APPLICATION ACCEPTED: May 15, 2009
BOARD OF ZONING APPEALS: October 6, 2009
MOVED AT APPLICANT'S REQUEST
TIME: 9:00 a.m.

County of Fairfax, Virginia

September 29, 2009

STAFF REPORT

SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 89-S-013-02

SPRINGFIELD DISTRICT

APPLICANT/OWNER:	St. Mark Coptic Orthodox Church of Washington, D.C.
STREET ADDRESS:	11821, 11829, 11901, 11911 and 11919 Braddock Road
TAX MAP REFERENCE:	67-1 ((4)) 27A, 31, 32, 33, 34, 42
LOT SIZE:	16.85 acres
F.A.R.:	Phase I – 0.06 Phase II – 0.07 Phase III – 0.98
ZONING DISTRICT:	R-C and WS
ZONING ORDINANCE PROVISIONS:	3-C03
PLAN MAP:	Residential, .1-.2 du/ac
SPECIAL PERMIT PROPOSAL:	Amend previously approved special permit for a church and child care center to permit the addition of a nursery school and private school of general education, an increase in land area, number of seats, enrollment and number of employees, building additions, and site modifications.

STAFF RECOMMENDATION: Staff recommends denial of SPA 89-S-013-02. However, if it is the intent of the Board of Zoning Appeals to approve SPA 89-S-013-02,

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

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DEPARTMENT OF PLANNING & ZONING

staff recommends that such approval be subject to the proposed development conditions contained in Appendix 1.

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

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

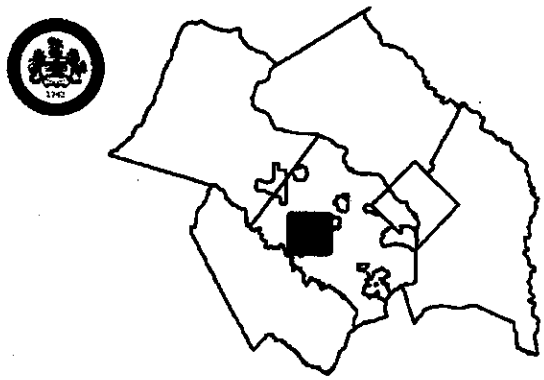
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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

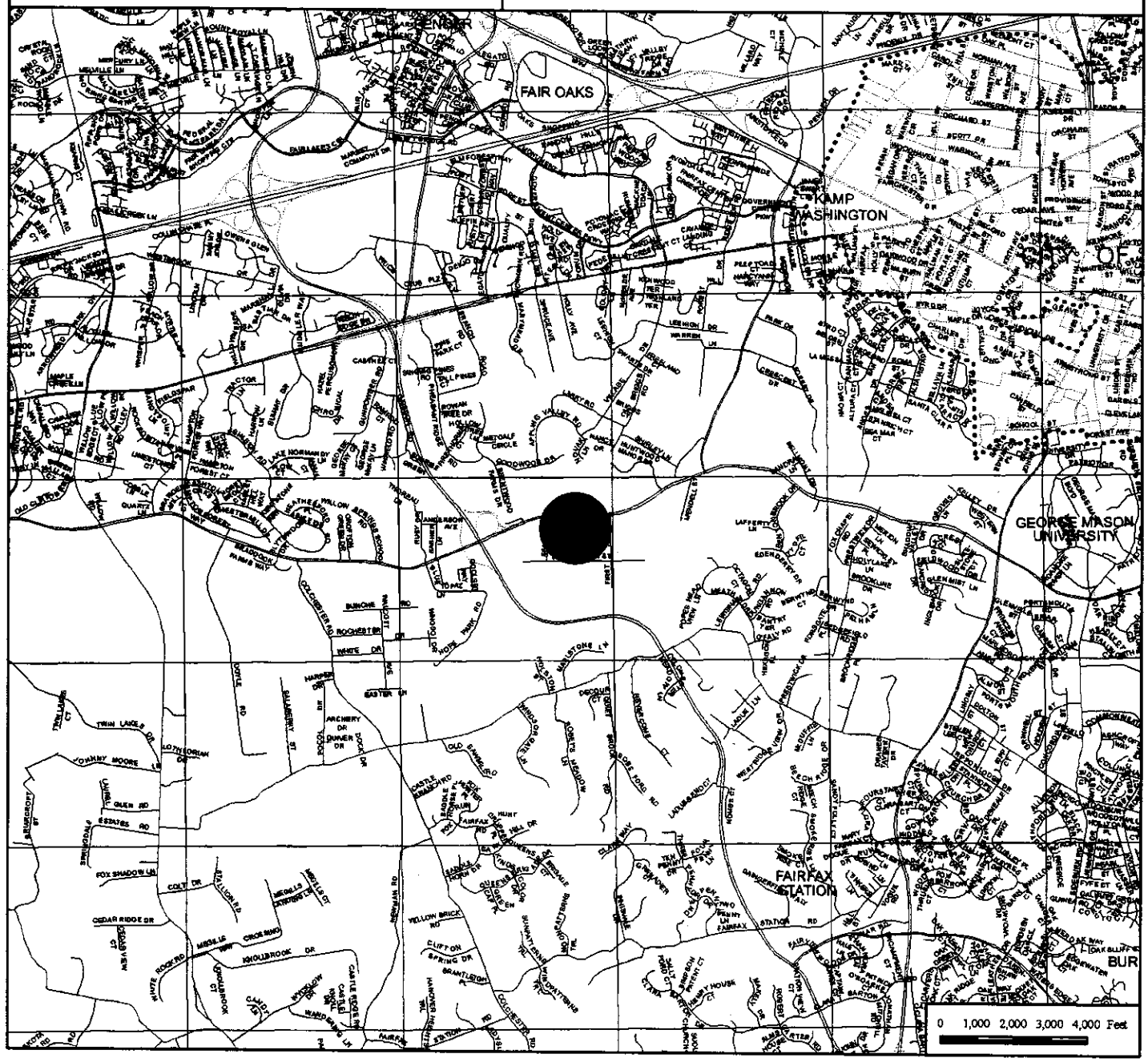
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit Amendment

SPA 89-S -013-02

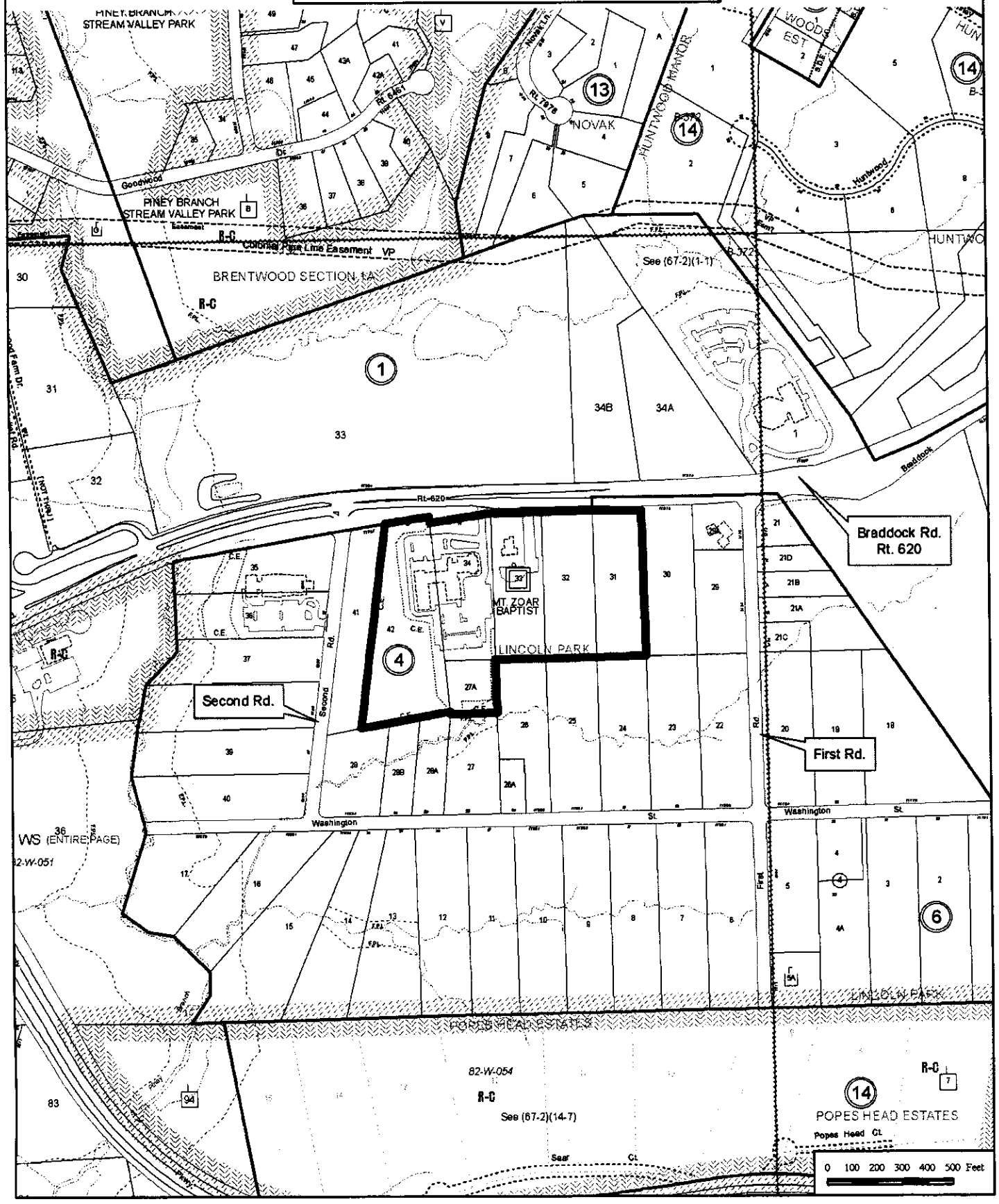


Applicant:	ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON, D.C.
Accepted:	05/15/2009
Proposed:	AMEND SP 89-S-013 PREVIOUSLY APPROVED FOR CHURCH WITH CHILD CARE CENTER TO PERMIT INCREASE IN LAND AREA, THE ADDITION OF A NURSERY SCHOOL AND PRIVATE SCHOOL OF GENERAL EDUCATION AND SITE MODIFICATIONS INCLUDING BUILDING ADDITIONS
Area:	16.85 AC OF LAND; DISTRICT - SPRINGFIELD
Zoning Dist Sect:	03-0C03
Art 8 Group and Use:	3-10
Located:	11821,11829, 11901, 11911, 11919 BRADDOCK ROAD
Zoning:	R- C
Overlay Dist:	WS
Map Ref Num:	067-1- /04/ /0027A /04/ /0031 /04/ /0032 /04/ /0033 /04/ /0034 /04/ /0042



Special Permit Amendment

SPA 89-S -013-02



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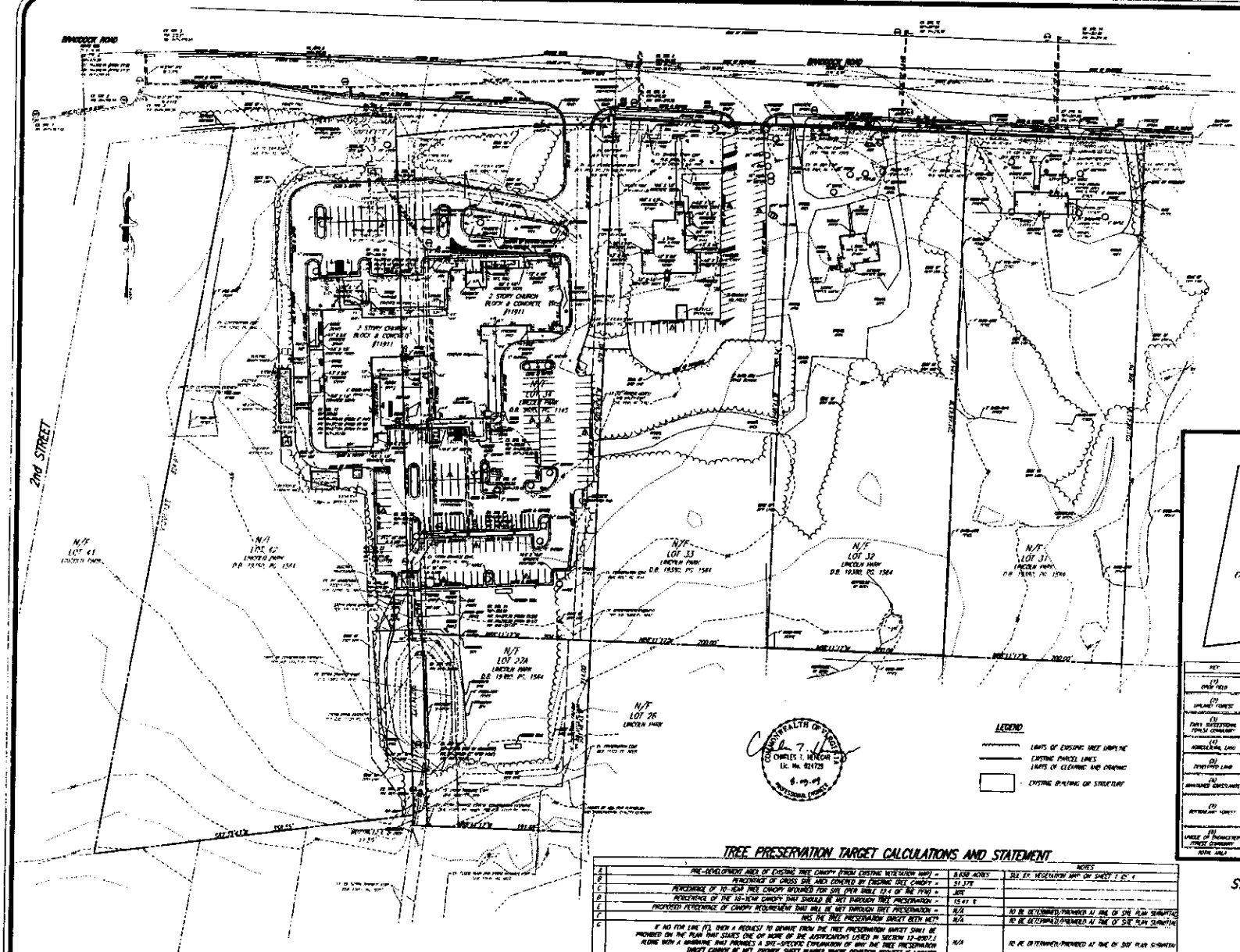
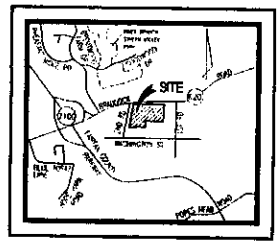




VICINITY MAP
SCALE 1"=2,000'

NOTES & TABULATIONS

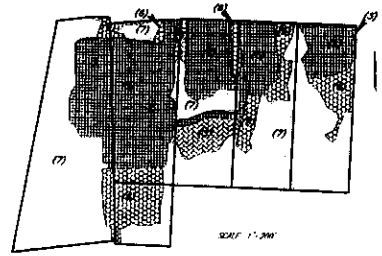
(1) TOTAL SITE AREA: 16.893 AC/736,136 SF - FAIRFAX COUNTY ASSESSMENT RECORDS INDICATE THE TOTAL SITE ACREAGE IS 16.76 ACRES. A RECENT BOUNDARY SURVEY BY RDA FOUND THE TOTAL SITE AS BE 16.893 ACRES.

(2) THE SUBJECT PROPERTY IS LOCATED ON TAX MAP 060-1-((1)) PARCELS 27A, 31, 32, 33, 34, & 41.

(3) TOPOGRAPHIC AND BOUNDARY SURVEY DATA PREPARED BY RINKER DESIGN ASSOCIATES, PC (RDA) DATED JULY 2007.

(4) ACCORDING TO FAIRFAX COUNTY MAPPING, THERE IS NO RESOURCE PROTECTION AREA ON THE SUBJECT PARCELS. THERE IS EXISTING 100-YEAR FLOODPLAIN AND ENVIRONMENTAL QUALITY CORRIDOR ON LOT 27A.

EXISTING VEGETATION MAP


(6)
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07-052-H

(TO SECOND ROAD INTERSECTION 4810')

(TO FIRST ROAD INTERSECTION 1811')

BRADDOCK ROAD

ROUTE 620

(116' R/W)

NO ENTRANCE EXISTING OR PROPOSED

2nd ROAD

NORTH

PEDESTRIAN ACCESS WAY

SANCTUARY ADDITION 4,804 S.F.

TOTAL CAPACITY 600 SEATS (PHASE II)

EXISTING STRUCTURE 29,050 S.F.

SECOND FLOOR ADDITION 5,064 S.F. (PHASE I)

(2-STORY) ADDITION 72,213 S.F. (PHASE II)

COURTYARD GARDEN

15'X25' LOADING SPACE

15'X25' LOADING SPACE

LIMITS OF CLEARING AND GRADING

OUTDOOR RECREATION AREA

N/F LOT 41 LINCOLN PARK

N/F LOT 26 LINCOLN PARK

N/F LOT 25 LINCOLN PARK

N/F LOT 24 LINCOLN PARK

N/F LOT 23 LINCOLN PARK

N/F LOT 30 LINCOLN PARK

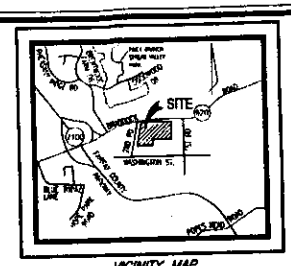
N/F LOT 27A LINCOLN PARK D.B. 19300, PG. 1564

N/F LOT 28A LINCOLN PARK

N/F LOT 28B LINCOLN PARK

N/F LOT 27 LINCOLN PARK

N/F LOT 29 LINCOLN PARK



VICINITY MAP
SCALE 1"=2000'

NOTES

1. THE PURPOSE OF THIS REQUEST IS FOR A SPECIAL PERMIT AMENDMENT TO ALLOW A PLACE OF WORSHIP, PRIVATE SCHOOL OF GENERAL EDUCATION AND A CHILD CARE CENTER/NURSERY SCHOOL IN THE RESIDENTIAL CONSERVATION (R-C) DISTRICT.
2. THE PROPERTIES SHOWN HEREON ARE LOCATED ON FAIRFAX COUNTY TAX MAP 081-1-((01)) PARCELS 31A, 31, 32, 33, 34, AND 42. THE PROPERTIES CONTAIN 16.853 ACRES. THIS SITE IS LOCATED WITHIN THE WATER SUPPLY PROTECTION OVERLAY DISTRICT (WSPOD).
3. A FIELD TOPOGRAPHIC & BOUNDARY SURVEY WAS PREPARED BY RINKER DESIGN ASSOCIATES, P.C. DATED JULY, 2001.
4. ACCORDING TO THE OFFICE OF RECORD FOR THIS PROPERTY, THE COUNTY'S PUBLISHED ZONING AND TOPOGRAPHIC MAPS AND FROM AIR ON-SITE VISIT, NO DELINEATION OF ANY CORNE, OBJECT OR STRUCTURE MARKING A PLACE OF BURIAL WERE DISCOVERED WITHIN THE PROPERTY BOUNDARIES.
5. ACCORDING TO FAIRFAX COUNTY MAPPING, THERE IS AN ENVIRONMENTAL QUALITY CORRIDOR AND AN EXISTING 100-YEAR FLOODPLAIN ON LOT 27A.
6. ALL EXISTING UTILITY EASEMENTS WITH A WIDTH GREATER THAN 25 FEET ON MAP* UNDERGROUND UTILITY EASEMENTS ARE LOCATED ON THIS SITE.
7. THERE ARE NO SCENIC ASSETS OR NATURAL FEATURES REQUIRING PROTECTION LOCATED ON THIS SITE. NO ADVERSE AFFECTS ON THE NEIGHBORING PROPERTIES ARE ANTICIPATED BY THE PROPOSED CHURCH BUILDINGS.
8. THIS SITE WILL BE SERVED BY PUBLIC WATER AND SEWER.
9. AN 8' ASPHALT TRAIL EXISTS ALONG THE PROPERTY FRONTAGE AS DEPICTED ON THE COUNTY'S ADOPTED TRAILS MAP.
10. ALL PROPOSED LIGHTING WILL CONFORM TO THE PERFORMANCE STANDARDS OF THE COUNTY'S ZONING ORDINANCE AND SHALL BE SUBJECT TO FINAL SITE PLAN APPROVAL. FULL CUT-OFF LIGHTING FIXTURES SHALL BE USED FOR ALL WALKWAYS, PARKING LOT & AREA FLOODED LIGHTING. ALL PARKING AREA LIGHT POLES SHALL BE NO HIGHER THAN 12 FEET IN HEIGHT.
11. ALL NEW SIGNS PLACED ON THE SUBJECT PROPERTY WILL COMPLY WITH ARTICLE 12 OF THE COUNTY'S ZONING ORDINANCE.
12. THE LOCATION OF THE FIRE HYDRANTS ARE IDENTIFIED ON THE FIRE PLAN (SEE SITE SHEET 3 OF 4).
13. MINOR DEVIATIONS MAY RESULT FROM FINAL ENGINEERING AND/OR ARCHITECTURAL PLANS SUCH AS THE BUILDING FOOTPRINT, LOCATION OF UTILITIES, WALKWAYS, FIRE FACILITIES, PARKING SPACES AND THE LIMITS OF CLEARING AND GRADING.
14. THE PROPOSED REQUEST CONFORMS TO ALL APPLICABLE ORDINANCES, REGULATIONS AND STANDARDS AND THE COUNTY'S ADOPTED COMPREHENSIVE PLAN, EXCEPT AS NOTED.
15. IT MAY BE REQUESTED AT SITE PLAN TO ALLOW FOR THE MODIFICATION OF SECTION 6-1.3.9.3 OF THE ZRA (PARK REQUIRES A MINIMUM INTERIOR HEIGHT OF 12' FOR UNDERGROUND DETENTION FACILITIES) DUE TO THE EXISTING SITE CONSTRAINTS, TOPOGRAPHICAL FEATURES, AND SUBTRIAL LIMITATIONS. IT MAY ALSO BE REQUESTED TO ALLOW THE USE OF A STANDARD SYSTEM WITH AN INTERIOR HEIGHT OF APPROXIMATELY 10' FOR UNDERGROUND DETENTION.
16. FAIRFAX COUNTY ASSESSMENT RECORDS INDICATE THE TOTAL SITE AREA IS 16.78 ACRES. A FIELD PLAT SURVEY BY RDA FOUND THE SITE TO BE 16.853 ACRES.

LEGEND

NOTE: SEE SITE SHEET 3 OF 4 FOR DETAILS

A-C ZONE REQUIREMENTS

	REQUIRED/ALLOWED	PROPOSED
MINIMUM LOT SIZE	5 ACRES	16.853 ACRES
MINIMUM LOT WIDTH	200' FT	EXISTING
MINIMUM YARDS:		
FRONT	40 FT	40.0 FT
SIDE	20 FT	20.0 FT
REAR	25 FT	25.0 FT
MAXIMUM HEIGHT	35 FEET OR BELOW PLANE, BUT NOT LESS THAN 40 FT	1 FOOT
SIDE	15 FEET OR BELOW PLANE, BUT NOT LESS THAN 25 FT	1 FOOT/FOOT
REAR	25 FEET OR BELOW PLANE, BUT NOT LESS THAN 25 FT	1 FOOT
MAXIMUM HEIGHT	60 FEET	35 FEET FOR BUILDING 55 FEET FOR SPIRE (SEE CHART BELOW)

PARKING TABULATIONS

USE	REQUIRED PARKING	PROVIDED PARKING
SANCTUARY/PLACE OF WORSHIP	1 PER 4 SEATS OR MINIMUM 1 PER 100 SQ FT OF GROSS FLOOR AREA (SEE SHEET 3)	150 SPACES
CHILD CARE CENTER OR NURSERY SCHOOL	1 PER 10 SPACES PER CHILD OR MINIMUM 1 PER 300 SQ FT OF GROSS FLOOR AREA (SEE SHEET 3)	40 SPACES
PRIVATE SCHOOL OF GENERAL EDUCATION	1 PER 3 SEATS OR 1 PER 300 SQ FT OF GROSS FLOOR AREA (SEE SHEET 3)	40 SPACES
TOTAL	230 SPACES	230 SPACES

LOADING TABULATIONS

USE	REQUIRED LOADING	PROVIDED LOADING
SCHOOL	ONE SPACE FOR EVERY 5,000 SQ.FT. G.F.A. + 1 SPACE FOR EACH ADDITIONAL 20,000 G.F.A. OR MAJOR FRACTION THEREOF (SEE SHEET 3)	2 SPACES

INTERIOR PARKING LOT LANDSCAPING CALCULATIONS

TOTAL LOT AREA	16,539 S.F.
INTERIOR LANDSCAPING REQUIRED (5%)	827 S.F.
NUMBER OF SPACE TREES REQUIRED (ONE TREE PER 2,000 S.F. OF LA)	2,000 S.F.
ONE TREE PER 2,000 S.F. OF LA =	1,000 S.F.
TOTAL AREA REQUIRED =	8,000 S.F.
TOTAL AREA PROVIDED =	8,700 S.F.

OUTDOOR RECREATION SPACE CALCULATIONS

TOT LOT 1	1,300 S.F. (EXISTING)
TOT LOT 2	1,400 S.F. (EXISTING)
SOCCER FIELD	29,825 S.F. (EXISTING)
ALL BASKETBALL COURTS	1,750 S.F. (PROPOSED)
TOTAL AREA	34,275 S.F. OR 0.8 AC

FAR CALCULATIONS

	GAS AREAS	GAS EXCLUDED
BELOW GRADE	0	0
ABOVE GRADE	29,050 S.F.	0
EXISTING FAR:		
EXISTING STRUCTURE	29,050 S.F.	
OF THIS CHURCH (0.03)	1,500 S.F.	
TOTAL EXISTING FAR	30,550 S.F.	
PROPOSED FAR:		
EXISTING STRUCTURE	29,050 S.F.	
SANCTUARY ADDITION	4,804 S.F.	
SECOND FLOOR ADDITION	5,064 S.F.	
(2) STORY ADDITION	72,213 S.F.	
TOTAL PROPOSED FAR	111,131 S.F.	
PROPOSED FAR = 111,131 S.F. / 16,539 S.F. = 6.72		

CHURCH SEATING CALCULATIONS

(1) SANCTUARY SEATING	600
(2) FUTURE FLOOR CHURCH SEATING	200
(3) CHURCH SCHOOL SEATING	200
(4) TOTAL CHURCH SEATING	1,000
(5) CHURCH SCHOOL SEATING	1,000
(6) TOTAL CHURCH SEATING	2,000
(7) TOTAL CHURCH SEATING	3,000
* SEATS NOT TO EXCEED 30 IN HEIGHT	

PARKING CALCULATIONS BASED ON SEATING

(1) SANCTUARY SEATING	150
(2) FUTURE FLOOR CHURCH SEATING	50
(3) CHURCH SCHOOL SEATING	40
(4) TOTAL CHURCH SEATING	240
(5) CHURCH SCHOOL SEATING	40
(6) TOTAL CHURCH SEATING	280
(7) TOTAL CHURCH SEATING	320
* SEATS NOT TO EXCEED 30 IN HEIGHT	

COMMONWEALTH OF VIRGINIA
CHARLES T. HENRIQUE
Lic. No. 034726
8-29-07
FAIRFAX COUNTY

GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft.

SPECIAL PERMIT PLAT
ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON, D.C.

SPRINGFIELD District
FAIRFAX COUNTY, VIRGINIA

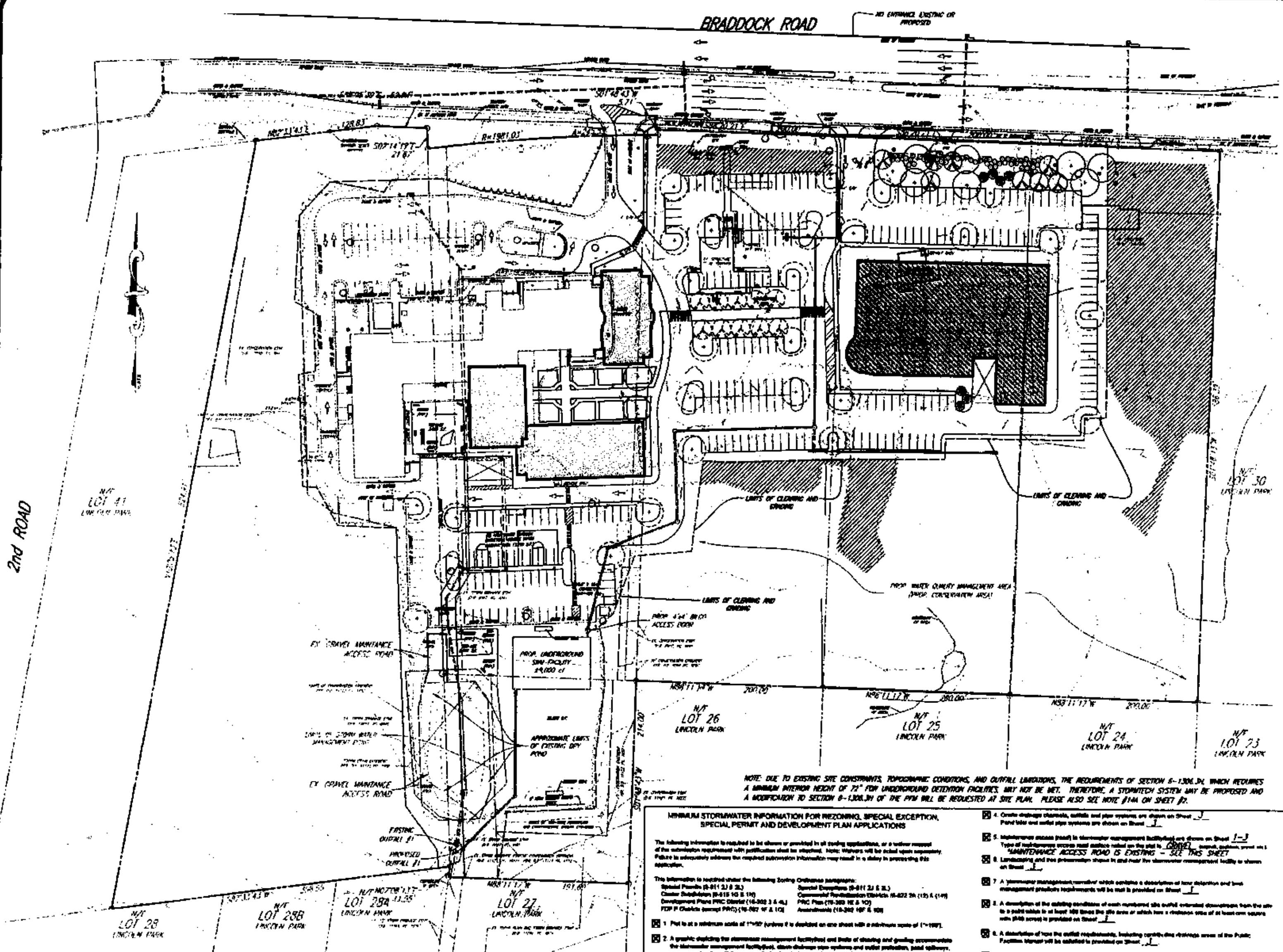
SCALE 1" = 50' MARCH 19, 2004
REVISED JULY 29, 2004
SHEET 2 OF 4

Rinker Design Associates, P.C.

Engineering • Surveying • Land Planning • Transportation • Environmental Services
"Turning Challenges Into Opportunities"

07-052-H

07-052-H



NOTE: DUE TO EXISTING SITE CONSTRAINTS, TOPOGRAPHIC CONDITIONS, AND OUTFALL LIMITATIONS, THE REQUIREMENTS OF SECTION 6-1306.3H, WHICH REQUIRES A MINIMUM INTERIOR HEIGHT OF 72" FOR UNDERGROUND DETENTION FACILITIES, MAY NOT BE MET. THEREFORE, A STORMTECH SYSTEM MAY BE PROPOSED AND A MODIFICATION TO SECTION 6-1306.3H OF THE PFM WILL BE REQUESTED AT SITE PLAN. PLEASE ALSO SEE NOTE #14 ON SHEET #2.

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

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

This information is required under the following Zoning Ordinance paragraphs:

Special Permits (8-011 2J & 2L)	Special Exceptions (9-011 2J & 2L)
Cluster Subdivision (9-615 1G & 1N)	Commercial Revitalization Districts (9-622 2A (12) & (14))
Development Plans PRC District (16-302 3 & 4L)	PRC Plan (16-303 1E & 1O)
FDP P Districts (except PRC) (16-502 1F & 1Q)	Amendments (18-202 10F & 10I)

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

☒ 2. A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond spillways, access roads, site outfalls, energy dissipation devices, and stream stabilization measures as shown on Sheet 3.

☒ 3. Provide:

Facility Name/ Type & No.	On-site area served (acres)	Off-site area served (acres)	Drainage area (acres)	Footprint area (sf)	Storage Volume (cf)	If pond, dam height (ft)
EX. UNDERGROUND DETENTION	1.83	0.00	1.83	±5,800	2,756	N/A
EX. DRY POND	1.30	0.00	1.83	±5,095	4,440	2.15'
PROP. UNDERGROUND DETENTION	4.11	0.00	4.11	±4,500	±19,000	N/A
Totals	7.24	0.00	7.24			

☒ 4. Onsite drainage channels, outfalls and pipe systems are shown on Sheet 3. Pond inlet and outlet pipe systems are shown on Sheet 3.

☒ 5. Maintenance access (road) to stormwater management facility(ies) are shown on Sheet 1-3. Type of maintenance access road surface noted on the plat is GRAVEL (asphalt, geoblock, gravel, etc.) "MAINTENANCE ACCESS ROAD IS EXISTING - SEE THIS SHEET"

☒ 6. Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet 3.

☒ 7. A "stormwater management narrative" which contains a description of how detention and best management practices requirements will be met is provided on Sheet 3.

☒ 8. A description of the existing conditions of each numbered site outfall extended downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (640 acres) is provided on Sheet 3.

☒ 9. A description of how the outfall requirements, including contributing drainage areas of the Public Facilities Manual will be satisfied is provided on Sheet 3.

☒ 10. Existing topography with maximum contour intervals of two (2) feet and a note as to whether it is an air survey or field run is provided on Sheets 1-3.

☒ 11. A submission waiver is requested for SEC. 6-1306.3H (MINIMUM HEIGHT OF UNDERGROUND DETENTION FACILITIES) OF THE PFM.

☐ 12. Stormwater management is not required because ______

STORMWATER NARRATIVE

EXISTING CONDITIONS

THE SITE AREA CONSISTS OF SIX PARCELS, WITH A COMBINED AREA OF APPROXIMATELY 14.853 ACRES (±734,136 SQ. FT.). THE SITE IS LOCATED AT 11911 BRADDOCK ROAD, WITHIN THE POPES HEAD CREEK WATERSHED. THE SITE IS LOCATED IN THE WATER SUPPLY PROTECTION OVERLAY DISTRICT (WSPOD). PER PREVIOUS CONSTRUCTION, THE PROJECT AREA CONSISTS OF AN EXISTING TWO STORY CHURCH, A FEW SMALL DETACHED DWELLINGS, AND MISCELLANEOUS IMPROVEMENTS THROUGHOUT THE SITE SUCH AS PARKING, DRIVE AISLES, WALKWAYS, AND UTILITIES. THE SITE ALSO CONTAINS EXISTING SWM/BMP FACILITIES THAT ARE ADEQUATE MEET ALL REQUIREMENTS FOR SWM/BMP'S FOR THE EXISTING CONDITIONS OF THE SITE. THE MAJORITY OF THE SITE DRAINS TO THE SOUTH OR SOUTHWEST. THERE ARE FOUR MAJOR DRAINAGE AREAS, WHICH ARE FURTHER DESCRIBED AS FOLLOWS:

DRAINAGE AREA 1: APPROXIMATELY 3.40 ACRES ALONG THE WESTERN BOUNDARY OF THE SITE CONSISTS OF UNDEVELOPED, UNDISTURBED OPEN SPACE. THIS AREA IS WITHIN AN EXISTING CONSERVATION EASEMENT AND WAS CREDITED TOWARD THE ORIGINAL BMP REQUIREMENTS OF THE SITE. DRAINAGE AREA 1 CONSISTS OF DENSE VEGETATION AND DRAINS VIA OVERLAND FLOW TO THE SOUTH/SOUTHWEST TOWARD SECOND ROAD.

DRAINAGE AREA 2: APPROXIMATELY 1.83 ACRES IN THE NORTHERN PORTION OF THE SITE DRAINS VIA SHEET FLOW TO EXISTING UNDERGROUND STORM SEWERS AND IS DETAINED WITHIN AN EXISTING UNDERGROUND DETENTION FACILITY. THE UNDERGROUND DETENTION FACILITY SATISFIES ALL STORMWATER DETENTION AND BMP/WATER QUALITY REQUIREMENTS FOR DRAINAGE AREA 2.

DRAINAGE AREA 3: APPROXIMATELY 1.30 ACRES IN THE VICINITY OF THE EXISTING CHURCH DRAIN VIA SHEET FLOW TO EXISTING UNDERGROUND STORM SEWERS AND IS CONVEYED TO THE EXISTING DRY POND LOCATED IN THE SOUTHWESTERN PORTION OF THE SITE. THE EXISTING DRY POND WAS DESIGNED TO ADEQUATELY DETAIN THE RUNOFF FROM DRAINAGE AREA 3, AS WELL AS TO PROVIDE BMP'S FOR THE AREA. THE EXISTING DRY POND OUTFALLS TO AN EXISTING NATURAL CHANNEL (BED AND BANKS) THROUGH AN EXISTING STORM SEWER SYSTEM AT EXISTING OUTFALL #1.

DRAINAGE AREA 4: THE REMAINDER OF THE SITE (EASTERN PORTION) DRAINS VIA OVERLAND FLOW TO THE SOUTH. EXISTING CONDITIONS IN THIS AREA CONSIST OF EXISTING DETACHED DWELLINGS AND DRIVEWAYS SCATTERED THROUGHOUT DENSE VEGETATION. THE STORMWATER RUNOFF FROM DRAINAGE AREA 4 IS CURRENTLY UNCONTROLLED AND FLOWS OFF-SITE TO THE SOUTH.

PROPOSED IMPROVEMENTS AND SWM STRATEGIES

SWM REQUIREMENTS - ALL COUNTY AND STATE REQUIREMENTS FOR SWM SHALL BE MET FOR THIS PROJECT. THIS PROJECT WILL CONTINUE TO HONOR ALL MAJOR DRAINAGE DIVIDES, PER SECTION 6-0202.2A OF THE FAIRFAX COUNTY PFM. SWM REQUIREMENTS SHALL BE MET THROUGH THE EXISTING UNDERGROUND DETENTION FACILITY ON-SITE, THE EXISTING ON-SITE DRY POND, AND THROUGH A PROPOSED UNDERGROUND STORMWATER DETENTION FACILITY (STORMTECH SYSTEM). THE EXISTING SWM FACILITIES (EXISTING UNDERGROUND FACILITY AND EXISTING DRY POND) WILL CONTINUE TO FUNCTION AND ARE ADEQUATE TO DETAIN ANY INCREASED RUNOFF WITHIN THEIR DRAINAGE AREAS RESULTING FROM DEVELOPMENT. THE PROPOSED UNDERGROUND DETENTION FACILITY (STORMTECH SYSTEM) SHALL BE DESIGNED TO ADEQUATELY DETAIN APPROXIMATELY 4.11 ACRES OF ADDITIONAL RUNOFF RESULTING FROM THE IMPROVEMENTS SHOWN HEREON. THE ADDITIONAL RUNOFF FROM DRAINAGE AREA 4 RESULTING FROM THE IMPROVEMENTS PROPOSED HEREON SHALL BE CONVEYED TO THE PROPOSED UNDERGROUND FACILITY (STORMTECH SYSTEM - SEE NOTE #14 ON SHEET 2) VIA AN UNDERGROUND STORM SEWER SYSTEM. OUTFLOWS FROM THE NEW FACILITY SHALL BE LESS THAN OR EQUAL TO PRE-DEVELOPMENT RATES. THE PROPOSED UNDERGROUND DETENTION FACILITY (STORMTECH SYSTEM) SHALL OUTFALL TO THE EXISTING NATURAL BED AND BANKS CHANNEL VIA A PROPOSED STORM SEWER SYSTEM AT PROPOSED OUTFALL #1.

BMP STRATEGIES - ALL WATER QUALITY REQUIREMENTS SET FORTH BY THE CHESAPEAKE BAY PRESERVATION ORDINANCE AND SECTION 6-0400 OF THE PFM SHALL BE MET THROUGH NATURAL OPEN SPACE LOCATED WITHIN CONSERVATION EASEMENTS (EXISTING AND PROPOSED), THE REFORESTATION AREAS PROPOSED UNDER THIS SPECIAL USE PERMIT, AND THE EXISTING ON SITE FACILITIES (EXISTING UNDERGROUND FACILITY AND EXISTING DRY POND). FOLLOWING DEVELOPMENT, THE TOTAL PHOSPHOROUS REMOVAL FOR THE SITE SHALL BE AT LEAST 50% (PER SECTION 6-0401.1 OF THE PFM).

ADEQUATE OUTFALL NARRATIVE

FOLLOWING DETAINMENT IN THE EXISTING AND PROPOSED SWM FACILITIES, STORMWATER RUNOFF SHALL BE DISCHARGED INTO AN EXISTING, NATURAL INCISED CHANNEL IN THE SOUTHERN PORTION OF THE SITE. RUNOFF FLOWS WITHIN THE CHANNEL APPROXIMATELY 100' DOWNSTREAM TO AN UNNAMED TRIBUTARY OF PINEY BRANCH. STORMWATER RUNOFF THEN FLOWS TO THE SOUTHWEST FOR APPROXIMATELY 800', TURNS TO THE SOUTH, AND CONTINUES IN A SOUTHERLY DIRECTION FOR APPROXIMATELY 400' UNTIL JOINING WITH ANOTHER UNNAMED TRIBUTARY OF PINEY BRANCH. FLOW THEN CONTINUES FOR APPROXIMATELY 300' UNTIL REACHING PINEY BRANCH. PINEY BRANCH FLOWS TO THE SOUTH/SOUTHWEST UNTIL CONFLUENCE WITH POPES HEAD CREEK. FLOW THEN CONTINUES WITHIN POPES HEAD CREEK UNTIL REACHING BULL RUN AND CONTINUES UNTIL REACHING THE OCCOQUAN RIVER AND THE EXTENTS OF FAIRFAX COUNTY.

THE DOWNSTREAM DRAINAGE SYSTEM SHALL BE ANALYZED TO A POINT THAT MEETS THE REQUIREMENTS OF SECTION 6-0203 OF THE FAIRFAX COUNTY PFM. SHOULD THE DOWNSTREAM DRAINAGE SYSTEM BE INADEQUATE PER THE REQUIREMENTS OF SECTION 6-0203 OF THE PFM, THE PROPOSED UNDERGROUND DETENTION FACILITY (STORMTECH SYSTEM) SHALL BE ENLARGED AND RE-DESIGNED AS NECESSARY TO PROVIDE ADDITIONAL DETAINMENT IN ACCORDANCE WITH SECTION 6-0203.4 OF THE PFM.

COMMONWEALTH OF VIRGINIA
CHARLES T. HENECAR
Lic. No. 024779
8-9-09
PROFESSIONAL ENGINEER

STORM WATER CONCEPT PLAN

ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON, D.C.

