without a median break for the subject site, staff would not support this use with a right-in / right-out entrance. Route 29 is a principal arterial and special permit uses that result in U-turns are not supported. The development of the site would generate approximately 100 new a.m. peak hour vehicle trips, 119 new p.m. peak hour vehicle trips and 318 new Sunday peak hour trips.

Below is a list of outstanding traffic issues. Some of these are so significant that until they are resolved, it is very difficult to compose adequate development conditions.

- The applicant should construct a third through-lane on Route 29 across the site's entire frontage. All proposed improvements should be based on maintaining existing inside edge of eastbound Route 29 travel lanes and widening to the south. This lane should be constructed concurrent with Phase 1 as Route 29 is already over capacity and the applicant proposes to have worship for 100 people on-site.

The applicant has agreed to construct the third lane partially across the site's frontage at Phase 2 or 3, not in Phase 1 as requested. The location shown for the third lane has not been adequately depicted on the special permit plat.

- On August 31, 2009, applicant submitted a sight distance profile as Sheet 5 of 6, as required, for a sight distance to 710 feet for the eastbound direction and 785 feet for the westbound direction. The revised plat was provided to VDOT for their review; however, adequate time has not been given for a formal review process.

- There are bike lanes on the Comprehensive Plan. The Trails Plan shows on-road bike lanes on this segment of Route 29. The applicant has failed to demonstrate how this facility will be accommodated as part of their site improvements and states that there are currently no bike lanes existing along this portion of Route 29, which if they were constructed as proposed, would end at the Cub Run bridge.
- The channelization at the entrance of the site, within the right-of-way (ROW) may not be acceptable to VDOT. In VDOT's memorandum dated August 21, 2009, they also indicate that the proposed entrance channelization island should be designed according to the Road Design Manual.

As stated previously, VDOT's review of the application has not been fully completed. With the outstanding major transportation issues noted above, at this point in the review, staff cannot recommend approval of the application.

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 is seeking a waiver of the barrier requirement along the north, east and a portion of the western lot lines since the church building will be located a minimum of 300 feet from adjoining residential lots. The applicant also requests a modification of the transitional screening requirements along the north, east and a portion of the western lot lines to use the existing wooded area to meet screening requirements.

ZONING ORDINANCE PROVISIONS

Residential (R-C)		
Standard	Required	Proposed
Lot Size	5.0 acres (minimum)	10.0 acres
Lot Width	200 feet (minimum)	+ 550 feet
Building Height	60 feet (maximum)	45 feet
Front Yard	40 feet (minimum)	130 feet minimum with Phase 1 - 250 feet ultimate
Side Yard	20 feet (minimum)	140 feet minimum with Phase 1 - 210 feet ultimate
Rear Yard	25 feet (minimum)	235 feet minimum with Phase 1 - 150 feet ultimate
FAR	0.10	Phase 1 – 0.02 Phase 2 – 0.06 Phase 3 – 0.0824 (at full build out)
Parking Spaces	Phase 1 – 100 seats – 35 required Phase 2 – 300 seats and private school of general education – 105 required Phase 3 – 500 seats and private school of general education – 155 required	Phase 1 – 58 provided Phase 2 – 123 provided Phase 3 – 193 provided

* Since the applicant is not providing specific grades for the school use, the most stringent parking tabulations are required for the use. The Zoning Ordinance requires 0.3 parking spaces per student, based on the maximum number of students attending classes at any one time; therefore, the use would require 27 parking spaces.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (Appendix 9)

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sects. 8-308)

Summary of Zoning Ordinance Provisions

Staff does not believe that all applicable standards have been satisfied as outlined in the staff report. Specifically General Standard 4 which states that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. As discussed in the Transportation Analysis, staff believes that adequate time should be provided for a full VDOT review of the TIA, and the waiver and exception requests. Without the benefit of this vital information, staff cannot support the establishment of the use, even for Phase 1.

CONCLUSION

Staff believes that the request to permit a church with a private school of general education with a maximum of 90 students daily is not in conformance with the applicable Zoning Ordinance provisions as outlined above.

RECOMMENDATION

Staff recommends denial of SP 2009-SU-018.

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.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Statement of Justification
4. Land Use and Environmental Analysis
5. Urban Forest Management Analysis
6. Park Planning Analysis
7. Stormwater Management/ BMP Analysis
8. Virginia Department of Transportation & Fairfax County Department of Transportation Analysis
9. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2009-SU-018****September 22, 2009**

If it is the intent of the Board of Zoning Appeals to approve SP 2009-SU-018 located on property described as Tax Map 64-2 ((3)) 28 to permit a church and private school of general education pursuant to Section 3-C03 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, New Vision Community Church, and is not transferable without further action of this Board, and is for the location indicated on the application, 14927 Lee Highway, and is not transferable to other land.
2. This special permit amendment is granted only for the purposes, structures and/or uses indicated on the special permit plat prepared by Hish and Company, dated January 30, 2009, as revised through September 3, 2009.
3. A copy of this special permit amendment and the Non-Residential Use Permit (Non-RUP) 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 uses.
4. This special permit amendment 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 amendment, shall be in substantial conformance with these conditions. Minor modifications to the approved special permit amendment may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. Upon issuance of a Non-RUP for Phase 1 construction, the maximum seating capacity shall be 100 worshippers, which shall include the addition of four (4) modular trailer buildings.
6. Upon issuance of a Non-RUP for Phase 2, the maximum seating capacity shall be 300 worshippers.
7. The four (4) temporary trailers depicted on the plat shall be approved for a time period not to exceed five (5) years from the date of the approval of this special permit or within 30 days of the issuance of a Non-RUP for Phase 2, whichever occurs first.

8. Upon issuance of a Non-RUP Phase 2, the maximum total daily enrollment for the private school of general education shall be 90 students.
9. The maximum hours of operation for the private school of general education shall be 7:00 a.m. to 4:30 p.m., Monday through Friday.
10. Employees and/or volunteers for the private school of general education shall not exceed twelve (12) employees.
11. Upon issuance of a Non-RUP for Phase 3, the maximum seating capacity shall be 500 worshippers.
12. An outdoor play area, a minimum of 13,900 square feet in size, shall be provided as noted on the SP Plat. No more than 32 students shall occupy the outdoor recreation area at any one time.
13. A minimum of 50% of the site shall be preserved as undisturbed open space as depicted on the SP Plat.
14. The design of the buildings shall be in conformance with the architectural renderings included as Attachment 1 of these conditions.
15. The building heights shall not exceed forty-five feet (45') in height.
16. All parking shall be on-site, as depicted on the special permit plat.
17. A tree preservation and restoration plan shall be submitted to Urban Forest Management (UFM) for review and approval at the time of site plan review. This plan shall designate the limits of clearing as delineated on the special permit plat and require that the area outside of the limits of clearing and grading be preserved and labeled as "perpetually undisturbed open space." The restoration plan shall be developed with the intention of revegetating and restoring the perpetually undisturbed open space to its natural habitat. No existing wooded areas may be disturbed to plant the restoration material. The applicant may maintain the undisturbed open space as needed to remove only undesirable vegetation such as brambles and vines with the intention of maintaining the evergreen tree cover until such time as natural succession takes over. There shall be no mowing of grass in the perpetually undisturbed open space.
18. The limits of clearing and grading shall be no greater than that shown on the special permit plat. The proposed tree save areas and open space shall remain undisturbed. These areas shall be protected by tree protection fencing in the form of four (4) foot high, 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. Prominent signs shall be placed on the fencing "TREE SAVE AREA – DO NOT DISTURB" to prevent construction from encroaching on these areas. The tree protection fencing shall be made clearly visible to all

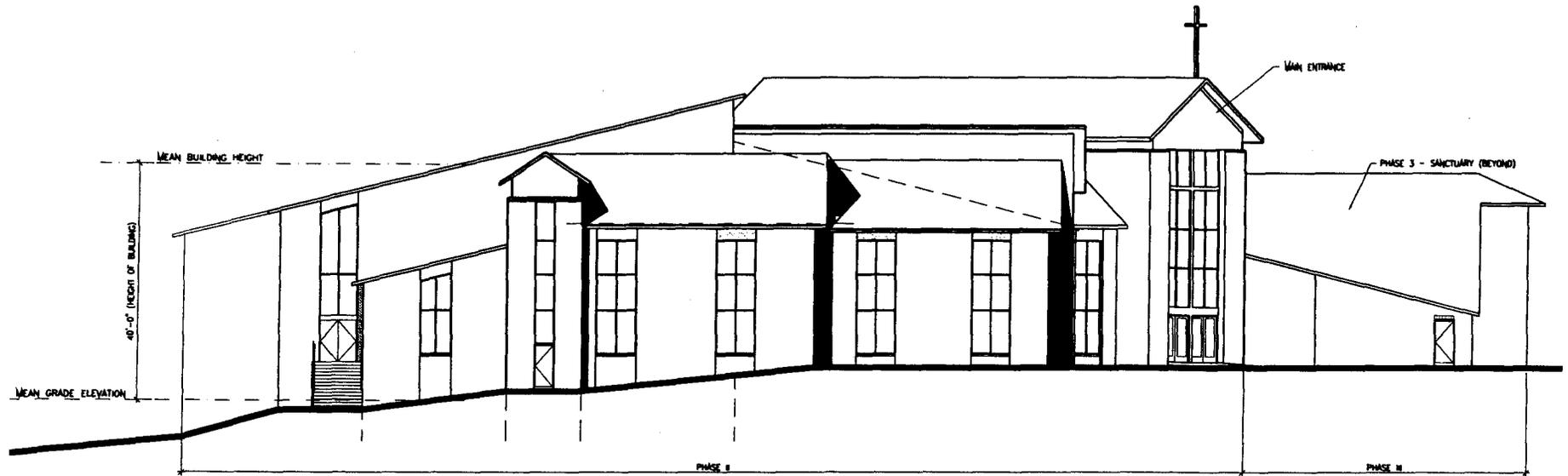
construction personnel, and shall be installed prior to any clearing and grading activities on the site. The installation of tree protection fencing shall be performed under the supervision of a certified arborist. Prior to the commencement of any clearing, gardening or demolition activities, the Applicant's certified arborist shall verify in writing that the tree protection fencing as been properly installed.

19. The applicant shall conform strictly to the limits of clearing and grading as shown on the SP Plat, subject to allowances 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 SP Plat, they shall be located in the least disruptive manner necessary as determined by the Urban Forest Management Division (UFMD), DPWES. A replanting plan shall be developed and implemented, subject to approval by UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.
20. The applicant shall meet the requirements of the Tree Conservation Ordinance pursuant to County Code, Chapter 122.
21. Transitional screening shall be modified along the north, east and a portion of the western lot lines, in favor of existing vegetation.
22. The barrier requirement shall be waived along the north, east and a portion of the western lot lines.
23. Parking lot landscaping shall be provided in accordance with Article 13 of the Zoning Ordinance.
24. Any proposed lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. All parking lot lighting shall be low level bollard lighting.
25. Adequate outfall shall be demonstrated in accordance with the Public Facilities Manual (PFM), as determined by DPWES, at the time of site plan review.
26. Stormwater Management (SWM) and Best Management Practices (BMP) shall be required in accordance with the PFM. If a modification of the PFM to permit the proposed stormwater management/best management practices as shown on the SP Plat is not granted by DPWES and SWM/BMP facilities in substantial conformance with the SP Plat cannot be provided, then a special permit amendment (SPA) shall be filed to provide water quantity and quality control measures in accordance with the PFM as determined by DPWES.
27. An RPA delineation will be required prior to site plan approval.

28. The applicant shall dedicate those areas identified on the special permit plat, on Sheet 6 of 6, as Park Dedication Exhibit, totaling approximately 2.74 acres of land, in fee simple, free and clear of all monetary or other encumbrances, to the Fairfax County Park Authority no later than 90 days after approval of a site plan or minor site plan for the property. Once dedicated, the applicant shall keep the dedicated properties free and clear of any and all construction related or other debris. To insure that encroachments do not occur, areas previously dedicated shall be inspected by Park Authority staff to verify that the dedicated areas are clear of debris or damage associated with the construction activity. Park Authority inspection and approval of this development condition shall be required prior to bond release at each phase of development.
29. The applicant shall dedicate funds in the amount of \$5,600 to the Park Authority in lieu of construction of a natural surface trail section from Route 29 to the waterline easement along Cub Run. These funds shall be paid to the Fairfax County Park Authority within 90 days of the Special Permit approval for the site.
30. Prior to issuance of the first Non-RUP, the applicant shall construct all road improvements, in consultation with the Fairfax County Department of Transportation (FCDOT), and as approved by the Virginia Department of Transportation (VDOT).

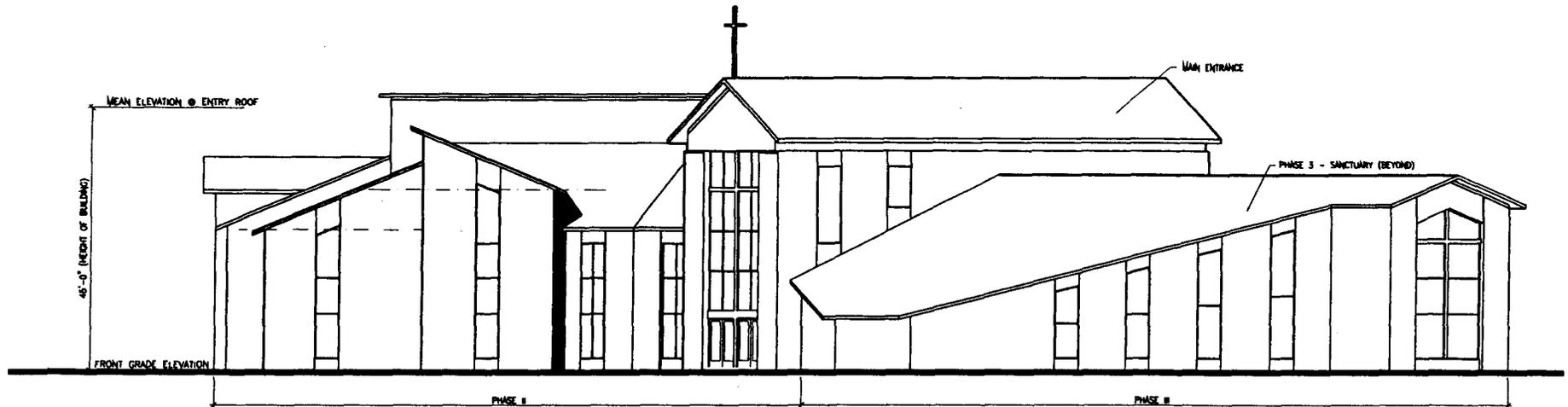
These conditions incorporate and supersede all previous conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit (Non-RUP) 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 amendment. The Board of Zoning Appeals may grant additional time 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 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.



- NOTES:
- 1) THIS ELEVATION IS FOR ILLUSTRATIVE PURPOSES ONLY AND REPRESENTS THE GENERAL CHARACTER, PROPOSED BUILDING HEIGHT AND MASSING.
 - 2) PROPOSED WALL MATERIALS MAY INCLUDE BRICK VENEER, SPLIT FACE, ETCS, HORIZONTAL SIDING OR COMBINATION THEREOF.
 - 3) ROOF MATERIALS SHALL INCLUDE ASPHALT SHINGLES AND OR PORTIONS OF METAL ROOF.

NORTH (LEE HIGHWAY) ELEVATION
N.T.S.



- NOTES:
- 1) THIS ELEVATION IS FOR ILLUSTRATIVE PURPOSES ONLY AND REPRESENTS THE GENERAL CHARACTER, PROPOSED BUILDING HEIGHT AND MASSING.
 - 2) PROPOSED WALL MATERIALS MAY INCLUDE BRICK VENEER, SPLIT FACE, ETCS, HORIZONTAL SIDING OR COMBINATION THEREOF.
 - 3) ROOF MATERIALS SHALL INCLUDE ASPHALT SHINGLES AND OR PORTIONS OF METAL ROOF.

PARKING LOT ELEVATION
N.T.S.

Application No.(s): SP 2009-SU-018
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8-28-09
 (enter date affidavit is notarized)

I, Amber K. Scharn, 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 102382c

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 New Vision Community Church, Inc.	14927 Lee Highway Centreville, VA 20121	Applicant/Owner
Hish and Company, LLC	1831 Wiehle Avenue, Suite 105 Reston, VA 20190	Agent/Engineers
-Gerald A. Hish, Sr., P.E.		Agent/Engineer
Robson Group Architects, Inc.	14900 Bogle Drive, Suite 203 Chantilly, VA 20151	Agent/Architects
-William Robson		Agent/Architect

(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).

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

DATE: 8-28-09
(enter date affidavit is notarized)

102382c

(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)
Odin, Feldman & Pittleman, P.C.	9302 Lee Highway, Suite 1100 Fairfax, VA 22031	Agent/Attorney
-John L. McBride, Esquire -Amber K. Scharn, Esquire		Attorney/Agent Attorney/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): SP 2009-SU-018
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

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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)
The New Vision Community Church, Inc.
14927 Lee Highway
Centreville, VA 20121

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)

The New Vision Community Church, Inc. is
a Virginia non-stock, non-profit corporation
without shareholders.

(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.

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

DATE: 8-28-09
(enter date affidavit is notarized)

102382c

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Hish and Company, LLC
1831 Wiehle Avenue, Suite 105
Reston, VA 20190

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)
Gerald A. Hish, Sr.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Robson Group Architects, Inc.
14900 Bogle Drive
Chantilly, VA 20151

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)
William Robson

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

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

DATE: 8-28-09
(enter date affidavit is notarized)

102382c

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Odin, Feldman & Pittleman, P.C.
9302 Lee Highway, Suite 1100
Fairfax, VA 22031

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)

Dexter S. Odin	David J. Brewer
David E. Feldman	John S. Wisiackas
James B. Pittleman	
Patrick J. McConnell	
Robert K. Richardson	

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 Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): SP 2009-SU-018
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8-28-09
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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): SP 2009-SU-018
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 8-28-09
(enter date affidavit is notarized)

102382c

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: 8-28-09
(enter date affidavit is notarized)

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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

Amber K. Scharn, Esq.

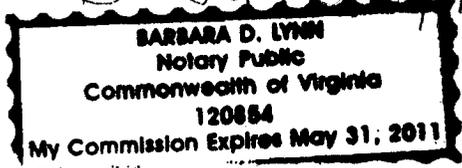
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 28th day of August 2009, in the State/Comm. of Virginia, County/City of Fairfax.