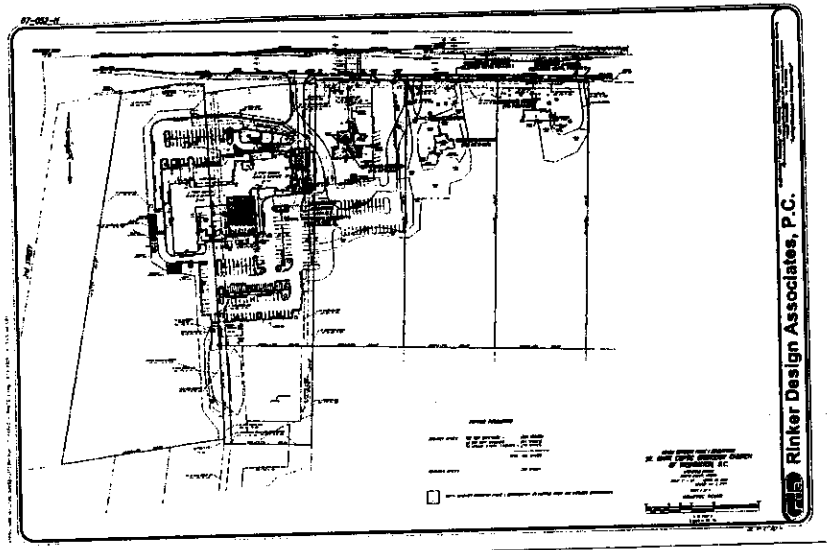
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 50' MARCH 19, 2009
REVISED: JULY 29, 2009
SHEET 3 OF 4

GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

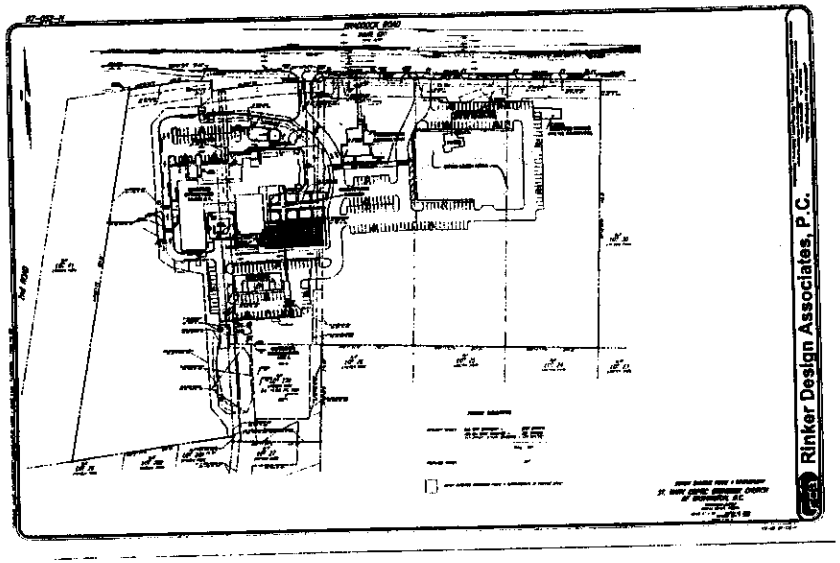
Rinker Design Associates, P.C.
Engineering * Surveying * Land Planning * Transportation * Environmental Services
"Turning Challenges into Opportunities"

JOB NO. 07-052-H

07-052-H



PHASE I



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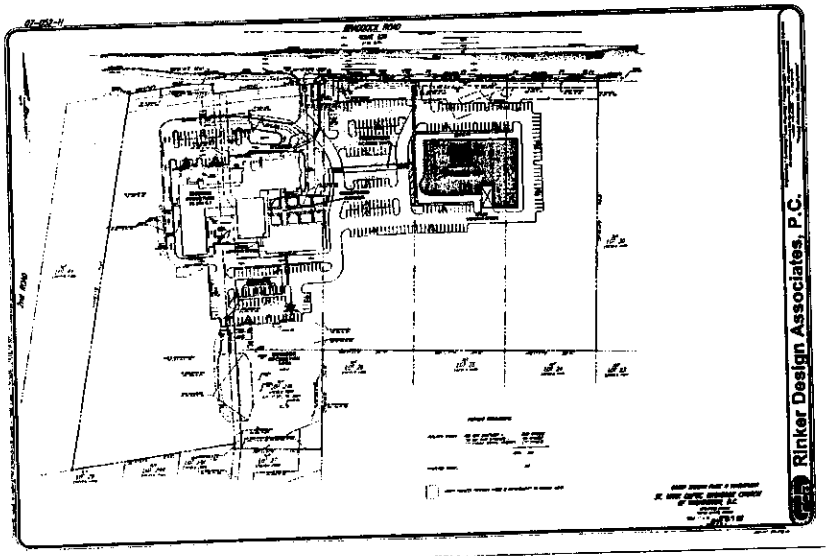

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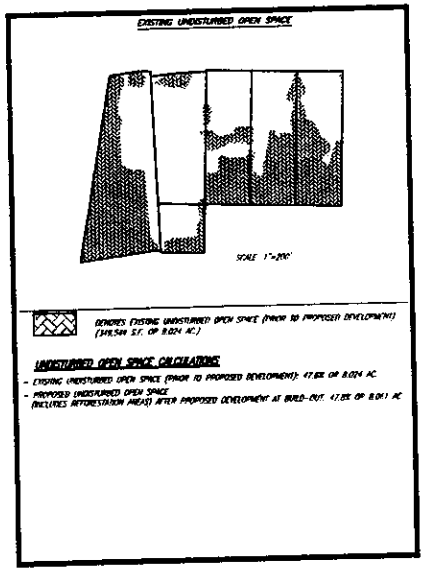
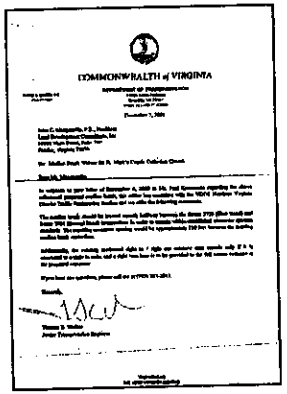




*NOTE: THE APPLICANT RESERVES THE RIGHT TO CONSTRUCT PHASES II AND III TOGETHER AND AT THE SAME TIME.

COMMONWEALTH OF VIRGINIA
CHARLES I. MINGUE
Lic. No. 024721
6-3-07
PROFESSIONAL ENGINEER

BUILD-OUT ENTRANCE DETAIL

ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON, D.C.

SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 50' MARCH 16, 2007
REVISED: JULY 24, 2009

SHEET 4 OF 4

GRAPHIC SCALE

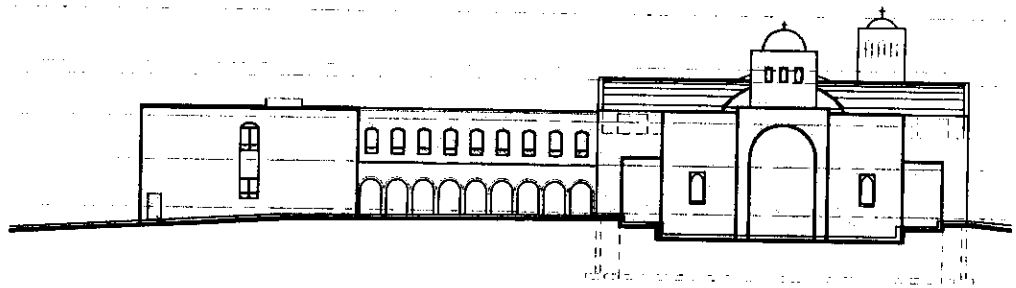
(IN FEET)
1 inch = 50 ft.

Rinker Design Associates, P.C.

Engineering • Surveying • Land Planning • Transportation • Environmental Services
"Turning Challenges into Opportunities"

DRAWING NAME: M:\WORK\07-052\DWGS\SUP 3-1 Bonds Site Plan.dwg Aug 6,2009 8:46:25 AM PDT

JOB NO. 07-052-H



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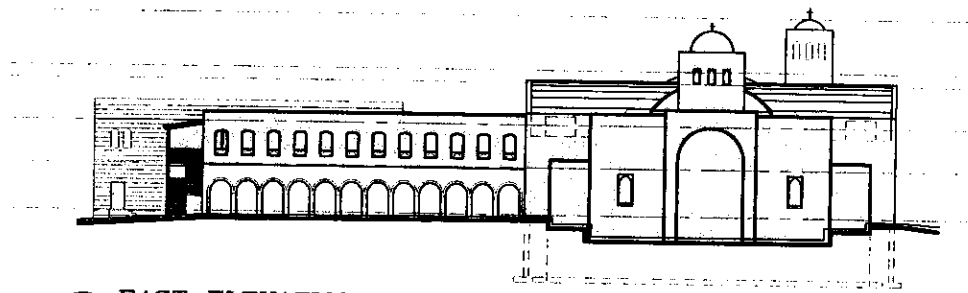

4 EAST ELEVATION : PHASE 1

PH 1 PH 2 PH 3

ARCHITECT:

BEGLIS ARCHITECTS, P.C.

407-I CHURCH STREET NE
VIENNA, VA 22180

PHONE: 703-242-2000
FAX: 703-242-2163

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PROJECT TITLE:

SAINT MARK'S COPTIC ORTHODOX CHURCH

BRADDOCK ROAD
FAIRFAX, VIRGINIA

SHEET TITLE:

EXTERIOR ELEVATIONS

REVISIONS

NO	DATE	DESCRIPTION

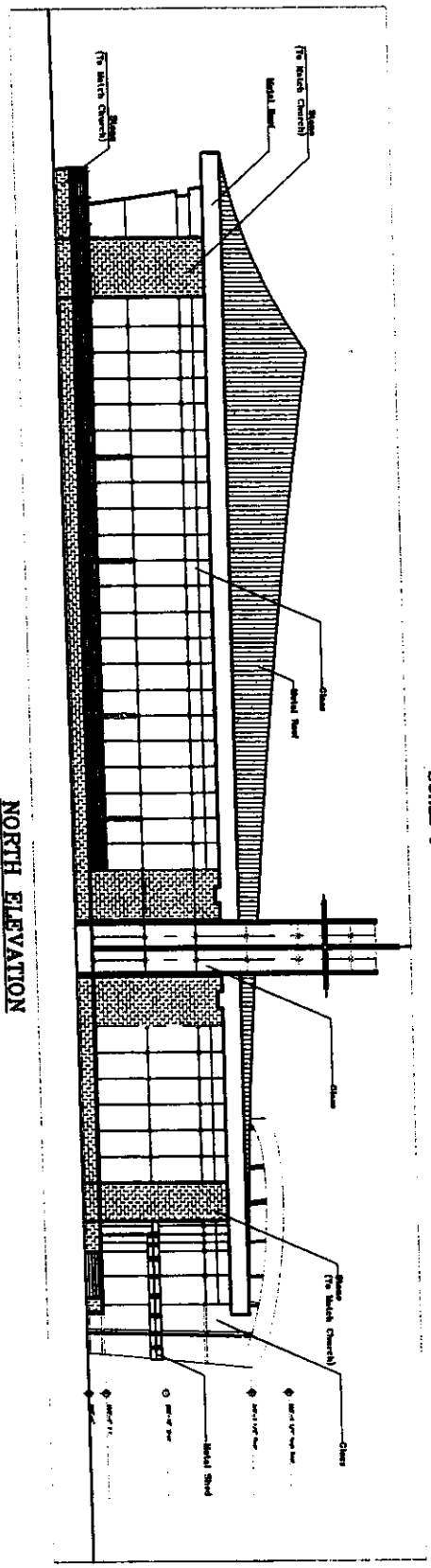
ISSUED

DATE: 03 AUG 09
SCALE: AS NOTED
DRAWN BY: —
PROJECT NO: —

SHEET NO.

EXHIBIT

B



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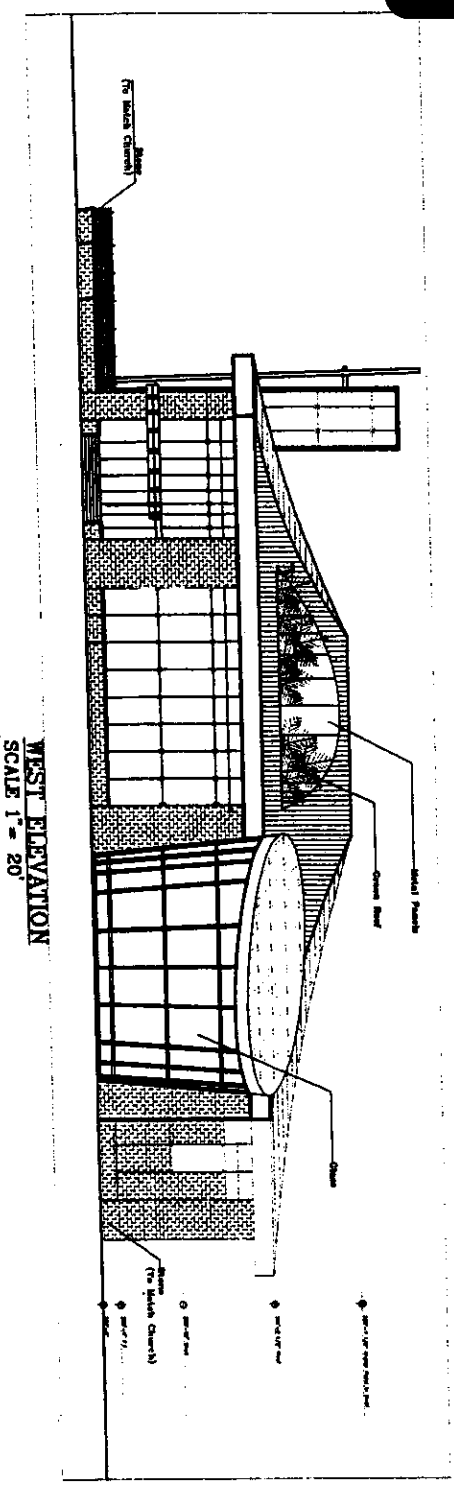
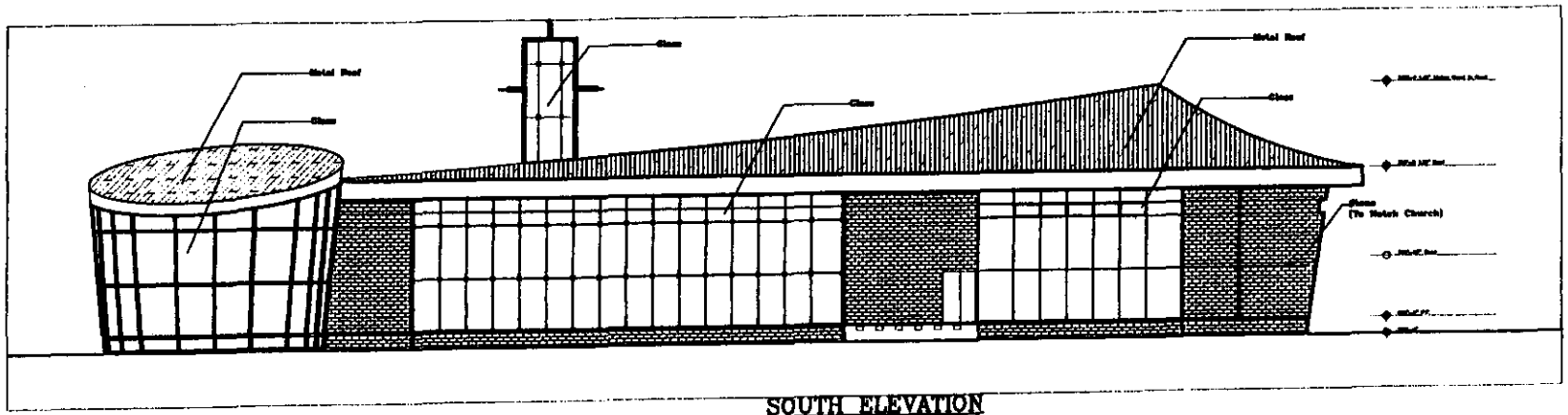
SCALE 1" = 20'



WEST ELEVATION
SCALE 1" = 20'

SAINT MARK'S COPTIC ORTHODOX CHURCH FAIRFAX, VIRGINIA	PHASE 3 FELLOWSHIP HALL August 3. 2009	BEGLIS ARCHITECTS, P.C. 407-1 CHURCH STREET NE, VIENNA, VIRGINIA 22180 PHONE: 703-242-2000 FAX: 703-242-2100	SHT. NO. FH-1



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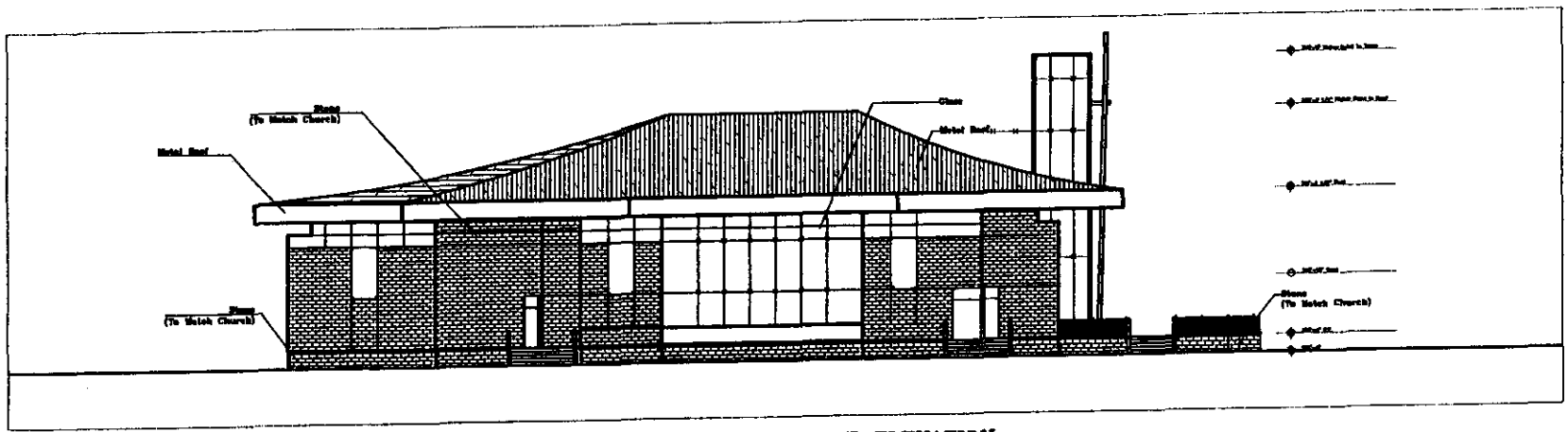


EAST ELEVATION
SCALE 1"= 20'

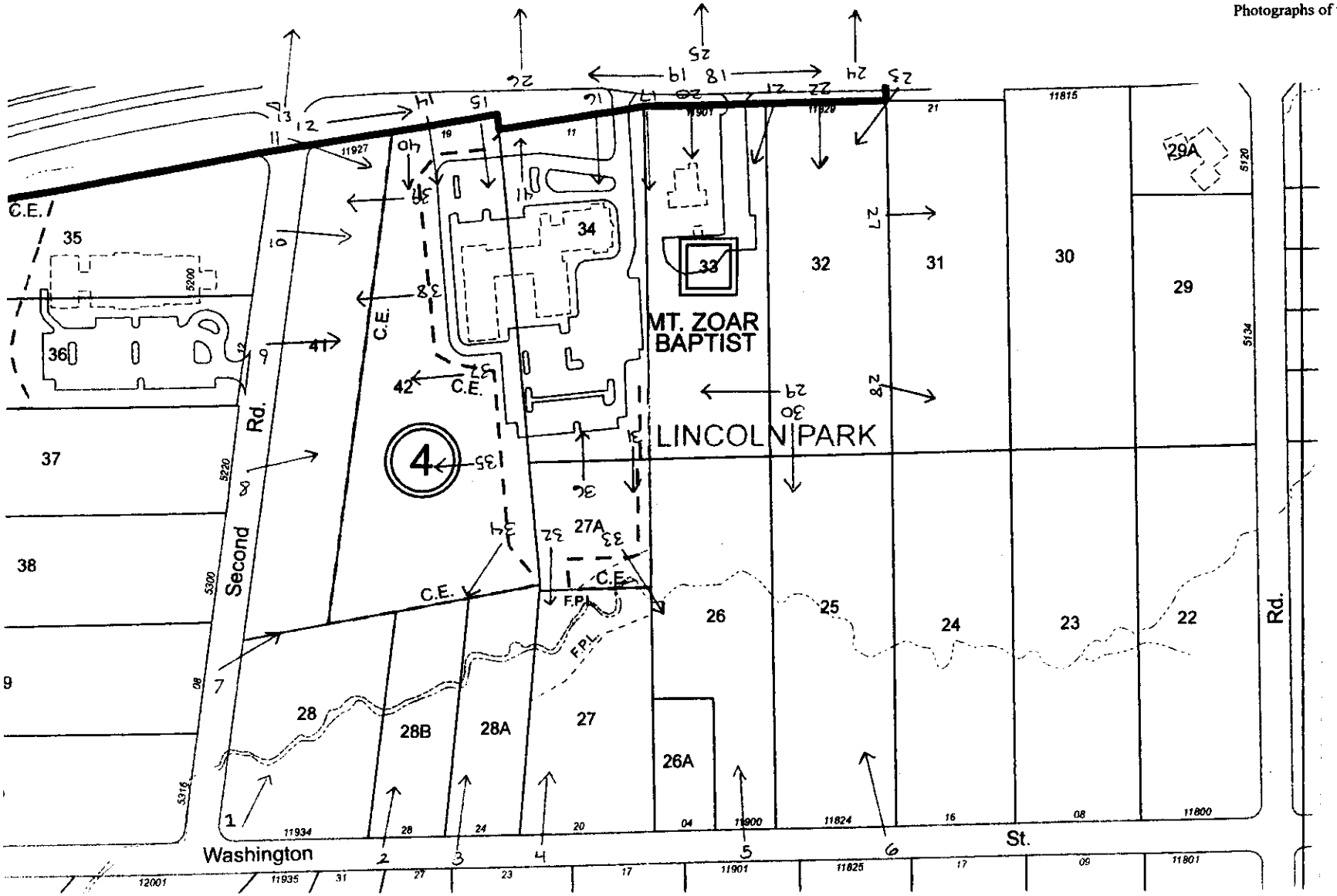
SHT. NO.
C1

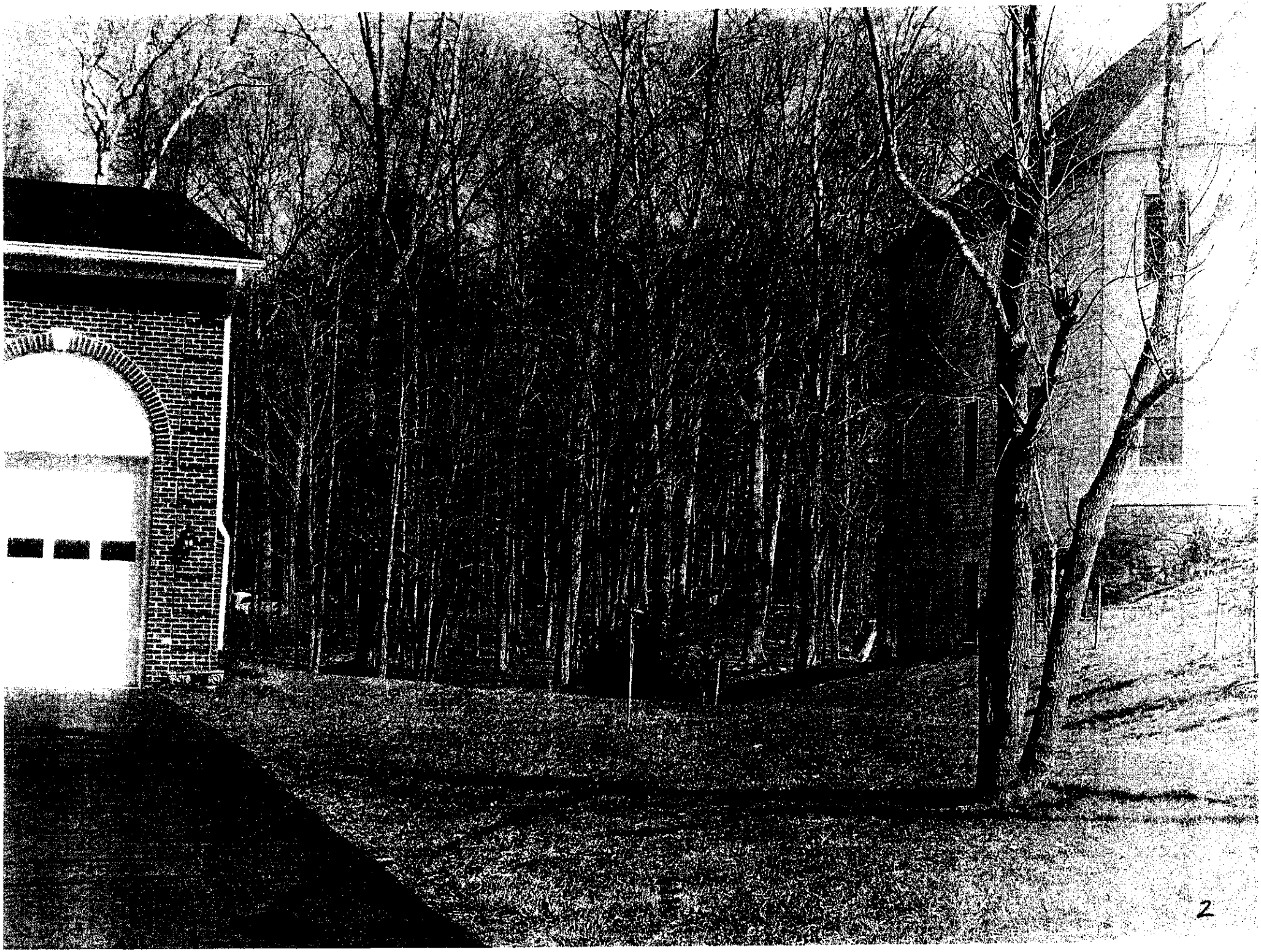
BEGLIS
ARCHITECTS, P.C.
[illegible]
VIRGINIA, [illegible]
PHONE 703-[illegible]
FAX 703-[illegible]

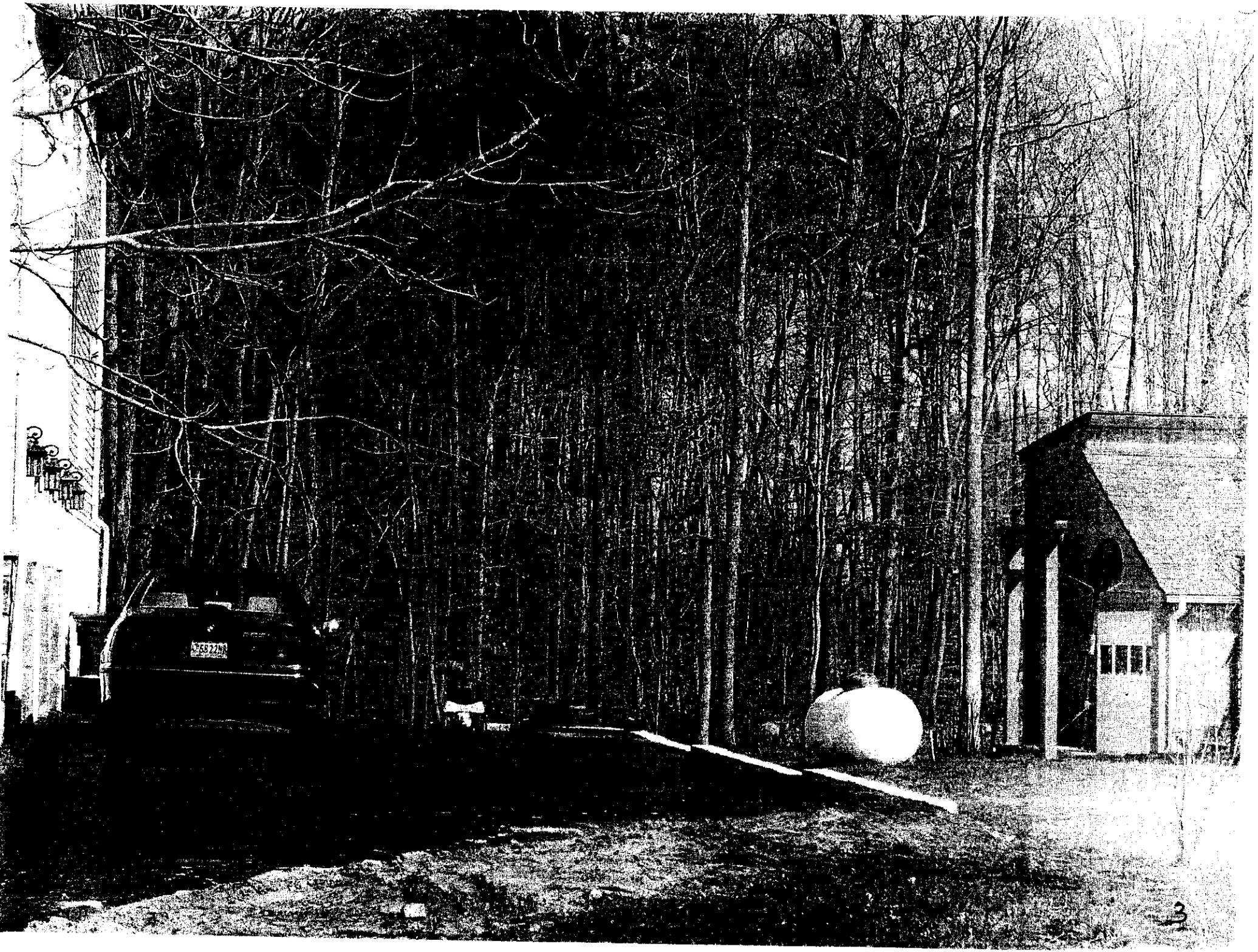
PHASE 3
FELLOWSHIP HALL
August 3, 2009

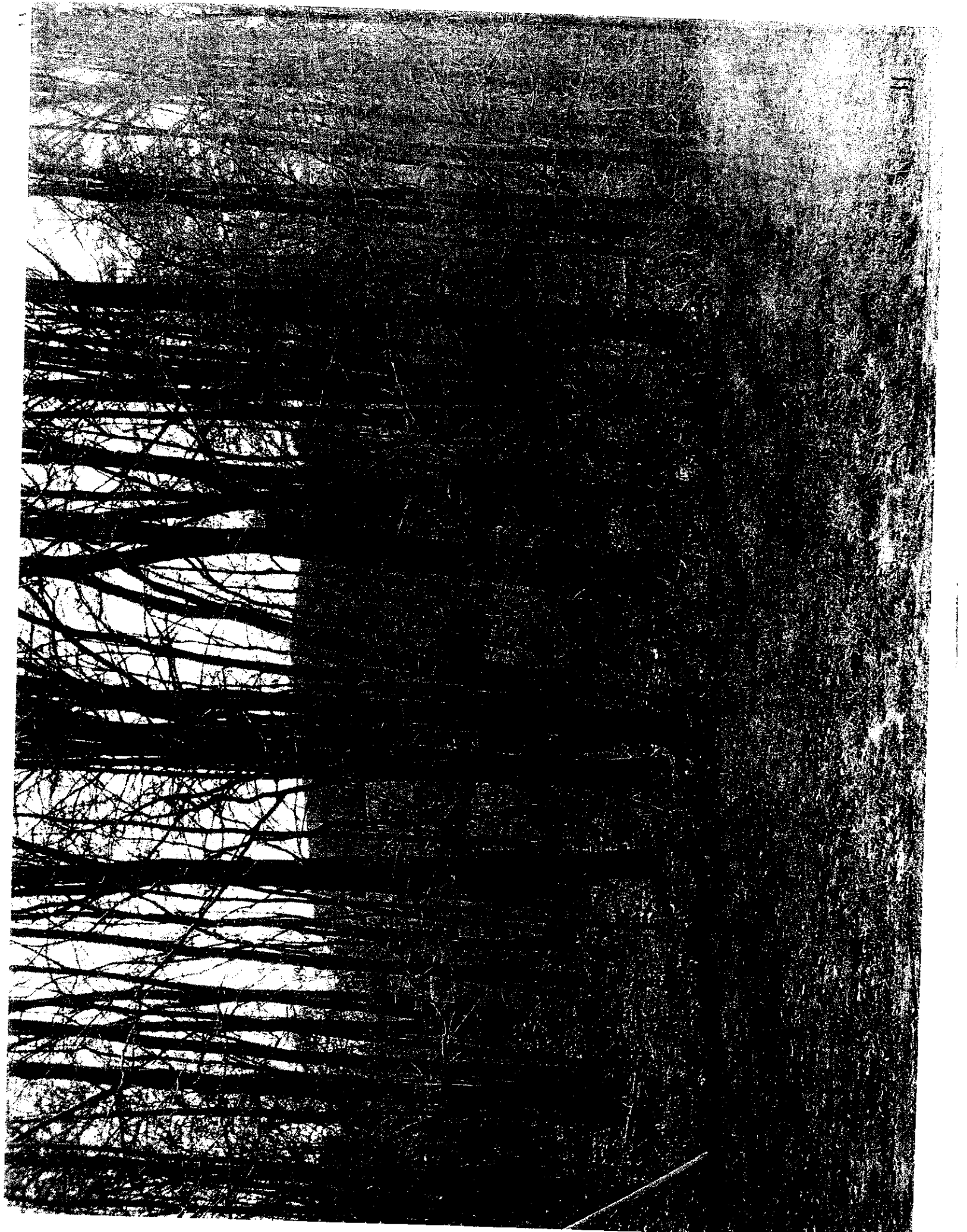
SAINT MARK'S
COPTIC ORTHODOX CHURCH
FAIRFAX, VIRGINIA

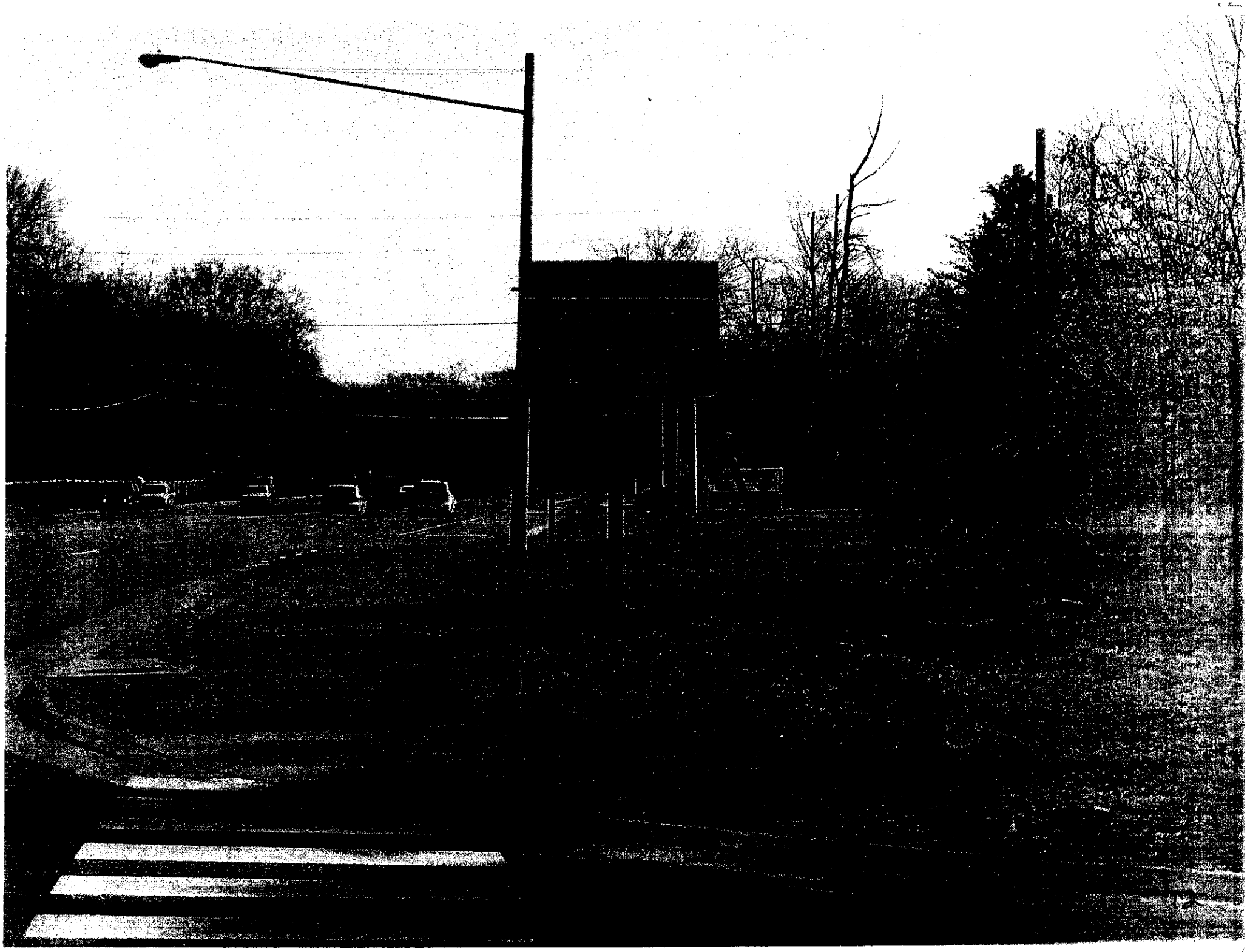
Photographs of the site











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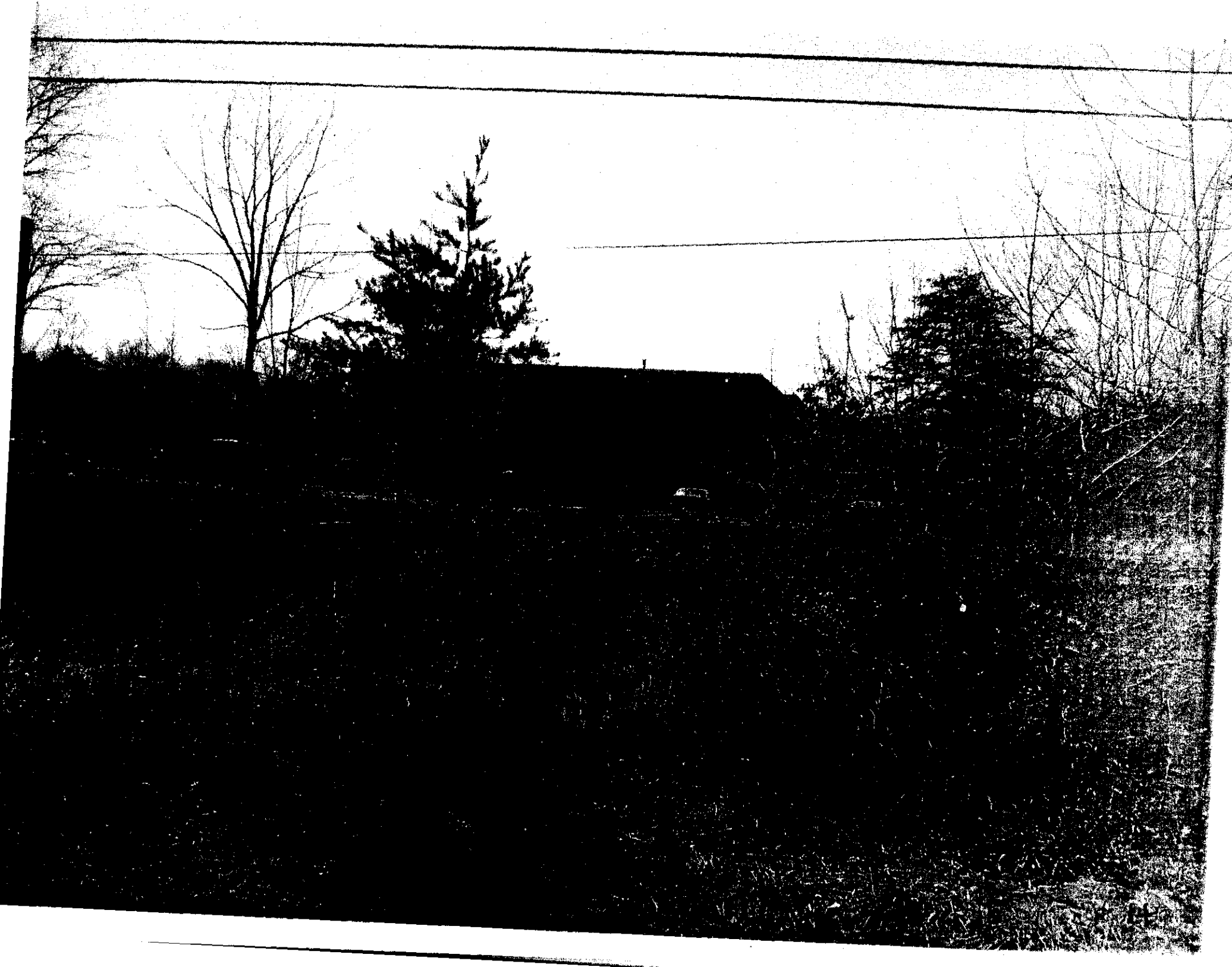