Barbara D. Plaster
Notary Public

My commission expires: 5-31-2011
ID# 120854

Commissioned as
Barbara D. Lynn



SP 2009-SU-018
THE NEW VISION COMMUNITY CHURCH, INC.
SPECIAL PERMIT APPLICATION
STATEMENT OF JUSTIFICATION
TM 064-2-((3))-0028
14927 Lee Highway
July 13, 2009

DESCRIPTION OF THE APPLICATION

Special Permit Request: To allow the development and use of a church/place of worship (including a rectory/minister's residence in Phase 2), with a private school of general education, to be developed in three phases as follows:

Phase 1 will consist of renovations to the existing building (a 1,600 square foot portion for rectory/minister's residence and a 1,900 square foot portion for small prayer groups and Church offices) and the addition of four temporary modular trailer buildings, which will be used primarily for ministry activities, worship service, Sunday school, and small prayer groups.

Phase 2 will consist of demolition of the existing residential structure, construction of additional parking and construction of the multipurpose building which will seat no more than 300 worshippers and include the fellowship hall, Church offices, private school of general education and rectory/minister's residence. The four temporary modular trailer buildings will continue to be used and remain on the site until the Applicant receives a Non-Residential Use Permit at the completion of Phase 2 at which point they will be removed.

Phase 3 will include construction of an addition to the Phase 2 building, bringing the total number of seats to a maximum of 500 worshippers, as well as construction of additional parking.

**Record Fee Owner/
Applicant:**

The New Vision Community Church, Inc.

Zoning:

R-C; WSPOD

Size:

10.0021 acres of land area; 35,885 square feet of maximum gross floor area of buildings, which includes 1,600 square feet of

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Department of Planning & Zoning

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rectory/minister's residence (43,569.2 square feet allowed); 0.0824 FAR (0.10 allowed);

Maximum Number of Sanctuary Seats:

Church – maximum of 500 worshipers

Maximum Number of Students:

90 maximum students served by the private school

Employees/Volunteers:

12 maximum on site at any time (at full build out)

Patrons/Clients/Vicinity to be Served:

The members of the church/place of worship will likely primarily reside in the Centreville and Fairfax areas (Sully and Springfield magisterial districts). There are approximately 120 families who are now active members of the church/place of worship.

Traffic Impact:

The church/place of worship will have a negligible traffic impact. This is so because:

- A church use is a non-rush hour use.
- This congregation attending services at this church/place of worship will be significantly smaller than the surrounding church/place of worship uses.

Hours of Operation/Services and Activities:

Worship services are on Sundays and will be staggered amongst the service times of the surrounding church/place of worship uses in order to minimize any potential traffic impact on Lee Highway. Currently, Centreville Baptist Church has services at 8:00am, 9:30am and 11:00am and Centreville Presbyterian has services at 8:30am, 9:30am and 11:00am. The Applicant's services will be held at 9:00am, 10:30am and 1:30pm.

The hours of operation of the private school of general education will be Monday through Friday 7:00am to 4:30pm for no more than 90 students.

Waivers and Modifications:

The Applicant requests the following waivers:

Zoning Ordinance §13.301 & 303 Perimeter Barriers-the Applicant requests waiver of all barriers because the proposed church/place of worship site is located a minimum of 300' from adjoining residential lots.

Zoning Ordinance §13-301 & 13-302 Transitional Screening-the Applicant requests a modification of the requirements of these sections because the existing woodlands in excess of the screening requirement widths are retained around the development perimeter.

PFM §6-0300 Stormwater Detention-the Applicant requests BZA support of a waiver of SWM for the site as the drainage area through the property is less than .02% of the total drainage area to the point of site discharge at Cub Run. Adequate outfall exists for design storms and detention facilities would require additional clearing of site woodlands, which are currently shown as undisturbed open space.

LOCATION AND CHARACTER

Existing Site Description: The site is wooded, primarily with medium to large sized hardwood trees, as well as smaller understory vegetation. There is a single family residential home located in the center of the site. The southwestern corner of the site is encumbered by utility easements and therefore is not buildable. The eastern third of the site is floodplain and is also not buildable.

Surrounding Area Description:

The adjacent property to the west houses a Northern Virginia Electric Cooperative substation. Further west past the substation lies the Gatepost Estates single family residential subdivision. Cub Run lies to the east of the property. Beyond Cub Run lies the Madison Ridge apartment and condominium development. North of the Property, across Lee Highway is the London Towne West residential subdivision. The land to the south is owned by the Fairfax County Park Authority.

<u>Direction</u>	<u>Use</u>	<u>Zoning</u>
North	London Towne West	R-8
South	Fairfax County Park Authority	R-C

East	Madison Ridge Apartments and Condominiums	PDH-8
West	NOVEC Substation, Gatepost Estates-single family residential subdivision	R-C

COMPREHENSIVE PLAN PROVISIONS:

Plan Area: Area III – Bull Run Planning District

Community Planning Sector: BR5-Stone Bridge Community

Plan Map: Residential Conservation: .1 to .2 dwelling units per acre; low density residential

Plan Text: The land on the southwest perimeter of the County, adjacent to Loudoun County and Prince William County, lying generally along Bull Run and the public parkland associated with Bull Run has remained for the most part open and undeveloped and has a rural character. It is planned for residential development at .1-.2 dwelling unit per acre and public parkland. This is in conformance with the findings of the Occoquan Basin Study. The present very low density development which characterizes this area should remain intact to protect its natural wildlife and water quality.

CONFORMANCE WITH SECTION 8-006 (GENERAL STANDARDS)

- 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.** Church/place of worship uses with private schools are appropriate uses for residential conservation areas, especially when located upon an arterial roadway such as Lee Highway. The size and scale of the proposed facilities are consistent with the low density character of the area, as well as with other churches and private school facilities along this portion of Lee Highway. Institutional uses are particularly appropriate along an arterial roadway, more so than single family residential structures. Undisturbed open space approximating 50.07% of the site will be provided.
- 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.** Church/place of worship uses with private schools are in harmony with the general purpose and intent of the R-C zoning district. The proposed use is a Group 3 Institutional Use, which is specifically allowed in the R-C district by special permit. It is a use which is found throughout the County and throughout this area, within R-C districts. The purpose and intent of the R-C district specifically allows this kind of nonresidential use, which is deemed compatible with the residential character of the district, if it is developed to less than a 0.10 FAR and if a significant portion of the Property is left as undisturbed open space. Both of these criteria are met in this application.

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 the adjacent or nearby land and/or buildings or impair the value thereof.** Development of the Property will be oriented toward the rear or southeastern portion of the property, toward Cub Run and away from the residential area to the west. The location, size and height of the proposed building conforms to the constraints of the R-C district and will be residential in character as shown on the attached architectural elevations. Proposed exterior materials are brick veneer, split face block, horizontal siding or a combination thereof. Proposed roof materials are asphalt shingles and/or portions of metal roof. The residential subdivision to the west and south and the condominium development to the east are currently developed to their ultimate uses, and will not be adversely affected by the proposed development of the Property. Both of these uses are sufficiently screened and buffered along the west, south and east borders so as to not be adversely affected. The church/place of worship use with private school is an appropriate transitional use between the high intensity PDH-8 condominium development to the east and the lower density half acre lot single family residential neighborhoods to the south and west.
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.** The existing Lee Highway median break leading into the property is a substandard median break according to VDOT standards. This application proposes to relocate the existing median break so that it meets current VDOT's standards. This will divert and discourage traffic from U-turns at the Gatepost Estates subdivision median break (further west on Lee Highway). The Applicant proposes to stagger worship times with the surrounding church/place of worship uses in order to reduce the volume of traffic entering and exiting this section of Lee Highway at the same time. The Fairfax County Trails Plan indicates a minor paved trail with parallel natural surface or stone dust trail within and adjacent to the Route 29-211 right of way on the Property frontage. This trail will either built in accordance with the Fairfax County Trail Plan requirements or if it is determined that construction of said trail would be unsafe, without a connection at the bridge across Cub Run, a cash escrow will be posted with the County in lieu of construction. This application also proposes to either escrow funds for or construct a connection from the proposed minor paved trail along Route 29 to the area of the sanitary sewer easement, as requested by the Fairfax County Park Planning Branch.
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.** Landscaping and screening shall be in accordance with the provisions of Article 13. However, undisturbed open space/tree preservation areas will be utilized in lieu of transitional screening as much as possible.

6. **Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.** Open space shall be provided in the areas shown on the SP plat. Approximately 50.07% of the site (excluding pre-existing major utility easements) will remain in undisturbed open space. Open space has been consolidated along the eastern, southern and western portions of the Property, thereby preserving natural topography, animal habitat and vegetation close to the abutting undisturbed Fairfax County Park Authority property. In addition, the Applicant proposes to dedicate approximately 2.5 acres of the site, which is located within the Resource Protection Area, to the Fairfax County Park Authority, along with a portion of the southwest corner of the site, as shown on the Special Permit Plan.
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.** There are more than sufficient parking spaces to accommodate the church/place of worship and private school uses. 155 spaces are required and 193 spaces are provided, which provides a ration of 1 seat to 2.6 parking spaces. A BMP stormwater management facility will be provided, as shown on the SP plat. This facility will be designed so as to reduce the amount of runoff into Cub Run to the east. Public water and other utilities are currently available to the site. Public sewer service will be made available to the site at the time that UOSA expands its current sanitary sewer trunk line, which runs through the Property.
8. **Signs shall be regulated by the provisions of Article 12.** A monument sign will be located approximately in the location shown on the SP plat. All signage on the site will meet Zoning Ordinance requirements.

(Section 8-303) SPECIFIC STANDARDS FOR ALL GROUP 3 USES

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.** The "Site Tabulation by Phase" on Sheet 3 of the SP plat shows compliance with these requirements. The maximum building height will be 45 feet rather than the 60 foot maximum allowed in the R-C District.
2. **All uses shall comply with the performance standards specified for the zoning district in which located.** All applicable performance standards will be met.
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.** The proposed development of the Property will require site plan approval.

(Section 9-309 & 310) ADDITIONAL STANDARDS FOR ALL CHURCHES/PLACES OF WORSHIP WITH A PRIVATE SCHOOL OF GENERAL EDUCATION

9-309

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

<u>Number of Persons</u>	<u>Street Type</u>
1-75	Local
76-660	Collector
660 or more	Arterial

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

All of the above requirements are met as shown on the Special Permit Plan. The 90 student private school is located along an arterial (primary highway) with direct access to a median break.

9-310

1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area for a private school of general education shall be of such size that:
 - A. 200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 that may use the space at any one time, and
 - B. 430 square feet of usable outdoor recreation area shall be provided for each child in grades 4-12 that may use the space at any one time.

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

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

- A. That area not covered by buildings or required off-street parking spaces.
- B. That area outside the limits of the required front yard.
- C. Only that area which is developable for active outdoor recreation purposes.

All of the above requirements are met as shown on the Special Permit Plan. Two potential outdoor recreation areas are shown on the plan. The area will be approximately 13,900 square feet and no more than thirty-two students will use the space at any one time.

WSPOD Additional Regulations

7-808 Use Limitations

In addition to the use limitations presented in the underlying zoning district(s), the following use limitations shall apply:

1. Any subdivision which is subject to the provisions of Chapter 101 of The Code or any use requiring the approval of a site plan in accordance with the provisions of Article 17 shall provide water quality control measures designed to reduce by one-half the projected phosphorus runoff pollution for the proposed use. Such water quality control measures or Best Management Practices (BMPs) shall be reviewed, modified, waived and/or approved by the Director in accordance with the Public Facilities Manual. In no instance shall the requirement for BMPs be modified or waived except where existing site characteristics make the provision impractical or unreasonable on-site and an alternative provision is not or cannot be accommodated off-site, and where it can be established that the modification or waiver will not affect the achievement of the water quality goals for the public water supply watershed as set forth in the adopted comprehensive plan. All of the above requirements are met as shown on the Special Permit Plan.

SUMMARY: This Application meets the R-C zoning district requirements, as well as the enumerated general and specific standards for approval of a Group 3 Special Permit. The church/place of worship with private school use is in conformance with the Comprehensive Plan, and provides essential services to the surrounding residential communities. This use is appropriately located along Lee Highway (Route 29) and is sized smaller in proportion to other nearby community-serving institutional uses, so as to reduce the impact to surrounding residential properties. The relatively small traffic impact arising from these uses are sufficiently mitigated by the design of the development and its location at a relocated median crossover for a major arterial roadway. This use is an appropriate use to transition between a higher density multi-family residential development and a lower density single family detached neighborhood.

ODIN, FELDMAN & PITTLEMAN, P.C.



Amber K. Scharn

July 13, 2009

VIA HAND DELIVERY

RECEIVED
Department of Planning & Zoning
JUL 13 2009
Zoning Evaluation Division

Ms. Deborah Hedrick
Staff Coordinator, DPZ
County of Fairfax, Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

**Re: SP 2009-SU-018
The New Vision Community Church, Inc. ("Applicant")
Response to Agency Comments**

Dear Ms. Hedrick:

I have included below, a detailed response from the Applicant's development team to each of the comments provided by Fairfax County staff agencies regarding the above referenced Special Permit Application.

Fairfax County Department of Transportation	
Staff Comment	Applicant Response
- The applicant should construct a third through lane on Route 29 or apply for a waiver of construction.	The Applicant's proposed development does not trigger the need for a third through lane.
- A service drive waiver is also required.	The Applicant will apply for a service drive waiver at the site plan stage and requests FX DOT's support for such a waiver.
- VDOT is questioning the spacing of the median break and also the length and details of the left turn lane and the result of their review is not yet available.	The Applicant is working with VDOT on this item.
-A sight distance profile should be provided.	The Applicant has provided a sight distance profile with the enclosed revised SP Plan.
- The Applicant has submitted a TIA for review as a 527 to VDOT, but the results of that review will not be available until mid June. DOT is also reviewing the TIA and the results of that review will not be available until mid June.	No response at this time. The Applicant will await VDOT's and FX DOT's substantive comments regarding the TIA.

<p>There are bike lanes on the [Comprehensive] Plan.</p>	<p>There is no recommendation in this comment, but the Applicant assumes that FX DOT would like a 5 foot wide bike lane to be constructed along the property's Route 29 frontage.</p> <p>There are currently no bike lanes existing along this portion of Route 29, and if the Applicant were to construct a bike lane, it would dead end into the bridge at Cub Run. The Applicant thinks that the 10 foot wide trail shown on the SP Plan serves the intended purpose of the bike lane. The Applicant will apply for a waiver of this requirement and requests FX DOT's support.</p>
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Virginia Department of Transportation

<p>- A VDOT memo dated May 21, 2009, which the Applicant received on May 28, 2009 indicated that the TIA was found not acceptable.</p>	<p>The Applicant prepared a formal comment response letter, which was submitted to VDOT on June 10, 2009. As of July 10, 2009, we have yet to receive a formal comment memo from VDOT.</p> <p>Additionally, the Applicant intends to submit an Exception Request form for the spacing of the proposed relocation of the existing median break on Route 29. VDOT has informed the Applicant that it would like to have a meeting on this item prior to the Applicant's submission of the Exception Request. The Applicant has been attempting to schedule this meeting since July 1, 2009, but has not heard back from VDOT.</p>
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Stormwater Engineer

<p>About 40% of the site has been proposed to be placed in a conservation area for BMP credit. The conservation area outside the floodplain will have to be within a dedicated conservation easement (PFM Table 6.3). The extent of the conservation easement is not shown on the plat. Credit for areas in utility easements greater than 25 feet in width, such as the VEPCO easement at the southwest corner of this property, require a modification to the PFM. An organized play area would not be permitted in a conservation area.</p>	<p>The conservation area will be placed in an easement at the site plan stage in full compliance with County regulations.</p>
<p>It is not clear where the 2 acres to be served by the BMP facility are located.</p>	<p>The 2 acres to be served by the BMP facility are located as shown on the revised SP Plan, Sheet 4, and is identified as Drainage Area (DA) 2.</p>
<p>Since the first phase is considered to be development by the CBPO, a 50% phosphorous removal rate will be required at each development</p>	<p>As discussed at a meeting with Staff on June 5, 2009, the 50% phosphorous removal will be met at each phase by a combination of conservation area</p>

phase (CBPO 118-3-2(f)(2)).	and BMP pond.
Impoundments with a height over 2 feet are subject to the dam standards in PFM 6-1600. Since the dam shown is about 2 ½ feet high, the emergency spillway crest needs to be set at or above the 10-year flood elevation (PFM 6-160.2B). The plat shows the spillway at the BMP elevation which is below the 2- and 10-year flood elevations. A restrictive planting easement should be shown on the embankment of the BMP pond (PFM 6-1606.2F).	A shown on the revised SP Plan, Sheet 4, the pond "embankment" has been revised to less than two feet.
A stormwater detention, or an approved detention waiver, will be required for site plan approval (PFM 6-0301.3). No detention facility is mentioned in the narrative, however, there seems to be a possible underground detention facility shown within the parking area. Level spreading techniques are mentioned in the narrative, but their locations are not shown on the plat.	The waiver and level spreading details will be provided at the site plan stage.
Construction of storm drains to convey runoff to Cub Run must either be extended to the bed and banks of the stream or show non-erosive velocities between the outlet and the bed and banks (PFM 6-0201.2). Ending the storm drains at the floodplain limits is not always acceptable. If the limits of disturbance extend to the stream, the adequate outfall analysis must also be extended to include 3 cross-section of Cub Run (PFM 6-0203.2D).	The final site plan will conform with the PFM requirements.
Forest Conservation Branch	
Preserve trees in the largest possible contiguous areas to permit the young trees to support and nurture each other and for the maximum functioning for water and air quality. This is especially important along the river to maintain a healthy and sustainable buffer, and in areas of the site that will retain a sloping grade.	The Applicant has met this suggestion.
Park Planning Branch	
The applicant should create the trail along Rt. 29. This would complete the trail along Rt. 29 up to Cub Run. As there is currently no safe pedestrian crossing of Cub Run along Rt. 29, the applicant should construct a stream valley trail along the eastern portion of their property to connect the Rt. 29 trail to the existing stream valley trail on Park Authority property to the south.	In a meeting with Staff on June 5, 2009, the Applicant and Park Planning Staff agreed that the Applicant would construct the trail along Route 29, as well as to construct a connection from this trail to the sanitary sewer easement along the eastern portion of its property. See the revised SP Plan.