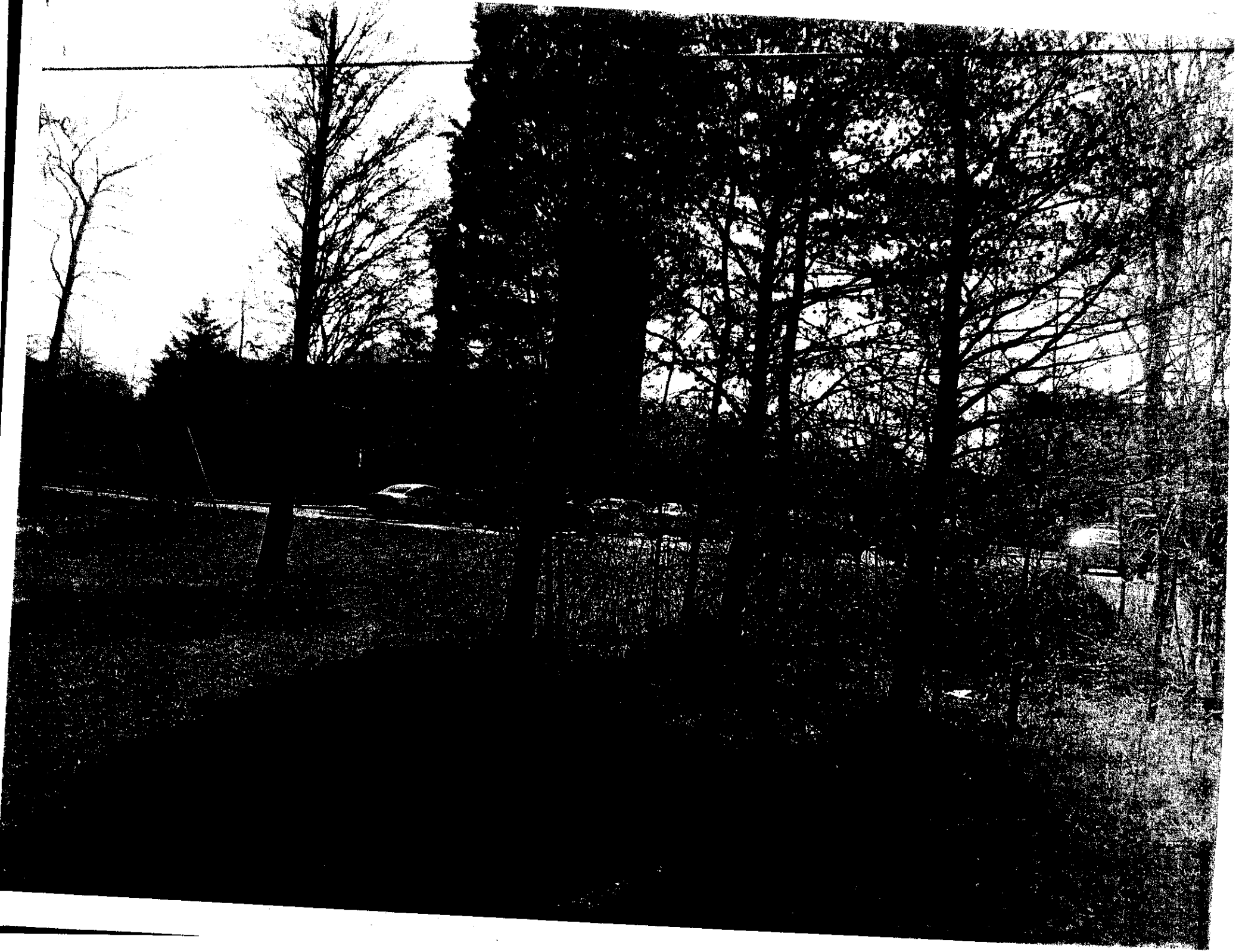

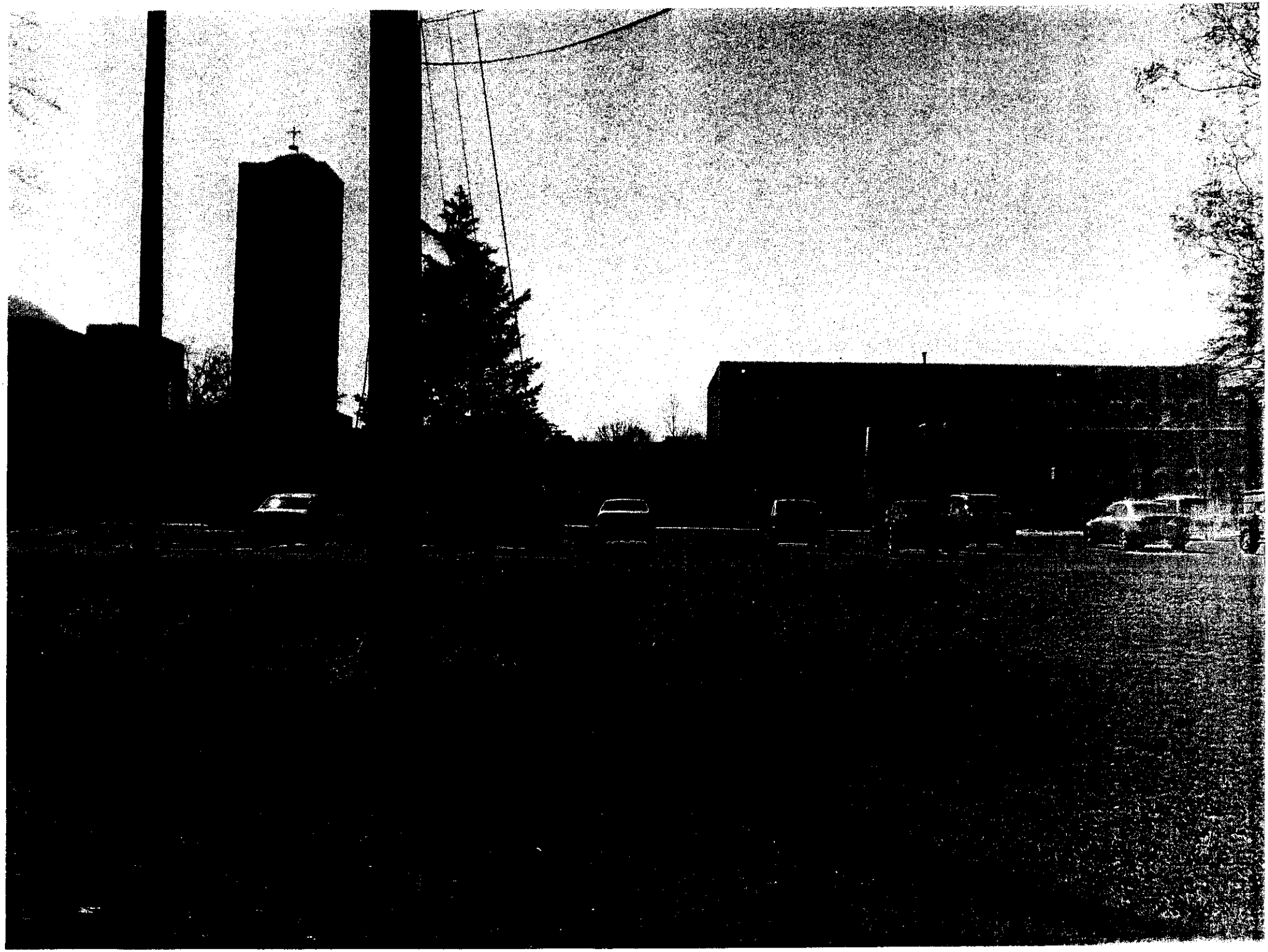

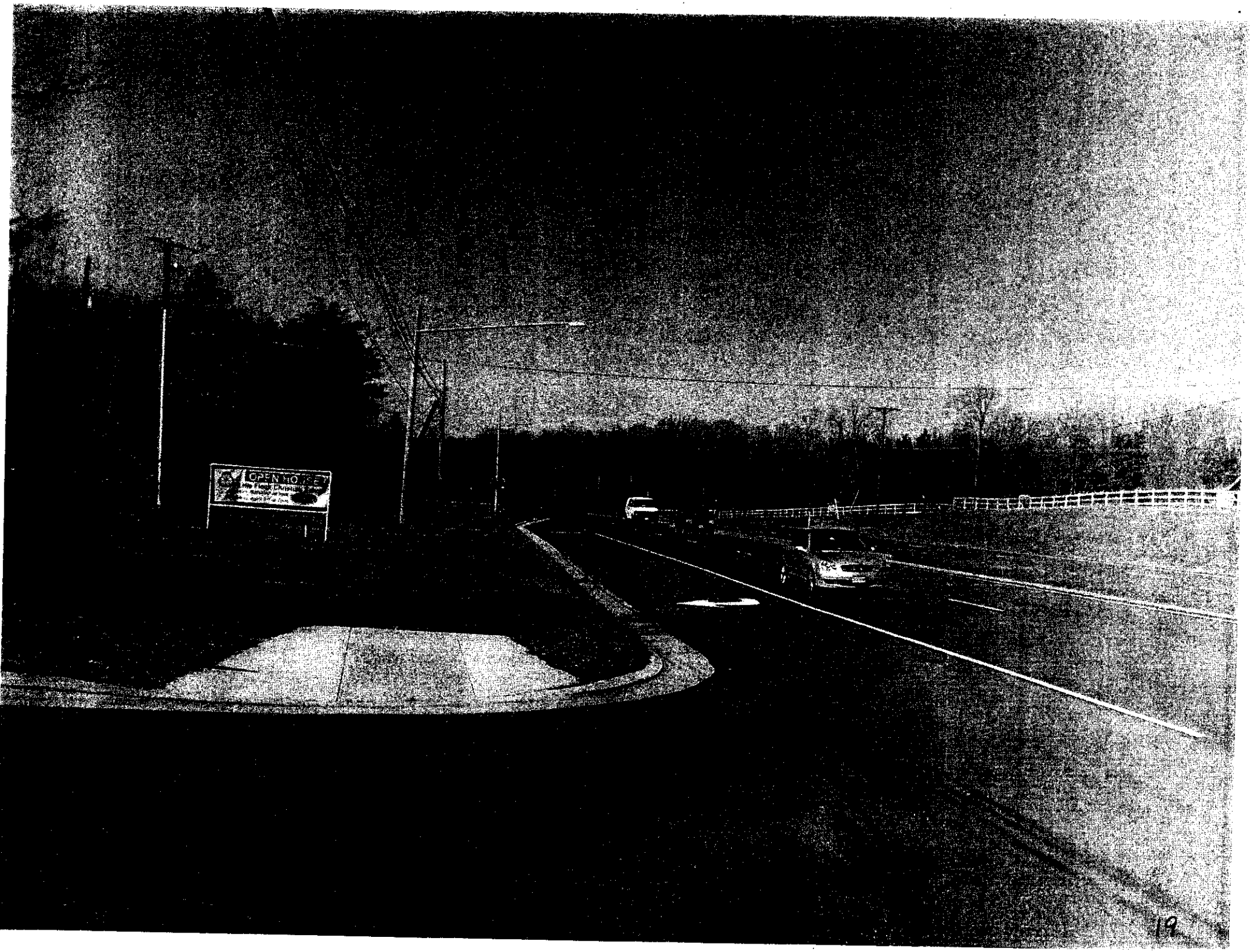
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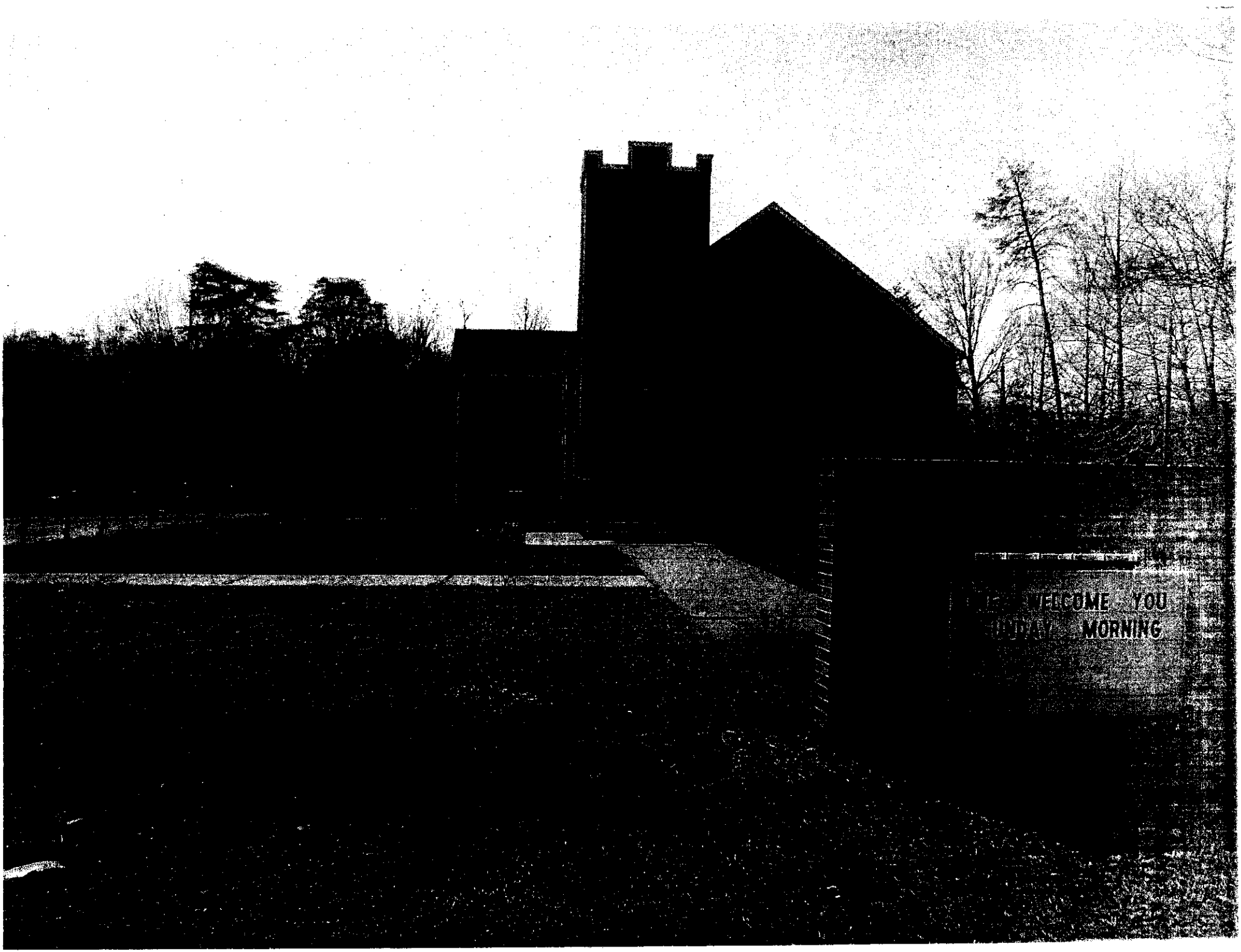
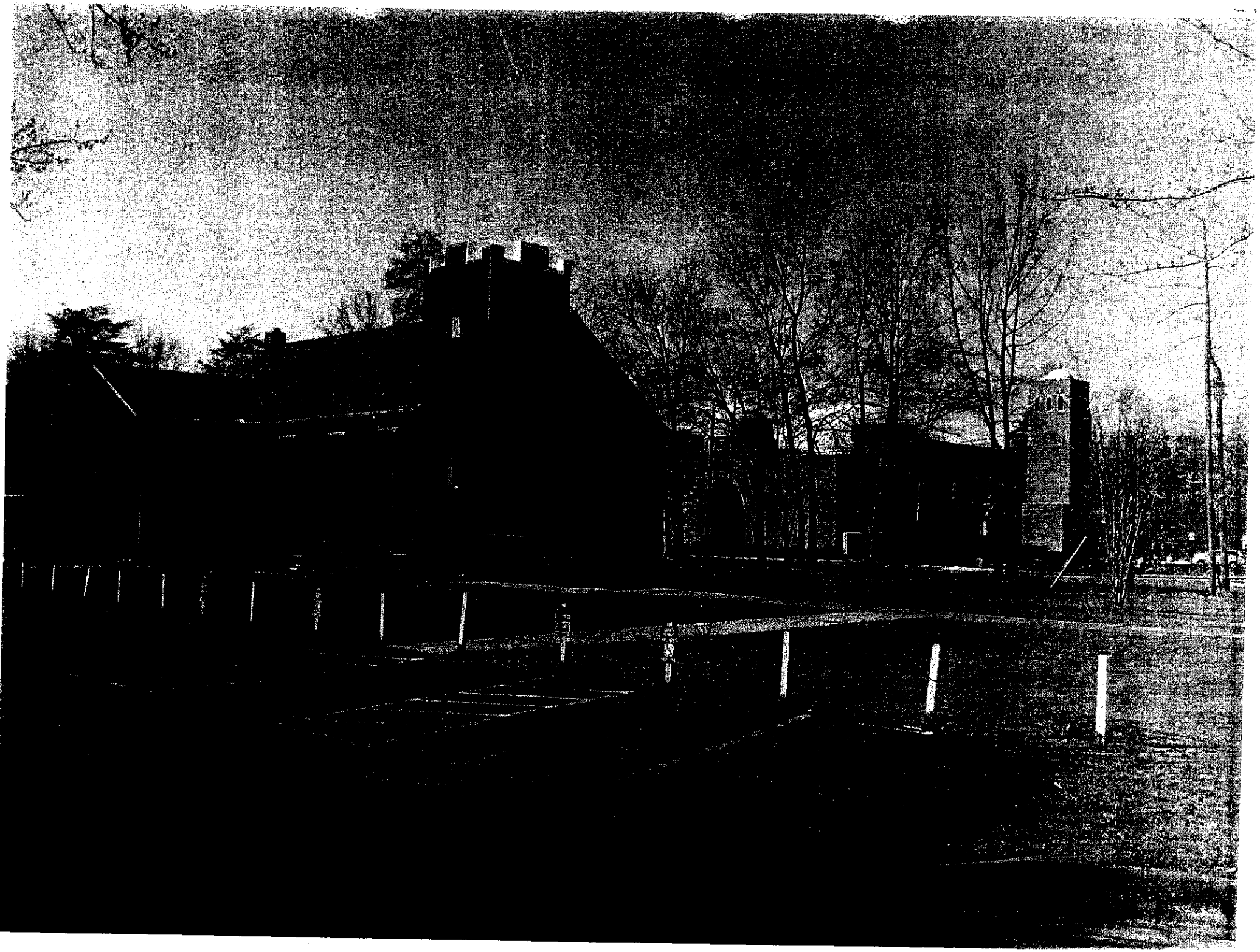
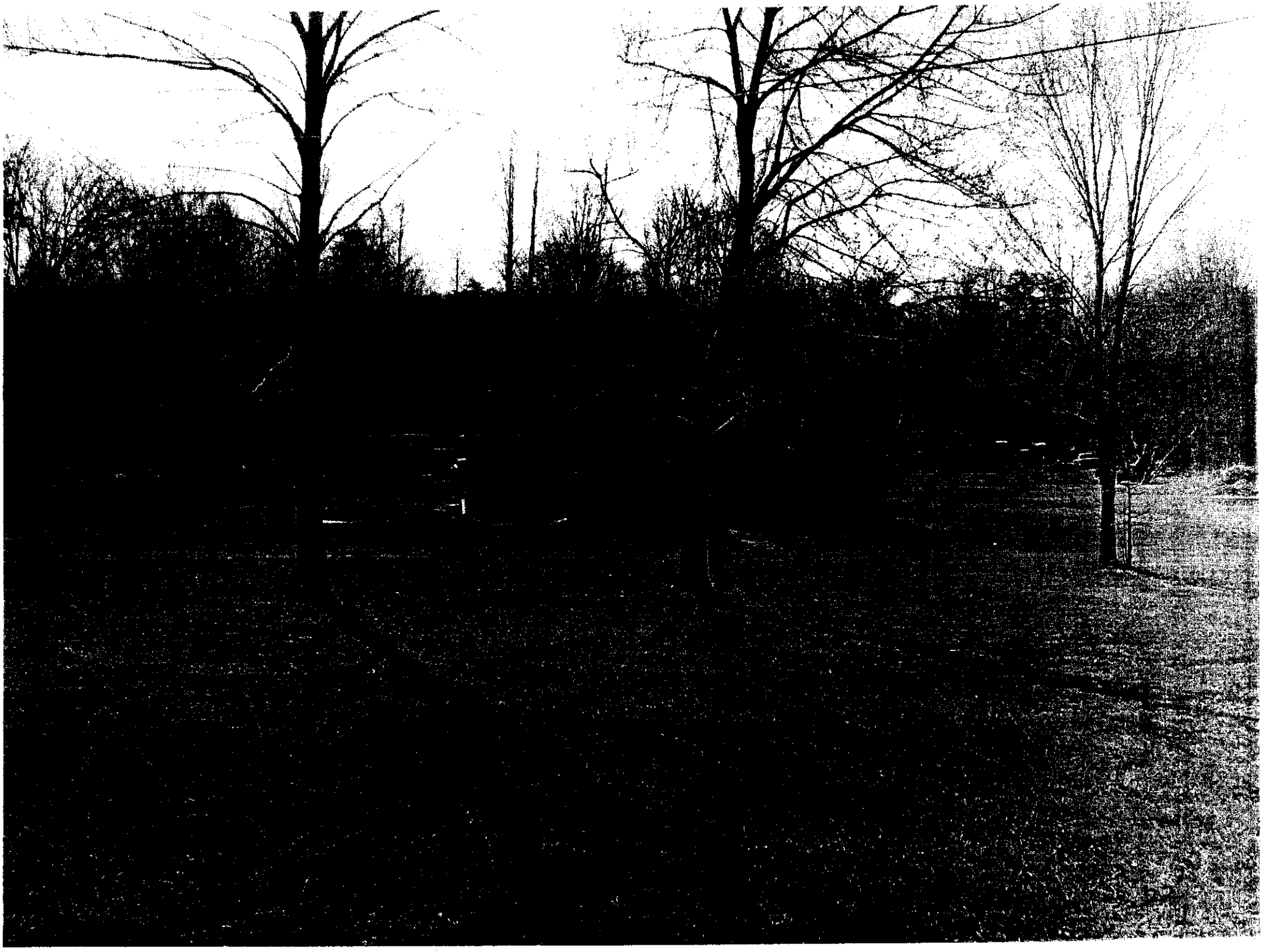
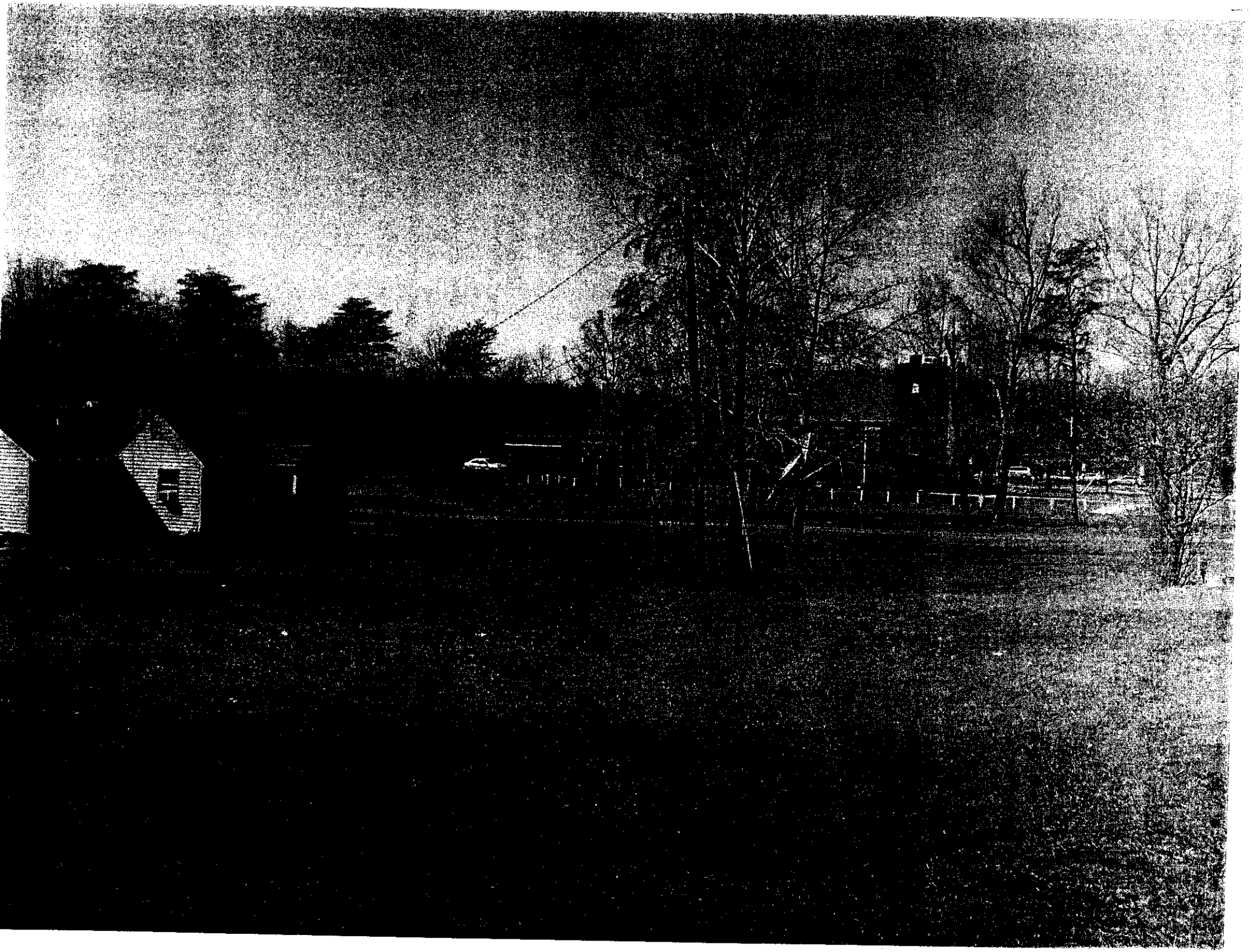

WELCOME YOU
MORNING







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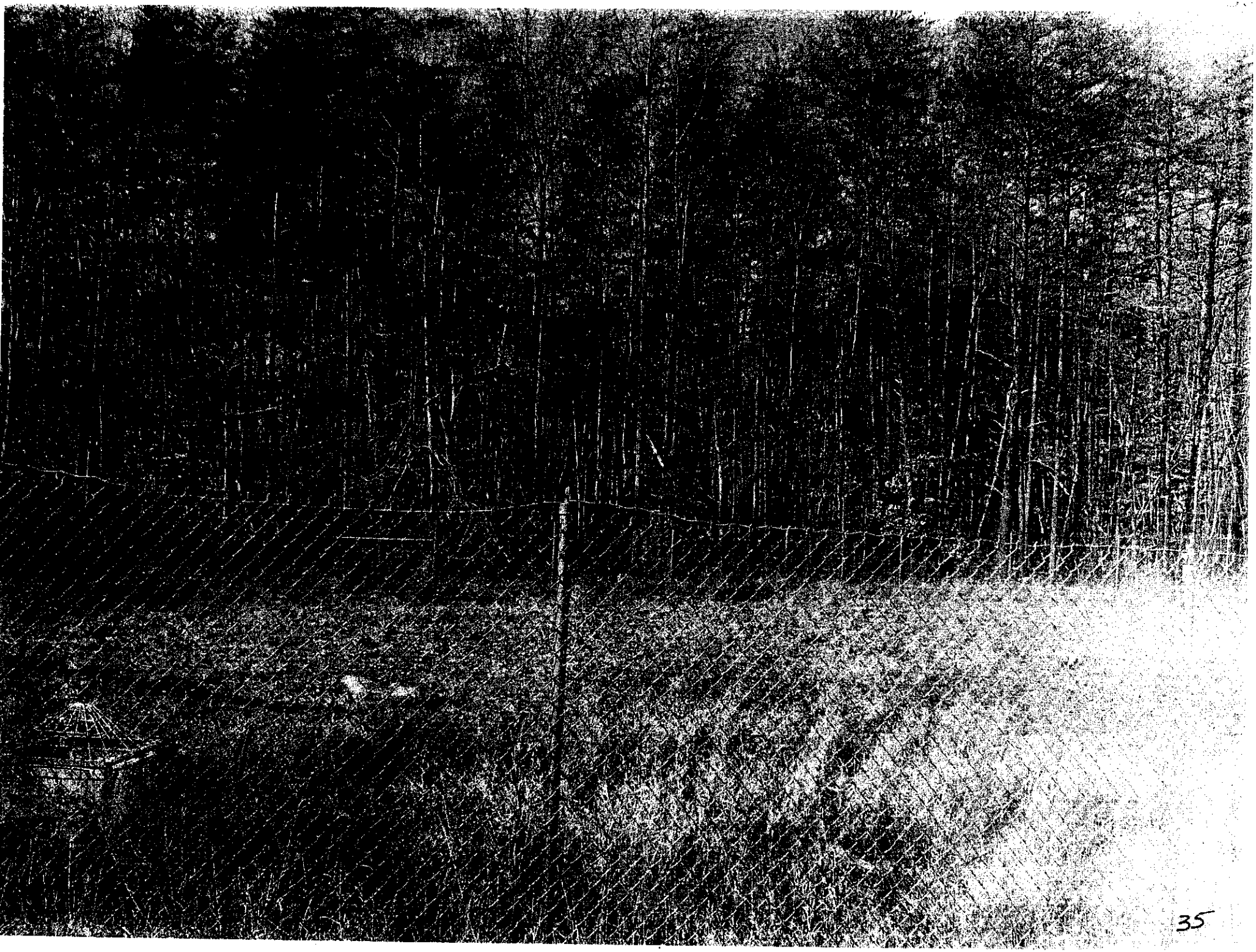
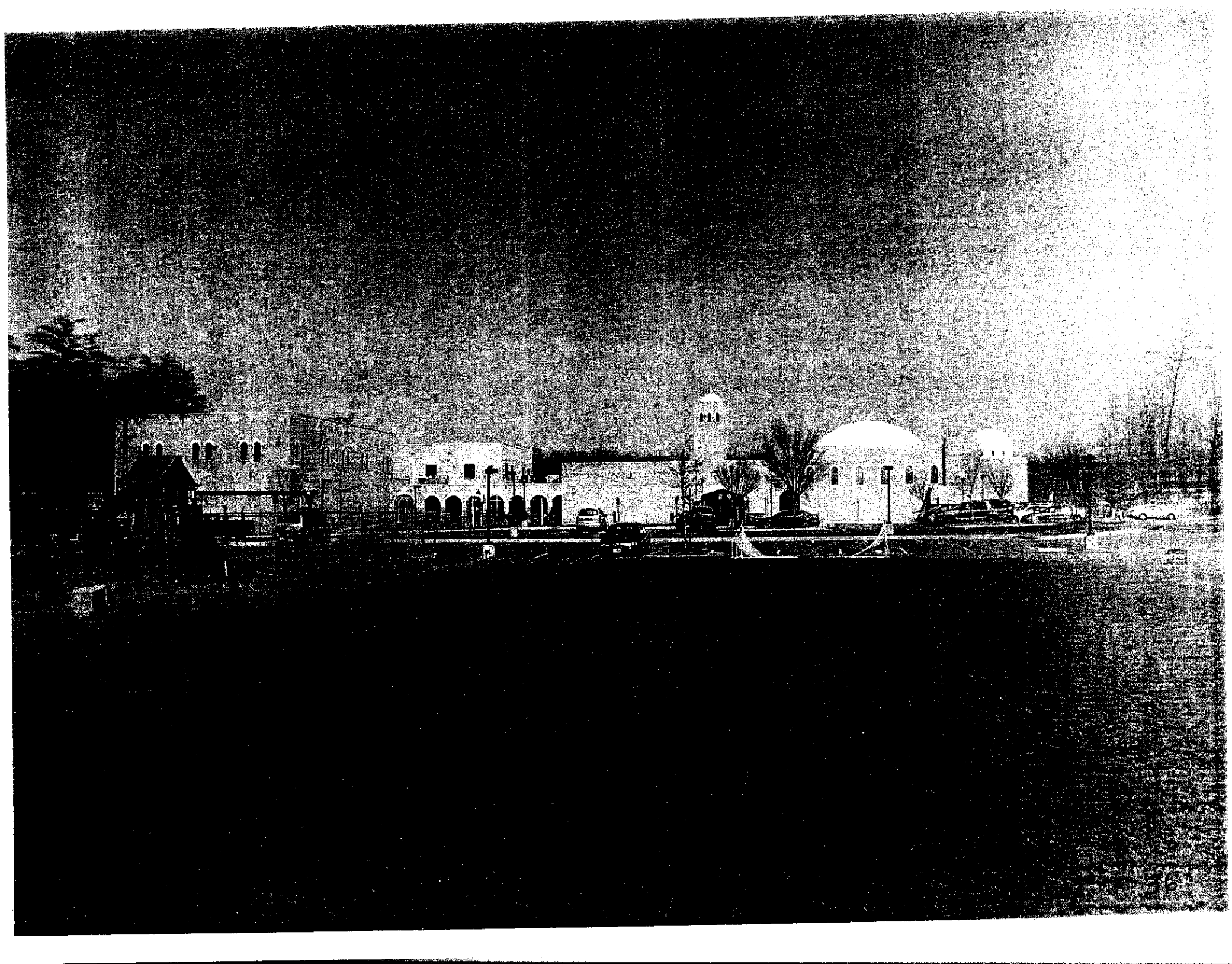
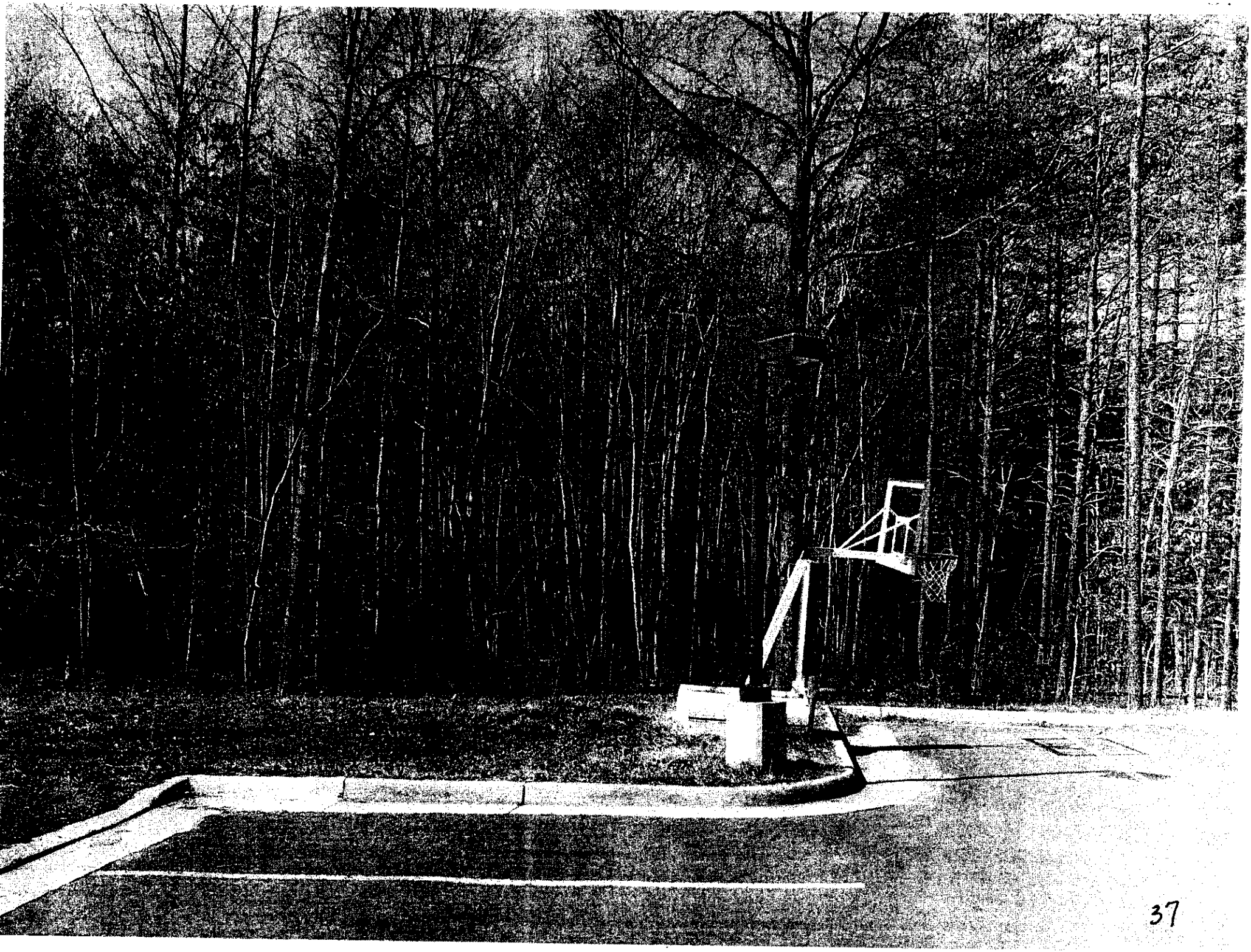
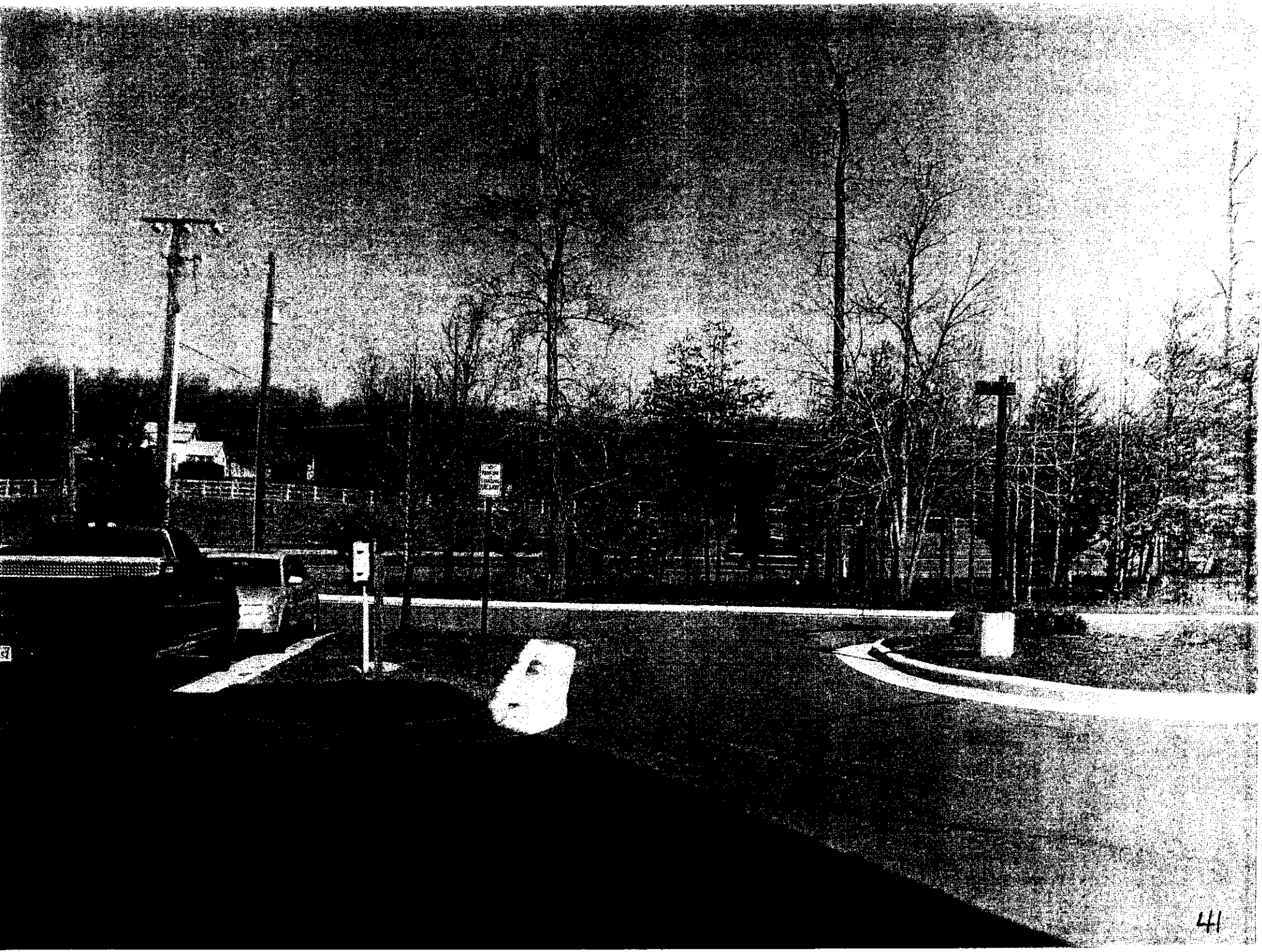








DESCRIPTION OF THE APPLICATION

Special Permit Request:

The applicant seeks to amend SP 89-S-013 previously approved for a church with 300 seats and a child care center with a maximum daily enrollment of 50 children. The applicant requests special permit approval to increase the seating capacity of the church to 600 seats; increase the maximum daily enrollment of the child care center and add a nursery school for a combined maximum daily enrollment of 165 children; add a private school of general education for up to 110 students for grades pre-kindergarten through eighth grade (Pre-K-8th); increase the maximum allowable employees on site from 10 to 28 employees; increase land area from 8.91 acres to 16.85 acres (three new lots with the former Mt. Zoar Church and two houses); construct building additions to accommodate an expanded sanctuary; construct a two-story child care center/nursery school addition; construct a new fellowship hall for ministry activities, fellowship, prayer groups and other ancillary church activities; and other site modifications to include reforestation of the site, additional parking and road improvements along Braddock Road. These modifications are proposed to occur in three phases.

	Existing	**Phase I**	**Phase II**	**Phase III**
Size	Site: 16.85 acres St. Mark Building – 29,050 sq ft Mt. Zoar Building – 2,580 sq ft Residential Dwelling (Lot 31) – 1,360 sq ft Residential Dwelling (Lot 32) – 1,249 sq ft	Sanctuary Addition – 4,804 sq. ft Second-Floor Addition – 5,064 sq. ft. Total building area (excluding the dwellings) – 41,498 sq. ft.	Two-Story Addition – 13,213 sq. ft. (excluding cellar space) Total building (excluding the dwellings) area – 54,711 sq. ft	Fellowship Hall – 20,000 sq. ft. Total building area – 74,711 sq. ft*
Parking	180 spaces	250 spaces	267 spaces	320 spaces
FAR	0.04	0.06	0.07	0.98**
Number of Seats	300 seats maximum	600 seats maximum	No change from Phase I	No change from Phase I
Number of Children in Child Care Center/Nursery School	50 children maximum (in child care center only)	90 children maximum combined total	165 children maximum combined total	No change from Phase II

	Existing	Phase I	Phase II	Phase III
Number of Students in Private School	None	56 students maximum daily	110 students maximum daily	No Change from Phase II
Number of Employees associated with Day Care/Nursery School/Private School of Gen Ed	10 employees maximum	22 employees maximum	28 employees maximum	No Change from Phase II

**Note: Calculated total assumes a 20,000 sq-ft bldg. The footprint of the fellowship hall as shown on the SP Plat exceeds 25,600 sq. ft.*

***Note: Assumes a 20,000 sq. ft building. The footprint of the fellowship hall as shown on the SP Plat provides a total building area greater than 77,731 sq. ft. which equates to a FAR of 0.11*

Hours of Operation:

Approved Under SPA 89-S-013

Sunday Worship Services:
6:00 a.m. to 9:00 a.m. and
9:15 a.m. to 11:30 a.m.

Child Care Center:
9:00 a.m. – 3:00 p.m., Monday through Friday

Proposed Under SPA 89-S-013-02

Sunday Worship Service:
8:30 a.m. to 11:30 a.m. (upon completion of Phase I)

Religious Education Classes and Other Activities:
11:30 a.m. to 1:30 p.m., Sunday

Child Care Center/Nursery School:
7:00 a.m. – 5:00 p.m., Monday through Friday

Private School of General Education:
9:00 a.m. – 3:00 p.m., Monday through Friday

LOCATION AND CHARACTER

Existing Site Description:

The application property is located on the south side of Braddock Road, east of the Fairfax County Parkway (Route 7100) and east of the intersection of Braddock Road with Second Road and west of its intersection with First Road. The application site is

comprised of six separate parcels when combined equates to 16.85 acres. Access to the site is provided through five entrances onto Braddock Road; seven curb cuts are depicted, but two of those curb cuts do not have driveways associated with them. Lots 27A, 34 and 42 located along the western portion of the site are developed with the existing St. Mark Coptic Orthodox Church campus. A right-in/right-out entrance to the existing St. Mark campus is provided via an asphalt driveway from Braddock Road that leads to an asphalt surface parking lot area located north of the church building. The drive aisle makes a continuous loop to the west of the building which leads north towards Braddock Road. It should be noted that the SPA Plat depicts a single trailer along the western drive aisle which appears to encroach into the limits of a recorded conservation easement. Previous approvals for this site prohibit the continued use of trailers on the site and the use of trailers is not included as part of this application request. Two tot lots are located south of the church building; one adjacent to the building and the other is located south of the parking lot. An open field shown on the SPA Plat as a soccer field is east of the second tot lot. A fenced area containing several storm drain easements serves as an existing dry stormwater management (SWM) pond and assist in providing best management practices (BMP) for the site. A small portion of the southeast corner of Lot 27A is located within a 100-year floodplain and Environmental Quality Corridor (EQC). Lot 33 is located to the east and is adjacent to the existing St. Mark Coptic Orthodox Church campus. It is developed with the old Mt. Zoar Church building. According to the SPA Plat, this two-story building measures 2,580 square feet, excluding cellar space, and is accessed via a second entrance from Braddock Road that is located east of the building and leads to surface parking to the east and south. Lots 32 and 31 along the eastern boundary of the application site are each developed with a single family detached dwelling. Lot 32 has a looping gravel driveway providing access via two curb cuts (entrances 3 and 4) from Braddock Road into the site. Lot 31 contains one driveway (entrance 5) from Braddock Road that terminates at a 6-foot high, chain-link fence. However, there is a network of gravel travel aisles located along the side and rear of the buildings that link all the lots together.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	**Use**	**Zoning**	**Plan**
North	Single Family Dwelling	R-C	Residential; .1–.2 du/ac
South	Single Family Dwellings (Lincoln Park Subdivision)	R-C	Residential; .1–.2 du/ac
East	Single Family Dwellings (Lincoln Park Subdivision)	R-C	Residential; .1–.2 du/ac

SURROUNDING AREA DESCRIPTION			
West	Vacant; Single Family Dwellings (Lincoln Park Subdivision)	R-C	Residential; .1–.2 du/ac

BACKGROUND

Site History:

On September 26, 1989, the Board of Zoning Appeals (BZA) approved SP 89-S-013 to allow a church limited to a maximum seating capacity of 300 seats.

On January 18, 2000, the BZA approved SPA 89-S-013 to amend SP 89-S-013 for a church and related facilities to permit a child care center with a maximum of 50 children, increase in land area and building additions. A copy of the Resolution and plat approved in conjunction with SPA 89-S-013 is included as Appendix 4.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area III

Planning Sector: Pohick Planning District
P1 Twin Lakes 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: St. Mark Coptic Orthodox Church of Washington, D.C.

Prepared By: Charles T. Henegar, Rinker Design Associates, P.C.

Dated: March 19, 2009, as revised through July 29, 2009, and signed August 3, 2009

Proposed Use:

The existing St. Mark's Coptic Orthodox Church is located on Lots 27A, 34 and 42, consisting of 8.91 acres. The applicant proposes to add 7.94 acres, consisting of Lots 31, 32 and 33. Lots 31 and 32 each contain a single family detached dwelling and Lot 33 is developed with the former Mt. Zoar Church. The applicant proposes

development to occur on this site over three phases. The first phase of development (Phase I) will consist of construction along the eastern and southern areas of the existing 29,050 square-foot building to expand the existing sanctuary eastward by 4,804 square feet in order to accommodate an increase in seating capacity from 300 seats to 600 seats and to construct a 5,064 square-foot, second-floor addition resulting in a 38,918 square-foot building that, when combined with the existing Mt. Zoar Church building with a floor area ratio (FAR) of 0.06. The second floor addition will be attached to the southern portion of the existing building to accommodate the expanded nursery school and the newly proposed child care center and private school of general education. The building will contain cellar space for classrooms. The maximum daily enrollment of the existing child care center increases from 50 children to a maximum daily enrollment of 90 children when combined with the newly added nursery school. The applicant also proposes to open a new private school of general education with a maximum enrollment of 56 students for grades Pre-K through 8th grade. The old Mt. Zoar Church building and the two existing dwelling structures are proposed to remain throughout Phase I. The applicant proposes to utilize these structures for offices, storage and ministry/counseling space. Several existing play areas are shown to serve as outdoor recreation space measuring 30,322 square feet in total. These outdoor play areas include two tot lots with a total area measuring 5,647 square feet, two outdoor half-basketball courts measuring 3,750 square feet in area and an open field identified as "Outdoor Recreation Area/ Soccer Field" on the Special Permit (SP) Plat which is shown to measure 20,925 square feet in area. There are no proposed changes to these areas. The applicant proposes to expand the existing asphalt surface parking lot from 180 parking spaces to 250 surface parking spaces in Phase I; 193 parking spaces are required to meet the Zoning Ordinance parking requirements for all of uses proposed during this phase of development. Additional site modifications include reforestation of the site to ascertain 47.8% undisturbed open space and the construction of a median break on Braddock Road along the site's frontage into its newly relocated full-access entrance. The existing St. Mark entrance is proposed to be modified as a right-in only entrance. The primary entrance into the site will be relocated just east of the existing Mt. Zoar entrance (entrance 2) and the existing Mt. Zoar entrance will be closed.

In Phase II, the applicant proposes to construct a 13,213 square-foot, two-story addition onto the southeast corner of the existing church, private school of general education, child care center and nursery school building to increase the capacity of the child care center and nursery school by an additional 75 students to its maximum of 165 students, and to increase the maximum enrollment of the private school of general education by an additional 54 students to its maximum of 110 students; a total maximum of 275 children on site at any one time are proposed. The old Mt. Zoar church building is proposed to remain throughout Phase II while the two dwelling structures are proposed to be removed during this phase. Development at the completion of this phase increases the site's intensity to a FAR of 0.07 with 54,711 square feet of floor area, including the Mt. Zoar Church Building. On-site parking is proposed to increase to a total of 267 surface parking spaces.

Phase III of development is proposed to consist of the demolition of the existing Mt. Zoar Church building and construction of a new 20,000 square-foot Fellowship Hall. The detached Fellowship Hall structure will be located east of the expanded church

building, separated by two travel aisles and surface parking. This one-story building is proposed to be utilized for ministry activities, fellowship, prayer groups and other similar types of ancillary Church activities. It should be noted that the footprint of the fellowship hall as shown on the SP Plat exceeds 25,600 square feet, but it is identified as a 20,000 square-foot building. Staff's analyses assume a building size of 20,000 square feet. An additional 53 surface parking spaces are proposed for an ultimate total of 320 parking spaces on site at a ratio of 1 parking space to every 1.87 seats. The completion of Phase III would result in 72,131 gross square feet of development at a FAR of 0.098. A FAR of 0.10 is permitted in the R-C District.

Land Use Analysis (Appendix 6)

The Comprehensive Plan recommends residential development at .1-.2 dwelling units per acre. The P1 Planning Sector is located within the Occoquan Reservoir watershed and protection of the Occoquan Reservoir water quality is the primary objective for this area. Non-residential uses requiring special permit (SP) or special exception (SE) approval should be rigorously reviewed and permitted only when the use is of a size and scale that will not adversely impact adjacent land uses and the overall low density residential character of the area and the use is designed to mitigate impacts on the water quality of the Occoquan Reservoir.

Compatibility

The intensity of the proposed use should not result in significant impacts on adjacent residential parcels. Provisions for screening, buffers and barriers meet or exceed what is typically required for this type of use in the R-C District. Lighting proposed for the parking area and all other lighting will meet current Zoning Ordinance standards.

Issue: Intensity

While the proposed ultimate FAR (0.098) is slightly below that which is permitted for non-residential uses within the R-C District (0.10 FAR), the overall intensity of the proposed uses at this location seem to exceed the level anticipated by the Zoning Ordinance for such uses. A church on its own could be designed in a manner that is consistent with similar uses in this area. However, staff believes that the additional uses, expanded impervious surface areas and relatively large structures do not seem to be compatible with the surrounding uses or other similar uses in this area of the County. While the seating of the sanctuary is being doubled, parking for the proposed use is not and it has been reported that parking for the existing uses has resulted in problems in the past. The applicant has provided commitments to preserve or restore approximately 47.8% undisturbed open space for the proposed development which will include restoration and reforestation for some areas of the property. The applicant should consider a redesign of the proposed expansion which accounts for the 50% undisturbed open space first and then inserts the proposed structures and other impervious surface areas after that exercise has been completed. The massing and height of the structure will be limited according to development conditions set forth by staff. Additional discussion regarding the intensity and potential traffic impacts of this development is further noted under the Fairfax County Department of Transportation

Analysis section of this report.

Resolution:

The applicant's agent has committed to resubmitting revised plans that depict a modest reduction in the project's mass and intensity. Development in Phase I and Phase II is proposed at a density of 0.06 and 0.07 FAR, respectively with a maximum building height of 29 feet and domes not to exceed 57 feet in height, which is generally in harmony with the recommendations of the Comprehensive Plan. Upon completion of Phase III, proposed building heights remain at 29 feet with domes not to exceed 57 feet in height; however density increases to 0.098 FAR. Staff continues to believe that subsequent submissions which may decrease the floor area of the proposed Phase III development, only marginally addresses the intensity issue on this site and the applicant should consider more efficient design alternatives for Phase III. Notwithstanding, the concern that parking may be inadequate for all of the proposed uses, with the sprawling nature of the current site design, surface parking areas account for 163,299 square feet or 3.75 acres of the site. The cumulative effect of the density of Phase III remains a concern for staff. However, staff could support the proposed intensity if subsequent submissions show a reduction in building size for Phase III and an overall more efficient site design. At the time that this report was prepared, the applicant had not submitted revised plans.

Building Layout

The proposed development is proposed as several expansions of the existing church building, to include the child care center, nursery school, private school of general education and surface parking. A courtyard is indented into the eastern side of the expanded church building, serving as the main entrance and facing the drive aisle of the primary site entrance. The removal of the former Mt. Zoar Church structure and the two single-family dwellings will take place at a later time, but no later than Phase III. Phase III will be comprised of the construction of the proposed fellowship hall, which will be located in a separate structure separated from the main church by courtyard plaza, parking and travel aisles. The proposed height of the church and related structures will not exceed 60 feet. Staff feels that a more consolidated layout would present additional opportunities for preserving open space. However the applicant has noted that this approach would not be consistent with their needs for the proposed expansion.

Open Space

The applicant has identified the amount of undisturbed open space on the special permit amendment plat as an ultimate area of 47.8% undisturbed open space for 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, staff has consistently recommended that at least 50% of a site be retained as undisturbed open space when considering SP and SE uses. Based on the proposed intensity requested, the applicant has not achieved at least 50% open space. As such, staff concludes that the application is not in harmony with the land

use recommendations of the Comprehensive Plan.

Limits of Clearing and Grading

The SPA Plat depicts the ultimate limits of clearing and grading for the proposed development, but do not show those limits for each phase of development. As the exact timeframe for each phase is development is undetermined, staff believes that the limits of clearing and grading should be depicted on the SPA Plat for each phase of development to ensure that the site is not left denuded or cleared for the ultimate build-out when it may be many years or possibly never constructed.

Environmental Analysis (Appendix 6)

The application property was rezoned by the Board of Supervisors to the Residential-Conservation (R-C) District in 1982, as part of the 40,000-acre Occoquan Basin rezoning. This zoning action was preceded by the publication of the Occoquan Basin Study (1982) and the adoption of amendments to the Comprehensive Plan (1982) that incorporated recommendations of the Study. Among the primary goals of this study was the protection of the quality of water in the reservoir through a combination of land use modifications and best management practices (BMPs). The zoning of two-thirds of the Occoquan watershed in Fairfax County to the R-C District was in furtherance of implementation of adopted County goals as set forth in the Comprehensive Plan 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.

Issue: Water Quality

The subject property is located within the Popes Head Creek Watershed and the Water Supply Protection Overlay District. The Comprehensive Plan recommends that such uses "be rigorously reviewed" and states that these uses should be approved only if certain conditions are met. One such condition is that: "the use is designed to mitigate impacts on the water quality of the Occoquan Reservoir." In order 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 existing church has approximately 47.6% undisturbed open space. With the proposed expansion in land area and uses, the subject property would retain approximately 47.8% undisturbed open space. While staff recognizes that much of the expanded land area is already disturbed, any expansion of land area should be considered an opportunity to expand undisturbed open space areas, including restoration of existing disturbed areas. Staff believes that by expanding the overall land area of the site, the site should provide a minimum of 50% undisturbed open space which may be achieved through preservation and reforestation. Staff believes that this provision has not been adequately addressed and is not in conformance with the Comprehensive Plan.

Resolution:

The applicant's agent has committed to resubmitting revised plans that meet the 50% undisturbed open space requirement. However, at the time that this report was prepared, revised plans had not been submitted. If subsequent plans show that this condition has been met, staff believes that this issue can be resolved.

Issue: Limited Capacity Sewer Service System

The application site is located within the Lincoln-Lewis-Vannoy Conservation Area and is served by a limited capacity sewer service system. The expansion of the existing church use coupled with the additional proposed uses has raised concerns regarding the ability of this system to support the numerous additional uses on the subject property. Staff requested that the applicant provide written verification from the Department of Public Works and Environmental Services (DPWES) in order to confirm that the proposed uses at this location will be adequately supported by the existing sewer infrastructure in this area.

Resolution:

The applicant has provided a letter, dated May 21, 2007 (Appendix 5), in which staff from the Engineering Analysis and Planning Branch of the Department of Public Works and Environmental Services (DPWES) has agreed to a development condition which limits the public sewer flows generated by the uses allowed by special permit approval to 1,800 gallons per day (gpd). Staff has proposed a development condition incorporating this agreement in Appendix I of this staff report. With the implementation of this development condition, this issue is resolved.

Countywide Trails Plan

The Countywide Trails Plan map shows a major paved trail along the south side of Braddock Road, adjacent to the site. The SPA Plat is consistent with the Countywide Trails Plan, showing an existing 8-foot wide asphalt trail along the site's Braddock Road frontage.

Urban Forest Management Analysis (Appendix 7)

Tree preservation should be optimized for this site in accordance with the Tree Preservation Ordinance. As notated on the SPA Plat, the applicant intends to provide the percentage of 10-year tree canopy requirements at site plan submittal. Consequently, staff has proposed detailed development conditions pertaining to tree protection and tree preservation on the site which is intended to help ensure the survivability of on-site vegetation.

Stormwater Management (SWM)/ Best Management Practices (BMP) Analysis (Appendix 8)

The applicant proposes to meet SWM requirements through the existing on-site underground detention facility and dry pond, in addition to a proposed underground detention facility noted as a StormTech system. A StormTech system does not meet the Public Facilities Manual (PFM) requirements for underground detention. However, a StormTech system would likely be approved as a modification of an infiltration trench facility should the applicant choose to pursue a modification request. The plat also shows that water quality management areas (WQMA) are to be used in conjunction with conservation areas, reforestation, and existing facilities to meet water quality controls. WQMAs cannot be used in BMP calculations and cannot be placed on properties where other means of providing water quality controls are available. The applicant should simply re-label these areas as conservation areas which can be used for BMP credit. A minimum 50% phosphorous removal rate is proposed in order to meet BMP requirements.

Issue: Adequate Outfall

There are two erosion complaints on file from two downstream properties. While the applicant contends that these complaints are not related to activities on its site, ultimate outfall for the application site has not been provided during the review process and will be a requirement of site plan approval.

Resolution:

The application site is divided into four drainage areas. Adequate outfall requirements are proposed to be met through existing facilities and infiltration trenches. Sheet 3 of the SPA Plat notes that the downstream drainage system will be further analyzed to meet PFM requires. Should the downstream drainage system prove to be inadequate to meet PFM requirements, the applicant proposes to enlarge the StormTech system and re-design it if necessary to meet requirements. Staff has proposed a development condition requiring the applicant to provide SWM/BMP facilities that meet PFM requirements and to demonstrate adequate outfall in accordance with the PFM at the time of site plan review.

Fairfax County Department of Transportation (FCDOT) Analysis (Appendix 9)

Trip Generation/Intensity

The proposed use is very intense given the property is zoned Residential-Conservation. Site development for the newly acquired lots (Lots 31-33) under the current zoning would permit three residences, which would generate about 30 vehicle trips per weekday, with three trips during each of the a.m. and p.m. peak hours. Residential development on the five existing lots would generate approximately 50 vehicle trips per day and five during peak periods. The Fairfax County Department of Transportation (DOT) estimates that the combination of the proposed uses, at build-out, will generate 1,360 vehicle trips per day which include 245 vehicles in the a.m. peak hours, 145 trips in the p.m. peak hours

and 400 trips during the peak hours of site use on Sundays. The applicant submitted a transportation analysis indicating that the site entrance will likely warrant signalization due to both the week-day and Sunday trip generation characteristics. DOT can not support the degree of site intensity that would create a need for signalization at the site entrance, and can not support placement of a signal at the site entrance. Moreover it is not desirable to have a development that is so intense that off-duty police officers must be routinely used to maintain adequate traffic operations.

Site Access

In 2006, the applicant secured permission from the Virginia Department of Transportation (VDOT) to construct a median break on Braddock Road along the site's frontage. Fairfax County DOT strongly recommends that the applicant work with the owner of the adjacent lot to the west, Tax Map 67-1 ((4)) 41, to secure access to Braddock Road via Second Road. Such access would negate the need to construct the median opening, and traffic from the site when combined with trips from other uses in the area could be directed to a signalized intersection at Braddock Road and Second Road if warranted. However, if the applicant is unable to secure access via Second Road, staff would support the construction of the median break along Braddock Road prior to the issuance of Non-residential use permits (Non-RUP) for Phase I improvements. The median break is delineated on the SPA Plat, and the applicant has indicated a willingness to construct the break as an element of the initial site expansion in Phase I. DOT does not support any additional development on the site without completion of the median break; therefore staff has proposed a development condition to ensure that the median break is constructed in Phase I. It should be noted that Fairfax County DOT does not object to the construction of the median break without the accompanying eastbound left-turn lane. However, the parameters for the design of that turn lane will be determined by VDOT.

The SPA Plat does not clearly delineate the closure of existing entrances to the Mt. Zoar Church and the residence immediately east of that church upon construction of the median opening. It should be clarified that with the exception of the proposed right-in only entrance and the full-access entrance, all remaining access points will be closed at such time as the median break is constructed. Staff has proposed a development condition requiring the closure of these entrances.

Until the easternmost house is removed on Lot 31, access to and parking on that property should be limited to uses associated with that structure. No worship service parking should occur at that property until the property is redeveloped as parking for the St. Mark congregation. Staff has proposed a development condition prohibiting overflow parking on this lot that is not associated with uses on the lot.

On-Site Circulation

On-site circulation is less than desirable. Several improvements could be implemented, but the applicant has not expressed an interest in implementing these modifications. The following items, at a minimum, should be implemented to improve safety and operations:

- A sidewalk should be provided along the eastern side of the Sanctuary building.

Although the applicant has indicated that there will be doors on both sides of the building, there will be times when pedestrians will want to walk to/from parking without passing through the sanctuary. Space for the sidewalk can easily be provided by slightly increasing the radius of the entry road immediately east and northeast of the building.

- Door locations should be identified so that the proposed pedestrian network can be better evaluated.

- No pedestrian access is provided between the parking spaces along the eastern parameter of the site and the Fellowship Hall to the west of these spaces. The sidewalks along the north and south sides of the proposed Fellowship Hall should extend to the travel aisle west of the hall. It is recognized that the pedestrian route along the south side of the hall would cross the front of the loading space, but staff believes that pedestrians will walk in this area with or without the sidewalk.

FCDOT Review of the Transportation Impact Analysis (TIA)

Fairfax County Department of Transportation identified the following concerns with the TIA study that was submitted with this application. These changes should be incorporated into any study submission:

- Page 10 of the study indicates that First Road carries 300 vehicles per day while Second Road has an average vehicle volume of 60 trips per day. This information is apparently from old VDOT count data and likely is not an accurate representation of current traffic volumes. While there is a house of worship located at the corner of Second and Braddock Roads, there is also a group home located at the intersection of First and Braddock Roads. As such, the daily volumes on these two roads would be expected to be more equal. In addition, the peak hour counts provided in the study do not suggest such an overall volume disparity.

- Figure 3-1 delineates existing/baseline volumes. However, the counts omit the U-turn trips at First and Second Roads, and only identify minimal westbound left turn volumes at the intersection of Braddock and Second Roads. The applicant has indicated that the U-turn volume data was collected at the time the traffic counts were taken, and that the data will be included in the revised analysis with additional count data provided if necessary.

- The existing Sunday peak hour volumes appear to be very low, especially given that there are two churches on the site, [St. Mark plus the former Mt. Zoar Church]. In addition, another church is located opposite the intersection of First and Braddock Roads. The count data should be verified for accuracy.

- Page 27 of the study indicates that the Fellowship Hall is..."Not intended to house additional worship uses". This study parameter can only be accepted if the applicant commits to a development condition stating that such uses will be precluded.

Virginia Department of Transportation (VDOT) Analyses (Appendix 10)

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 by meeting or exceeding trip generation criteria, which is more than 250 trips in the park hour. As noted in the previous section of this report, FCDOT estimates that the combination of the proposed uses, at build-out, will generate 1,360 vehicle trips per day including 245 vehicles in the a.m. peak hours, 145 trips in the p.m. peak hours and 400 trips during the peak hours of site use on Sundays. Therefore, the applicant was required to submit a TIA with the submission of this special permit amendment application. The TIA was determined unacceptable by VDOT on July 15, 2009 and the applicant was required to submit a revised TIA. A copy of the Evaluation Report can be found in Appendix 10 of this staff report. The applicant's agent has indicated that he intended to submit a revised TIA on or about September 10, 2009. VDOT requires forty-five (45) days to review a TIA request; therefore VDOT's response to the revised submission is estimated to be due by October 26, 2009. To date, the applicant has not received final acceptance from VDOT of their TIA. Publication of this staff report is September 29, 2009, which means both the draft and final report were due September 21, 2009. As of that date, staff had not received a memo from VDOT on the status of the revised TIA submission. Therefore, staff believes that application should not move forward with the public hearing process until all issues with the study are adequately addressed.

ZONING ORDINANCE PROVISIONS

Residential - Conservation (R-C) District		
Standard	**Required**	**Proposed**
Lot Size	5.0 acres (minimum)	16.85 acres
Lot Width	200 feet (minimum)	1,100.44 feet
Building Height	60 feet (maximum)	29 feet (40 feet to peak of dome)
Front Yard	50° ABP but not less than 40 feet	± 105 feet
Side Yard	45° ABP but not less than 20 feet	± 165 feet (west); ± 147 feet (east)
Rear Yard	45° ABP but not less than 25 feet	± 290 feet
Open Space	No requirement	47.8% (8.061 acres) Min. 50% undisturbed per the Policy Plan
FAR	0.10	Phase I: 0.06 Phase II: 0.07 Phase III: 0.98
Outdoor Recreation Area (Tot Lots)	100 sq ft / child	5,647 sq ft (maximum 56 children at any one time)

Residential - Conservation (R-C) District		
Standard	**Required**	**Proposed**
Outdoor Recreation Area (School of Gen. Ed. – Soccer Field)	430 sq. ft / child	20,950 sq ft (maximum 49 children at any one time)
Parking Spaces	Phase I = 193 spaces Phase II = 208 spaces Phase III = 208 spaces Church: 150 Child Care: Ph I = 17 Ph II = 26 Elementary School: Ph I = 26 Ph II = 32	Phase I: 250 spaces Phase II: 267 spaces Phase III: 320 spaces
Interior Parking Lot Landscaping	5% (8,165 sq ft)	5.36% (8,750 sq ft)
Transitional Screening (North, East, South and West)	TS 1: Min. 25 feet wide	Provided with existing vegetation and supplemental planting to the north.
Barrier (North, East, South and West)	D, E or F	Waiver needed

WAIVERS/MODIFICATIONS REQUESTED

- Modification of Transitional Screening on all sides to allow existing vegetation to utilized.
- Waiver of barrier on all sides.

The applicant has not requested a modification of the screening requirements but supposes to utilize existing vegetation for providing adequate screening. The width of the existing vegetation is generally in excess of that required for transitional screening; therefore, staff would not object to modifications of the transitional screening and/or requests for a waiver of the barrier requirements. Additional screening should be provided along the Braddock Road frontage as recommended by UFMD.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (Appendix 11)

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sects. 8-303, 8-305)
- Additional Standards for Private Schools of General Education (Sects. 8-308; 9-309)
- Additional Standards for Child Care Centers (Sects. 8-308; 9-310)

Summary of Zoning Ordinance Provisions

General Standard 1 requires that the proposed uses be in harmony with the adopted comprehensive plan. As previously discussed, the applicant has identified the amount of undisturbed open space on the special permit amendment plat as an ultimate area of 47.8% undisturbed open space for 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, staff has consistently recommended that at least 50% of a site be retained as undisturbed open space when considering SP and SE uses. Based on the proposed intensity requested, the applicant has not achieved at least 50% open space. As such, staff concludes that the application is not in harmony with the land use recommendations of the Comprehensive Plan and does not satisfy General Standard 1 of the Zoning Ordinance.

General Standard 4 requires that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. As stated previously, VDOT's review of the application has not been fully completed. At this point in the review, staff does not believe that this standard has been met.

CONCLUSIONS

The proposed application for a place of worship with 600 seats, a child care center and nursery school with a maximum daily enrollment of 165 children, an elementary school with 110 children, on this site with a total gross floor area of 74,711 sq. ft square feet (plus cellar space) and 163,299 square feet of surface parking, is too intense for the property in its current design. Staff does not believe that all applicable standards have been satisfied, specifically General Standards 1 and 4 as outlined in several sections above. Considering the constraints to the lot, specifically the need to meet the 50% undisturbed open space requirement, staff believes that the proposed development should be reduced in intensity. In addition, adequate time should be provided for a full VDOT review of the TIA. Without the benefit of this vital information, staff cannot support the expansion of the use. At this time, staff believes that expansion of this use is inappropriate, and is neither in harmony with the Comprehensive Plan nor the applicable Zoning Ordinance Provisions.

RECOMMENDATIONS

Staff recommends denial of SPA 89-S-013-02 as submitted. If it is the intent of the Board of Zoning Appeals to approve SPA 89-S-013-02, staff recommends that such approval be subject to the proposed development conditions contained in Appendix 1.

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

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

Appeals.

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Resolution and Approved Plat, SPA 89-S-013
5. Sewer Issues Agreement Letter, dated May 21, 2007
6. Land Use and Environmental Analysis
7. Urban Forest Management Analysis
8. Stormwater Management/ BMP Analysis
9. FCDOT Transportation Analysis
10. VDOT Transportation Analysis
11. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

September 29, 2009

If it is the intent of the Board of Zoning Appeals to approve SPA 89-S-013-02 located on property described as Tax Map 67-1 ((4)) 27A, 31, 32, 33, 34, 42 to amend SP 89-S-013-02 previously approved for a church with a child care center to permit the addition of a nursery school and private school of general education, an increase in land area, number of seats, enrollment and number of employees, building additions, and site 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, St. Mark Coptic Orthodox Church of Washington, D.C. and is not transferable without further action of this Board, and is for the location indicated on the application, 11821, 11829, 11901, 11911 and 11919 Braddock Road, 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 Charles T. Henegar, Rinker Design Associates, P.C., dated March 19, 2009, as revised through July 29, 2009, and signed August 3, 2009.

3. A copy of this special permit amendment and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted 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 I construction, the seating capacity in the main area of worship may increase from 300 to a maximum of 600 seats.

6. Upon issuance of Non-RUPs for each phase, the maximum combined total daily enrollment for the child care center and nursery school shall be 90 children in Phase I, and 165 children in Phase II.

7. The maximum hours of operation for the child care center and nursery school shall be 7:00 a.m. to 5:00 p.m., Monday through Friday.

8. Upon issuance of Non-RUPs for each phase, the private school of general education ranging from pre-kindergarten to eighth grade shall have a maximum daily enrollment of 56 children in Phase I, and 110 children in Phase II.

9. The maximum hours of operation for the private school of general education shall be 9:00 a.m. – 3:00 p.m., Monday through Friday.

10. The maximum number of employees for the child care center, nursery school and private school of general education combined, shall not exceed (22) employees in Phase I; and 28 employees in Phase II.

11. A combined total of no more than 56 children shall occupy the tot lots outdoor recreation area at any one time; no more than 49 children shall occupy the soccer field outdoor recreation area at any one time.

12. The operator(s) of the child care center, nursery school and private school of general education shall designate a carpool coordinator to administer and encourage participation in a carpool program designed to reduce the number of vehicle trips to and from the site during rush hour periods.

13. The design of the buildings shall be in substantial conformance with the architectural renderings included as Attachment 1 of these conditions.

14. The building heights shall not exceed 29 feet for any the proposed structures shown on the Special Permit Amendment (SPA) Plat per the height definition in the Zoning Ordinance, except that domes and towers shall not exceed 54 feet in absolute height.

15. Parking shall be provided as depicted on the SPA Plat. All parking for these uses shall be on-site. Parking on Lots 31 and 32 shall be limited to uses specific to those structures only. No worship service parking should occur at either property until the property is redeveloped as parking during Phases II and III.

16. All temporary trailers on the site shall be removed within 30 days of this special permit approval.

17. The former Mt. Zoar Church building on Lot 33 and the single family dwelling structures located on Lots 31 and 32 shall be used only for offices, storage and/or ministry/counseling space. These structures shall not be rented or occupied for uses unrelated to the church activities outlined above.

18. Prior to any land disturbing activities, a pre-construction conference shall be held on-site between DPWES, including the Urban Forester, and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, tree protection measures, and the erosion and sedimentation control plan to be implemented during construction.

19. The applicant shall conform strictly to the limits of clearing and grading subject to allowances for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. For each phase of

development, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements planned for that phase shall be submitted to DPWES, including the Urban Forest Management Division (UFMD), for review and approval. The extent of clearing and grading for each phase of construction shall be the minimum amount feasible as determined by DPWES. Further, prior to the issuance of the first Non-RUP, areas disturbed with clearing and grading for Phase I shall be stabilized with a ground cover to consist of grasses and/or a naturalized wildflower/meadow mix which shall be maintained until such time as subsequent phased construction is initiated. 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 SPA Plat, they shall be located in the least disruptive manner necessary as determined by 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 submit a Tree Preservation and Reforestation Plan as part of the first and all subsequent site plan submissions or grading plan submissions, whichever occurs first. These plans shall designate the limits of clearing as determined in the previous development condition and require that the area outside of the limits of clearing and grading be preserved and labeled as "perpetually undisturbed open space." The reforestation plan shall be developed with the intent of re-vegetating 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. These plans shall be prepared by a professional with experience in the preparation of tree preservation and reforestation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the UFMD, DPWES. The tree preservation and reforestation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 8 inches in diameter and greater (measured at 4 ½ feet from the base of the trunk or otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture), located within 25 feet to either side of the approved limits of clearing and grading for the entire site and shall be submitted for review by UFMD.

21. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four-(4) foot high, fourteen (14) gauge welded wire attached to six -(6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart. Tree protection fencing shall be erected along the limits of clearing and grading wherever construction activities are proposed adjacent to areas to remain undisturbed. Super silt fence may be approved by UFMD to the extent that required trenching for super silt fence does not sever or wound

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

22. The applicant shall meet the requirements of the Tree Conservation Ordinance pursuant to County Code, Chapter 122.

23. Transitional screening shall be modified along all lot lines to permit existing vegetation on site to meet transitional screening requirements, but shall be supplemented as follows:

    - Additional plantings shall be provided along the northern lot line adjacent to the Braddock Road frontage in Phase I to meet the intent of Transitional Screening 1;

    - Landscaping shall include substantial ornamental and shade trees, shrubs, foundation and understory plantings to soften the appearance of the parking areas and buildings from the street.

    - The size, species and location of plantings shall be provided in consultation with Urban Forest Management Division (UFMD) and DPWES.

24. The barrier requirement shall be waived along all lot lines.

25. Parking lot landscaping shall be provided in accordance with Article 13 of the Zoning Ordinance.

26. Any proposed new 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 lighting shall be full cut-off luminaries, shall be controlled by timers and shall be cut off when the site is not in use, except for security lighting. Any new outdoor lighting fixtures, except those attached to the building, shall be Bollard-style lighting fixtures at a maximum height of four feet, measured from the ground to the highest point of the fixture. Lighting shall not be installed in landscape islands. No new uplighting of landscaping, signage or architecture shall be provided.

27. Irrespective of that shown on the SPA Plat, a minimum of 50% of the site shall

be preserved as undisturbed open space.

28. Adequate outfall shall be demonstrated in accordance with the Public Facilities Manual (PFM), as determined by DPWES, at the time of site plan review.

29. Stormwater Management (SWM) and Best Management Practices (BMP) measures may be provided via an extended detention facility and infiltration trenches as shown on the SPA Plat as determined by DPWES, which shall be privately maintained. If a modification of the PFM to permit the proposed stormwater management/best management practices as shown on the SPA Plat is not granted by DPWES and SWM/BMP facilities in substantial conformance with the SPA 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.

30. Public sewer flows generated by the uses allowed by this approval shall not exceed an average of 1,800 gpd, as determined by the Wastewater Planning and Monitoring Division, DPWES. This shall be accomplished through the use of water reduction measures such as low-flow fixtures, waterless urinals and sensor-based faucet controls. The occupancy of the expanded church facilities shall be accomplished in three phases. Phase I shall consist of no more than an additional 300 sanctuary seats, 40 additional children in the child care center/nursery school, 56 students in the private school of general education, and 12 additional employees. The applicant shall submit its quarterly Fairfax Water invoices and a record of the level of occupancy of the place of worship and related facilities to the Director of the Wastewater Planning and Monitoring Division to evidence continued compliance with this condition for the first two years of expanded occupancy in each phase of development, including the development of the proposed Fellowship Hall in Phase III. The applicant is prohibited from increasing occupancy in subsequent phases of development until such time that DPWES deems any excess of the Maximum Allowed Capacity as "unused capacity" that permits such an expansion while maintaining the integrity of the sewer system infrastructure.

31. Prior to issuance of the first Non-RUP, the applicant shall construct all road improvements to include a median break along the site's Braddock Road frontage, an eastbound left-turn lane and a right-turn lane, in consultation with the Fairfax County Department of Transportation (FCDOT), and as approved by the Virginia Department of Transportation (VDOT). Site access shall be provided via two curb cuts on Braddock Road; the existing right-in/right-out access on Lot 34 which shall be constructed as a right-in only entrance and the proposed full-access entrance at the median break. All other curb cuts shall be removed as determined by VDOT.

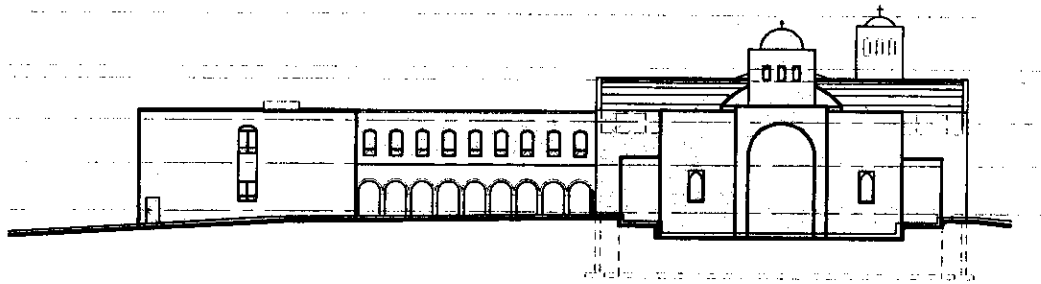
32. The applicant shall obtain a sign permit for any proposed sign in accordance with the provisions of Article 12 of the Zoning Ordinance.

33. The use of loudspeakers shall not be permitted outside the building.

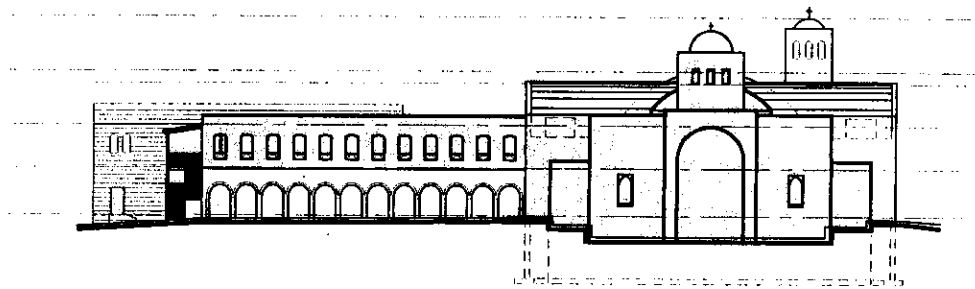
These conditions incorporate and supersede all previous conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit 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 I 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.

ATTACHMENT 1



5 EAST ELEVATION : PHASE 2



4 EAST ELEVATION : PHASE 1

PH 1 PH 2 PH 3

ARCHITECT:

BEGLIS ARCHITECTS, P.C.

407-I CHURCH STREET NE
VIENNA, VA 22180

PHONE: 703-242-2000
FAX: 703-242-2183

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PROJECT TITLE:

SAINT MARK'S COPTIC ORTHODOX CHURCH

BRADDOCK ROAD
FAIRFAX, VIRGINIA

SHEET TITLE:

EXTERIOR ELEVATIONS

REVISIONS

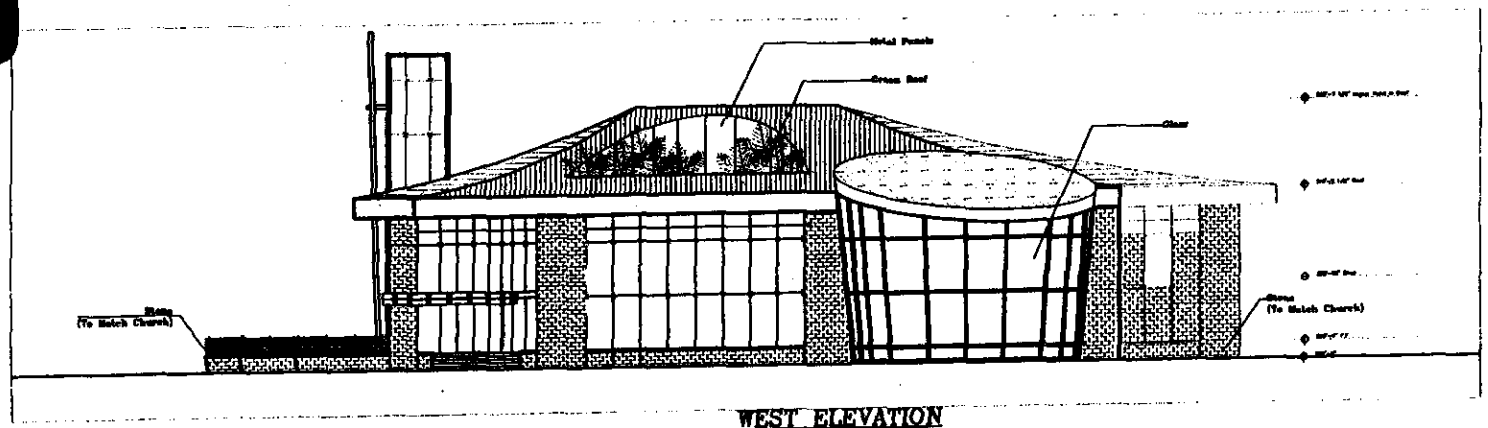
NO	DATE	DESCRIPTION

ISSUED

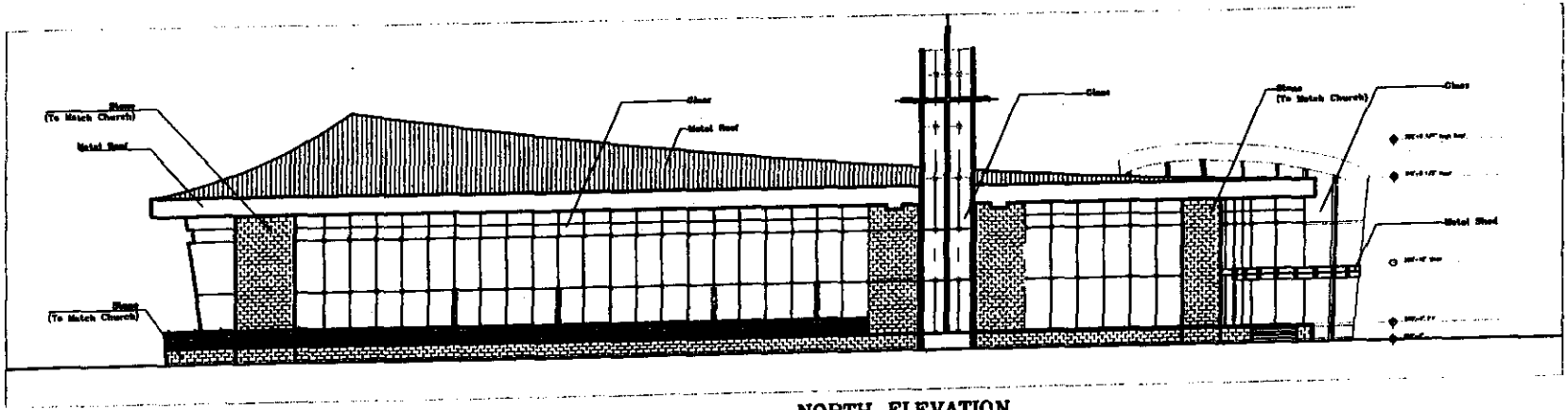
DATE: 03 AUG 09
SCALE: AS NOTED
DRAWN BY: —
PROJECT NO: —

SHEET NO.

EXHIBIT
B



WEST ELEVATION
SCALE 1"= 20'



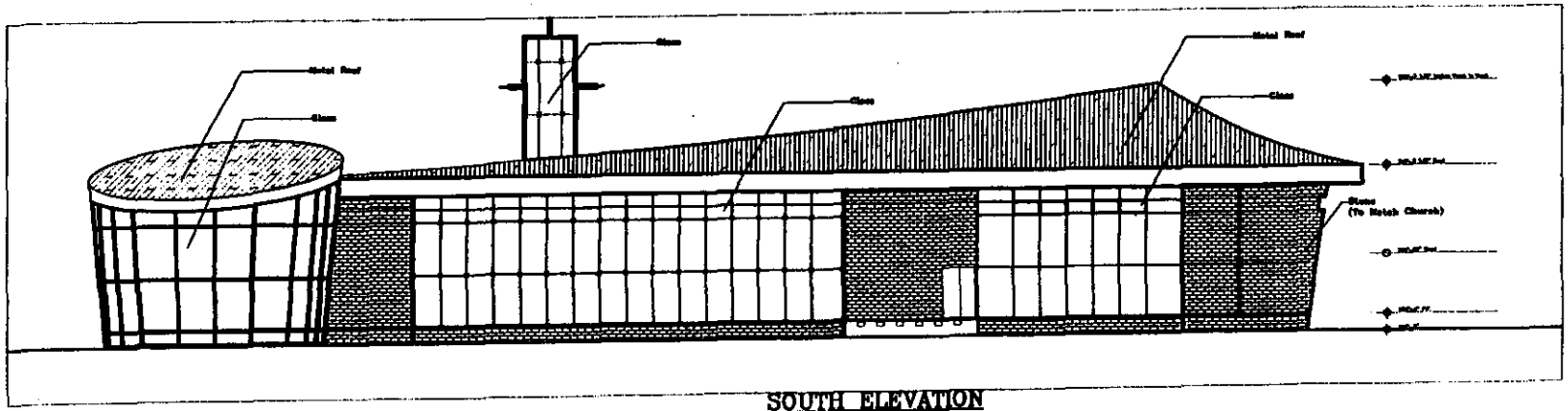
NORTH ELEVATION
SCALE 1"= 20'

SAINT MARK'S
COPTIC ORTHODOX CHURCH
FAIRFAX, VIRGINIA

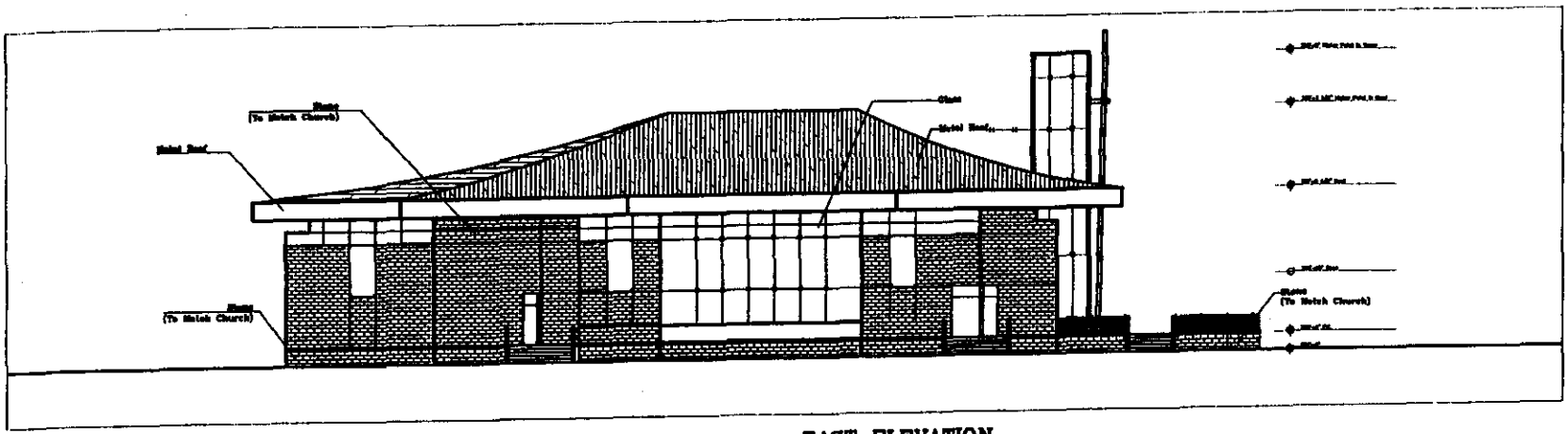
PHASE 3
FELLOWSHIP HALL
August 3, 2009

BEGLIS
ARCHITECTS, P.C.
[illegible]
VIENNA, VIRGINIA [illegible]
PHONE: [illegible]
FAX: [illegible]

SHT. NO.
FH-1



SOUTH ELEVATION
SCALE 1"= 20'



EAST ELEVATION
SCALE 1"= 20'

SAINT MARK'S
COPTIC ORTHODOX CHURCH
FAIRFAX VIRGINIA

PHASE 3
FELLOWSHIP HALL
August 3, 2009

BEGLIS
ARCHITECTS, P.C.
[illegible]
VIRGINIA, [illegible]
PHONE: [illegible]
FAX: [illegible]

SHT. NO.
C1

APPENDIX 2

Application No.(s): SPA-89-S-013-02
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 9, 2009
(enter date affidavit is notarized)

I, John L. McBride, 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

104147v

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)
St. Mark Coptic Orthodox Church of Washington, D.C. a District of Columbia non-profit corporation registered to do business in the commonwealth of Virginia as a non-stock corporation	11911 Braddock Road Fairfax, Virginia 22030	Applicant/Owner
-His Holiness Pope Shenouda III		Clergy/Agent
-Father Bishoy Andrawes		Clergy/Agent
-Maged F. Riad, Esquire		Attorney/Agent
Rinker Design Associates, P.C.	9300 W. Courthouse Road, Suite 300 Manassas, VA 20110	Agent/Engineer
-Jim Pickens		Senior Planner/Agent

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

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

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

Application No.(s): SPA-89-S-013-02

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

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

DATE: 9/9/09

(enter date affidavit is notarized)

1041470

(**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)
Vanderpool, Frostick, & Nishanian, P.C.	9200 Church Street, Suite 400 Manassas, Virginia 20110	Agent
-Paul N. Costanzo		Senior Planner/Agent
Odin, Feldman & Pittleman, P.C.	9302 Lee Highway, Suite 1100 Fairfax, Virginia 22031	Agent
-John L. McBride -Amber K. Scharn		Attorney/Agent Attorney/Agent
M.J. Wells & Associates, Inc.	11441 Robertson Drive, Suite 201 Manassas, Virginia 20109	Agent
-William F. Johnson -Robin Antonucci		Engineer/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): SPA-89-S-013-02

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 9, 2009

(enter date affidavit is notarized)

104147v

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)

St. Mark Coptic Orthodox Church of Washington, D.C.
11911 Braddock Road
Fairfax, Virginia 22030

DESCRIPTION OF CORPORATION: (check one statement)

[✓] There are 10 or less shareholders, and all of the shareholders are listed below.