<p>The applicant has also proposed an internal trail to connect the proposed uses to the potential plan areas near and within the easement corridor. This is an appropriate connection and should be extended to the existing trail within the corridor, pending approval from the easement owners.</p>	<p>The Applicant does not intend to connect its proposed internal trail to the existing trail within the corridor, since the Applicant does not desire to encourage public access to its property. It is the Applicant's understanding, based upon the referenced June 5, 2009 meeting with Staff, that the Park Planning Branch understands and accepts this response by the Applicant.</p>
<p>The approximately 1 acre portion of the application area within the Dominion Power/Columbia Gas easement area. The easement area to the north and south are completely owned by the Park authority. Dedication of this area would allow for flexibility in future realignments of the existing trail. The proposed 'Possible Organized Play Area' use within this area would be consistent with park use. While the application does not show any specific recreation improvements within this area, the Park Authority would work with the applicant to coordinate possible improvements within this area.</p>	<p>The Applicant proposes to dedicate the area from the southwest corner of the property up to the gas line easement boundary, as shown on the revised SP Plan, Sheet 6. "Park Dedication Exhibit." The Applicant requests approval that density credit be given for this area in accordance with Fairfax County Code, Section 2-308(4).</p>
<p>The approximately 2.5 acre portion of the application area within the Resource Protection Area. Dedication of this area for inclusion into the Cub Run stream Valley Park is consistent with the Comprehensive Plan Policy Plan and Area Plan recommendations for this sector. The BR5-Stone Bridge Community Planning Sector Park and Recreation Recommendations include; <i>"Protect remainder of Cub Run Stream Valley through land dedication or donation of open space easements to FCPA in accordance with Stream Valley Policy."</i></p>	<p>The Applicant proposes to dedicate this entire approximate 2.5 acre portion of the application area within the Resource Protection Area, as shown on the revised SP Plan, Sheet 6. "Park Dedication Exhibit." The Applicant requests approval that density credit be given for this area in accordance with Fairfax County Code, Section 2-308(4).</p>
<p>The application identifies a goal of no concentrated outfalls into Cub run, with all outfalls to occur through sheet flow discharges. The application notes that this goal may not be attainable, and concentrated outfalls may be necessary. As a downstream property owner, the Park Authority is concerned with the location and velocity of potential outfalls into Cub Run. In addition, the downstream fair weather trail crossing is highly sensitive to increased flows within Cub Run. Increases in storm water runoff may increase durations where the stream crossing improvement will not be usable for pedestrian crossings. Outfall locations should be coordinated with the Park Authority to ensure that degradation to the crossing</p>	<p>At the referenced June 5, 2009 meeting with Staff, the Applicant, Park Planning Staff and the Fairfax County Stormwater Engineer agreed that the Applicant's proposed outfalls will have a nominal effect on the Park Authority's property, including the fair weather crossing.</p>

does not occur.	
Land Use/Environment	
Retaining 50% undisturbed open space remains a concern, particularly in consideration of potential additional r.o.w. dedication, sizing for SWM/BMP facilities, limits of clearing and grading (looks tight given the existing grades on portions of the site, outfall for the BMP was not shown on the plans also reducing undisturbed open space.	At the referenced June 5, 2009 meeting, Land Use/Environment Staff discussed the Applicant's undisturbed open space calculations in detail and Staff indicated they were comfortable with the Applicant's calculations. See the revised SP Plan for more detail.
Adequacy of on-site parking given the proposed ultimate build-out for the proposed church (this also impacts the 50% undisturbed area).	The Applicant has increased the number of parking spaces from the previously proposed 175 spaces to a new proposed 193 spaces, which provides Staff's requested ration of 1 seat per 2.6 spaces.
The proposed active open space/play area may not be available and is subject to approval by the utility operators.	The proposed organized play area shown in the southwest corner within the utility easement area is not necessary to meet the outdoor recreation requirements for the proposed private school of general education. The Applicant proposes a limitation of no more than 32 in the 13,900 square feet of proposed outdoor recreation area shown on the revised SP Plan.
Complying with VDOT design standards.	See response to VDOT comments above.

I enclose a revised statement of justification, which reflects the changes to the revised Special Permit Plan. I enclose 15 full size copies and one 8 1/2 x 11 reduction of the revised Special Permit Plan. I look forward to receiving revised County agency comment memorandums based upon the Applicant's responses, and the revised Special Permit Plan and statement of justification

Sincerely,

Odin, Feldman & Pittleman, P.C.



Amber K. Scharn

Enclosures

cc: Abraham Kim
Gerry Hish
Bill Robson
Robin Antonucci



County of Fairfax, Virginia

MEMORANDUM

DATE: August 24, 2009

RECEIVED
DEPARTMENT OF PLANNING
AND ZONING

AUG 28 2009

SPECIAL PERMIT &
VARIANCE BRANCH

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Land Use Analysis & Environmental Assessment: SP 2009-SU-018
New Vision Community Church

The memorandum, prepared by John Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the special permit amendment plat dated January 30, 2009 revised through July 12, 2009. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, New Vision Community Church, is requesting special permit approval to permit the development of a church and related facilities. The subject property contains approximately 10 acres. The property is currently developed with a single-family dwelling. The applicant is proposing a three-phased development of the property. The first phase will consist of renovations to the existing building and the addition of four modular trailer buildings, which will be used for ministry activities, prayer groups and church offices. The second phase will consist of the demolition of the existing residential structure, construction of additional parking and the construction of the multipurpose building, which will seat no more than 300 worshippers. This building will include a fellowship hall, church office, private school of general education and rectory. Phase 3 of the proposed development will include the construction of an addition to the Phase 2 building, which will bring the total number of maximum seating to 500 worshippers. The school is proposed for up to 90 students. The school's proposed hours of operation are 7:00 a.m. to 4:30 p.m. Monday through Friday. A total of 12 employees and/or volunteers will be on site at any given time at full build out. Sunday worship services are to be held at 9:00 a.m., 10:30 a.m. and 1:30 p.m. Undisturbed open space is noted as 50% for the entire site area. The applicant is proposing 193 parking spaces at a ratio of 2.6 per seat in the sanctuary at the completion of Phase 3. Two potential outdoor recreation areas are shown for the school. At build-out, there will be 35,885 gross square of development at a floor area ratio (FAR) at 0.0824.

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-324-3056
www.fairfaxcounty.gov/dpz/



The applicant is requesting a waiver of all barriers due to the proposed church location, which will be a minimum of three hundred feet from adjoining residential lots. A modification of transitional screening based on the retention of the extensive wooded areas around the site. The applicant is also seeking a waiver of stormwater management for the proposed development based on stormwater computations and the proposed undisturbed open space noted on the plans.

LOCATION AND CHARACTER OF THE AREA

The property is located on the south side of Lee Highway (Route 29), approximately one mile west of I-66. Properties located immediately north, south and west of the subject property are zoned R-C and developed with single-family dwellings. The property to the northeast is zoned R-8 and is developed with townhomes. The property to the east is zoned PDH-8 and is developed with multi-family housing.

COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, 2007 Edition, Area III, Bull Run Planning District as amended through January 26, 2009, BR5 Stone Bridge Community Planning Sector, page 72:

- “1. The land on the southwest perimeter of the County, adjacent to Loudoun County and Prince William County, lying generally along Bull Run and the public parkland associated with Bull Run has remained for the most part open and undeveloped and has a rural character. It is planned for residential development at .1-.2 dwelling unit per acre and public parkland. This is in conformance with the findings of the Occoquan Basin Study. The present very low density development which characterizes this area should remain intact to protect its natural wildlife and water quality.

2. Non-residential uses requiring special exception or special permit approval should be rigorously reviewed. In general, these uses should be located at the boundary of Low Density Residential Areas and Suburban Neighborhoods or where their impact on existing residences is minimal. These uses should be granted only if the following conditions are met:
 - Access for the use is oriented to an arterial;
 - The use is of a size and scale that will not adversely impact the character of the area in which it is located; and
 - The use is designed to mitigate impacts on the water quality of the Occoquan Reservoir.”

Environment

Fairfax County Comprehensive Plan, 2003 Edition, Area III, Overview, as amended through January 26, 2009, page 16:

“Protection of the Occoquan Basin and the Public Water Supply

The Occoquan Reservoir is an 8.5 billion gallon impoundment that forms the southern boundary of Fairfax County It is owned by the Fairfax County Water Authority and is a principal source of the drinking water supply for 1.2 million Northern Virginians. In 1982, in recognition of the impacts of nonpoint source pollution on the Occoquan Reservoir, the Board of Supervisors implemented the recommendations of the Occoquan Basin Study in order to protect the public water supply. A water quality goal of no further increase in nonpoint source pollution from the Fairfax County portion of the Occoquan Watershed was adopted. To meet this goal and to ensure compatible infill development in the watershed area, 40,000 acres of land south and southwest of Fairfax City and west of Cub Run were planned and zoned to allow residential densities not to exceed an average of one dwelling unit per five acres. . . .”

Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through February 25, 2008, page 7 through 16:

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

- Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .
- Policy j. Regulate land use activities to protect surface and groundwater resources.
- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques.
- Policy l. In order to augment the EQC system, encourage protection of stream channels and associated vegetated riparian buffer areas along stream channels upstream of Resource Protection Areas (as designated pursuant to the Chesapeake Bay Preservation Ordinance) and Environmental Quality Corridors. To the extent feasible in consideration of overall site design, stormwater management needs and opportunities, and other Comprehensive Plan guidance, establish boundaries of these buffer areas consistent with the guidelines for designation of the stream valley component of the EQC system as set forth in Objective 9 of this section of the *Policy Plan*. Where applicable, pursue commitments to restoration of degraded stream channels and riparian buffer areas.