[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

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

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

The Applicant is a non-profit religous organization 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.

SPA-89-S-013-02

Application No.(s): _____

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

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

DATE: 9/9/09

(enter date affidavit is notarized)

104147v

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Rinker Design Associates, P.C., a Virginia professional corporation
9300 West Courthouse Road, Suite 300
Manassas, VA 20110

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)

Edward B. Snider, Jr.
Stephen M. Seay
Chun M. Kim
Jack E. Rinker
William E. Missell
David S. Dwornik
Jeffrey J. Powell
Sidney G. Thomas, Jr.
Ashby L. Thompson, III

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Vanderpool, Frostick, & Nishanian, P.C., a Virginia professional corporation
9200 Church Street, Suite 400
Manassas, VA 20110

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)

Michael R. Vanderpool
Randolph D. Frostick
V. Rick Nishanian
Gail R. Prentiss
Susan E. Cooke
Kris K. Spitler

(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): SPA-89-S-013-02

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

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

DATE: 9/9/09

(enter date affidavit is notarized)

104147 v

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Odin, Feldman & Pittleman, P.C., a Virginia professional corporation
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 E. Feldman
James B. Pittleman
Patrick J. McConnell
Robert K. Richardson
David J. Brewer
John S. Wisiackas

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M.J. Wells & Associates, Inc., a Delaware corporation
11441 Robertson Drive, Suite 201
Manassas, VA 20109

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

(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): SPA-89-S-013-02

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 9, 2009

(enter date affidavit is notarized)

104147

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): SPA-89-S-013-02

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 9, 2009

(enter date affidavit is notarized)

104147

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): SPA-89-S-013-02

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 9, 2009 104147v

(enter date affidavit is notarized)

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

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

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

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

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

WITNESS the following signature:

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

John L. McBride
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 9th day of September 20 09, in the ~~State~~/Comm. of Virginia, County/~~City~~ of Fairfax

Barbara D. Lynn
Notary Public
Commissioned as: Barbara D. Lynn

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

BARBARA D. LYNN
Notary Public
Commonwealth of Virginia
120854
My Commission Expires May 31, 2011

SPA 89-S-013-2
ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON D.C.
SPECIAL PERMIT AMENDMENT APPLICATION
STATEMENT OF JUSTIFICATION
TM 067-1-((4))-0027A
TM 067-1-((4))-0031
TM 067-1-((4))-0032
TM 067-1-((4))-0033
TM 067-1-((4))-0034
TM 067-1-((4))-0042
11821, 11829, 11901,11911 & 11919 Braddock Road
~~March 20~~June 30, 2009

DESCRIPTION OF THE APPLICATION

Special Permit Request: To allow the existing church/place of worship, with an integrated child care center, to expand and incorporate a new private school of general education for grades K-8, a nursery school and a Fellowship Hall. The development will be to be constructed in three phases as follows: Phase 1 will consist of renovations to the existing sanctuary to increase its capacity by 300 seats to a new capacity of 600 seats, increase the number of students in the existing day care center from 50 children to a maximum of 90 children, and open the new private school with a maximum of 56 students. The old Mt. Zoar Church building and the two existing dwelling structures will remain. These will be utilized for offices, storage and ministry/counseling space. Reforestation of the site will begin. Phase II will consist of building a two story addition on the existing church/child care center and nursery school building that will increase the capacity of the child care center and nursery school by an additional 75 students to its maximum of 165 students and increase the private school by an additional 54 students to its maximum of 110 students. The old Mt. Zoar church building will remain. The two dwelling structures will be removed. Phase III will consist of the demolition of the existing Mt. Zoar Church building ~~and two detached single family houses~~ and construction of a new Fellowship Hall. The Fellowship Hall will be used primarily for ministry activities, fellowship, prayer groups and other similar types of ancillary Church activities.

Record Fee Owner/ Applicant: St. Mark Coptic Orthodox Church of Washington D.C.

Zoning: R-C (Residential Conservation); WSPOD (Water Supply Protection Overlay District)

Size: 16.853 acres of land area; 72, 131 square feet of maximum gross floor area of buildings; 0.098 FAR proposed; (0.10 allowed)

Maximum Number of Sanctuary Seats: Church – maximum of 600 worshipers

Maximum Number of Students:

Child Care Center and Nursery School– maximum 165 children
Private School of General Education (grades K-8) – maximum 110 children

Employees/Volunteers:

28 maximum on site at any time (at full buildout) for the school, child care and nursery uses.

Patrons/Clients/ Vicinity to be Served:

Based on a survey of the existing congregation, the members of the expanded church/place of worship will likely continue to primarily reside in the Centreville, Fairfax (Sully, Braddock and Springfield magisterial districts) and Prince William County areas. There are approximately 500 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-peak hour use.
- This congregation attending services at this church/place of worship will be significantly smaller than the surrounding church/place of worship uses. In addition, due to the manner in which the congregation practices their religion, once the worshipers arrive for the service, they stay at the facility for all of the ancillary activities that follow the service. Thereby not creating larger volumes and peaks of traffic throughout the entire day. This location, with direct access to an arterial road (Braddock Road) and within ¼ mile of its intersection with the Fairfax County Parkway, is ideal for these uses.

Hours of Operation/ Services and Activities/ Number in Attendance:

Currently, due to the existing small sanctuary, worship services are held on Sundays from 6:00AM to 9:00AM and 9:15AM to 11:30AM. This arrangement is necessary to accommodate all of their parishioners that want to attend services. Only one worship service will be held once the sanctuary is enlarged as part of the Phase I improvements. That service will be held from 8:30AM to 11:30AM. Following the expansion, as is done today, Sunday school classes and social activities are conducted from 11:30AM until 1:30PM.

The maximum hours of operation of the childcare center and nursery school will be from 7:00 a.m. to 5:00 p.m., Monday through Friday.

The maximum hours of operation of the private school of general education will be limited to 9:00 a.m. to 3:00 p.m., Monday through Friday, except for occasional evening activities.

Waivers and Modifications:

The Applicant is requesting no waivers or modifications of zoning ordinance requirements.

LOCATION AND CHARACTER

Existing Site Description: Unlike most RC zoned land in the County, only 47.6% of the existing site is undisturbed and wooded land, primarily with medium sized trees, as well as smaller understory vegetation. In addition to the existing St. Mark Coptic Orthodox Church facilities, the site contains the old Mt. Zoar Church facilities and two single family residential homes. The site isn't encumbered by any major utility easements and doesn't contain any floodplain or wetland areas. Photographs showing the property and the architecture of the existing facilities are included in the application.

Surrounding Area Description: The adjacent properties to the west and south contain single family homes that are part of the Lincoln Park Subdivision. The Singh Sabha Gurdwara Church is located further west past the single family house and Second Road. The properties to the east contain single family homes and a building owned by the Fairfax County Redevelopment & Housing Authority. North of the Property, across Braddock Road, the properties are a mixture of vacant land and single family homes. The Apostolic Church of Washington is also located on a parcel north and east across Braddock Road.

Hazardous and Toxic Substances: There will be no hazardous or toxic substances generated, stored, utilized, treated or disposed of on the site.

Direction	Use	Zoning
North	Single Family	R-C
South	Lincoln Park Subdivision	R-C
East	Lincoln Park Subdivision	R-C
West	Lincoln Park Subdivision	R-C

COMPREHENSIVE PLAN PROVISIONS:

Plan Area: Area III – Pohick Planning District

Community Planning Sector: P1 – Twin Lakes Community Planning Sector

Plan Map: Residential Conservation: 0.1 to 0.2 dwelling units per acre; low density residential

Plan Text: This sector is located in the northwestern portion of the Pohick Planning District. It is entirely within the watershed of the Occoquan Reservoir. The County has committed to maintain much of this area in low density development to protect the water quality of the Occoquan Reservoir. This commitment is reflected in the distribution of land uses in the sector with predominant uses being large lot residential, private open space, and public parks. While housing in the sector includes newer houses in five-acre lot subdivisions, a number of older houses, reflecting the area's rural past, remain. One particularly important concentration of older houses is the Lincoln-Lewis-Vannoy Conservation Area in which the Property is located.

The Lincoln-Lewis-Vannoy community has been designated as a Conservation Area. It is a community of approximately 215 single-family detached houses located in the Pohick (Sector P1) and Bull Run (Sector BR7) Planning Districts, two to three miles west of Route 123 on Braddock, Popes Head, and Colchester Roads. When the Conservation Plan for Lincoln-Lewis-Vannoy was developed, the majority of the area housing stock was in a state of deterioration. These conditions were compounded by problems related to inadequate water and sewerage facilities. In order to deal with these issues, the Board of Supervisors adopted a Neighborhood Improvement Program and a Conservation Plan in November 1976. Together, they outlined a program of public facilities improvements and a program for providing low-cost home rehabilitation loans. A specialized sanitary sewer system was constructed in the Lincoln-Lewis-Vannoy Conservation Area in 1985, and many of the homes have been repaired in the continuing rehabilitation process. No further expansion of the sewer system for this area is planned or approved. This community is planned for 0.1 – 0.2 dwelling units per acre.

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 the 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.

CONFORMANCE WITH ZONING ORDINANCE 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 an integrated child care center and nursery school and private school of general education are appropriate uses for residential conservation areas, especially when located upon an arterial roadway such as Braddock Road. The size and scale of the proposed facilities are consistent with the low density character of the area, as well as with other churches along this portion of Braddock Road. Institutional uses are particularly appropriate along an arterial roadway, more so than single family residential structures. The ultimate "buildout" development will ~~provide~~ retain ~~approximately~~ 46~~7.5~~% of the site as undisturbed open space which will mitigate any impacts to the water quality of the Occoquan Reservoir. This application will not require or result in any increase to the Lincoln-Lewis-Vannoy Sewer facilities.

2. **The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.** Churches/places of worship uses with integrated child care facilities and 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 that 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 a 0.10 FAR, or less, and if a significant portion of the Property is left as undisturbed open space. The application meets both of these criteria with an FAR of 0.098 and by providing an undisturbed open space area of ~~7.852~~approximately 8 acres, or ~~46.547~~% of the site. The "build out" development of the site reduces the undisturbed open space by ~~only 1.1%~~ less than 1% of the entire site (an increase in ~~only 8,320~~ approximately 5,000 square feet of disturbed area). The proposed reforestation plan will result in an increase in ~~high~~the quality and quantity of the forested area. ~~after build out than exists now.~~

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 front or northern portion of the property, along Braddock Road and away from the residential area to the south. The location, size and height of the proposed building conforms to the constraints of the R-C district and will be architecturally compatible with the residential and institutional character of the surrounding neighborhood as shown on the architectural elevations filed with the application. The residential subdivision to the south is currently developed to its ultimate uses, and will not be adversely affected by the proposed development of the Property. These uses are sufficiently screened and buffered along the west, south and east borders so as to not be adversely affected. This screening and buffering will not change. The church/place of worship use with an integrated child care/nursery facility and private school is an appropriate transitional use between the high traffic volume arterial road (Braddock Road) to the north and the low density single family residential neighborhood to the south.

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.** Presently, Braddock Road doesn't have a median break leading into the property. Therefore, all west bound traffic going to the church must make a U-turn at the Second Road median break and travel east bound to enter the property. This application, as part of Phase II ~~(construction of the Fellowship Hall and demolition of the Mt. Zoar Church) at ultimate build out,~~ proposes to construct a median break that meets VDOT's standards on Braddock Road into the property. This will eliminate ~~the need for~~ traffic ~~from~~ making U-turns at the Second Road median break (further west on Braddock Road), thereby increasing traffic safety and the carrying capacity of Braddock Road. The Fairfax County Trails Plan indicates a major paved trail within the Braddock Road right-of-way along the Property frontage. This trail already exists along the site's frontage, in accordance with the Fairfax County Trail Plan requirements.

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. In addition, over 40,209 square feet (0.92 acres) of the Property will be reforested from its present disturbed condition to help offset and screen the new proposed development.

6. **Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.** There is no open space requirement in the Zoning Ordinance for these uses in the RC district.

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, and will continue to be, sufficient parking spaces to accommodate the church/place of worship, child care center, nursery school and private school uses. 208 total parking spaces are required and 3~~3~~20 parking spaces will be provided (i.e. 150 spaces required for the church/place of worship and 2~~5~~40 spaces provided, 26 spaces required for the child care center and nursery school and 47 spaces provided and 32 spaces required for the private school of general education and 47 spaces provided.). A BMP stormwater management facility will be provided, as shown on the SP plan. This facility will be designed in accordance with County standards so as to reduce the amount of runoff from the Property to the south to less than the predevelopment level. Public water, sewer and other utilities are currently available to the site. In a letter, signed May 21, 2007, Gilbert Osei-Kwadwo, Chief of the Engineering Analysis & Planning Branch of the Department of Public Works & Environmental Services, has recommended limiting the property to a series of phases for the overall development to ensure compliance with specific sewer usage criteria for the Lincoln-Lewis-Vanoy Sewer Service area. The Applicant has proposed a development condition to enforce this limitation.

8. **Signs shall be regulated by the provisions of Article 12.** The existing monument sign will remain in its present location as shown on the SP plat. All new signage on the site will meet Zoning Ordinance requirements.

ZONING ORDINANCE Section 8-303: SPECIFIC STANDARDS FOR ALL GROUP 3 SPECIAL PERMIT 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 2 of the SP plat shows compliance with these requirements. The maximum building height will be 54 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.** All phases of ~~T~~the proposed development of the Property will require site plan approval.

ZONING ORDINANCE SECTIONS 9-309 & -310: ADDITIONAL STANDARDS FOR CHILD CARE CENTERS, NURSERY SCHOOLS AND PRIVATE SCHOOLS OF GENERAL EDUCATION

Section 9-309 (CHILD CARE CENTERS AND NURSERY SCHOOLS)

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

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

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

   B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.

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

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

   As noted in the Tabulations on the SP Plan, 30,322 square feet of useable outdoor recreation area will be provided on the Property serving the both the child care center and nursery school and the private school of general education.

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

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

   The child care center and nursery school shall not exceed 165 children and have direct access to an arterial roadway. This information has been detailed in the Traffic Impact Analysis completed by Wells & Associates, and submitted as part of this application.

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

   The internal vehicular circulation is shown on the Special Permit Plan.

Section 9-310 (Private Schools)

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. Four outdoor recreation areas are shown on the plan. The area will be approximately 30,322 square feet in total.

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 will be met as shown on the Special Permit Plan at site plan review. There will be no request for a waiver of on-site detention or BMP requirements.

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 integrated child care/nursery facility and private school of general education use is in conformance with the Comprehensive Plan, and provides essential services to the larger Fairfax community. These uses are appropriately located along Braddock Road and are sized appropriately 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 is mitigated by the design of the development and its location at a newly constructed ~~signalized~~ median crossover on a major arterial roadway. This use is an appropriate use to transition between the high traffic volume of Braddock Road and the low density single

family detached neighborhood to its rear. All access is directly to Braddock Road. There is no vehicular access to or from these uses through the nearby residential areas.

ODIN, FELDMAN, PITTLEMAN, PC

By:_____
John L. McBride

#1114099v1 Stmnt of Justification JLM 2nd rev redline 7-1-09 51446/00001

COUNTY OF FAIRFAX, VIRGINIA APPENDIX 4

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES OF THE ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON D.C., SPA 89-S-013 Appl. under Sect(s). 3-C03 of the Zoning Ordinance to amend SP 89-S-013 for church and related facilities to permit child care center, increase in land area and building additions. Located at 11911 and 11919 Braddock Rd. on approx. 8.91 ac. of land zoned R-C and WS. Springfield District. Tax Map 67-1 ((4)) 27A, 34, and 42. (ADMINISTRATIVELY MOVED FROM 12/7/99). Ms. Gibb moved that the Board of Zoning Appeals adopt the following resolution:

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

WHEREAS, following proper notice to the public, a public hearing was held by the Board on January 18, 2000; and

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

1. The applicants are the owners of the land.

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

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sect(s). 3-C03 of the Zoning Ordinance.

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

1. This approval is granted to the applicant only, and is not transferable without further action of this Board, and is for the location indicated on the application, 11911 and 11919 Braddock Road (8.9 acres) and is not transferable to other land.

2. This Special Permit is granted only for the church and related facilities to permit a child care center with a maximum daily enrollment of fifty children, an increase in land area and building additions as indicated on the special permit plat prepared by William M. Robson of Robson Group Architects, dated September 13, 1999, as revised through December 16,1999, and approved with this application, as qualified by these development conditions.

3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

FAIRFAX COUNTY
RECEIVED
FEB 3 2000
DIVISION OF
ZONING ADMINISTRATION

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

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FAIRFAX COUNTY
RECEIVED
FEB 3 2000
DIVISION OF
ZONING ADMINISTRATION

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

5. The maximum number of seats in the church shall be 300.

6. Upon issuance of the Non-Residential Use Permit for SPA 89-S-013, the maximum total daily enrollment for the child care center shall be 50 children with a maximum staff of 10 employees.

7. The maximum hours of operation for the child care center shall be limited to 9:00 a.m. to 3:00 p.m., Monday through Friday.

8. The outdoor recreational area of 3,000 square feet shown on the SP plat shall be enclosed with a four (4) foot high chain link fence.

9. Existing vegetation shall be used to satisfy the Transitional Screening I requirement along all lot lines, with the supplementation as needed of evergreen plantings to obtain the effectiveness of Transitional Screening I. The size, type and location of new supplemental plantings shall be approved by the Urban Forestry Branch of DPWES. All existing vegetation around the periphery of the site shall be maintained and supplemented as deemed necessary by the Urban Forestry Branch.

   The Barrier requirements shall be waived.

10. The limits of clearing and grading shown on the special permit plat shall be strictly adhered to. For each phase of development, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements planned for that phase shall be submitted to DPWES, including the Urban Forestry Branch, for review and approval. The extent of clearing and grading for each phase of construction shall be the minimum amount feasible as determined by DPWES. Prior to any land disturbing activities for each phase of construction, a pre-construction conference shall be held between DPWES and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, and the erosion and sedimentation control plan to be implemented during construction. Further, prior to the issuance of the first Non-RUP, areas disturbed with the clearing and grading for Phase I shall be stabilized with a ground cover to consist of grasses and/or a naturalized wildflower/meadow mix which shall be maintained until such time as subsequent phased construction is initiated.

11. At the time of either site plan submission or grading plan submission, whichever occurs first for each phase of development, a tree preservation plan shall be provided for review and approval by the Urban Forestry Branch. The tree preservation plan shall include a

tree survey which describes the location, species, size, accurate dripline, and condition of all trees 12 inches in diameter and greater 25 feet on either side of the limits of clearing and grading. The condition analysis shall be prepared by a certified arborist using the eighth edition of "The Guide for Plant Appraisal." Specific tree preservation activities shall be reflected in the tree preservation plans, including methods to be implemented to ensure preservation. The plan shall be developed with the intention of maintaining the existing vegetation within the tree save area depicted outside the limits of clearing and grading as shown on the special permit in undisturbed open space. The undisturbed open space shall be maintained by hand as needed to remove only undesirable vegetation such as brambles and vines, and there shall be no fertilizing or mowing of weeds or grass within the open space areas.

12. Parking lot landscaping shall be provided in accordance with the Public Facilities Manual as determined by the DPWES. Foundation plantings shall be provided for the purpose of softening the off-site visual impact of non-residential buildings and blend the development in with the adjacent residential subdivision. The type, size and location of these plantings shall be approved by the Urban Forestry Branch and shall depict a combination of flowering and evergreen shrubs and ornamental tree plantings along the perimeters of the parking areas and building foundation landscaping plantings.

13. Structural Best Management Practices shall be provided for stormwater management in accordance with the Public Facilities Manual standards for commercial developments in the Water Supply Protection Overlay District and as approved by DPWES.

14 Right of way to total 68 feet from the existing centerline of Braddock Road plus ancillary easements necessary for future road improvements shall be dedicated for public street purposes and shall convey to the Board of Supervisors, fee simple on demand or at time of site plan approval, whichever occurs first. A deceleration turn lane shall be constructed at the site entrance as determined by DPWES and VDOT at the time of site plan review.

15. Any proposed lighting of the parking areas shall be in accordance with the following:

- The combined height of the light standards and fixture shall not exceed 12 feet and shall be full cut-off lights.
- The lights shall be of a design which focuses the light directly onto the subject property.
- Shields shall be installed, if necessary, to prevent the light from projecting beyond the facility.
- The lights shall be controlled with an automatic shut-off device, and shall be turned off when the site is not in use.
- There shall be no up-lighting of any of the proposed building additions.

16. The use of loudspeakers shall not be permitted outside the building.

17. The two trailers shall be removed at the completion of Phase I.

18. The building height should not exceed 29 feet +/- a foot and the maximum height of the dome should not exceed 54 feet.

19. No less than 46% of the application property shall be preserved as perpetually undisturbed open space as approved by DPWES and as shown on the special permit plat. All of the site outside the limits of clearing and grading shall remain as perpetually undisturbed open space and if any feature such as the SWM pond is eliminated or reduced in size, the area shall become part of the perpetually undisturbed open space.

20. A geo-technical engineering study shall be submitted to DPWES for review and approval in accordance with Chapter 107 of the Fairfax County Code as determined necessary by DPWES and shall be implemented as determined by DPWES. If DPWES determines that a potential health risk exists due to naturally occurring asbestos, all construction personnel shall be alerted to the potential health risk and appropriate construction techniques, as determined by DPWES, shall be implemented.

21. The architectural design elements and materials utilized in the existing church building shall be continued throughout the proposed building additions.

22. A maximum of one hundred and eighty (180), parking spaces shall be provided. All parking shall be on site.

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

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

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

Mr. Kelley seconded the motion which carried by a vote of 6-0. Chairman DiGiulian was absent from the meeting.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on January 26, 2000. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:

Lori M. Mallam, Deputy Clerk
Board of Zoning Appeals

APPENDIX 5

VANDERPOOL, FROSTICK & NISHANIAN, P.C.
ATTORNEYS AT LAW
SUITE 400
9200 CHURCH STREET
MANASSAS, VIRGINIA 20110

703-369-4738
FAX 703-369-3653
E-MAIL INFO@VFNLAW.COM

May 21, 2007

VIA E-MAIL AND HAND-DELIVERY

Gilbert Osei-Kwadwo, Chief
Engineering Analysis & Planning Branch
Dept. of Public Works & Environmental Services
Wastewater Planning & Monitoring Division
12000 Government Center Pkwy, Suite 358
Fairfax, VA 22035-0058

Re: St. Mark's Coptic Church Expansion – Sewer Issues

Dear Gilbert:

On behalf of the congregation of St. Mark's Coptic Church located at 1911 Braddock Road, Fairfax, VA 22038 (the "Church"), this letter shall serve to request your concurrence as to the extent of the availability of public sewer for an expansion of land area and facilities utilized by the Church. We need this confirmation prior to filing a Special Use Permit amendment to expand the existing church uses. I attach a sewer flow analysis which shows the amount of expansion we claim can be accommodated by the Lincoln-Lewis-Vanoy sewer system, which limits the existing six church parcels to 1,800 gallons per day of sewer capacity (300 gpd per lot). The Church owns five parcels now and has a sixth parcel under contract to purchase.

As you are aware, public sewer service for the Church was originally established in 1990, when the Church was originally constructed upon one 3.1 acre parcel pursuant to SP 89-S-013. Subsequently, on January 18, 2000, the Church obtained BZA approval to expand to a total of three parcels. This expansion (SPA 89-S-013) allowed 300 sanctuary seats, a childcare center with a maximum daily enrollment of fifty (50) children, and a maximum of ten (10) childcare center employees. This childcare center accommodates children between the ages of 4 through 14.

A letter from Jimmy D. Jenkins to William Robson dated August 18, 1999 (attached as Exhibit A), suggested that SPA 89-S-013 contain a development condition requirement whereby the water usage (*excluding irrigation water*) not exceed 300 gallons per day per lot, or 900 gallons per day for the three lots approved in SPA 89-S-013. However, this requirement was never imposed by the County as a development condition of either the SPA or the site plan. As a result, the Church did not separately meter the water used for irrigation. While this letter referenced utilizing 900 gallons per day of actual water consumption rather than the winter

quarter water consumption (which more accurately reflects actual sewer flow), it did so because it was assumed that the Church would either utilize well water or separately meter water for irrigation and other non-potable water needs. Since the Church has never utilized well water nor separately metered public water for these non-potable water uses, the actual water consumption shown on FCWA water usage invoices is higher than the actual sewage flow.

Accordingly, the Church proposes that the County accept the winter quarter consumption figures you suggested in our meeting (shown on the attached chart labeled Exhibit B). Pursuant to your suggestion, we have utilized only five of the seven quarterly consumption amounts -- we have not utilized the two abnormally low winter consumption readings for the 2/13/04 and 5/10/04 quarters. Utilizing these actual water consumption figures, the sewer flow average equals no more than 659 gallons per day for the existing church facilities. You stated that because the expanded church facilities will be situated upon six parcels, the uses must not generate more than 1,800 gpd of sewer flow (6x300 gpd).

As you suggested, we have utilized this 659 gpd figure to project sewer flow for a portion of the proposed Church expansion. Exhibit C shows a calculation of the sewer flows anticipated by the following proposed expanded facilities: a total of 600 sanctuary seats; a 200 child daycare; a 75 infant nursery; and, a maximum of 28 employees. Exhibit C shows a three step calculation of the sewer flows generated by these expanded uses. Expansion Phase 1(a) doubles the existing sanctuary seats, employees, daycare children, and therefore, the sewer flow. Expansion Phase 1(b) utilizes a normal assumed flow of 10 gpd per additional child or employee. Expansion Phase 2 utilizes a normal assumed flow of 10 gpd per additional child or employee and 5 gpd per infant in the nursery. Expansion Phases 1(a) and 1(b) result in a projected average sewer flow less than the 1,800 gpd capacity.

We believe that the projected sewer flows can be reduced by 50% because of our commitment to use low-flow fixtures, waterless urinals, and sensor-based faucet controls. While these fixtures cost more initially, they result in a 50% reduction in water and sewer usage. Exhibit D contains literature confirming this reduction.

We realize that the County needs assurances, rather than estimates, that the sewer flow will not exceed 1,800 gpd. The only way to attain that level of certainty is to impose a development condition in the SPA approval. Accordingly, I ask your concurrence that the following development condition be imposed in any SPA approval:

> *The Applicant shall ensure that the public sewer flows generated by the uses allowed by this approval do not exceed an average of 1,800 gpd, as determined by the Wastewater Planning and Monitoring Division of DPWES (the "Maximum Allowed Capacity"). This shall be accomplished through the use of water reduction measures such as low-flow fixtures, waterless urinals, and sensor-based faucet controls. The occupancy of the expanded church facilities shall be*

accomplished in two phases. The first phase expansion shall consist of no more than an additional 300 sanctuary seats, an additional 96 children and an additional 12 childcare center employees. For the first two years of full occupancy of this first phase expansion, the Applicant shall submit its quarterly Fairfax Water invoices and a record of the level of occupancy of the church facilities to the Director of the Wastewater Planning and Monitoring Division to evidence continued compliance with this condition. Any excess of the Maximum Allowed Capacity over the average quarterly sewer flow for the first phase of expanded occupancy during this two year period shall be deemed "Unused Capacity", provided the facilities are at full occupancy. In the event there is Unused Capacity, the Applicant shall be allowed to increase its occupancy in the second phase up to a maximum of an additional 54 children, 75 infants and 6 employees; provided, however, that said number of increase in children and employees shall not cause the Unused Capacity to be exceeded, as determined by the Wastewater Planning and Monitoring Division of DPWES.

Thank you for your courtesies and assistance in this matter.

Sincerely,

Vanderpool, Frostick & Nishanian, P. C.

John L. McBride

JLM/bdl
Enclosures
cc: Father Bishoy Andrews
Paul Costanzo, Senior Planner
Brandie Schaeffer, Planner

SEEN AND AGREED:

G. Osei-Kwadwo

By: GILBERT OSEI-KWADWO

Title: Chief, Engineering Analysis and Planning Branch

Date: 05.21.07

V:\Company\St. Mark Coptic Church\Osei-Kwadwo ltr clean 5-21-07.doc

COUNTY OF FAIRFAX
DEPARTMENT OF PUBLIC WORKS
AND ENVIRONMENTAL SERVICES
WASTEWATER PLANNING
AND MONITORING DIVISION
12000 GOVERNMENT CENTER PARKWAY
SUITE 358
FAIRFAX, VIRGINIA 22035-0058

APPENDIX 6

County of Fairfax, Virginia

MEMORANDUM

DATE: July 7, 2009

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:** SPA 89-S-013-02
St. Mark Coptic Orthodox 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 March 19, 2009 revised through May 7, 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, St. Mark Coptic Orthodox Church, is requesting special permit amendment approval to permit an increase in land area, a nursery school, a private school of general education, modifications to the development conditions and site modifications. The subject property contains approximately 17 acres. The property is currently developed as a church and child care with several buildings, road network, parking areas and wooded or grassy undeveloped areas. The expanded land area currently contains two existing single-family detached dwellings and an existing church, which is no longer in use. The proposed church expansion is planned to take place in three phases. Phase I includes the expansion of the existing sanctuary from 300 seats to 600 seats, the addition of the nursery school, an increase in the daily enrollment of the child care center from 50 to 90 students for the child care and nursery school, the addition of a new private school of general education for grades K-8 with a maximum daily enrollment of 56 students. To accommodate these changes, the existing church would be expanded with a 4,804 square foot sanctuary addition and 5,084 square foot second addition. It should also be noted that the surface parking will be constructed in Phase I to provide all required parking for the proposed expansion.

Phase II of the proposed expansion will include the construction of a two-story 13,213 square foot addition to the existing church building which will house the child care center and nursery

school. At this stage there would be an increase in the maximum daily enrollment of the child care center/nursery school from 90 to 165 students and an increase in the maximum daily enrollment of the private school from 56 to 110 students.

Phase III of the proposed development includes the demolition of the Mt. Zoar Church building and the construction of a 20,000 square foot fellowship hall. The completion of Phase III would result in 72,131 gross square feet of development at a floor area ratio (FAR) of 0.098. An FAR of 0.10 is permitted in the R-C District.

The subject property is zoned Residential Conservation (R-C) District and is located within the Water Supply Protection Overlay District. The applicant is proposing a single point of entrance from Braddock Road with a second right-out exit onto Braddock Road.

LOCATION AND CHARACTER OF THE AREA

The property is located on the south side of Braddock Road (Route 620), east of the Fairfax County Parkway (Route 7100) near the intersection of Braddock Road and Second Road. Properties located immediately north, south, east and west of the subject property are zoned R-C and developed with single-family dwellings.

COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, 2007 Edition, Area III, Pohick Planning District as amended through January 26, 2009, P1 Twins Lakes Community Planning Sector, page 22:

"1. The entire P1 Planning Sector is located within the watershed of the Occoquan Reservoir. Protection of the Occoquan Reservoir water quality is the primary objective for this area. Almost all of the land in the sector is planned for residential uses within a density range of .1-.2 dwelling unit per acre. This conforms with findings in the Occoquan Basin Study and is commensurate with predominant densities and the well-established character of existing development in this sector.

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, 2007 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, on page 7-16:

"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. . . .

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 private open space

LAND USE ANALYSIS

The applicant's request to expand an existing church sanctuary and add additional uses within the Residential-Conservation (R-C) zoning district raises a number of concerns. While the proposed ultimate FAR is slightly below that which is permitted for non-residential uses within the R-C District, the overall intensity of the proposed uses as currently proposed raises concerns with respect to its compatibility with existing and planned land uses. While a church on its own could be designed in a manner that is consistent with similar uses in this area, the additional uses, expanded impervious surface areas and relatively large structures do not seem to be compatible with the surrounding uses or other similar uses in this area of the County. The applicants have provided commitments to preserve approximately 47% undisturbed open space for the proposed development which would include restoration and reforestation for some areas of the property. Landscaping and screening for the proposed uses and related facilities are designed in a manner consistent with staff's recommendations and should be provided in a manner which limits any visual impacts to the surrounding area. The structures themselves will be located centrally on the site in close proximity to Braddock Road. While the seating of the sanctuary is being doubled, parking for the proposed use is not and parking for the existing uses has resulted in problems in the past. While the applicant has noted an informal parking agreement with the nearby Mott Center, staff feels that a more formal offsite parking arrangement is desirable. Staff feels that the applicant should redesign the proposed expansion by delineating 50% undisturbed open space first and then locating proposed structures and other impervious surface areas. The massing and height of the structure will be limited according to development conditions set forth by staff.

Compatibility

The intensity of the proposed use should not result in significant impacts on adjacent residential parcels. Noise, vehicle traffic and visual impacts of the proposed parking lot and building mass appear to be adequately mitigated. Provisions for screening, buffers and barriers meet or exceed what is typically required for this type of use in the R-C District. No lighting is proposed for the parking area and all other lighting will meet current Zoning Ordinance standards.

Building Layout, Open Space and Design

Building Layout. The proposed development is proposed as several expansions of the existing church building, to include the nursery school, daycare, private school of general education and surface parking. The removal of the former Mt. Zoar Church structure and the two single-family dwellings will take place at a later, as yet to be determined time, but no later than Phase III. Phase III will be comprised of the construction of the proposed fellowship hall, which will be located in a separate structure separated from the main church by a small plaza, parking and travel aisles. The proposed height of the church and related structures will not exceed 60 feet. Staff feels that a more compressed layout would present additional opportunities for preserving open space.

Open Space. The applicant has identified the amount of undisturbed open space on the special permit amendment plat as an ultimate area of 47% undisturbed open space for 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, 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 applicant has not achieved at least 50% open space.

It appears that the applicants have not made a significant effort to overcome some of staff's initial concerns regarding the proposed development of the subject property. Issues related to the proposed undisturbed open space, traffic concerns and overall intensity of the proposed use were noted during a pre-application meeting in May of 2008. Since that time the proposed layout of the expanded church and related facilities has not been altered in any manner which addresses staff's concerns. As such, staff concludes that the application is in not 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

Issue:

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

Occoquan Watershed: 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 (SP) and Special Exception (SE) 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 met with staff in May of 2008 to discuss the proposed expansion of the existing church. At that time it was noted that the proposed expansion would retain less than 50% undisturbed open space. The existing church has approximately 47.5% undisturbed open space

and with the proposed expansion in land area and uses the subject property would retain approximately 47% undisturbed open space. While staff recognizes that much of the expanded land area is already disturbed it was clearly noted at that time that any expansion of land area should be considered an opportunity to expand undisturbed open space areas, including restoration of existing disturbed areas. Anything less than the provision of 50% undisturbed open space would not acceptable.

Resolution:

The current application was submitted with no apparent modifications to address this concern. Any application for uses within the Water Supply Protection Overlay District requiring special exception or special permit approval is expected to preserve a minimum of 50% undisturbed open space. This is particularly true for applications which are new or existing uses involving an amended application with expanded land area. The use should be modified to fit a consistent land use pattern for this area of the County. The application should be modified to fit the land by retaining a greater area of undisturbed open space through a combination of preservation and restoration. This is consistent with efforts to address the purpose and intent of the R-C District and the water quality goals associated with development within the Occoquan Reservoir. 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. Staff feels that this provision has not been adequately addressed.

Issue:

There is a small stream channel which crosses the southeast corner of Lot 27A. This stream channel appears to be intermittent or ephemeral in character. As such, it falls under the classification as headwaters streams and are subject to protection under the guidance noted in the Comprehensive Plan. While the applicants have agreed in principal to ensure that these streams are protected, no specific buffers have been noted on the special permit plat as requested by staff.

Resolution:

The plat should be revised to depict a buffer along the stream consistent with the guidance noted for the Environmental Quality Corridor policy.

Issue:

The subject property is located within the Lincoln-Lewis-Vannoy Conservation Area and is served by a limited capacity sewer service system. The expansion of the existing church use coupled with the additional proposed uses has raised concerns regarding the ability of this system to support the numerous additional uses on the subject property. Staff feels that the applicant should provide written verification from the Department of Public Works and

Environmental Services (DPWES) that the existing system capacity will be adequate to support all of the proposed uses at this location.

Resolution:

The applicant should provide written confirmation from DPWES in order to ensure that the proposed uses will be adequately supported by the existing infrastructure in this area. To date, this information has not been provided.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan map shows a major paved trail along the south side of Braddock Road adjacent to the site. The special permit plat is consistent with the Countywide Trails Plan, showing an existing eight foot wide asphalt trail along the site's Braddock Road frontage.

PGN: JRB

APPENDIX 7

County of Fairfax, Virginia

MEMORANDUM

August 11, 2009

TO: Shelby Johnson, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh Whitehead, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: St. Mark Coptic Orthodox Church, SPA 89-S-013-02

I have reviewed the above referenced Special Permit plat and Special Permit Amendment application, stamped as received by Zoning Evaluation Division on August 3, 2009. The following comment is based on this review. A site visit was conducted during review of the first submission of this application.

1. **Comment:** The Tree Conservation Ordinance includes several different types of tree protection fence, some of which are not appropriate for this site.

   Recommendation: Require that the last paragraph of draft condition #11 be included to require four-foot high 14-gauge welded wire fence, ensuring that appropriate tree protection fence is used on this site.

   "All individual trees to be preserved and all areas designated to be left undisturbed shall be protected by tree protection fencing and signage as set forth below. Tree protection fencing shall be four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart. Tree protection shall be shown on the demolition and phase I and II erosion and sediment control sheets. Super silt fence, 42 inch high, may be used as an alternative to 14-gauge welded wire, as may be approved by UFMD to the extent that required trenching for super silt fence does not sever or wound structural roots which can lead to failure and/or uprooting of trees.

   All tree protection fencing shall be installed prior to the demolition of any existing structures adjacent to tree preservation areas. At least three days prior to the commencement of any clearing, grading, or demolition activities and prior to the installation of tree protection fencing, UFMD and the District Supervisor shall be notified in writing and given the opportunity to inspect the site to assure that all individual trees to be preserved and all areas to be left undisturbed have been correctly delineated. UFMD shall provide written notice to the applicant as to whether or not the areas have been

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

delineated correctly. If it is determined by UFMD that the areas are not delineated correctly, no grading or construction activities shall occur on the subject property until the delineation is corrected and field verified by UFMD."

If there are any questions or concerns, please contact me at (703)324-1770.

HCW/
UFMID #: 146151

cc: RA File
DPZ File

RECEIVED
Department of Planning & Zoning

AUG 13 2009

Zoning Evaluation Division

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
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APPENDIX 8

County of Fairfax, Virginia

MEMORANDUM

DATE: August 7, 2009

TO: Shelby Johnson, 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 Amendment Application #SPA 89-S-013-02, St. Mark Coptic Orthodox Church, Plat dated July 29, 2009, LDS Project #8271-ZONA-001-2, Tax Map #67-1-04-0027A, -0031, -0032, -0033, -0034 & -0042, Springfield District

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

Chesapeake Bay Preservation Ordinance (CBPO)
There is no Resource Protection Area (RPA) on this site.

Water quality controls are required for this development (PFM 6-0401.2A). The plat states the controls will be provided via a conservation area, reforestation, and the existing facilities. Water quality management areas (WQMA) cannot be used in BMP calculations and will not be placed on properties where other means of providing water quality controls are available, however, Sheet 3 continues to show a WQMA area. Reforestation areas are not considered to be undisturbed open space and cannot be placed in a Conservation Easement, however, these areas can be used for BMP credit if placed in a Reforestation Easement (PFM Table 6.3). About 60 linear feet of the proposed storm drain system appears outside of the limits of clearing and grading and within the proposed conservation easement on Sheet 3. Disturbed areas will not be allowed to be included in a Conservation Easement (PFM Table 6.3).

The extent of the existing dry pond is now shown on the plat.

Floodplain
There are regulated floodplains on lot 27A. The note on sheet 1 indicating there are no floodplains on the property has been removed.

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

Downstream Drainage Complaints

There are erosion complaints on file from two downstream properties. A complaint was received from 11934 Washington Street in April, 2008. The complaint from12001 Washington Street was received in May, 2007. The applicant states that these complaints are not related to activities on its site, nevertheless, adequate outfall will be a requirement of site plan approval (PFM 6-0202.2B).

Stormwater Detention

Additional water quantity control must be provided, if not waived (PFM 6-0301.3). The plat states controls will be provided by a StormTech system. StormTech systems do not qualify as underground detention since they do not meet PFM requirements of i) a 72" height (§ 6-1306.3H) or ii) a smooth, rounded bottom (§ 6-1306.3M). A StormTech system, however, would likely be approved as a modification of an infiltration trench facility. The applicant indicates it will pursue these modifications.

Site Outfall

A narrative description of the site's outfall has been provided. A demonstration of adequate outfall meeting PFM requirements will be required at site plan submission (PFM 6-0203 & 6-0204.1).

Please contact me at 703-324-1720 if you require additional information.

BF/

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

RECEIVE
Department of Planning

AUG 10 2009

Zoning Evaluation Division

10-6 S.J.

APPENDIX 9

County of Fairfax, Virginia

MEMORANDUM

DATE: September 10, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division

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

SUBJECT: Transportation Impact

FILE: 3-6 (SP 89-S-013)

REFERENCE: SPA 89-S-013-02; St. Mark Coptic Orthodox Church of Washington, D.C.
Traffic Zone: 1656
Land Identification: 67-1 ((4)) 27A, 31, 32, 33, 34, and 42

The following comments reflect the position of the Department of Transportation, and are based on the applicant's statement of justification dated June 26, 2009, the Special Permit Plat revised to August 3, 2009 and the applicant's State of Virginia mandated Transportation Impact Analyses. Because this review is based in part on the information submitted, expansion of the use in accordance with these submissions should be made a condition of any approval of the requested use.

The existing church building contains approximately 29,050gsf. In addition, the applicant has purchased two small homes and an adjoining church building. The adjoining church building, which contains approximately 5,100gsf including cellar, is presently leased to another congregation. The request proposes to remove the adjoining church and both of the small homes, in order to be able to add approximately 29,680gsf to the applicant's existing church/school building and to construct a 30,000gsf fellowship hall [including cellar space]. *NOTE; the footprint of the fellowship hall as shown exceeds 25,600gsf, but is identified as being a 20,000gsf building. The applicant's transportation analysis is based on a 20,000gsf building footprint, and this Department will use the 20,000gsf figure for analysis of the application.* With the above additions, the church campus will contain approximately 88,730gsf of structures.

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877-5723
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FCDOT
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Trip Generation/Intensity

1. The applicant has proposed to phase development of the new facilities. At build-out, the site will include a 600-seat church, a child care facility for 165 children, a private school for 110 children and a 40,000gsf fellowship hall. This Department estimates that the combination of these proposed uses will generate 1,360 vehicle trips per day, 245 vehicles in the a.m. peak hour, 145 trips in the p.m. peak hour and 400 trips during the peak hour of site use on Sundays.

The proposed use is very intense given that the property is zoned for Residential Conservation. Site development under the current zoning would permit three residences, which would generate about 30 vehicle trips per weekday, with three trips during each of the a.m. and p.m. peak hours. Residential development on the five existing lots would generate approximately 50 vehicle trips per day and five during peak periods.

2. The applicant's transportation analysis indicates that the site entrance will likely warrant signalization due to both the week day and Sunday trip generation characteristics. This Department can not support the degree of site intensity that would create a need for signalization at the site entrance, and can not support placement of a signal at the site entrance. Moreover it is not desirable to have a development that is so intense that off-duty Police Officers must be routinely used to maintain adequate traffic operations.

Site Access

1. This Department very strongly recommends that the applicant work with the owner of lot 67-1 ((4)) 41 to secure access to Braddock via Second Road. Such access would negate the need to construct the median opening, and traffic from the site when combined with trips from other uses in the area, would likely warrant signalization of the Braddock Road/Second Road intersection.

2. The applicant in 2006 secured permission from VDOT to construct a median break on Braddock Road along the site frontage. The median break is delineated on the development plan, and the applicant has indicated a willingness to construct the break as an element of the initial site expansion. This department can not support any additional development on the site without completion of the median break prior to the issuance of occupancy permits. Note that this department would not object to construction of the median break without the accompanying eastbound left turn lane, However, VDOT will determine the parameters of the design.

3. The development plat does not clearly delineate the closure of existing entrances to the Episcopal Church and the residence immediately east of that Church, with construction of the median opening. It should be clarified that these two points of access will be closed at such time as the median break is constructed.

4. Until the easternmost house is removed, access to and parking on that property should be limited to uses associated with that structure. No worship service parking should occur at that property until the property is redeveloped as parking for the St. Mark congregation.

On-Site Circulation

On-site circulation is less than desirable. Several improvements could be implemented, but the applicant has not expressed an interest in such modifications. The following items, at a minimum, should be implemented to improve safety and operations.

1. A sidewalk be provided along the east side of the Sanctuary building. Although the applicant has indicated that there will be doors on both sides of the building, there will be times when pedestrians will want to walk to/from parking without passing through the sanctuary. Space for the sidewalk can easily be provided by slightly increasing the radius of the entry road immediately east and northeast of the building.

2. The plat does not identify entrance locations for any of the buildings. Door locations should be identified so that the proposed pedestrian network can be better evaluated.

3. No pedestrian access is provided between the parking spaces along the eastern parameter of the site and the Fellowship Hall to the west of these spaces. The sidewalks along the north and south sides of the Fellowship Hall should extend to the travel aisle west of the Hall. It is recognized that the pedestrian route along the south side of the Hall would cross the front of the loading space, but pedestrians will walk in this area with or without the sidewalk.

VDOT Transportation Impact Review

VDOT staff have identified several concerns with the traffic impact study. The applicant has yet to resubmit a corrected study as required by Virginia State law. The application should not move forward to the public hearing process until all issues with the study are adequately addressed.

FCDOT Transportation Impact Review

This Department has also identified the following concerns with the study as submitted. These changes should be incorporated into any study submission.

1. Page 10 of the study indicates that First road carries 300 vehicles per day while Second Road has an average vehicle volume of 60 trips per day. This information is apparently from old VDOT count data and likely is not an accurate representation of current traffic volumes. While there is a house of worship located at the corner of Second and Braddock Roads, there is also a group home located at the intersection of First and Braddock Roads. As such the daily

volumes on these two roads would be expected to be more equal. In addition, the peak hour counts provided in the study do not suggest such an overall volume disparity.

2. Figure 3-1 delineates existing/baseline volumes. However, the counts omit the U-turn trips at First and Second Roads, and only identify minimal westbound left turn volumes at the intersection of Braddock and Second Roads. The applicant has indicated that the U-turn volume data was collected at the time the traffic counts were taken, and that the data will be included in the revised analysis with additional count data provided if necessary.

3. The existing Sunday peak hour volumes appear to be very low, especially given that there are two churches on the site, [St. Mark plus the Holy Trinity Reformed Episcopal Church]. In addition, another church is located opposite the intersection of First and Braddock Roads. The count data should be verified for accuracy.

4. Page 27 of the study indicates that the Fellowship Hall is..."Not intended to house additional worship uses". This study parameter can only be accepted if the applicant commits to a development condition stating that such uses will be precluded.

Conclusion

The proposed use of the site is very intense. Site access will be difficult and congested during a.m. weekday mornings and mid-day on Sundays. The applicant has indicated that the volumes will likely meet peak hour traffic signal warrant standards. This Department will <u>not</u> support signalization of the entrance. Moreover, the routine traffic control by off-duty Police Officers, while providing for orderly site access, severely disrupts the movement of traffic on the arterial roadway. It is recommended that the intensity of the proposed development be substantially reduced to reduce the transportation impacts of the application.

AKR/CAA

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

APPENDIX 10

COMMONWEALTH of VIRGINIA

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

DAVID S. EKERN, P.E.
COMMISSIONER

July 15, 2009

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

Re: SPA 89-S-013-02 Saint Mark Coptic Orthodox Church

Dear Ms. Coyle:

In accordance with the Virginia Traffic Impact Analysis Regulations, 24 VAC 30-155, the referenced Special Permit Amendment application was submitted to the Virginia Department of Transportation (VDOT) for review on June 10, 2009. It was anticipated the application would create a substantial impact or change to the existing transportation network of state highways.

In general, the TIA is found not acceptable and it should be revised and resubmitted to address the comments provided in the attached Evaluation Report.

Please contact me if you have any further questions regarding this report.

Sincerely,

Thomas B. Walker
Senior Transportation Engineer

Attachment

cc: Angela Rodeheaver, Fairfax County Office of Transportation

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Department of Planning &
JUL 22 2009
Zoning Evaluation Division

57

EVALUATION REPORT OF
St. Mark Coptic Orthodox Church
TRAFFIC IMPACT ANALYSIS

Summary of the Key Findings

The proposed plan consists of increasing the size of an existing church facility, including the sanctuary, day care, and fellowship hall, and also to provide a new 110 student school. The site is located on the south side of Braddock Road (Route 620), north of Washington Street (Route 3740), east of Second Road (Route 3564) and west of First Road (Route 3739), Access to existing St. Mark Coptic Church is provided via one right-in/right-out driveway on Braddock Road. The development of the Property will be completed in two phases. The first phase would include demolishing the existing two single-family dwelling units, increase the capacity of the church sanctuary to 600 seats and increase the size of day care to 165 students and add a new 110 student K-8 private school. The second phase would include razing the existing Mount Zoar Church to construct a 20,000 square foot fellowship hall. Access to the site will be provided via two of the seven existing curb cuts on Braddock Road. The remaining curb cuts will be removed. The Mount Zoar Entrance would be converted from the right-out entrance to a full-movement entrance with a new median break. The existing St. Mark Driveway would be converted from a right-in/right-out driveway to a right-in only driveway. The trip generation analysis shows that the existing church uses generate 57 AM peak hour, 56 PM peak hour, and 311 Sunday. The proposed expansion would generate 206 AM peak hour, 161 PM peak hour, and 497 Sunday peak hour trips over the existing uses.

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. We have following comments on the traffic impact analysis.

1. No description of general terrain.
2. The site plan shows a shared through/left lane configuration for north bound traffic at the widened The Mount Zoar Entrance when it is T-intersection with Braddock Road.
3. Queuing is not included in the study as required in the approved scope of services in the Appendix C.
4. Why AM-Peak hour is used for traffic analysis on Sunday when traffic counts show that Mid-Day Peak has consistently higher traffic volumes in that hour.
5. There is a discrepancy on the length of the turn lanes and tapers shown in the site plan and the ones used in the Synchro analysis. For example, the site plan shows 350' of west bound left turn lane with 100' of taper at The Mount Zoar Entrance, but 200' of the left turn lane and 25' of taper is used for analysis.

Comments on the Recommended Improvements

1. The recommendations should include specific improvements to Braddock Road at the driveways including left and right turn lanes and the proposed median break.

Additional VDOT Recommendations/Comments

1. Although a signal is intuitively warranted based on weekday AM and Sunday peak hour traffic at the study intersection of new church access, however, we recommend that a signal warrant study be re-examined no earlier than one year prior to build out of the project. Signal warrant study needs to be provided in a separate booklet and alternatives other than a traffic signal should be provided in the study.
2. VDOT's turn lane length and taper requirements need to be followed for all proposed turn lanes.
3. We are recommending providing an east bound left turn lane at The Mount Zoar Entrance for U-turns.

4. The right turn lanes for the right in only and the full movement entrance should be separately delineated with curb or striping. The full movement entrance could be shifted to the east to maximize the length of the right turn lane for the full movement entrance.

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.

8-006 General Standards

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

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.

2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.

4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.

6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.

8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

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

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

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

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

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.

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

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

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

B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.

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

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

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

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

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

4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title63.2, Chapter 17 of the Code of Virginia.

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

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

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

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

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

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

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

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

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

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

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

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

APPLICATION ACCEPTED: May 15, 2009
BOARD OF ZONING APPEALS: October 6, 2009
MOVED AT APPLICANT'S REQUEST
TIME: 9:00 a.m.

County of Fairfax, Virginia

September 29, 2009

STAFF REPORT

SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 89-S-013-02

SPRINGFIELD DISTRICT

APPLICANT/OWNER:	St. Mark Coptic Orthodox Church of Washington, D.C.
STREET ADDRESS:	11821, 11829, 11901, 11911 and 11919 Braddock Road
TAX MAP REFERENCE:	67-1 ((4)) 27A, 31, 32, 33, 34, 42
LOT SIZE:	16.85 acres
F.A.R.:	Phase I – 0.06 Phase II – 0.07 Phase III – 0.98
ZONING DISTRICT:	R-C and WS
ZONING ORDINANCE PROVISIONS:	3-C03
PLAN MAP:	Residential, .1-.2 du/ac
SPECIAL PERMIT PROPOSAL:	Amend previously approved special permit for a church and child care center to permit the addition of a nursery school and private school of general education, an increase in land area, number of seats, enrollment and number of employees, building additions, and site modifications.

STAFF RECOMMENDATION: Staff recommends denial of SPA 89-S-013-02. However, if it is the intent of the Board of Zoning Appeals to approve SPA 89-S-013-02,

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

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DEPARTMENT OF PLANNING & ZONING

staff recommends that such approval be subject to the proposed development conditions contained in Appendix 1.

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

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

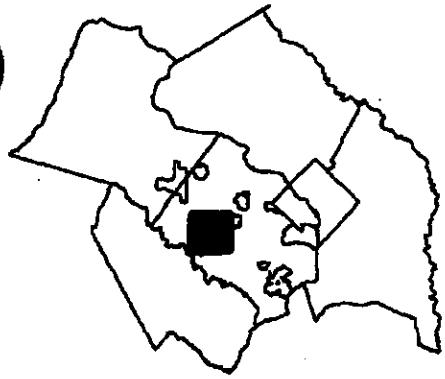
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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

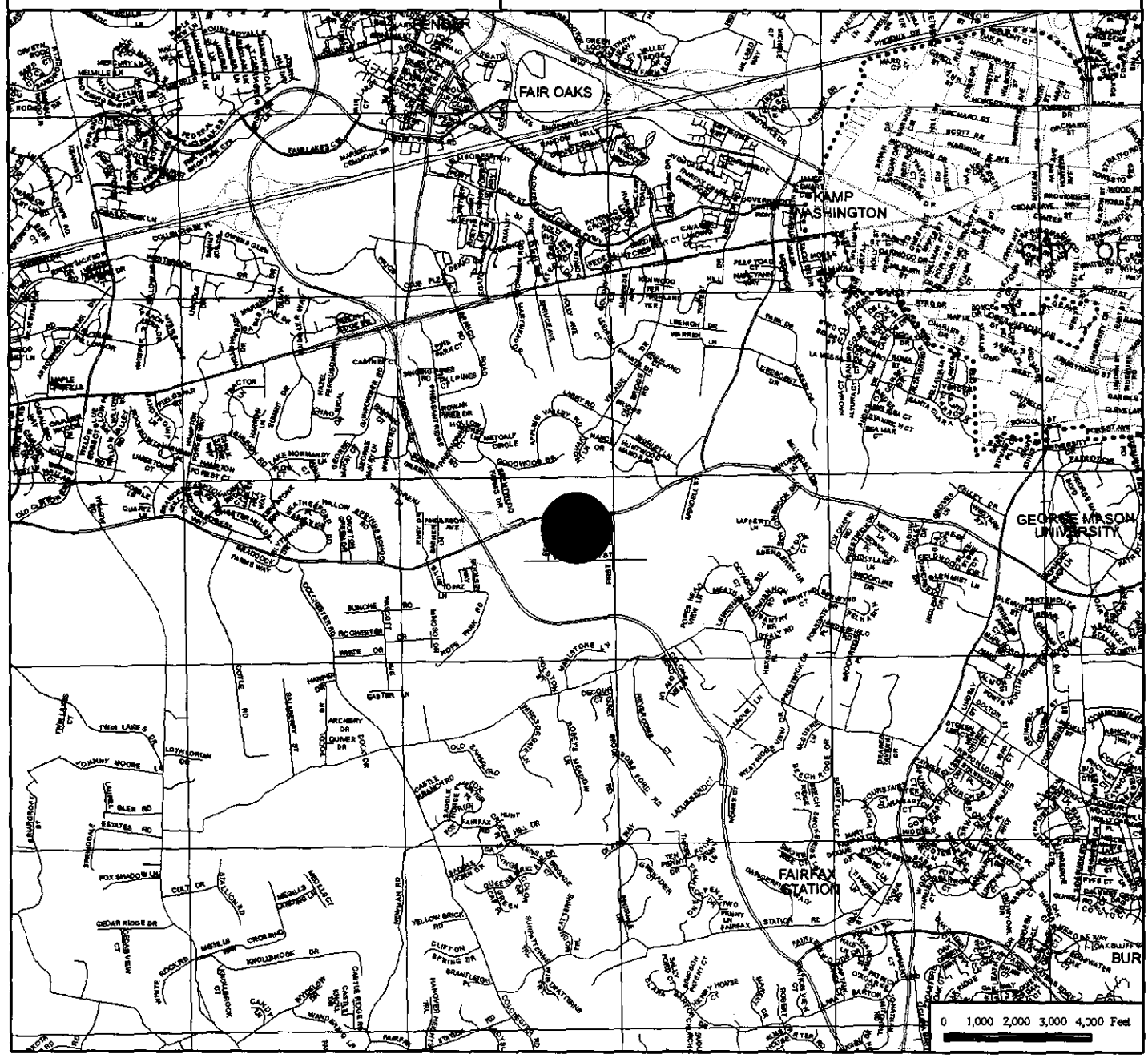
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit Amendment

SPA 89-S -013-02

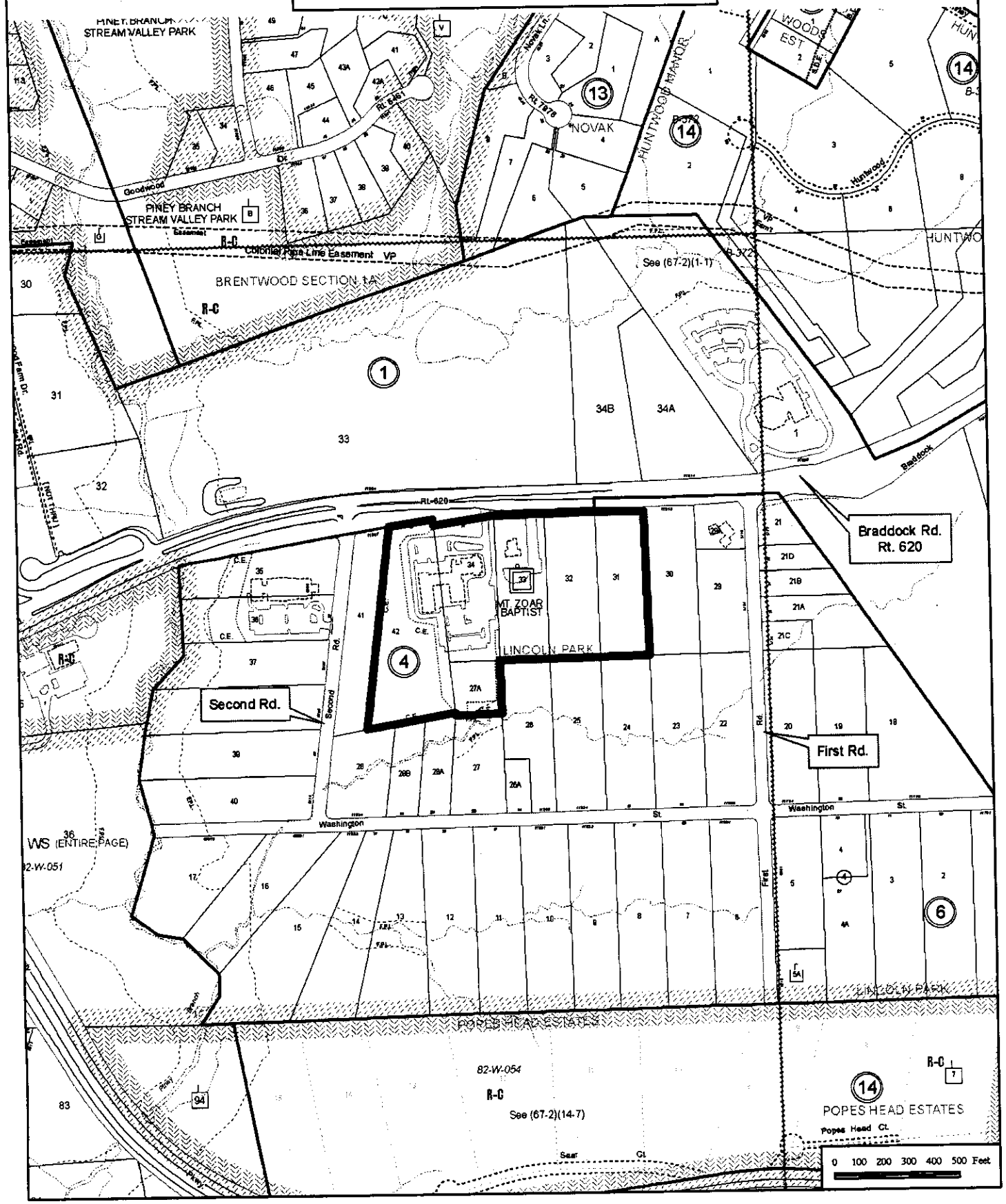


Applicant:	ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON, D.C.
Accepted:	05/15/2009
Proposed:	AMEND SP 89-S-013 PREVIOUSLY APPROVED FOR CHURCH WITH CHILD CARE CENTER TO PERMIT INCREASE IN LAND AREA, THE ADDITION OF A NURSERY SCHOOL AND PRIVATE SCHOOL OF GENERAL EDUCATION AND SITE MODIFICATIONS INCLUDING BUILDING ADDITIONS
Area:	16.85 AC OF LAND; DISTRICT - SPRINGFIELD
Zoning Dist Sect:	03-0C03
Art 8 Group and Use:	3-10
Located:	11821,11829, 11901, 11911, 11919 BRADDOCK ROAD
Zoning:	R- C
Overlay Dist:	WS
Map Ref Num:	067-1- /04/ /0027A /04/ /0031 /04/ /0032 /04/ /0033 /04/ /0034 /04/ /0042

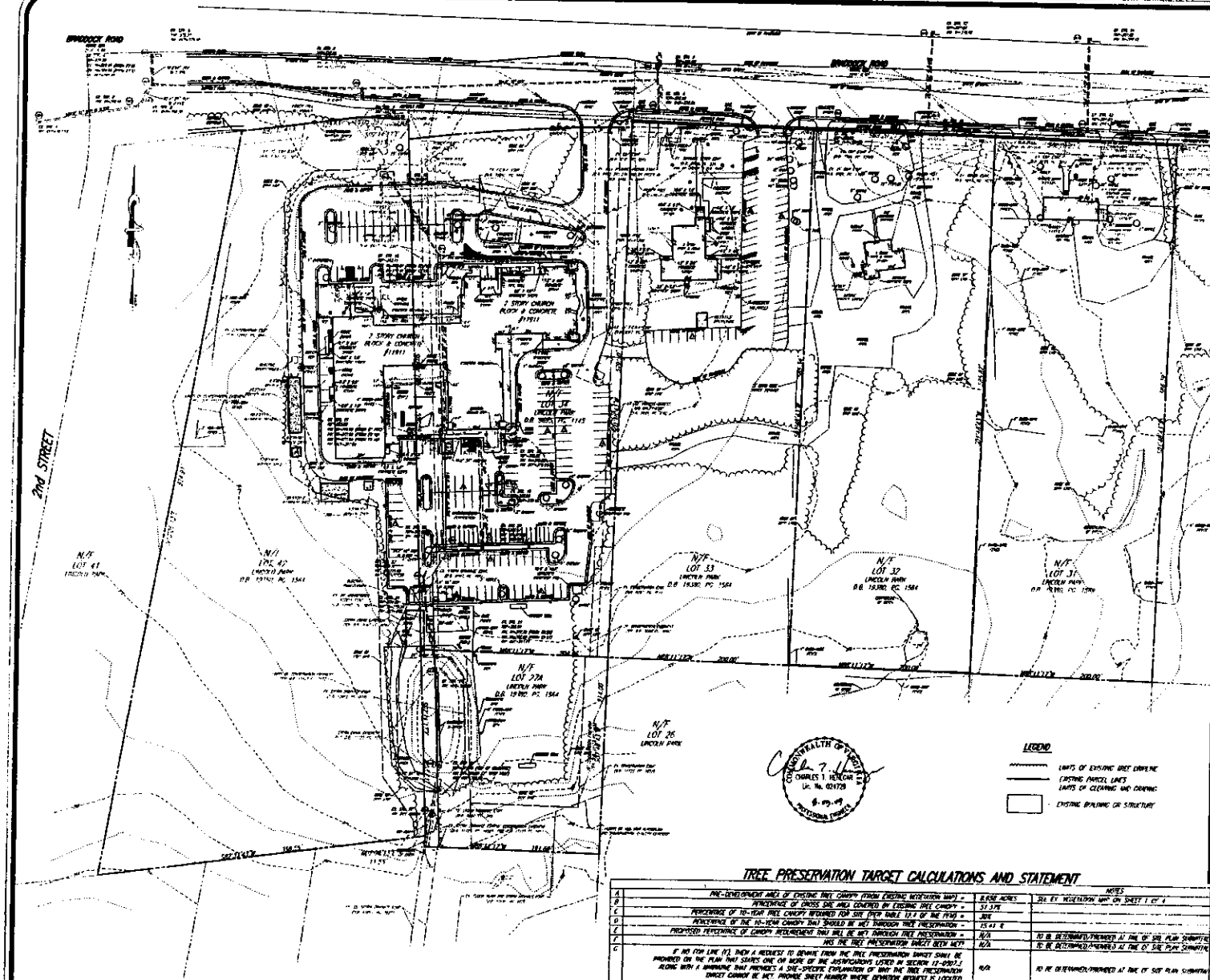


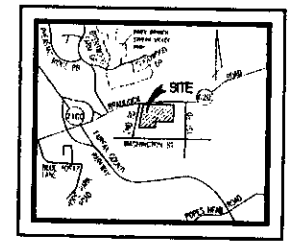
Special Permit Amendment

SPA 89-S -013-02



07-052-H





VICINITY MAP
SCALE 1" = 2000'

NOTES & TABULATIONS

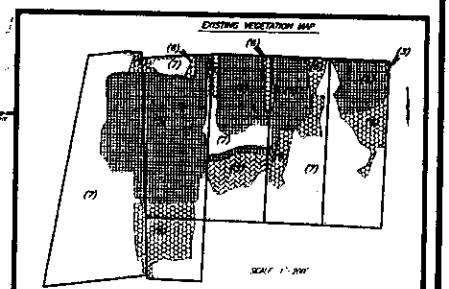
(1) TOTAL SITE AREA 16.873 AC/734,126 SF - FAIRFAX COUNTY ASSESSMENT RECORDS INDICATE THE TOTAL SITE ACREAGE IS 16.18 [illegible] ACRES. A FIELD RUN SURVEY BY RDA FOUND THE TOTAL SITE TO BE 16.873 ACRES.

(2) THE SUBJECT PROPERTY IS LOCATED ON TAX MAP 061-1-((9)) PARCELS 27A, 31, 32, 33, 34, & 41.

(3) TOPOGRAPHIC AND BOUNDARY SURVEY DATA PREPARED BY RINKER DESIGN ASSOCIATES, PC (RDA) DATED JULY 2007

(4) ACCORDING TO FAIRFAX COUNTY MAPPING, THERE IS NO RESOURCE PROTECTION AREA ON THE SUBJECT PARCELS. THERE IS EXISTING 100-YEAR FLOODPLAIN AND TRANSMISSION CORRIDOR ON LOT 27A

EXISTING VEGETATION MAP



EXISTING VEGETATION MAP - SUMMARY TABLE

KEY	PRIMARY SPECIES	SECONDARY SPEC	COVERED	ACREAGE	COMMENTS
(1) [illegible]	-	-	-	N/A	
(2) SPLAYED FORESTS	-	-	-	N/A	
(3) EARLY SUCCESSIONAL FOREST COMMUNITY	[illegible]	[illegible]	[illegible]	9.504 AC	[illegible]
(4) AGRICULTURAL LAND	-	-	-	N/A	
(5) [illegible] LAND	-	-	N/A	5.011 AC	THESE AREAS CONTAIN BUILDINGS, PARKING LOTS & ROADWAYS
(6) MANICURED GRASSLAND	MANICURED	-	N/A	2.199 AC	AREAS INCLUDE SPECIES FESTA, SOME EVERGREEN, AND CONVERT AFFECTING [illegible]
(7) [illegible] FOREST	[illegible]	SUB-CLIMAX	CLOSED	4.119 AC	[illegible]
(8) UNDER CONSTRUCTION FOREST COMMUNITY	-	-	-	N/A	
TOTAL AREA				16.873 AC	

TREE PRESERVATION TARGET CALCULATIONS AND STATEMENT

			NOTES
A	PRE-DEVELOPMENT AREA OF EXISTING TREE CANOPY (FROM EXISTING VEGETATION MAP) =	8.898 ACRES	SEE EX. VEGETATION MAP ON SHEET 1 OF 4
B	PERCENTAGE OF GROSS SITE AREA COVERED BY EXISTING TREE CANOPY =	51.37%	
C	PERCENTAGE OF 10-YEAR TREE CANOPY REQUIRED FOR SITE (PER TABLE 12.1 OF THE PFM) =	30%	
D	PERCENTAGE OF THE 10-YEAR CANOPY THAT SHOULD BE MET THROUGH TREE PRESERVATION =	15.41 %	
E	PROPOSED PERCENTAGE OF CANOPY REQUIREMENT THAT WILL BE MET THROUGH TREE PRESERVATION =	N/A	
F	HAS THE TREE PRESERVATION TARGET BEEN MET?	N/A	TO BE DETERMINED/PROVIDED AT TIME OF SITE PLAN SUBMITTAL
G	IF NO (FOR LINE (F)), THEN A REQUEST TO DEVIATE FROM THE TREE PRESERVATION TARGET SHALL BE PROVIDED ON THE PLAN THAT STATES ONE OR MORE OF THE JUSTIFICATIONS LISTED IN SECTION 12-0507.2 ALONG WITH A NARRATIVE THAT PROVIDES A SITE-SPECIFIC EXPLANATION OF WHY THE TREE PRESERVATION TARGET CANNOT BE MET. PROVIDE SHEET NUMBER WHERE DEVIATION REQUEST IS LOCATED	N/A	TO BE DETERMINED/PROVIDED AT TIME OF SITE PLAN SUBMITTAL
H	IF STEP G REQUIRES A WAIVER, IT SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 12-0507.4	N/A	TO BE DETERMINED/PROVIDED AT TIME OF SITE PLAN SUBMITTAL
I	PLACE THIS INFORMATION WHICH IS THE 10-YEAR TREE CANOPY CALCULATIONS AS PER INSTRUCTIONS IN TABLE 12.12	N/A	TO BE DETERMINED/PROVIDED AT TIME OF SITE PLAN SUBMITTAL

NOTES:
1. TABLE, INFORMATION, AND CALCULATIONS PROVIDED ARE IN ACCORDANCE WITH SECTION 12-0507 AND TABLE 12.1 OF THE PFM

COMMONWEALTH OF VIRGINIA
CHARLES T. HEYDCAR
LIC. No. 024728
6-17-09
PROFESSIONAL ENGINEER

EXISTING CONDITIONS/ EVA MAP
ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON, D.C.
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE 1" = 50' MARCH 18, 2008
REVISED: JULY 29, 2009
SHEET 1 OF 4

GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

Rinker Design Associates, P.C.
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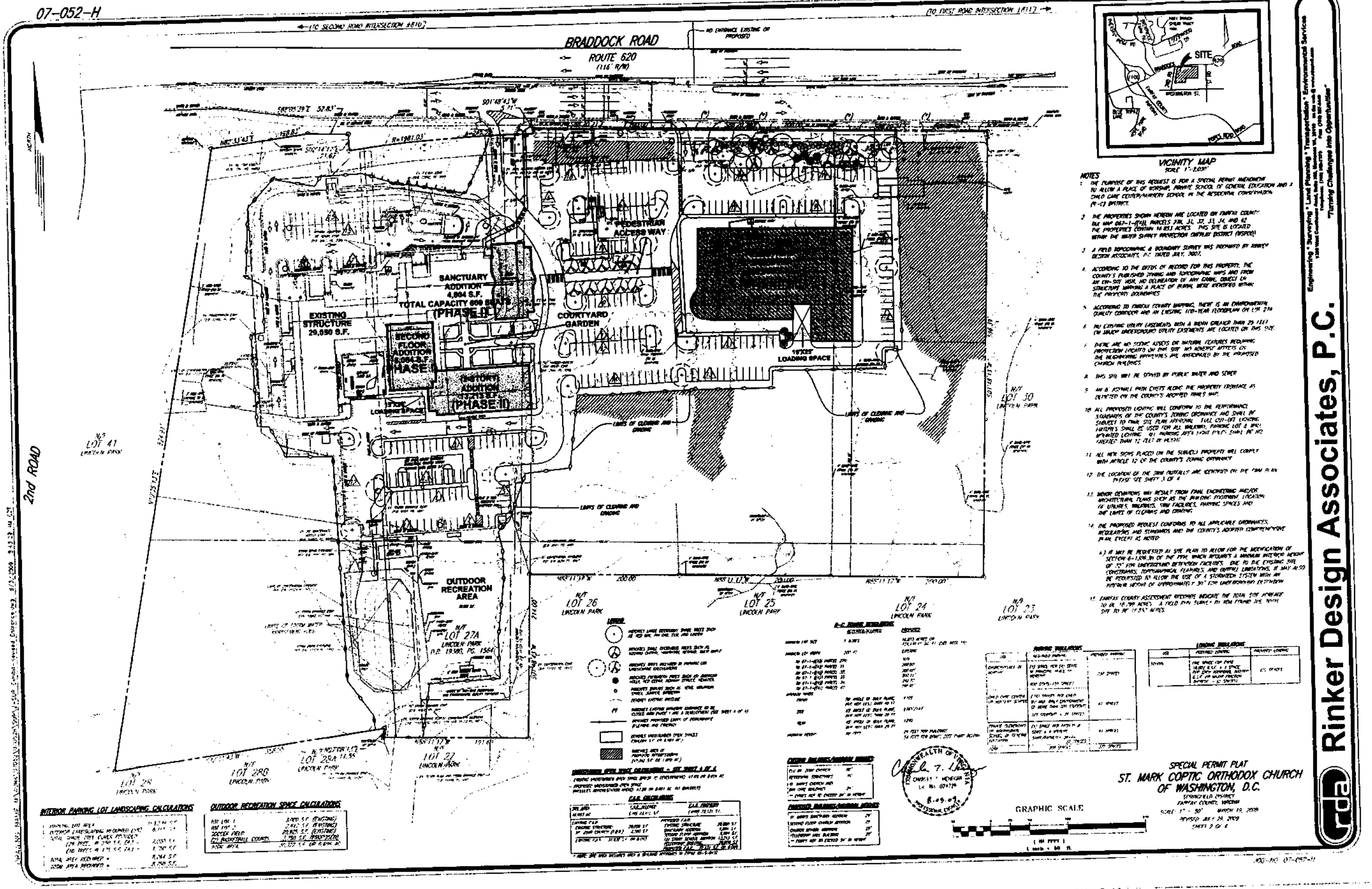
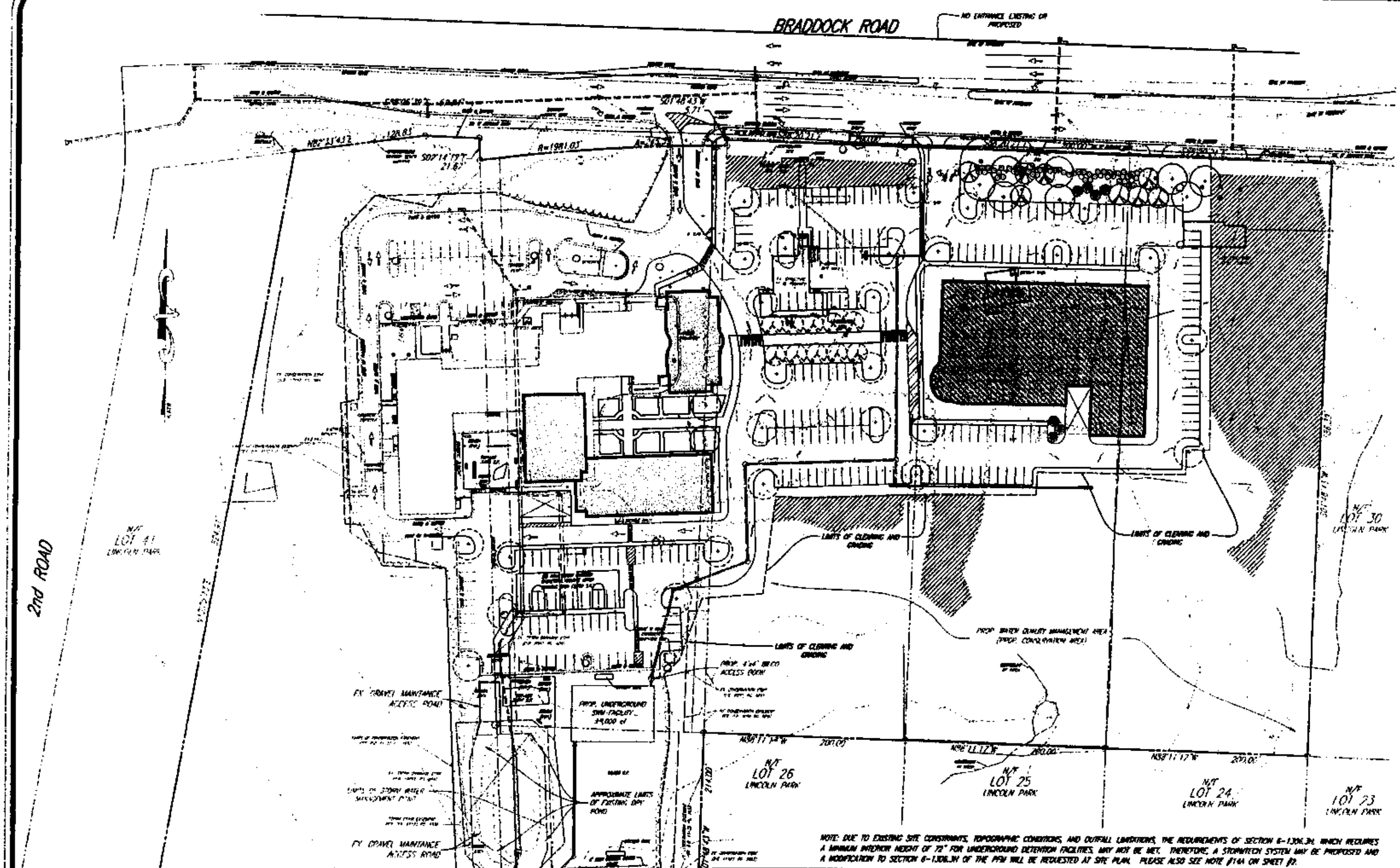
07-052-H


BRADDOCK ROAD
ROUTE 620
2nd ROAD
SANCTUARY ADDITION 4,604 S.F.
TOTAL CAPACITY 600 SEATS
(PHASE I)
EXISTING STRUCTURE 29,050 S.F.
SECOND FLOOR ADDITION
COURTYARD GARDEN
PEDESTRIAN ACCESS WAY
2-STORY ADDITION
(PHASE II)
10'X25' LOADING SPACE
OUTDOOR RECREATION AREA
LOT 41
LOT 26
LOT 25
LOT 24
LOT 23
LOT 30
LOT 27A
LOT 27
LOT 28
LOT 28B
LOT 28A
LINCOLN PARK
VICINITY MAP
SITE
NOTES
GRAPHIC SCALE
SPECIAL PERMIT PLAT
ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON, D.C.
Rinker Design Associates, P.C.
Engineering * Surveying * Land Planning * Transportation * Environmental Services
"Turning Challenges into Opportunities"

07-052-H



STORMWATER NARRATIVE

EXISTING CONDITIONS

THE SITE AREA CONSISTS OF SIX PARCELS, WITH A COMBINED AREA OF APPROXIMATELY 16.853 ACRES (±734,136 SQ. FT.). THE SITE IS LOCATED AT 11911 BRADDOCK ROAD, WITHIN THE POPES HEAD CREEK WATERSHED. THE SITE IS LOCATED IN THE WATER SUPPLY PROTECTION OVERLAY DISTRICT (WSPOD). PER PREVIOUS CONSTRUCTION, THE PROJECT AREA CONSISTS OF AN EXISTING TWO STORY CHURCH, A FEW SMALL DETACHED DWELLINGS, AND MISCELLANEOUS IMPROVEMENTS THROUGHOUT THE SITE SUCH AS PARKING, DRIVE AISLES, WALKWAYS, AND UTILITIES. THE SITE ALSO CONTAINS EXISTING SWM/BMP FACILITIES THAT ARE ADEQUATE MEET ALL REQUIREMENTS FOR SWM/BMP's FOR THE EXISTING CONDITIONS OF THE SITE. THE MAJORITY OF THE SITE DRAINS TO THE SOUTH OR SOUTHWEST. THERE ARE FOUR MAJOR DRAINAGE AREAS, WHICH ARE FURTHER DESCRIBED AS FOLLOWS:

DRAINAGE AREA 1: APPROXIMATELY 3.40 ACRES ALONG THE WESTERN BOUNDARY OF THE SITE CONSISTS OF UNDEVELOPED, UNDISTURBED OPEN SPACE. THIS AREA IS WITHIN AN EXISTING CONSERVATION EASEMENT AND WAS CREDITED TOWARD THE ORIGINAL BMP REQUIREMENTS OF THE SITE. DRAINAGE AREA 1 CONSISTS OF DENSE VEGETATION AND DRAINS VIA OVERLAND FLOW TO THE SOUTH/SOUTHWEST TOWARD SECOND ROAD.

DRAINAGE AREA 2: APPROXIMATELY 1.83 ACRES IN THE NORTHERN PORTION OF THE SITE DRAIN VIA SHEET FLOW TO EXISTING UNDERGROUND STORM SEWERS AND IS DETAINED WITHIN AN EXISTING UNDERGROUND DETENTION FACILITY. THE UNDERGROUND DETENTION FACILITY SATISFIES ALL STORMWATER DETENTION AND BMP/WATER QUALITY REQUIREMENTS FOR DRAINAGE AREA 2.

DRAINAGE AREA 3: APPROXIMATELY 1.31 ACRES IN THE VICINITY OF THE EXISTING CHURCH DRAIN VIA SHEET FLOW TO EXISTING UNDERGROUND STORM SEWERS AND IS CONVEYED TO THE EXISTING DRY POND LOCATED IN THE SOUTHWESTERN PORTION OF THE SITE. THE EXISTING DRY POND WAS DESIGNED TO ADEQUATELY DETAIN THE RUNOFF FROM DRAINAGE AREA 3 AS WELL AS TO PROVIDE BMP's FOR THE AREA. THE EXISTING DRY POND OUTFALLS TO AN EXISTING NATURAL CHANNEL (BED AND BANKS) THROUGH AN EXISTING STORM SEWER SYSTEM AT EXISTING OUTFALL #1.

DRAINAGE AREA 4: THE REMAINDER OF THE SITE (EASTERN PORTION) DRAINS VIA OVERLAND FLOW TO THE SOUTH. EXISTING CONDITIONS IN THIS AREA CONSIST OF EXISTING DETACHED DWELLINGS AND DRIVEWAYS SCATTERED THROUGHOUT DENSE VEGETATION. THE STORMWATER RUNOFF FROM DRAINAGE AREA 4 IS CURRENTLY UNCONTROLLED AND FLOWS OFF SITE TO THE SOUTH.

PROPOSED IMPROVEMENTS AND SWM STRATEGIES

SWM REQUIREMENTS – ALL COUNTY AND STATE REQUIREMENTS FOR SWM SHALL BE MET FOR THIS PROJECT. THIS PROJECT WILL CONTINUE TO HONOR ALL MAJOR DRAINAGE DIVIDES, PER SECTION 6-0202.7A OF THE FAIRFAX COUNTY PFM. SWM REQUIREMENTS SHALL BE MET THROUGH THE EXISTING UNDERGROUND DETENTION FACILITY ON-SITE, THE EXISTING ON-SITE DRY POND, AND THROUGH A PROPOSED UNDERGROUND STORMWATER DETENTION FACILITY (STORMTECH SYSTEM). THE EXISTING SWM FACILITIES (EXISTING UNDERGROUND FACILITY AND EXISTING DRY POND) WILL CONTINUE TO FUNCTION AND ARE ADEQUATE TO DETAIN ANY INCREASED RUNOFF WITHIN THEIR DRAINAGE AREAS RESULTING FROM DEVELOPMENT. THE PROPOSED UNDERGROUND DETENTION FACILITY (STORMTECH SYSTEM) SHALL BE DESIGNED TO ADEQUATELY DETAIN APPROXIMATELY 4.11 ACRES OF ADDITIONAL RUNOFF RESULTING FROM THE IMPROVEMENTS SHOWN HEREON. THE ADDITIONAL RUNOFF FROM DRAINAGE AREA 4 RESULTING FROM THE IMPROVEMENTS PROPOSED HEREON SHALL BE CONVEYED TO THE PROPOSED UNDERGROUND FACILITY (STORMTECH SYSTEM – SEE NOTE #14 ON SHEET 2) VIA AN UNDERGROUND STORM SEWER SYSTEM. OUTFLOWS FROM THE NEW FACILITY SHALL BE LESS THAN OR EQUAL TO PRE-DEVELOPMENT RATES. THE PROPOSED UNDERGROUND DETENTION FACILITY (STORMTECH SYSTEM) SHALL OUTFALL TO THE EXISTING NATURAL BED AND BANKS CHANNEL VIA A PROPOSED STORM SEWER SYSTEM AT PROPOSED OUTFALL #1.