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

Programs to improve water quality in the Potomac River/Estuary, and Chesapeake Bay will continue to have significant impacts on planning and development in Fairfax County. There is abundant evidence that water quality and the marine environment in the Bay are deteriorating, and that this deterioration is the result of land use activities throughout the watershed. In order to protect the Chesapeake Bay and other waters of Virginia from degradation resulting from runoff pollution, the Commonwealth has enacted regulations requiring localities within Tidewater Virginia (including Fairfax County) to designate "Chesapeake Bay Preservation Areas". Within which land uses are either restricted or water quality measures must be provided. Fairfax County has adopted a Chesapeake Bay Preservation Ordinance pursuant to these regulations.

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

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

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

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

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

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

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

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

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

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

In addition, some intrusions that serve a public purpose such as unavoidable public infrastructure easements and rights of way are appropriate. Such intrusions should be minimized and occur perpendicular to the corridor's alignment, if practical.

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

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

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

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

COMPREHENSIVE PLAN MAP: Residential use at .1 to .2 dwelling unit per acre (10 to 5-acre lots) and public park

LAND USE ANALYSIS

The applicant is proposing to develop a new church, school of general education and related facilities on the subject property within an area predominantly planned for very low residential use (10 to 5 acre lots) and zoned Residential Conservation (R-C) District. The proposed development build-out at 35,885 gross square of development at a floor area ratio (FAR) of 0.0824 is slightly below the maximum permitted FAR of .10 in the R-C District. The proposed use at this location appears to have little direct impacts on surrounding properties. The proposed phased development of the property is generally sensitive to concepts for good site design and appears to provide adequate on-site parking for the proposed uses.

Compatibility

The intensity of the proposed use is not anticipated to result in significant impacts on adjacent residential parcels. Noise and visual impacts of the proposed parking lot and building mass appear to be adequately mitigated through internal siting of the development and limiting building height to 2 stories or 45 feet. In addition, provisions for screening, buffers, and barriers meet or exceed what is typically required for institutional uses in the R-C District. No lighting is proposed for the parking area and all other lighting will meet current Zoning Ordinance standards.

Open Space

The applicant has identified the amount of undisturbed open space on the special permit plat as 50% undisturbed open space at the completion of the proposed development. In an effort to address the purpose and intent of the R-C District and water quality goals associated with development within the Occoquan Reservoir and in keeping with the existing and planned very low density residential character of the area, staff has consistently recommended that at least 50% of a site be retained in undisturbed open space when considering Special Permit and Special Exception uses.

The one remaining concern is that should some element of the proposed development be changed during final site plan design it could result in a reduction in the undisturbed open space to less than the 50% which is currently proposed. Any modification to the right-of-way dedication, turning lanes, trails, stormwater management facilities, and limits of clearing and grading could result in a reduction of the undisturbed open space. If the 50% undisturbed open space is achieved, staff would conclude that the proposed development is in harmony with the land use recommendations of the Comprehensive Plan.

ENVIRONMENTAL ANALYSIS

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

Water Quality/Occoquan Watershed

The subject property is located within the Cub Run Creek Watershed and the Water Supply Protection Overlay District.

In 1982, the Board of Supervisors rezoned roughly 40,000 acres of land within the Occoquan Watershed including the subject property to the R-C (Residential Conservation) District. This district allows no more than one dwelling unit per five acres of land. The rezoning action was taken, pursuant to the recommendations of the Occoquan Basin Study, in recognition of the potential impacts of nonpoint source pollution on the Occoquan Reservoir and the relationship between land use and nonpoint source pollution. The intent of the rezoning was to establish a low land use density as the primary water quality protection mechanism within a large portion of the watershed. In other portions of the watershed, structural water quality protection techniques (best management practices, or BMPs) would be needed in order to meet water quality objectives.

The Occoquan rezonings survived a legal challenge in Circuit Court in 1985. In upholding the actions of the Board the judge concluded: "The Defendant's evidence . . . shows that large lot

zoning is considered to be a method of controlling non-point pollution along with the use of structural methods. The Board's position, and one borne out by the evidence, is that there were two paths which could have been followed, and the Board chose the alternative of large lot zoning in conjunction with structural BMP's on more densely developed areas. When confronted with more than one reasonable alternative, the legislature may choose among them."

Despite the fact that the above-mentioned rezoning established lesser intense land use and lower density in the Occoquan Watershed, the Zoning Ordinance does provide for special permit and special exception uses that involve more land coverage than would a residential community of five acre lots. With respect to the subject property, the Comprehensive Plan recommends that such uses "be rigorously reviewed" and states that these uses should be approved only if certain conditions are met. Included as a condition is: "the use is designed to mitigate impacts on the water quality of the Occoquan Reservoir." Because the aforementioned rezoning was pursued to protect water quality through low density/intensity development, it would be appropriate for special permit and special exception uses proposed in the R-C District to be able to achieve water quality goals through the preservation of undisturbed open space as opposed to structural techniques. This generally can be accomplished through the preservation of at least 50% of the area of the subject property as perpetually undisturbed open space.

The applicant seeks to develop the subject property with a place of worship and related facilities. While the current special permit plat depicts the ultimate development of the proposed uses with the recommended 50% undisturbed open space, the slightest modification to any of several elements of the proposed development could result in less than 50% undisturbed open space on this site.

Staff has consistently recommended that at least 50% of a site be retained in undisturbed open space when considering special exception and special permit uses in the R-C District. While staff feels that the applicant has made a substantial effort to achieve this goal there are still some reservations regarding the ability of the applicant to clearly provide 50% undisturbed open space at the development build-out. In order to ensure a greater level of certainty that the applicant will ultimately meet this, staff recommends a development condition which will require, if necessary, the applicant to either submit a special permit amendment request or modify the site design in a manner which will achieve 50% undisturbed open space at the development build-out.

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

There is a portion of the Cub Run stream channel which crosses the eastern boundary of the subject property. This area is clearly delineated as RPA on the special permit plat by the applicant. This area is also EQC as defined by the Policy Plan. This portion of the subject property is shown on the Comprehensive Plan map as public park. The Fairfax County Park Authority has asked that this area be dedicated as an element of the Cub Run Stream Valley

Park. The only proposed encroachments into this area are a trail connection and sanitary sewer connection. This area will be dedicated to the Fairfax County Park Authority as requested.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan depicts a minor paved trail with parallel natural surface or stone dust along the entire frontage of Lee Highway (Route 29) of the subject property. The applicant is proposing a 10-foot wide trail along Lee Highway within the right-of-way in accordance with VDOT standards. The Countywide Trails Plan also depicts a major paved trail/stream valley trail along Cub Run. This trail has been constructed on the adjacent Park Authority property. Finally, the Countywide Trails Plan depicts a natural surface or stone dust trail within the Dominion Power/Columbia Gas easement area. This trail has been constructed by the Park Authority.

PGN: JRB



County of Fairfax, Virginia

MEMORANDUM

May 22, 2009

TO: Debbie Hedrick, Staff Coordinator
Department of Planning and Zoning

FROM: Phyllis Wilson, Urban Forester III
Forest Conservation Branch, DPWES

SUBJECT: New Vision Community Church, SP 2009-SU-018
Swart Farm

The subject site is forested by a wide variety of native tree species, ranging from lowland forest to highland forest species. Prominent species within the areas marked as "B" on the existing vegetation plan include ash, red oak, elm, Virginia pine and redbud. The understory shows signs of active deer browse and there are predominately non-native invasive weeds and other vegetation on the forest floor. There are also major signs of previous heavy storm damage in the forested areas, leaving some gaps in the canopy.

No outstanding specimen trees were noted on the site. All the forested areas are in approximately the same stage of maturity, the young successional stage with contiguous canopy recently developed in most of the forested areas. The forest trees appear to be in moderate to good health generally.

Recommendation: Preserve trees in the largest possible contiguous areas to permit the young trees to support and nurture each other and for the maximum functioning for water and air quality. This is especially important along the river to maintain a healthy and sustainable buffer, and in areas of the site that will retain a sloping grade.

PAW/
UFMID #: 145267

cc: RA File
DPZ File

RECEIVED
DEPARTMENT OF PLANNING
AND ZONING

MAY 26 2009

SPECIAL PERMIT &
VARIANCE BRANCH

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





FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

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

FROM: Sandy Stallman, Manager
Park Planning Branch

DATE: May 22, 2009

SUBJECT: SP 2009-SU-018, New Vision Community Church
Tax Map Number(s): 64-2 ((3)) 28

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BACKGROUND

The Park Authority staff has reviewed the proposed Development Plan dated April 24, 2009, for the above referenced application. The Development Plan shows the development of a place of worship and 90 student private school.

ANALYSIS AND RECOMMENDATIONS

Trail Connectivity

The Comprehensive Trails Plan identifies three trails within the application property.

1. A planned Natural Surface or Stone Dust Trail is identified within the Dominion Power/Columbia Gas easement area.
This trail has been constructed on the adjacent Park Authority property as a 6' asphalt trail. See attached map for location of parkland and existing trails.
2. A Major Paved Trail/Stream Valley Trail is identified along Cub Run.
This trail has been constructed on the adjacent Park Authority property as a concrete and asphalt trail with fair weather crossing just downstream from the application property.
3. A Minor Paved Trail with parallel Natural Surface or Stone Dust Trail along Rt. 29.
The application has proposed a 10' trail along Rt. 29, unless it is determined that construction of said trail would be unsafe. There is no proposal to create a pedestrian crossing of Cub Run along Rt. 29

The applicant should create the trail along Rt. 29. This would complete the trail along Rt. 29 up to Cub Run. As there is currently no safe pedestrian crossing of Cub Run along Rt. 29, the applicant should construct a stream valley trail along the eastern portion of their property to

connect the Rt. 29 trail to the existing stream valley trail on Park Authority property to the south. This would allow for pedestrians to access the fair-weather crossing to safely cross Cub Run. This trail connection would also address the Stream Valley Trail requirement within the application property.