BMP STRATEGIES: ALL WATER QUALITY REQUIREMENTS SET FORTH BY THE CHESAPEAKE BAY PRESERVATION ORDINANCE AND SECTION 6-0400 OF THE PFM SHALL BE MET THROUGH NATURAL OPEN SPACE LOCATED WITHIN CONSERVATION EASEMENTS (EXISTING AND PROPOSED), THE REFORESTATION AREAS PROPOSED UNDER THIS SPECIAL USE PERMIT, AND THE EXISTING ON SITE FACILITIES (EXISTING UNDERGROUND FACILITY AND EXISTING DRY POND). FOLLOWING DEVELOPMENT, THE TOTAL PHOSPHOROUS REMOVAL FOR THE SITE SHALL BE AT LEAST 50% (PER SECTION 6-0401.1 OF THE PFM).

ADEQUATE OUTFALL NARRATIVE

FOLLOWING DETAINMENT IN THE EXISTING AND PROPOSED SWM FACILITIES, STORMWATER RUNOFF SHALL BE DISCHARGED INTO AN EXISTING, NATURAL INCISED CHANNEL IN THE SOUTHERN PORTION OF THE SITE. RUNOFF FLOWS WITHIN THE CHANNEL APPROXIMATELY 100' DOWNSTREAM TO AN UNNAMED TRIBUTARY OF PINEY BRANCH. STORMWATER RUNOFF THEN FLOWS TO THE SOUTHWEST FOR APPROXIMATELY 800', TURNS TO THE SOUTH, AND CONTINUES IN A SOUTHERLY DIRECTION FOR APPROXIMATELY 400' UNTIL JOINING WITH ANOTHER UNNAMED TRIBUTARY OF PINEY BRANCH. FLOW THEN CONTINUES FOR APPROXIMATELY 300' UNTIL REACHING PINEY BRANCH. PINEY BRANCH FLOWS TO THE SOUTH/SOUTHWEST UNTIL CONFLUENCE WITH POPES HEAD CREEK. FLOW THEN CONTINUES WITHIN POPES HEAD CREEK UNTIL REACHING BULL RUN AND CONTINUES UNTIL REACHING THE OCCOQUAN RIVER AND THE EXTENTS OF FAIRFAX COUNTY.

THE DOWNSTREAM DRAINAGE SYSTEM SHALL BE ANALYZED TO A POINT THAT MEETS THE REQUIREMENTS OF SECTION 6-0203 OF THE FAIRFAX COUNTY PFM. SHOULD THE DOWNSTREAM DRAINAGE SYSTEM BE INADEQUATE PER THE REQUIREMENTS OF SECTION 6-0203 OF THE PFM, THE PROPOSED UNDERGROUND DETENTION FACILITY (STORMTECH SYSTEM) SHALL BE ENLARGED AND RE-DESIGNED AS NECESSARY TO PROVIDE [illegible] IMPROVEMENT IN ACCORDANCE WITH SECTION 6-0203.4 OF THE PFM.

NOTE: DUE TO EXISTING SITE CONSTRAINTS, TOPOGRAPHIC CONDITIONS, AND OUTFALL LIMITATIONS, THE REQUIREMENTS OF SECTION 6-1306.3H, WHICH REQUIRES A MINIMUM INTERIOR HEIGHT OF 72" FOR UNDERGROUND DETENTION FACILITIES, MAY NOT BE MET. THEREFORE, A STORMTECH SYSTEM MAY BE PROPOSED AND A MODIFICATION TO SECTION 6-1306.3H OF THE PFM WILL BE REQUESTED AT SITE PLAN. PLEASE ALSO SEE NOTE #14A ON SHEET #2.

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

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

This information is required under the following Zoning Ordinance paragraphs:

Special Permits (8-011 2J & 2L) — Special Exceptions (9-011 2J & 2L)
Cluster Subdivision (9-615 1G & 1N) — Commercial Revitalization Districts (9-622 2A (12) & (14))
Development Plans PRC District (16-302 3 & 4L) — PRC Plan (16-303 1E & 1O)
FDP P Districts (except PRC) (16-502 1F & 1Q) — Amendments (18-202 10F & 10I)

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

☒ 2. A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond spillways, access roads, site outlets, energy dissipation devices, and stream stabilization measures as shown on Sheet 3.

☒ 3. Provide:

Facility Name/ Type & No.	On-site area served (acres)	Off-site area served (acres)	Drainage area (acres)	Footprint area (sf)	Storage Volume (cf)	If pond, dam height (ft)
EX. UNDERGROUND FACILITY	1.83	0.00	1.83	13,800	7,756	N/A
EX. DRY POND	1.30	0.00	1.85	15,895	4,440	2.35'
PROP. UNDERGROUND FACILITY	4.11	0.00	4.11	13,500	39,000	N/A
Totals	7.24	0.00	7.24			

☒ 4. Onsite drainage channels, outfalls and pipe systems are shown on Sheet 3. Pond inlet and outlet pipe systems are shown on Sheet 3.

☒ 5. Maintenance access (road) to stormwater management facility(ies) are shown on Sheet 1-3. Type of maintenance access road surface noted on the plat is GRAVEL (asphalt, geoblock, gravel, etc.).
*MAINTENANCE ACCESS ROAD IS EXISTING – SEE THIS SHEET

☒ 6. Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet 3.

☒ 7. A "stormwater management narrative" which contains a description of how detention and best management practices requirements will be met is provided on Sheet 3.

☒ 8. A description of the existing conditions of each numbered site outfall extended downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (640 acres) is provided on Sheet 3.

☒ 9. A description of how the outfall requirements, including contributing drainage areas of the Public Facilities Manual will be satisfied is provided on Sheet 3.

☒ 10. Existing topography with maximum contour intervals of two (2) feet and a note as to whether it is an air survey or field run is provided on Sheets 1-3.

☒ 11. A submission waiver is requested for SEC. 6-1306.3H (MINIMUM HEIGHT OF UNDERGROUND DETENTION FACILITIES) OF THE PFM.

☐ 12. Stormwater management is not required because ____

COMMONWEALTH OF VIRGINIA
CHARLES T. MENEGAR
Lic. No. 024729
8-5-09
PROFESSIONAL ENGINEER

STORM WATER CONCEPT PLAN
ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON, D.C.

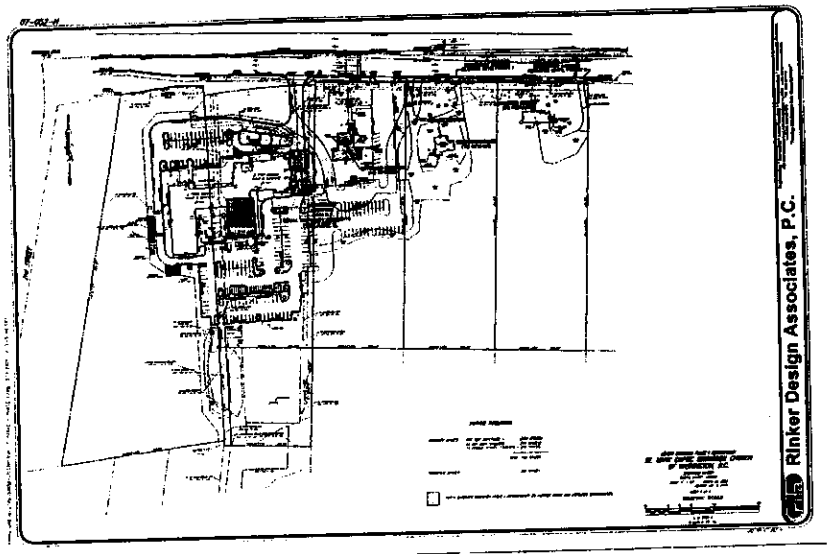
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 50'   MARCH 19, 2009
REVISED: JULY 29, 2009
SHEET 3 OF 4

GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

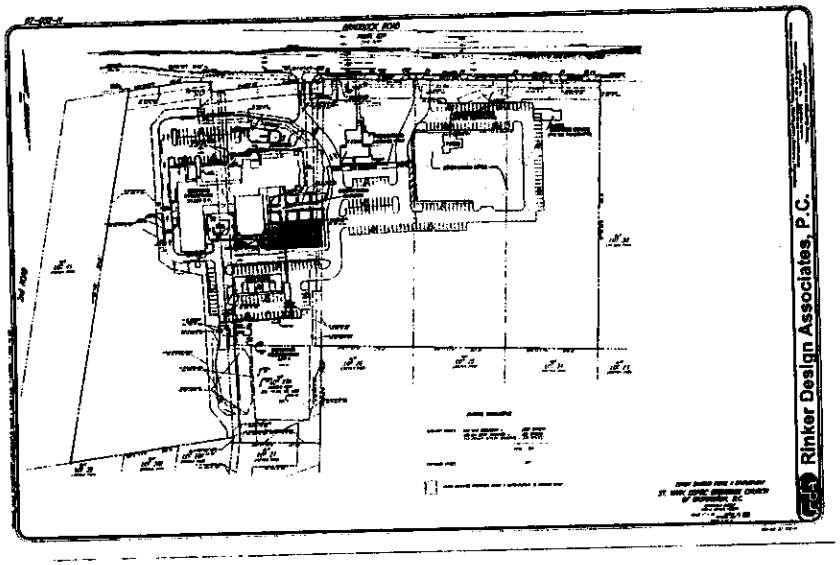
Rinker Design Associates, P.C.
Engineering * Surveying * Land Planning * Transportation * Environmental Services
[illegible]
"Turning Challenges Into Opportunities"

JOB NO. 07-052-H

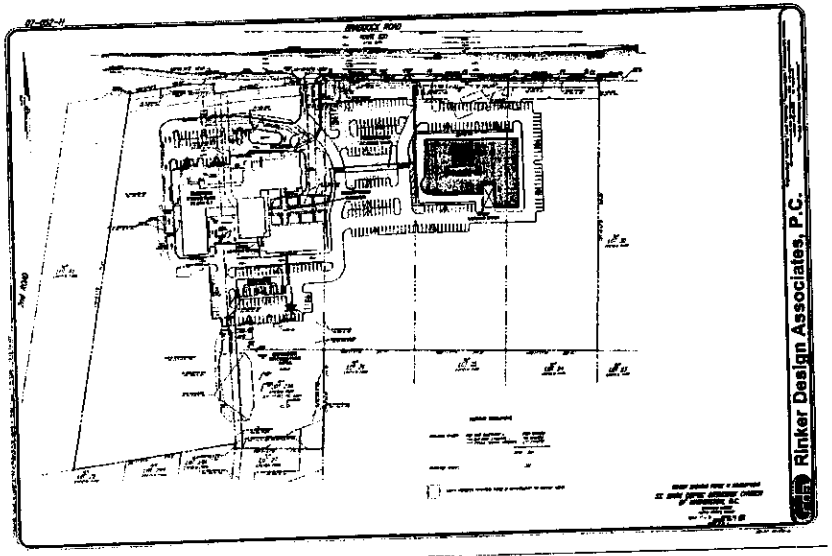
07-052-H



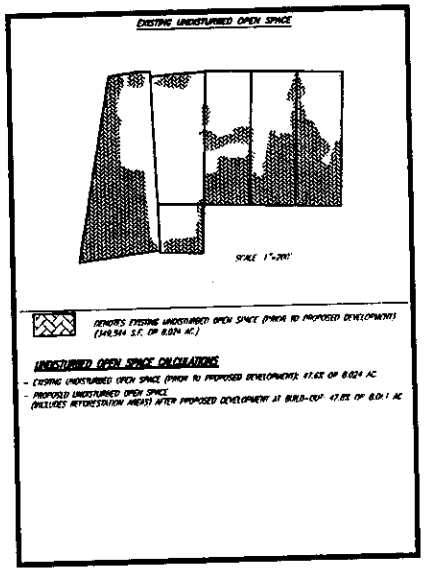
PHASE I

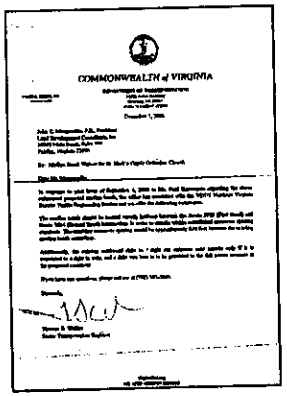


PHASE II



PHASE III *NOTE: THE APPLICANT RESERVES THE RIGHT TO CONSTRUCT PHASES II AND III TOGETHER AND AT THE SAME TIME.





COMMONWEALTH OF VIRGINIA
CHARLES I. MINEGAR
Lic. No. 024725
8-9-09
PROFESSIONAL ENGINEER

BUILD-OUT ENTRANCE DETAIL
ST. MARK COPTIC ORTHODOX CHURCH
OF WASHINGTON, D.C.
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 50' MARCH 19, 2009
REVISED: JULY 29, 2009
SHEET 4 OF 4

GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

Rinker Design Associates, P.C.
Engineering • Surveying • Land Planning • Transportation • Environmental Services
"Turning Challenges into Opportunities"

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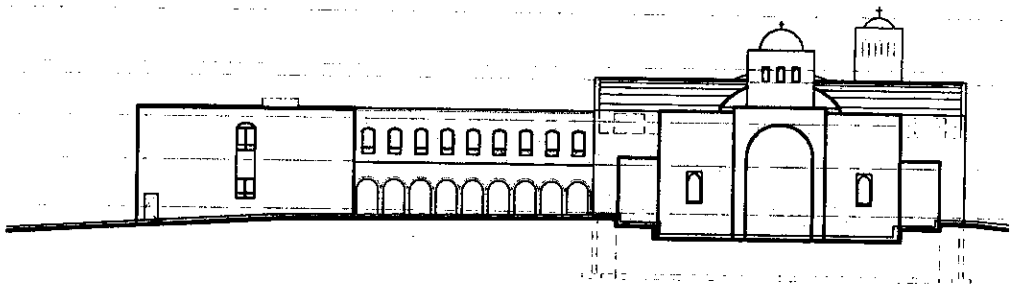
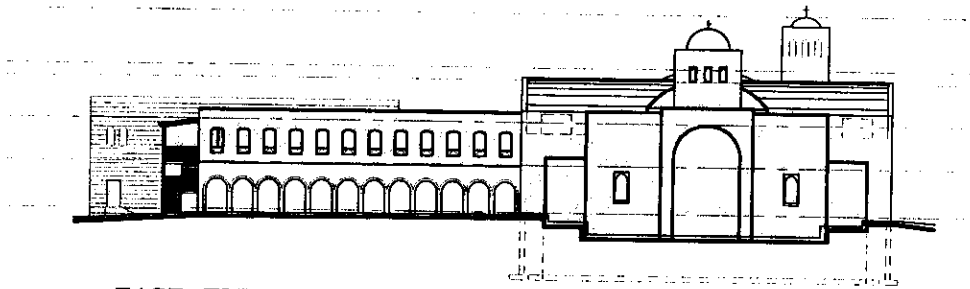


5 EAST ELEVATION : PHASE 2



4 EAST ELEVATION : PHASE 1

PH 1 PH 2 PH 3

ARCHITECT:

BEGLIS ARCHITECTS, P.C.

407-I CHURCH STREET NE
VIENNA, VA 22180

PHONE: 703-242-2000
FAX: 703-242-2163

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PROJECT TITLE:

SAINT MARK'S COPTIC ORTHODOX CHURCH

BRADDOCK ROAD
FAIRFAX, VIRGINIA

SHEET TITLE:

EXTERIOR ELEVATIONS

REVISIONS

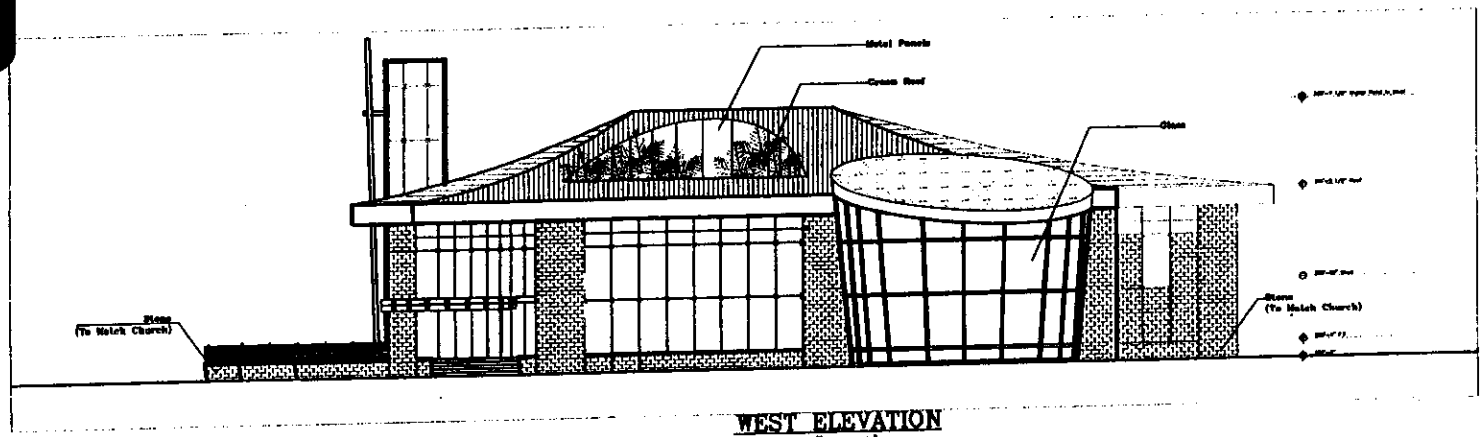
NO	DATE	DESCRIPTION

ISSUED

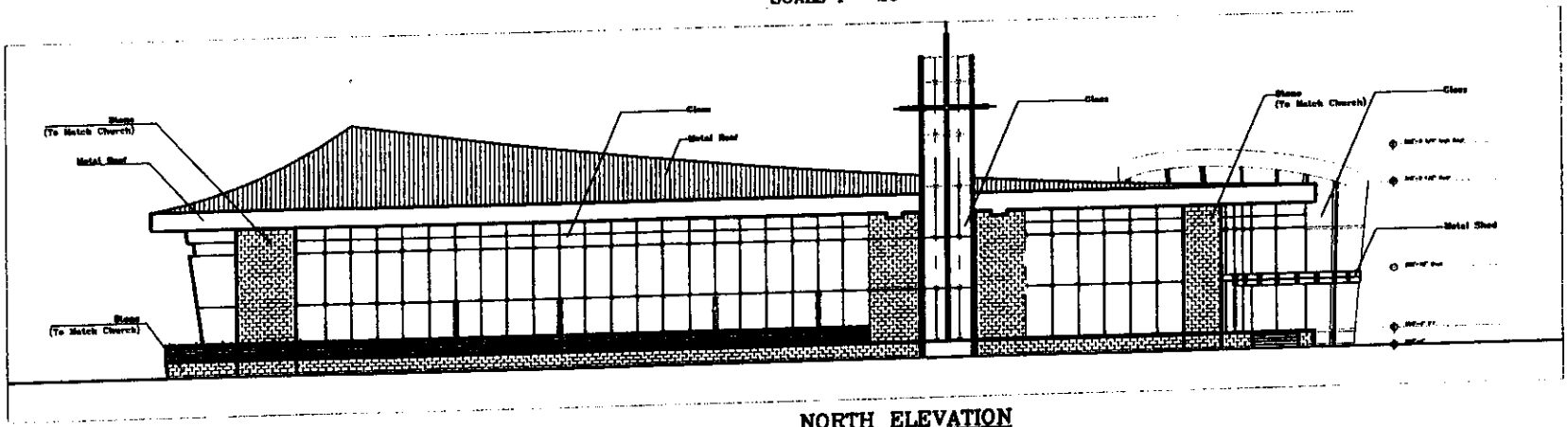
DATE: 03 AUG 09
SCALE: AS NOTED
DRAWN BY: —
PROJECT NO: —

SHEET NO.

EXHIBIT B



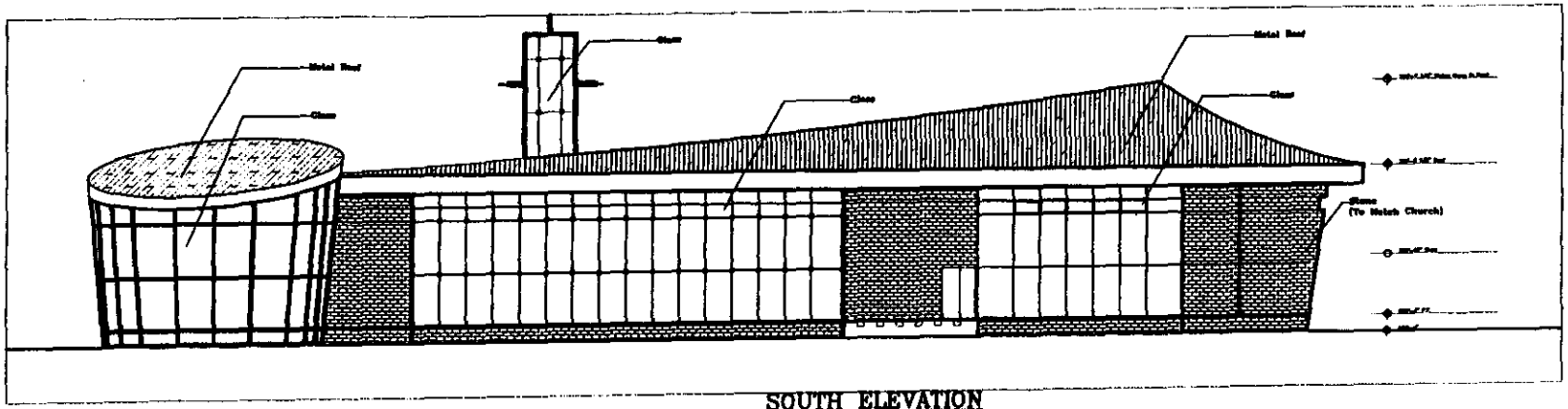
WEST ELEVATION
SCALE 1" = 20'



NORTH ELEVATION
SCALE 1" = 20'

BEGLIS ARCHITECTS, P.C. [illegible] VIRGINIA [illegible] PHONE [illegible] FAX [illegible]	PHASE 3 FELLOWSHIP HALL August 3, 2009	SAINT MARK'S COPTIC ORTHODOX CHURCH FAIRFAX, VIRGINIA

SHT. NO. FH-1



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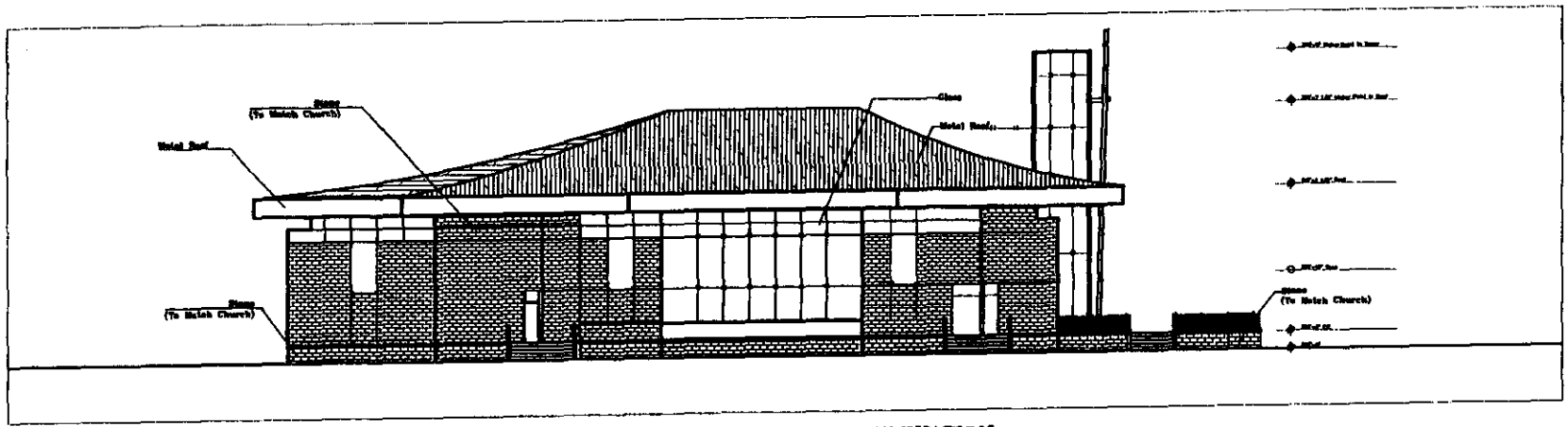


EAST ELEVATION
SCALE 1" = 20'

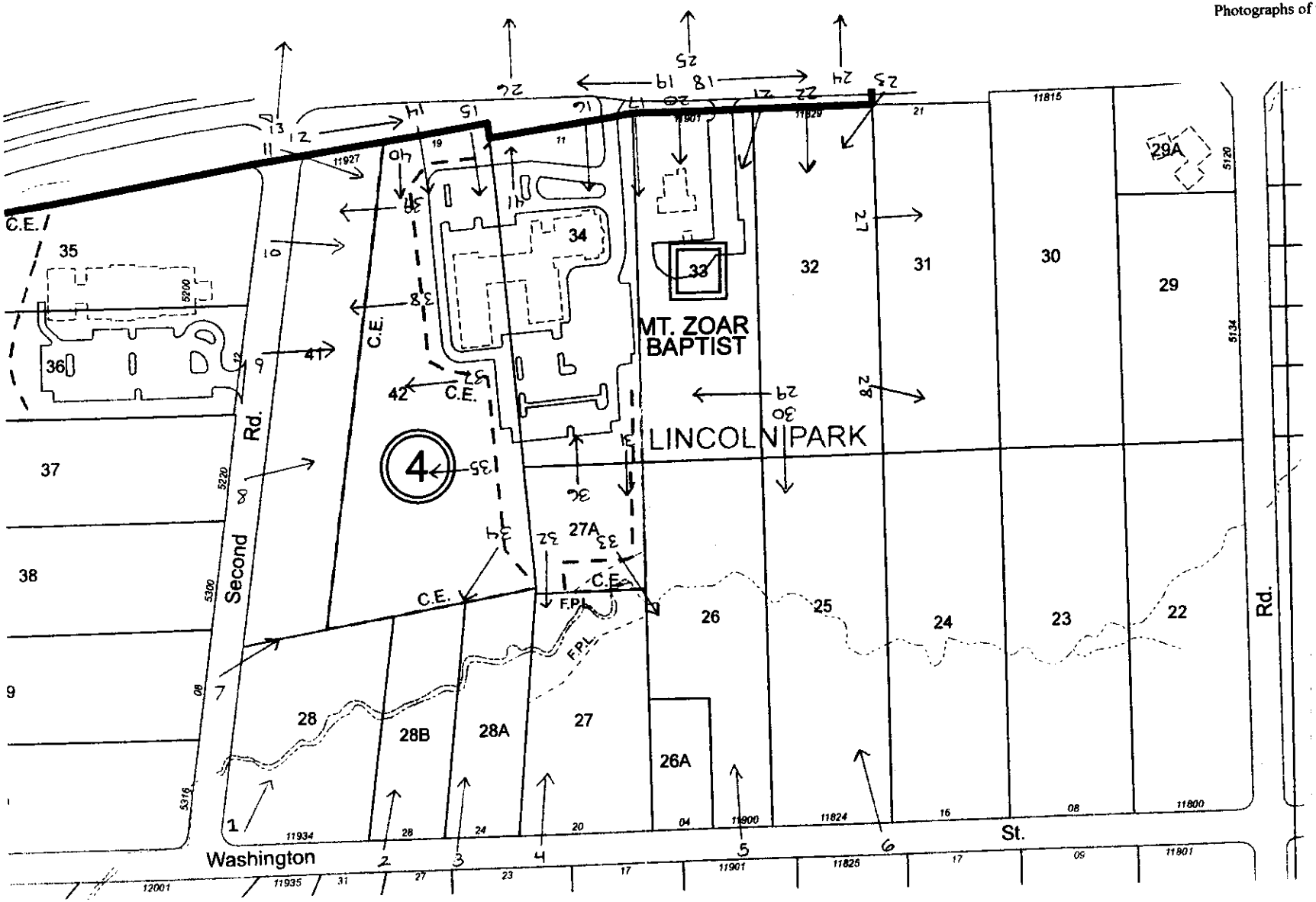
SAINT MARK'S
COPTIC ORTHODOX CHURCH
FAIRFAX, VIRGINIA

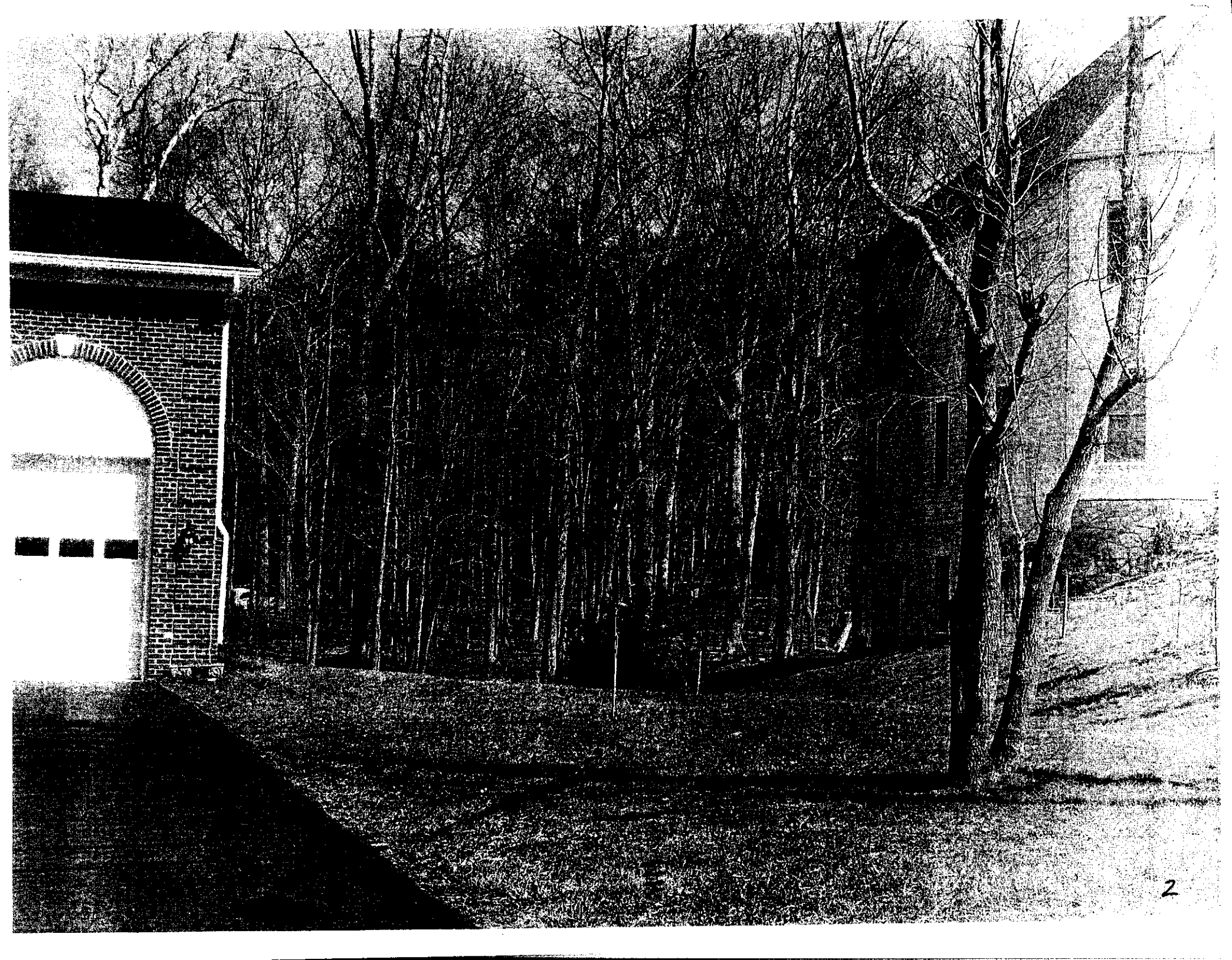
PHASE 3
FELLOWSHIP HALL
August 3, 2009

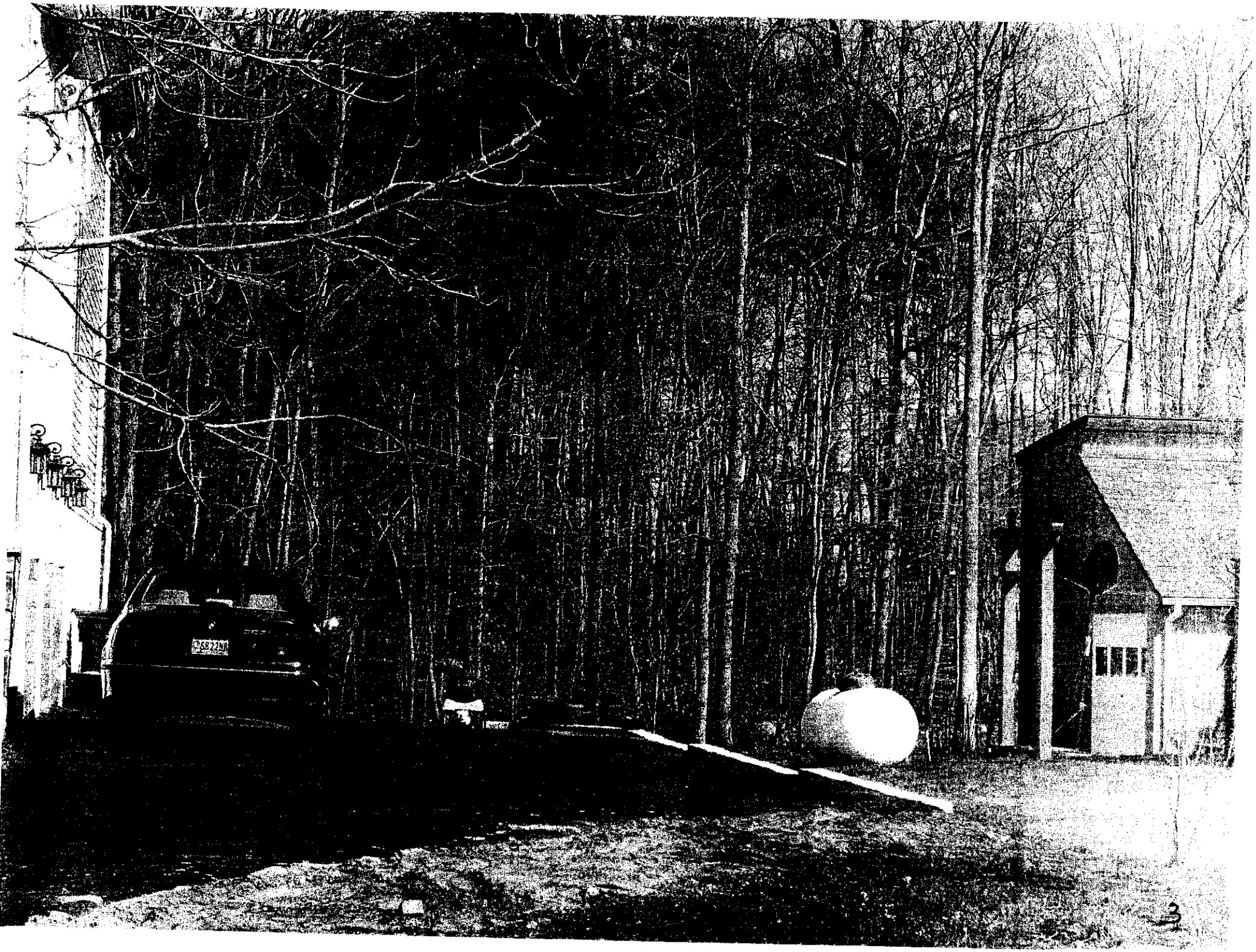
BEGLIS
ARCHITECTS, P.C.
[illegible]
VIRGINIA [illegible]
PHONE [illegible]
FAX [illegible]