The applicant has also proposed an internal trail to connect the proposed uses to the potential plan areas near and within the easement corridor. This is an appropriate connection and should be extended to the existing trail within the corridor, pending approval from the easement owners.

Land Dedication

The application area contains two requested areas of dedication.

1. The approximately 1 acre portion of the application area within the Dominion Power/Columbia Gas easement area. The easement area to the north and south are completely owned by the Park Authority. Dedication of this area would allow for flexibility in future realignments of the existing trail. The proposed 'Possible Organized Play Area' use within this area would be consistent with park use. While the application does not show any specific recreation improvements within this area, the Park Authority would work with the applicant to coordinate possible improvements within this area.
2. The approximately 2.5 acre portion of the application area within the Resource Protection Area. Dedication of this area for inclusion into the Cub Run Stream Valley Park is consistent with the Comprehensive Plan Policy Plan and Area Plan recommendations for this sector. The BR5-Stone Bridge Community Planning Sector Park and Recreation Recommendations include; "*Protect remainder of Cub Run Stream Valley through land dedication or donation of open space easements to FCPA in accordance with Stream Valley Policy.*"

Stormwater Management

The application identifies a goal of no concentrated outfalls into Cub Run, with all outfalls to occur through sheet flow discharges. The application notes that this goal may not be attainable, and concentrated outfalls may be necessary. As a downstream property owner, the Park Authority is concerned with the location and velocity of potential outfalls into Cub Run. In addition, the downstream fair weather trail crossing is highly sensitive to increased flows within Cub Run. Increases in storm water runoff may increase durations where the stream crossing improvement will not be usable for pedestrian crossings. Outfall locations should be coordinated with the Park Authority to ensure that degradation to the crossing does not occur.

FCPA Reviewer: Scott Sizer
DPZ Coordinator: Debbie Hedrick

Copy: Jenny Pate, Trails Planner
Mike Lambert, Land Acquisition
Chron Binder
File Copy

SP 2009-SU-018; New Vision Community Church

FCPA Parks 1993 RPAs PARCELS FCPA Trails





County of Fairfax, Virginia

MEMORANDUM

DATE: July 27, 2009

TO: Debbie Hedrick, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Permit Application #SP 2009-SU-018, New Vision Community Church, Special Permit Plat dated July 6, 2009, LDS Project #9634-ZONA-002-3, Tax Map #64-2-03-0028, Sully District

REC'D
DEPARTMENT OF PLANNING
AND ZONING

JUL 27 2009

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We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site.

About 40% of the site has been proposed to be placed in a conservation area for BMP credit. The conservation area outside the floodplain will have to be placed within a dedicated conservation easement to be used as portion of the water quality controls (PFM Table 6.3). Please note that areas denoted as "water quality management" areas cannot be used in the BMP calculations.

Since the first phase is considered to be development by the CBPO, a 50% phosphorous removal rate will be required at each development phase (CBPO 118-3-2(f)(2)).

Floodplain

There is regulated floodplain on the property. A trail in the floodplain is considered a allowed use; a floodplain determination will be required before it can be constructed (ZO 2-903).

Downstream Drainage Complaints

There are no relevant downstream drainage complaints on file.

Stormwater Detention

A stormwater detention, or an approved detention waiver, will be required for site plan approval (PFM 6-0301.3). The applicant intends to pursue a detention waiver; a waiver is

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Land Development Services, Environmental and Site Review Division
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likely to be approved as long as adequate outfall can be demonstrated. Instead of detention, level-spreading techniques to reduce the erosiveness of the increased runoff are mentioned in the narrative; their locations are not shown on the plat. These devices cannot be located within the conservation easement.

A detention facility would not necessarily require disturbance to wooded areas on the site. Adequate grade exists for an underground detention facility below the parking area as shown on sheet 1.

Site Outfall

An adequate outfall statement has been provided.

During site plan review, either a) non-erosive velocities to the bed and banks must be demonstrated or b) show any storm drains proposed to convey runoff to Cub Run extending to the bed and banks of the stream (PFM 6- 0201.2). Ending a storm drain at the floodplain limit is not always acceptable. If the limits of disturbance extend to the stream, the adequate outfall analysis must also be extended to include 3 cross-section of Cub Run (PFM 6-0203.2D).

Please contact me at 703-324-1720 if you have any questions or require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Zoning Application File



County of Fairfax, Virginia

MEMORANDUM

DATE: May 6, 2009

TO: Debbie Hedrick, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Permit Application #SP 2009-SU-018, New Vision Community Church, Special Permit Plat dated April 17, 2009, LDS Project #9634-ZONA-002-2, Tax Map #64-2-03-0028, Sully District

We have reviewed the subject application and offer the following comments:

Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site.

About 40% of the site has been proposed to be placed in a conservation area for BMP credit. The conservation area outside the floodplain will have to be within a dedicated conservation easement (PFM Table 6.3). The extent of the conservation easement is not shown on the plat. Credit for areas in utility easements greater than 25 feet in width, such as the VEPCO easement at the southwest corner of this property, require a modification to the PFM. An organized play area would not be permitted in a conservation area.

Since drainage areas are not shown on the plat, it is not clear where the 2 acres to be served by the BMP facility are located.

Since the first phase is considered to be development by the CBPO, a 50% phosphorous removal rate will be required at each development phase (CBPO 118-3-2(f)(2)).

Impoundments with a height over 2 feet are subject to the dam standards in PFM 6-1600. Since the dam shown is about 2½ feet high, the emergency spillway crest needs to be set at or above the 10-year flood elevation (PFM 6-1603.2B). The plat shows the spillway at the BMP elevation which is below the 2- and 10-year flood elevations. A restrictive planting easement should be shown on the embankment of the BMP pond (PFM 6-1606.2F).

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Floodplain

There are regulated floodplains on the property.

Downstream Drainage Complaints

There are no relevant downstream drainage complaints on file.

Stormwater Detention

A stormwater detention, or an approved detention waiver, will be required for site plan approval (PFM 6-0301.3). No detention facility is mentioned in the narrative, however, there seems to be a possible underground detention facility shown within the parking area. Level spreading techniques are mentioned in the narrative, but their locations are not shown on the plat.

Site Outfall

An adequate outfall statement has been provided.

Construction of storm drains to convey runoff to Cub Run must either be extended to the bed and banks of the stream or show non-erosive velocities between the outlet and the bed and banks (PFM 6-0201.2). Ending the storm drains at the floodplain limits is not always acceptable. If the limits of disturbance extend to the stream, the adequate outfall analysis must also be extended to include 3 cross-section of Cub Run (PFM 6-0203.2D).

Please contact me at 703-324-1720 if you have any questions or require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Zoning Application File



COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

August 21, 2009

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

Re: New Vision Community Church
SP 2009-SU-018
Tax Map No.: 64-2((3)) 28

Dear Ms. Coyle:

We have reviewed the referenced plan as requested and offer the following comments:

1. The proposed improvements on Route 29 should match the Route 29 Feasibility Study (Fairfax County, May, 1992).
2. Regardless of phasing, a third through lane eastbound along Route 29 should be provided across the site's frontage.
3. The waiver/exception requests should be approved before the final approval of the special permit.
4. The applicant should address the 527 TIA recommendations.
5. The proposed entrance channelization island should be designed according to the Road Design Manual.
6. The applicant should show shoulders or curb & gutter along the proposed and/or future edge of pavement. The proposed 10 ft trail should be a minimum of 5.5 ft from the face of curb or 5 ft from the edge of shoulder.

If you have any questions, please call me at (703) 383-2059.

Sincerely,

Peter K. Gerner, P.E.
Transportation Engineer

cc: Ms. Angela Rodeheaver

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COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

July 17, 2009

DEPARTMENT OF TRANSPORTATION

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

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

Re: New Vision Community Church
SP 2009-SU-018
Tax Map No.: 64-2((3)) 28

RECEIVED
DEPARTMENT OF PLANNING
AND ZONING

JUL 21 2009

SPECIAL PERMIT &
VARIANCE BRANCH

Dear Ms. Coyle:

We have reviewed the referenced plan as requested and offer the following comments:

1. The proposed improvements on Route 29 should match the Route 29 Feasibility Study (Fairfax County, May, 1992).
2. According to the Fairfax County Comprehensive plan, a third through lane eastbound along Route 29 should be provided across the site's frontage.
3. The applicant should submit the following design exceptions/waivers:
 - Access Management Design Exception for the proposed substandard crossover spacing.
 - Design Waiver for the proposed substandard right turn deceleration lane.
 - Design Waiver for the proposed substandard left turn deceleration lane.
4. The applicant should address the 527 TIA recommendations.
5. The proposed entrance channelization island should be designed according to the Road Design Manual.
6. The applicant should show shoulders or curb & gutter along the proposed edge of pavement.

If you have any questions, please call me at (703) 383-2059.

Sincerely,

Peter K. Gerner, P.E.
Transportation Engineer

cc: Ms. Angela Rodeheaver

VirginiaDot.org
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MAY 28 2009

Zoning Evaluation Division

COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

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

May 21, 2009

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

Re: New Vision Community Church
Evaluation Report of Traffic Impact Analysis
SP 2009-SU-018

Summary of the Key Findings

The proposed site is located south of Lee Highway (Route 29), west of Rydell Road (Route 6885), and east of White Post Road (Route 7510) in Fairfax County. The study area is generally bounded by Pleasant Valley Road (Route 609) on the west and Stone Road on the east (Route 662). The Applicant seeks approval of a Special Permit application to permit the development and use of a church with a private school. The property would be developed in three phases. The church would have a maximum capacity of 500 seats and the private school would have a maximum enrollment of 90 students. Access to the subject site is proposed via one full-movement entrance on Route 29. The subject site entrance would be located at an existing median break on Route 29. The New Vision Community Church development would generate approximately 110 new AM peak hour vehicle trips, 119 new PM peak hour vehicle trips, and 318 new Sunday peak hour trips.

Accuracy of the Traffic Impact Analysis

The methodologies and assumptions used in the traffic impact analysis are based upon the results of a scope of work meeting held by VDOT and the locality. The following are the comments for the traffic impact analysis.

1. The study needs to describe the general terrain features according to the "Organization of a Traffic Impact Analysis Report" in Traffic Impact Analysis Regulations Administrative Guidelines.
2. Lane geometry shown in Figure 2-1 for the intersection of Stone Road and Lee Highway is incorrect as south bound and east bound approaches have dual lefts.
3. Appendix "H" does not include the approved plat (dated March 1, 2000) mentioned in the text on Page 22.

4. Figure 4-4 needs correction to show that the east bound traffic volumes at Pleasant Valley Road with Lee Highway are left and through and not through and right.
5. Figure 7-1 is a duplicate of Figure 2-1 and does not show proposed site improvements.
6. Correct the east bound through traffic volume at Lee Highway with Pleasant Valley Road from 1095 to 1106 vehicles.
7. Minor street (high volume approach) volumes used for Peak Hour Warrant analysis of site driveway in Appendix "K" do not match with the total traffic forecasts (2015) in Figure 7-3. For example, the input table in Appendix "K" shows 34, 78 and 134 vehicles for AM, PM and Sunday peak periods while the total approach volumes estimated from Figure 7-3 are 38, 89, and 153 vehicles for the same periods.

Comments on the Recommended Improvements

Peak Hour Signal Warrant Assessment on Page 45 indicates that a signal is not warranted during AM, PM or Sunday. However, we recommend the signal warrant assessment be re-examined based on the traffic volumes in Figure 7-3 and also revise the conclusions accordingly.

Additional VDOT Recommendations/Comments

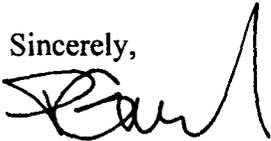
No additional recommendations or comments are suggested at this time.

Conclusions

In general, the TIA is found not acceptable. The study should be revised based on the comments provided in this report and should be resubmitted for review.

If you have any questions, please call me at (703) 383-2059.

Sincerely,



Peter K. Gerner, P.E.
Transportation Engineer

cc: Ms. Angela Rodeheaver



County of Fairfax, Virginia

MEMORANDUM

DATE: August 27, 2009

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

FROM: Angela Kadar Rodeheaver *AKR by CAA*
Site Analysis Section
Department of Transportation

FILE: 3-6 (SP 2009-SU-018)

SUBJECT: Transportation Impact, Addendum

REFERENCE: SP 2009-SU-018; New Vision Community Church
Traffic Zone: 1664
Land Identification May: 64-2 ((3)) 28

Transmitted herewith are further comments from the Department of Transportation with respect to the referenced application. These comments are based on the plats made available to this office dated January 30, 2009, and revised through August 7, 2009. The applicant proposes to construct a church with a private school of education in three phases on ten acres of land adjacent to Route 29, Lee Highway. The church would ultimately have 500 seats with three services on Sunday. The private school of education would be open from 7:00 a.m. to 4:30 p.m. with a maximum of 90 students. Comments are:

- The applicant should construct the third through lane on Route 29 or apply for a waiver of construction. *The applicant has agreed to construct the third lane partially across the site frontage at Phase II or III, to be determined; however the location shown for the third lane is not correct.*
- A service drive waiver is also needed. *The applicant will apply for this waiver at site plan.*
- VDOT is questioning the spacing of the median break and also the length and details of the left turn lane and the result of their review is not yet available. *The applicant submitted request forms on August 14 to VDOT for the median exception and turn lane waivers. This process could take up to six months. **This application should not go forward until (unless) these are granted.** If VDOT does not approve the requested exception and waivers, this department will not support the application with a right-in/right-out only.*



- A sight distance profile should be provided. *This is included with the plat dated August 7, 2009. VDOT has commented that the distance needs to be 710 feet.*
- The applicant submitted a traffic impact study (TIA) for review as a 527 to VDOT. That TIA was found unacceptable by VDOT on May 21, 2009. The applicant submitted a revised TIA on August 4, 2009. The VDOT response is due by September 18, 2009.
- There are bike lanes on the Plan. *The applicant is requesting that bike lanes be waived in view of the 10-foot trail provided. However, the proposed trail does not go to the bridge over Cub Run but curves into the site to be connected to the park's stream valley trail by others and the trail does not meet current VDOT standards for distance from future face of curb. Alternative connections to the bridge shoulder should be examined in order to provide non-motorized continuity. Also, the trail crossing at the site entrance needs to align better with the existing asphalt path to the west side.*
- The channelization at the entrance within ROW may not be acceptable to VDOT.
- All proposed improvements should be based on maintaining the existing inside edge of EB RT 29 travel lanes and widening to the south.
- The placement of existing dimensions is confusing and the centerline used is not that of the existing road but that of the existing ROW (See bullet above). The proposed road improvements should be depicted more clearly.

AKR/LAH/lah



County of Fairfax, Virginia

MEMORANDUM

DATE: August 26, 2009

TO: Lou Ann Hutchins
Site Analysis Section
Transportation Planning Division

FROM: Charlie Strunk
Bicycle Program Coordinator
Capital Projects and Operations Division

SUBJECT: New Vision Community Church
Special Permit Plat

RECEIVED
DEPARTMENT OF PLANNING
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Per your request, I have reviewed the referenced plat relative to bicycle issues and offer the following comments:

The adopted Trails Plan does show on-road bike lanes on this segment of US Route 29. The applicant has failed to demonstrate how this facility will be accommodated as part of their site improvements. There are several ways to accommodate the on-road facility, depending on the roadway typical section. A closed section (or curb and gutter section) will require an additional five feet in width increasing the face of curb to face of curb width from 39' (shown) to 44' in order to provide for a bike lane. An open section (or shoulder section) can accommodate bicycles on the shoulder. This would increase the width of the typical section to 47'. Either scenario does not include additional right of way for the right turn lane or shared use path.

The shared use path crossing at the church's entrance needs to better align with the existing asphalt path to on the west side.

The shared use path departs from US Route 29 and curves into the stream valley. I recognize the constraints (approach grades and clear width on structure) of continuing this trail along the roadway but alternative connections to the bridge shoulder should be examined in order to provide non-motorized continuity.

While the dedication of 90' from centerline appears adequate, the centerline measurement on the west end of the property is in error. It appears that the centerline, as shown, is measured from the westbound inside through lane. This needs to be corrected. (I highlighted an adjusted ROW line in red on the attached plat.)

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www.fairfaxcounty.gov/fcdot



Here are a couple of additional (non-bike) issues that should be addressed:

The edge of pavement line east of the entrance appears to lead into the bridge parapet. This does not correspond to aerial photographs. There is a full shoulder carried across this structure.

The median nose (reference the westbound left turn lane into the site) appears to extend too far into the intersection. The location of this nose should be verified based on turning radii or autoturn templates.

The channelization at the sites entrance (the two small islands) should be eliminated.

The construction of the eastbound left turn lane will require modification of the existing guardrail for the bridge approach.

6/16/09



County of Fairfax, Virginia

MEMORANDUM

DATE: May 6, 2009

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

FROM: Angela Kadar Rodeheaver
Site Analysis Section
Department of Transportation

FILE: 3-6 (SP 2009-SU-018)

SUBJECT: Transportation Impact

REFERENCE: SP 2009-SU-018; New Vision Community Church
Traffic Zone: 1664
Land Identification May: 64-2 ((3)) 28

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plats made available to this office dated January 30, 2009, and revised through April 24, 2009. The applicant proposes to construct a church with a private school of education in three phases on ten acres of land adjacent to Route 29, Lee Highway. The church would ultimately have 500 seats with three services on Sunday. The private school of education would be open from 7:00 a.m. to 4:30 p.m. with a maximum of 90 students. Preliminary transportation comments are:

- The applicant should construct the third through lane on Route 29 or apply for a waiver of construction.
- A service drive waiver is also needed.
- VDOT is questioning the spacing of the median break and also the length and details of the left turn lane and the result of their review is not yet available.
- A sight distance profile should be provided.
- The applicant has submitted a traffic impact study (TIA) for review as a 527 to VDOT, but the results of that review will not be available until mid June. DOT is also reviewing the TIA and the results of that review will not be available until mid June.
- There are bike lanes on the Plan.

AKR/LAH/lah

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Dit

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.

8-308 Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship with a Child Care Center, Nursery School or Private School

Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education may be approved as a special permit use in accordance with the provisions of this Part or as a special exception use in accordance with the provisions of Part 3 of Article 9. The choice of whether to file an application for a special permit or special exception shall be at the applicant's discretion. In either event, such use shall be subject to the additional standards set forth in Sections 9-309 and 9-310.