SHT. NO.
C1

Photographs of the site







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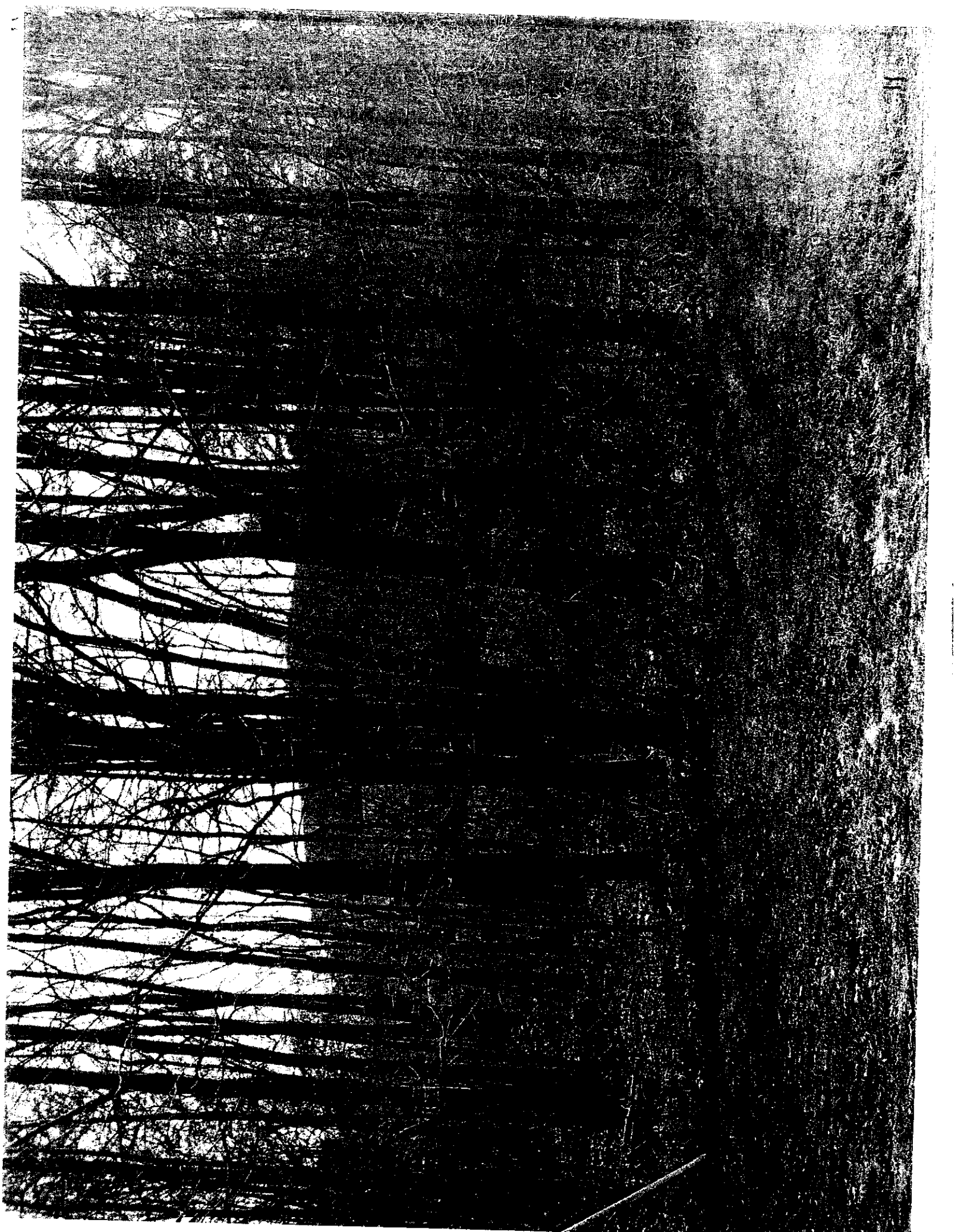
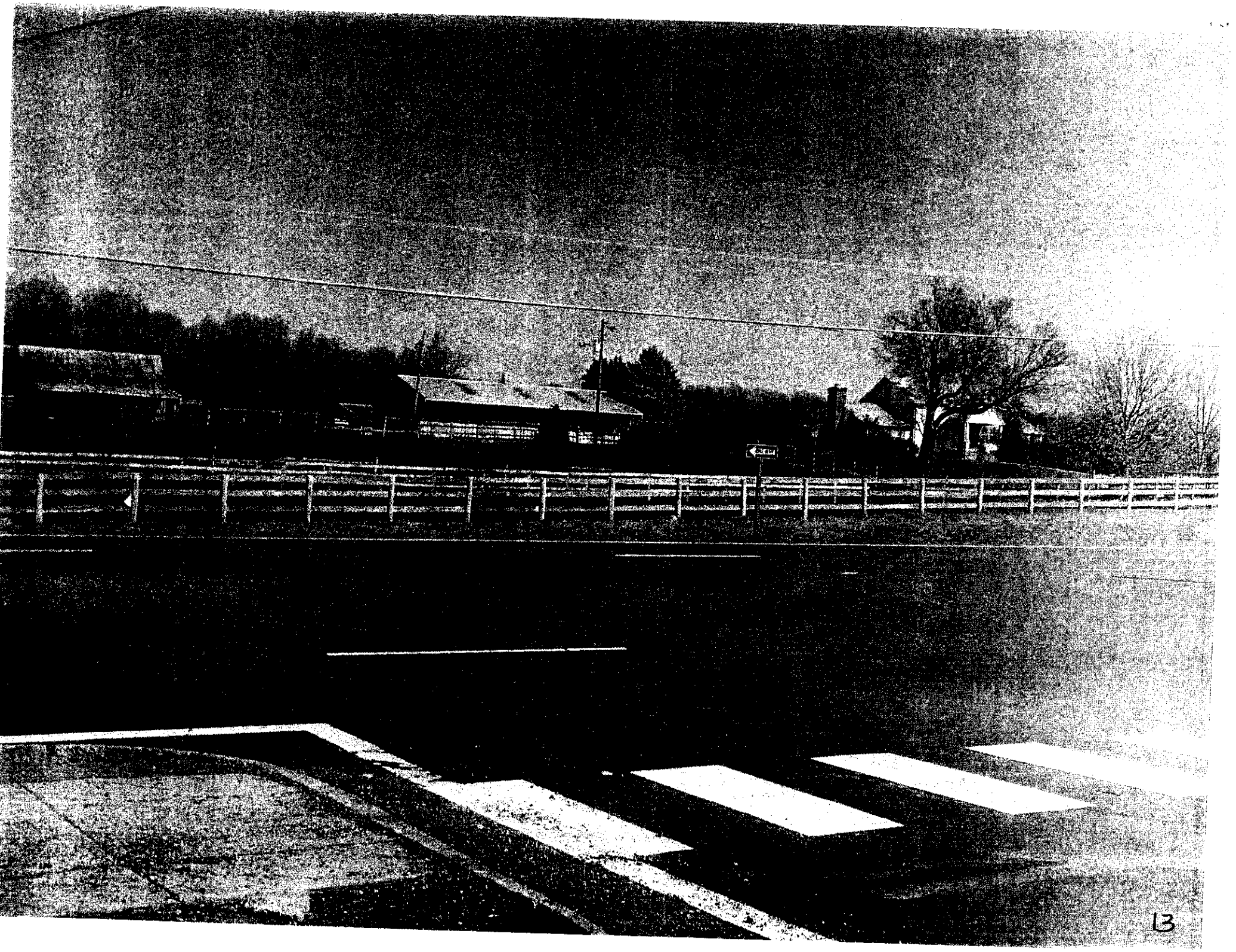
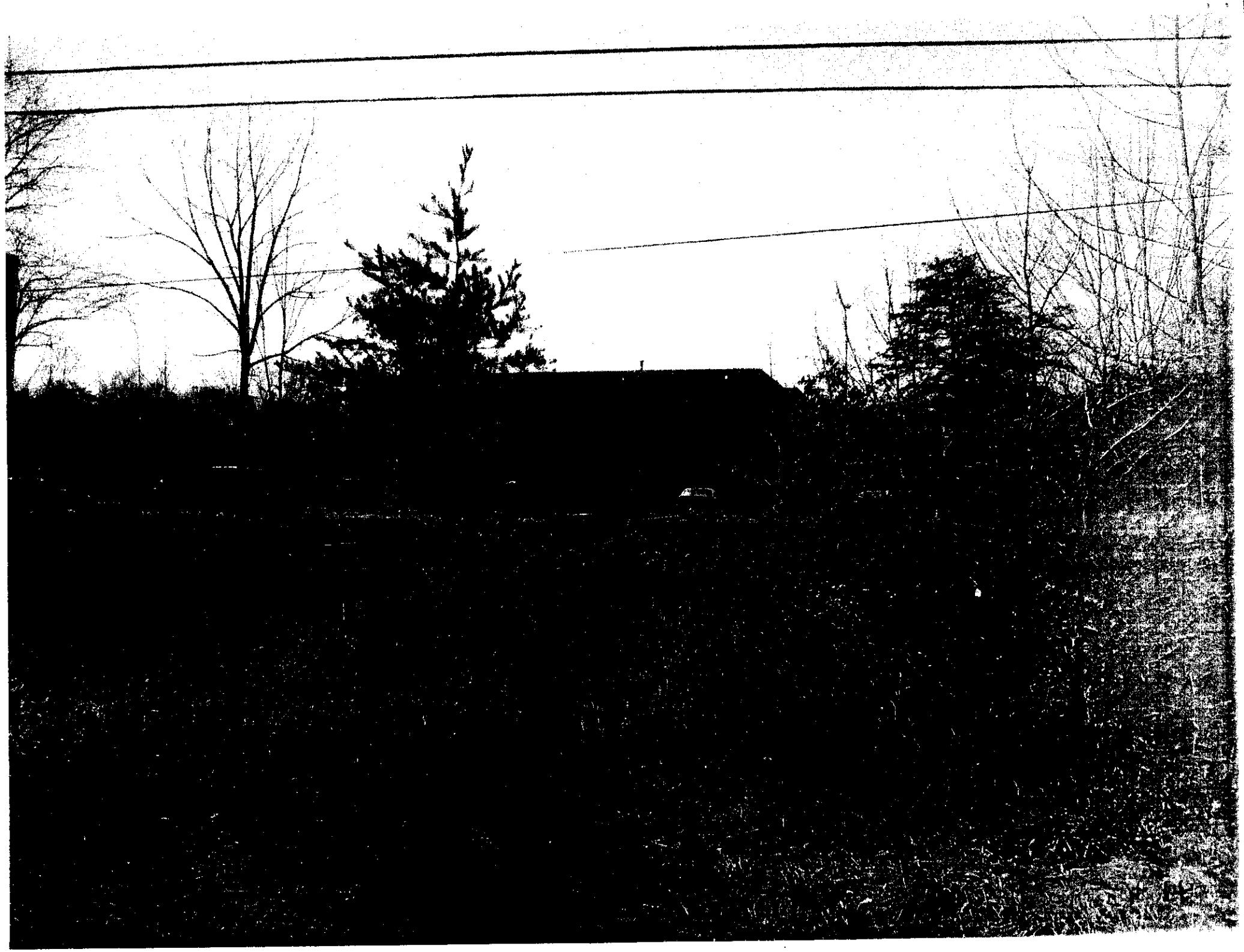
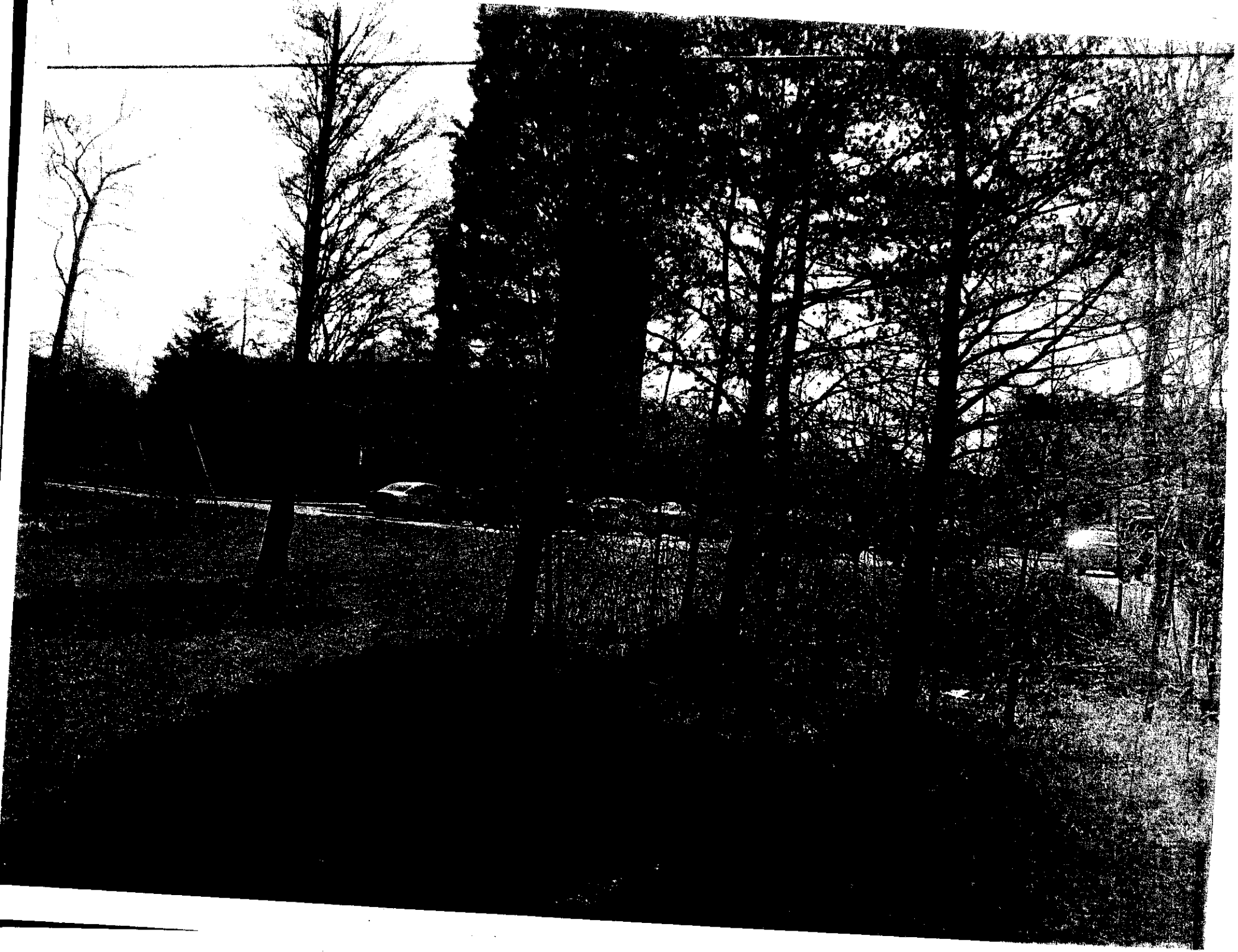
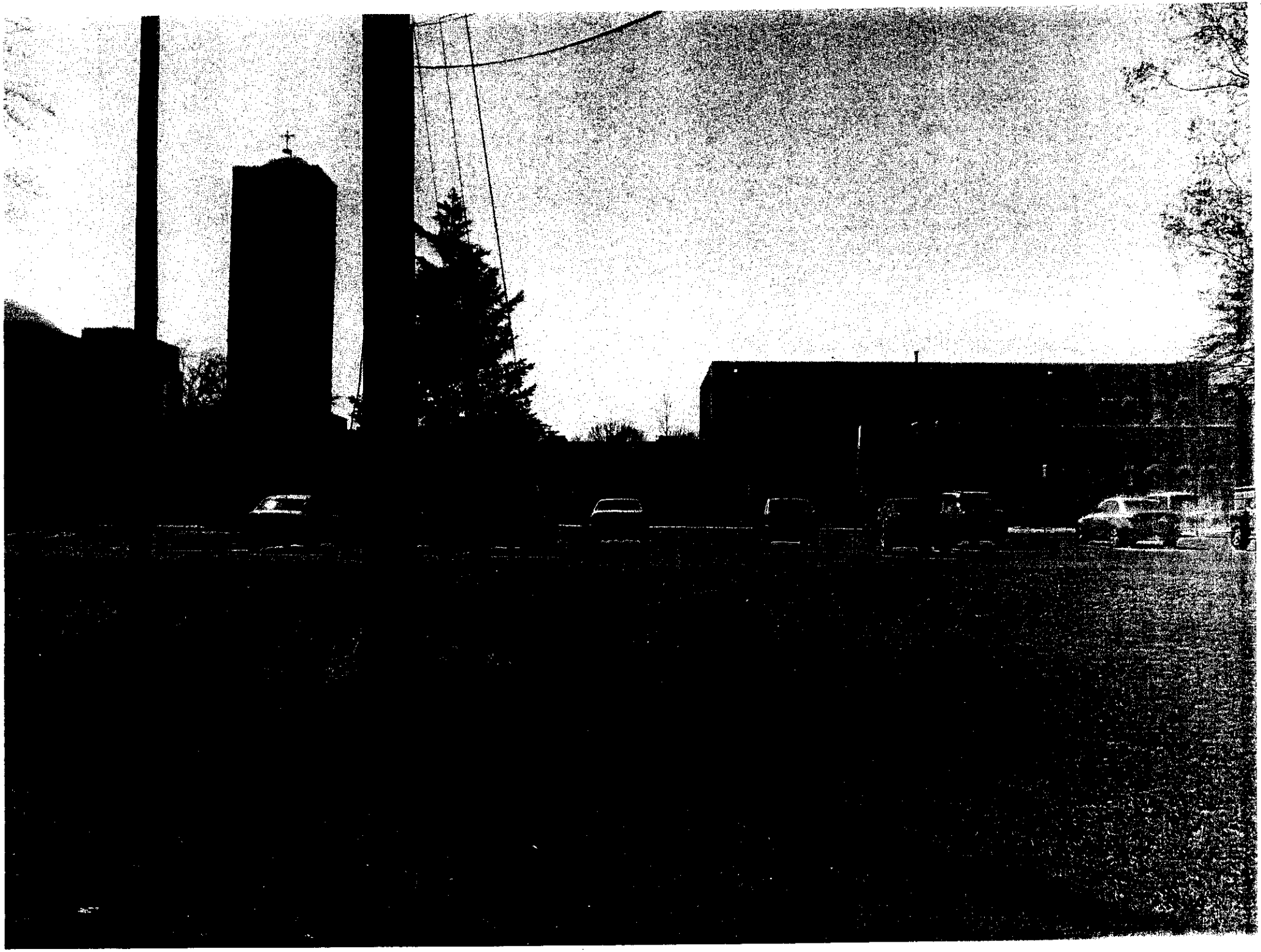
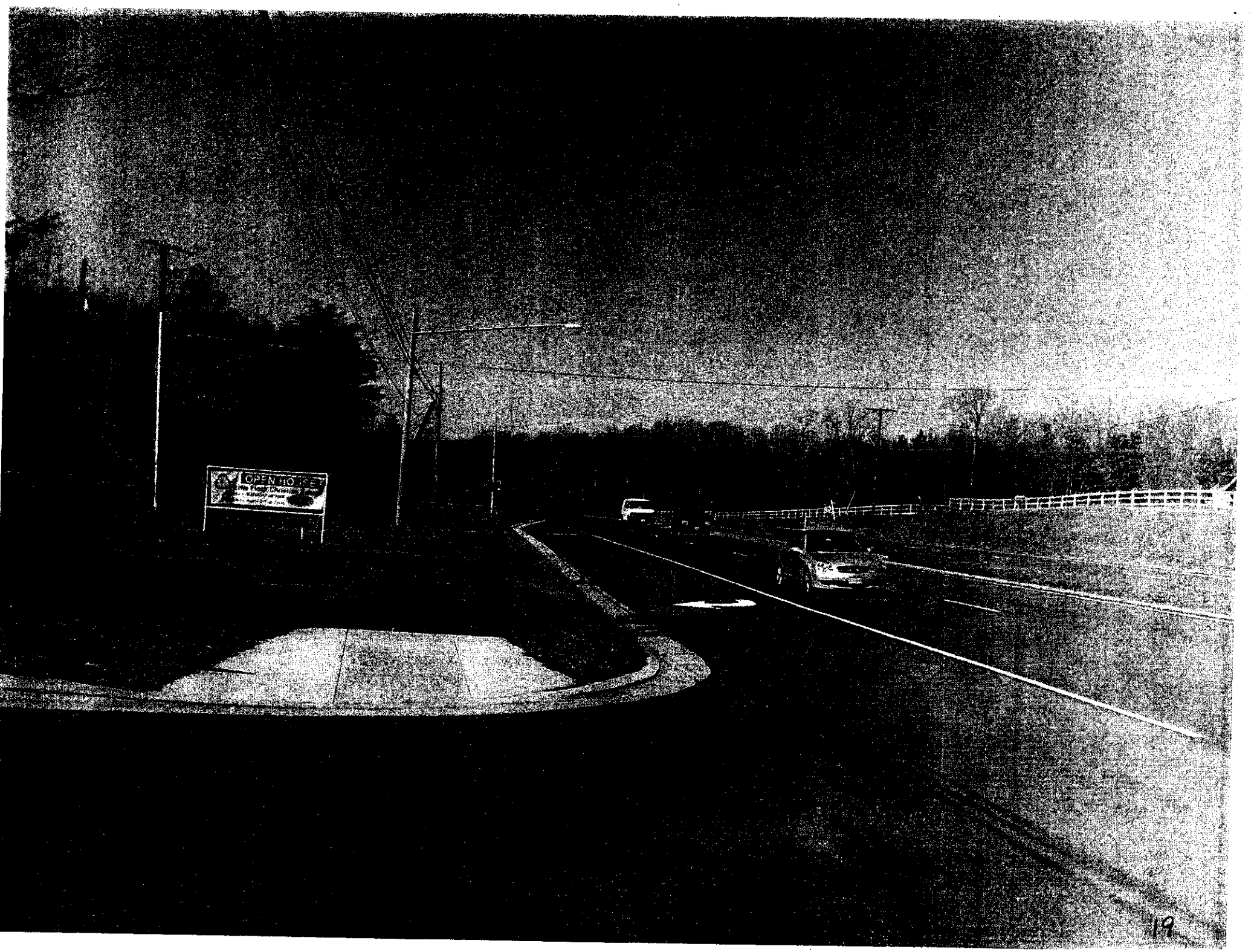


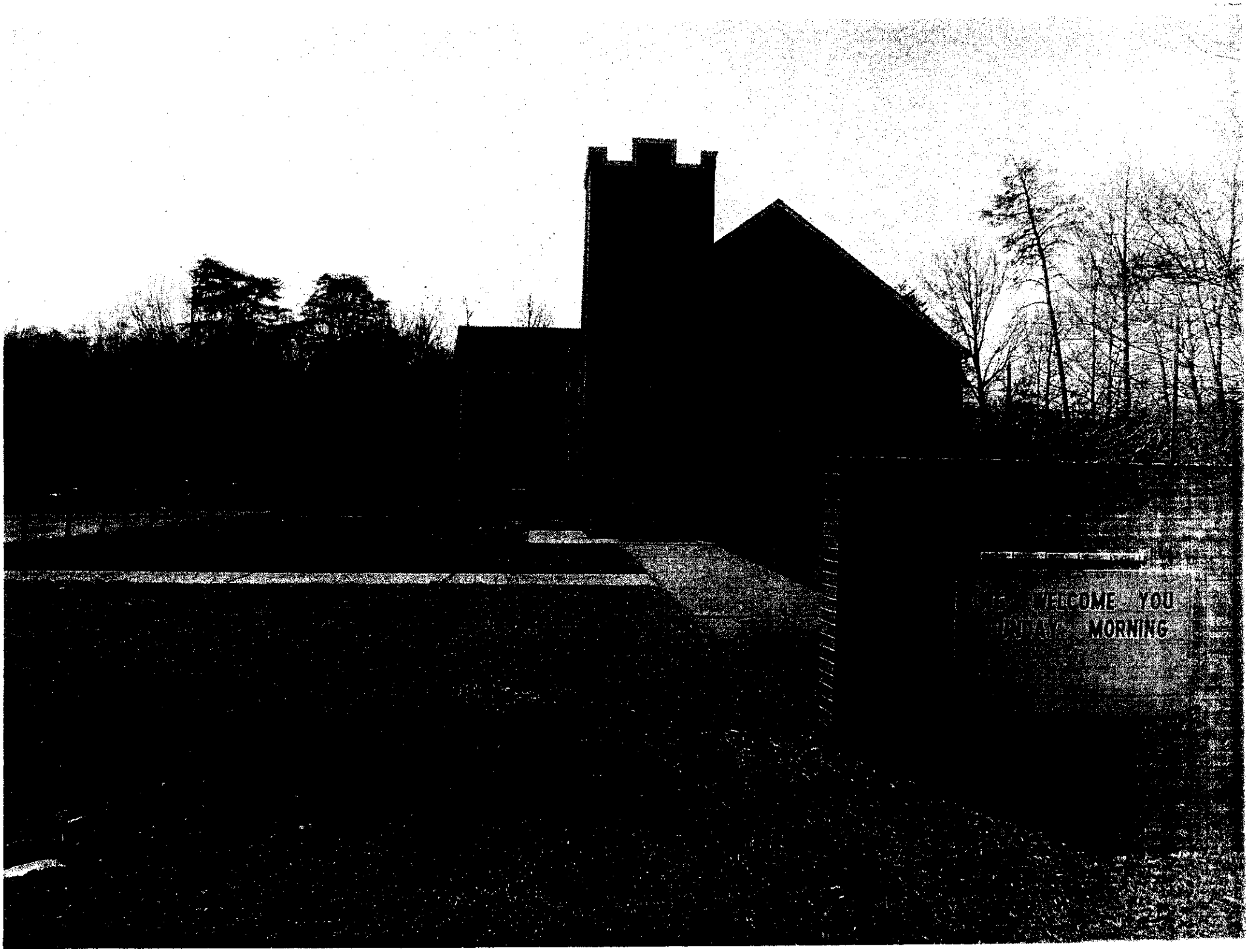


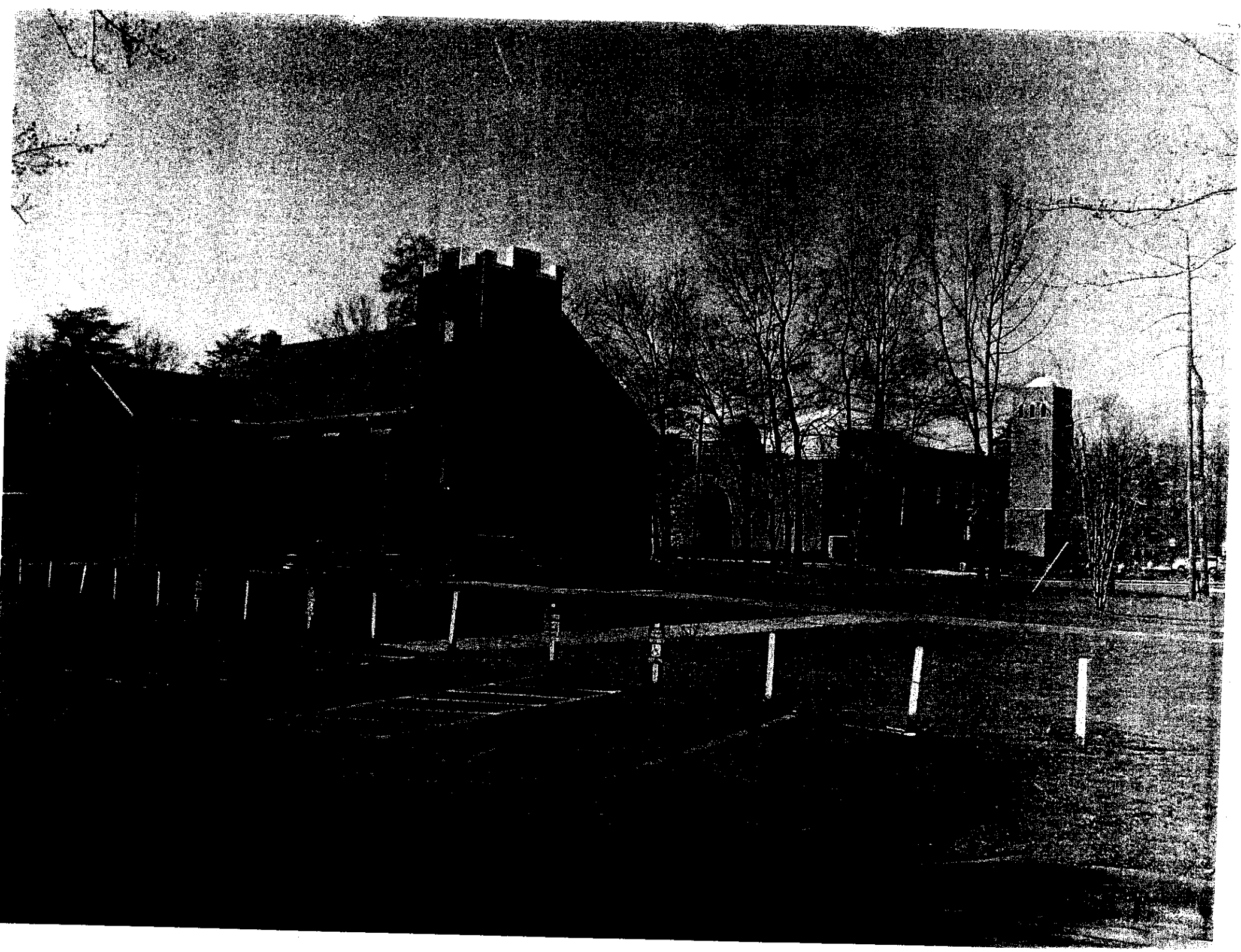


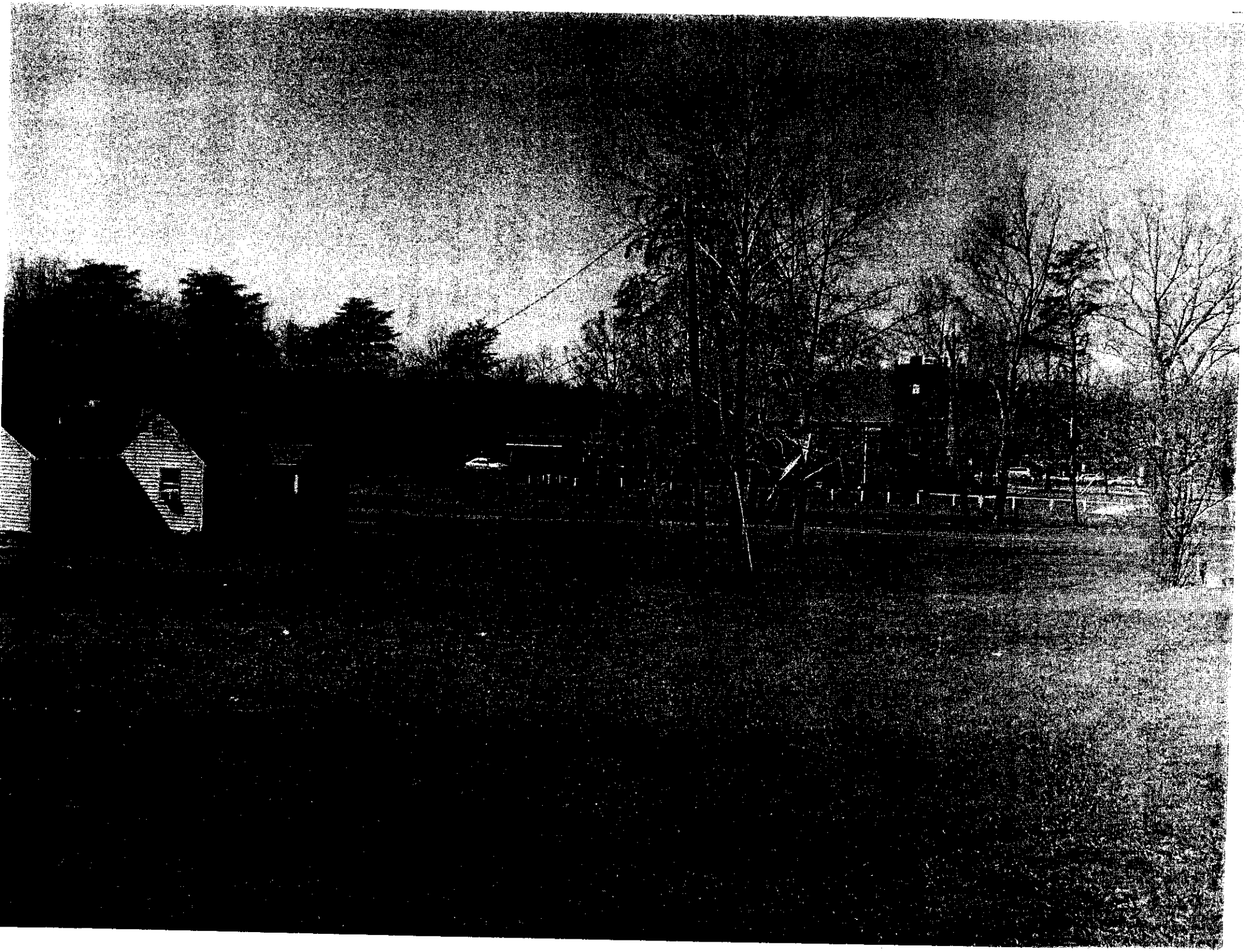


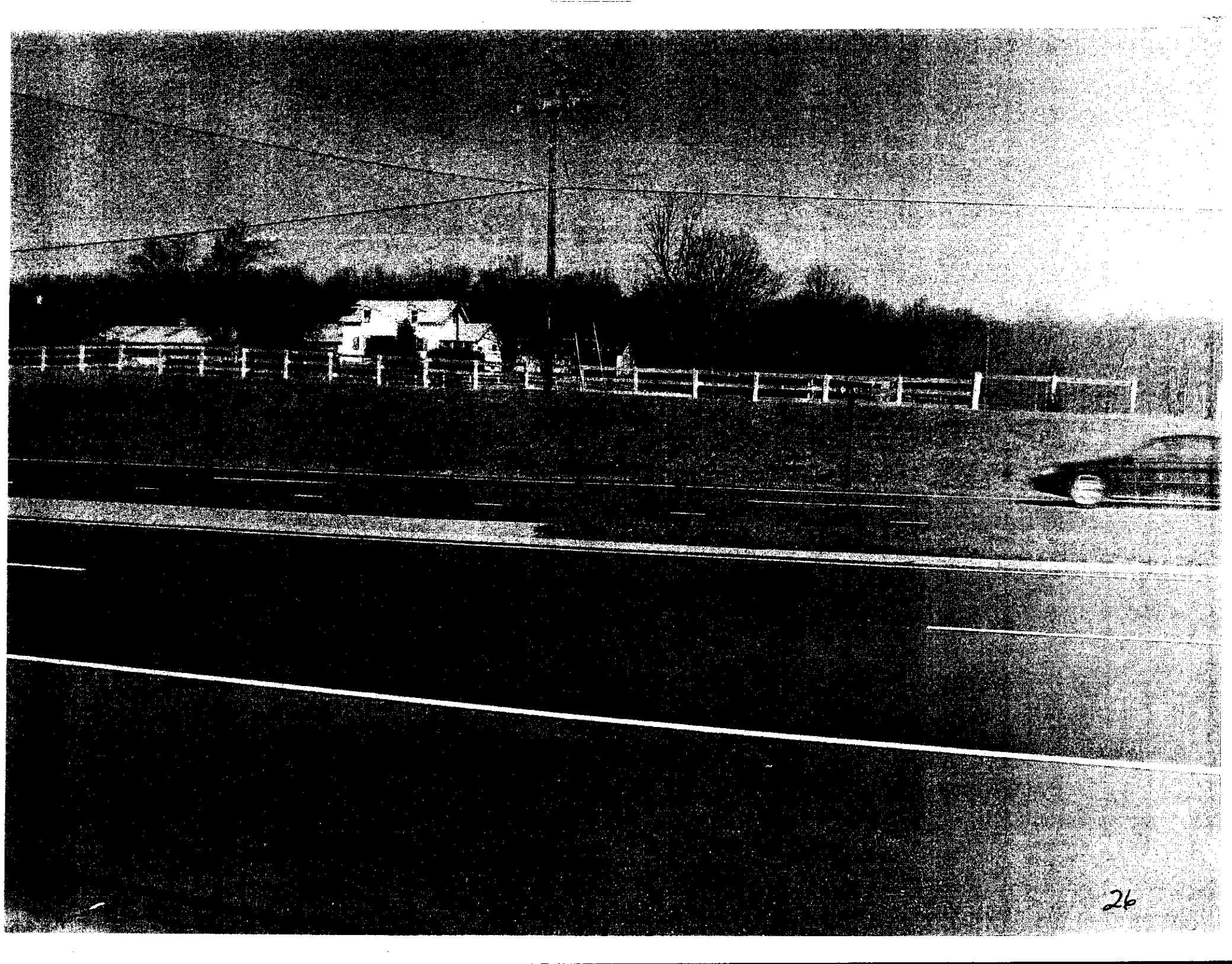


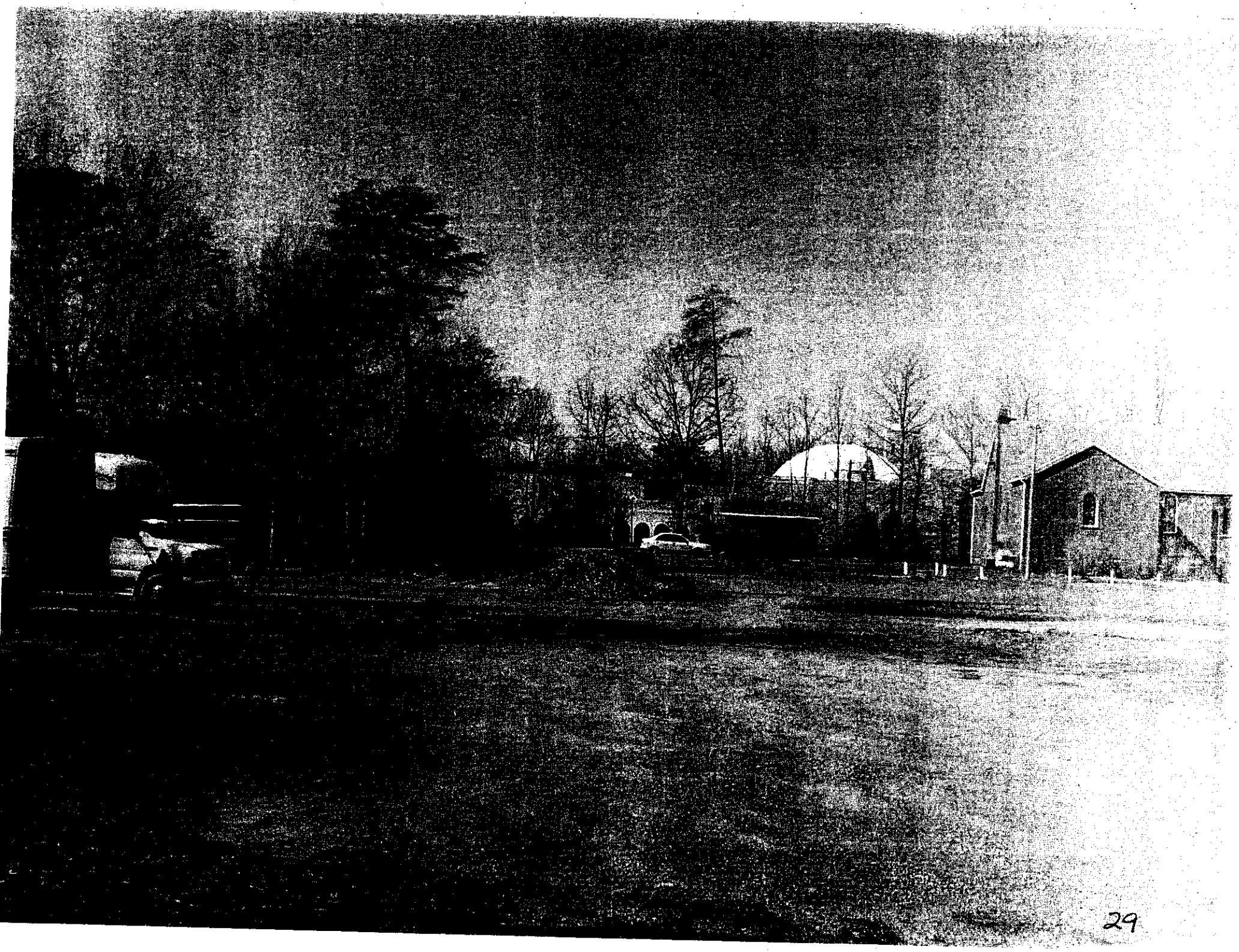

OPEN HOUSE


WELCOME YOU
MORNING









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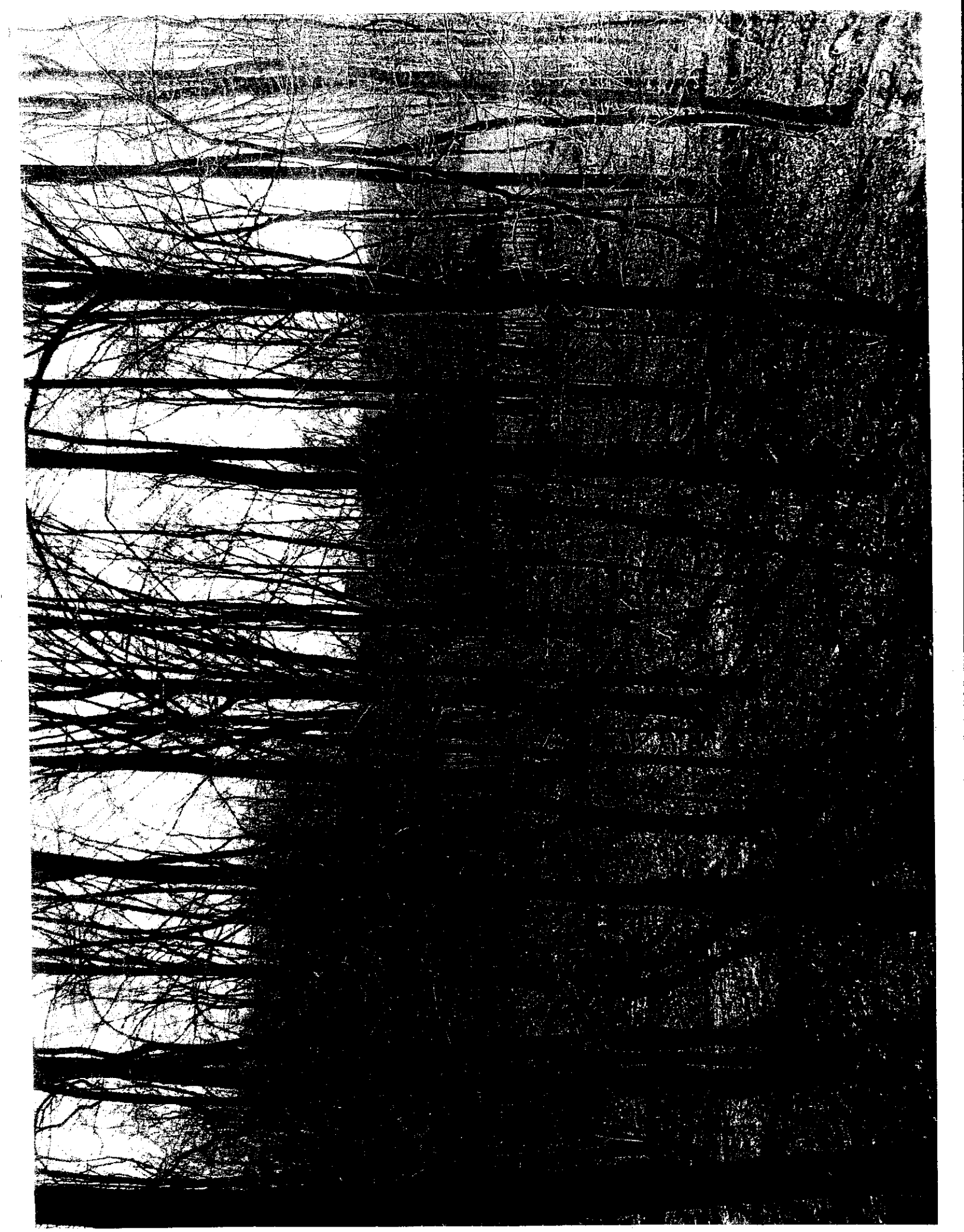

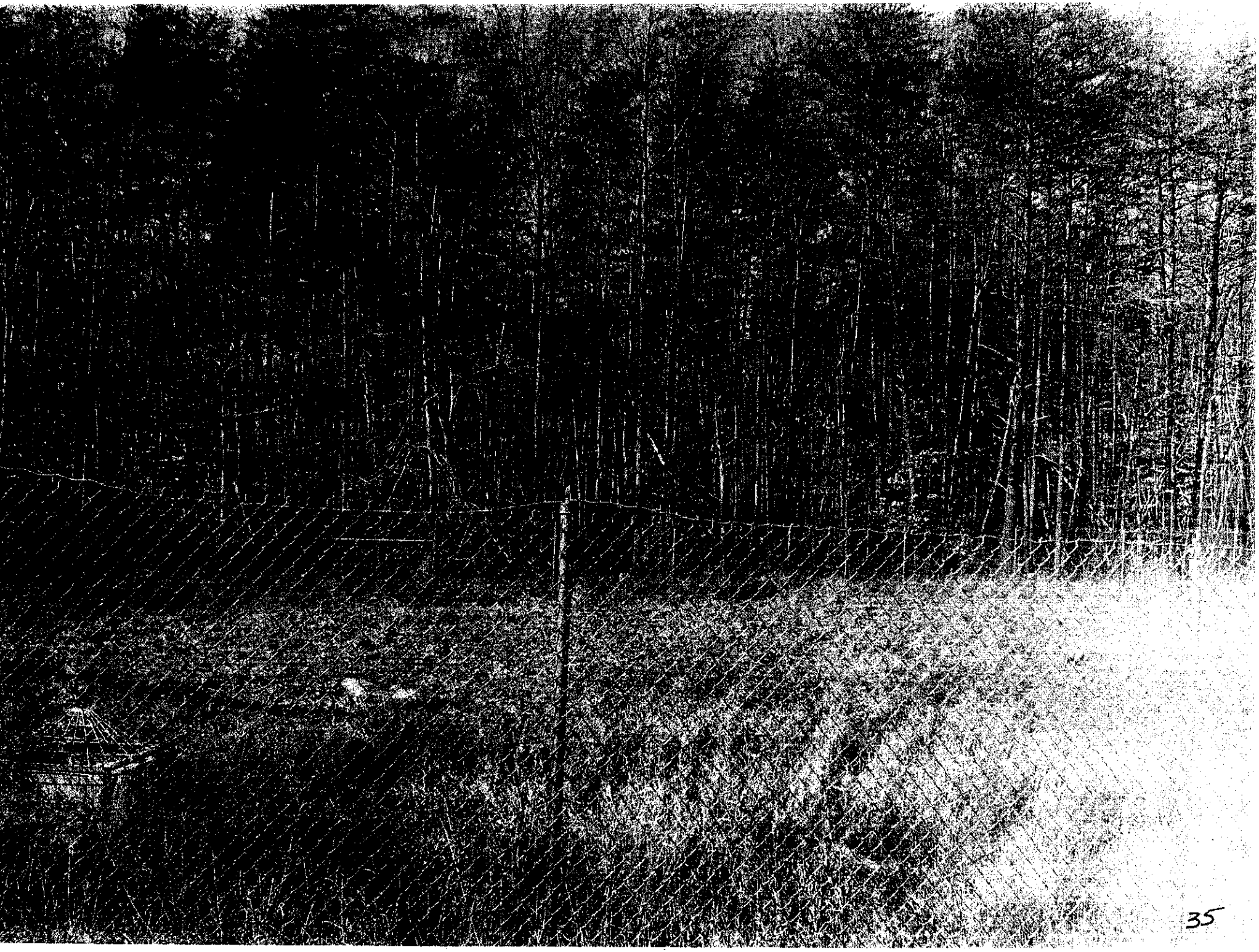

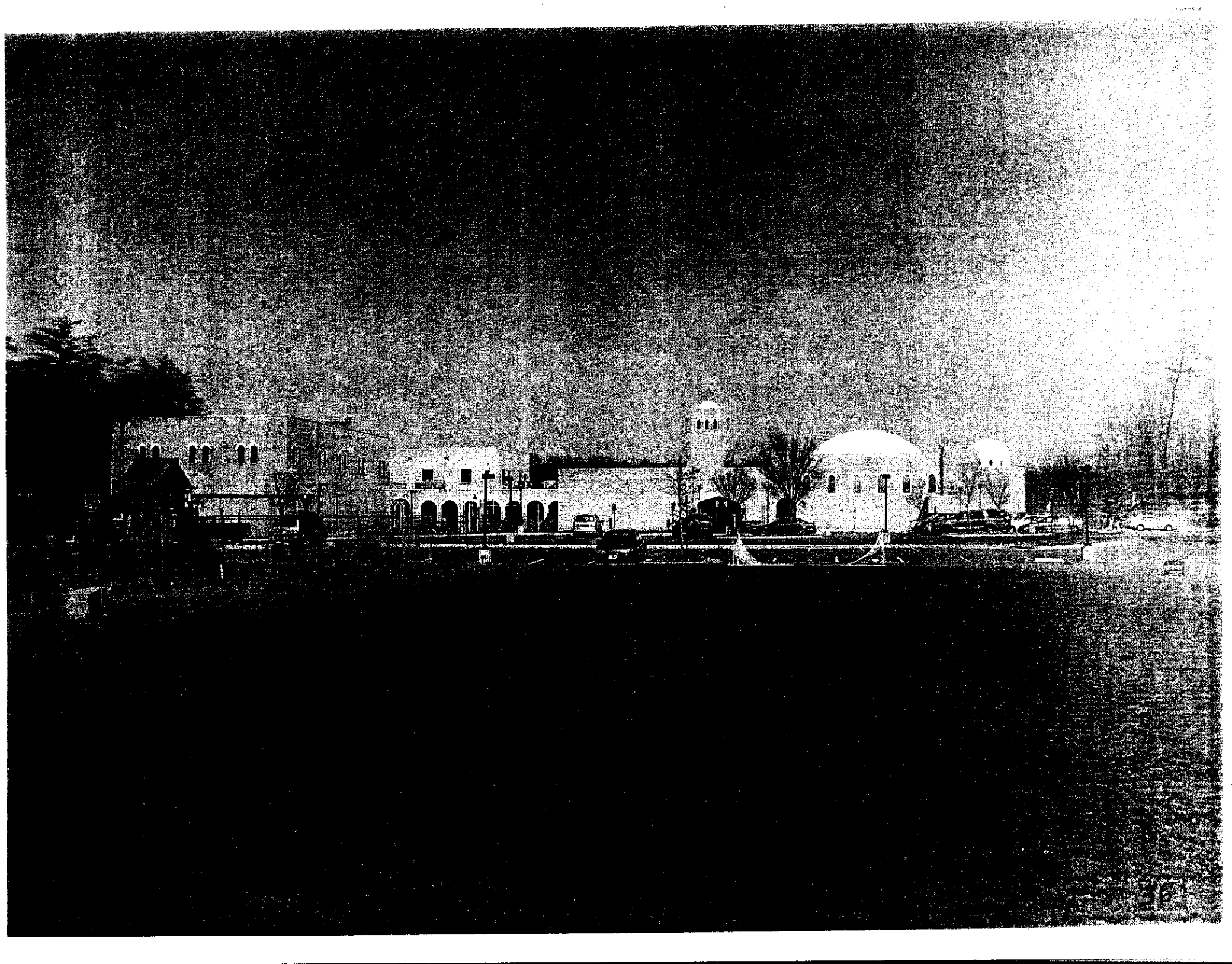

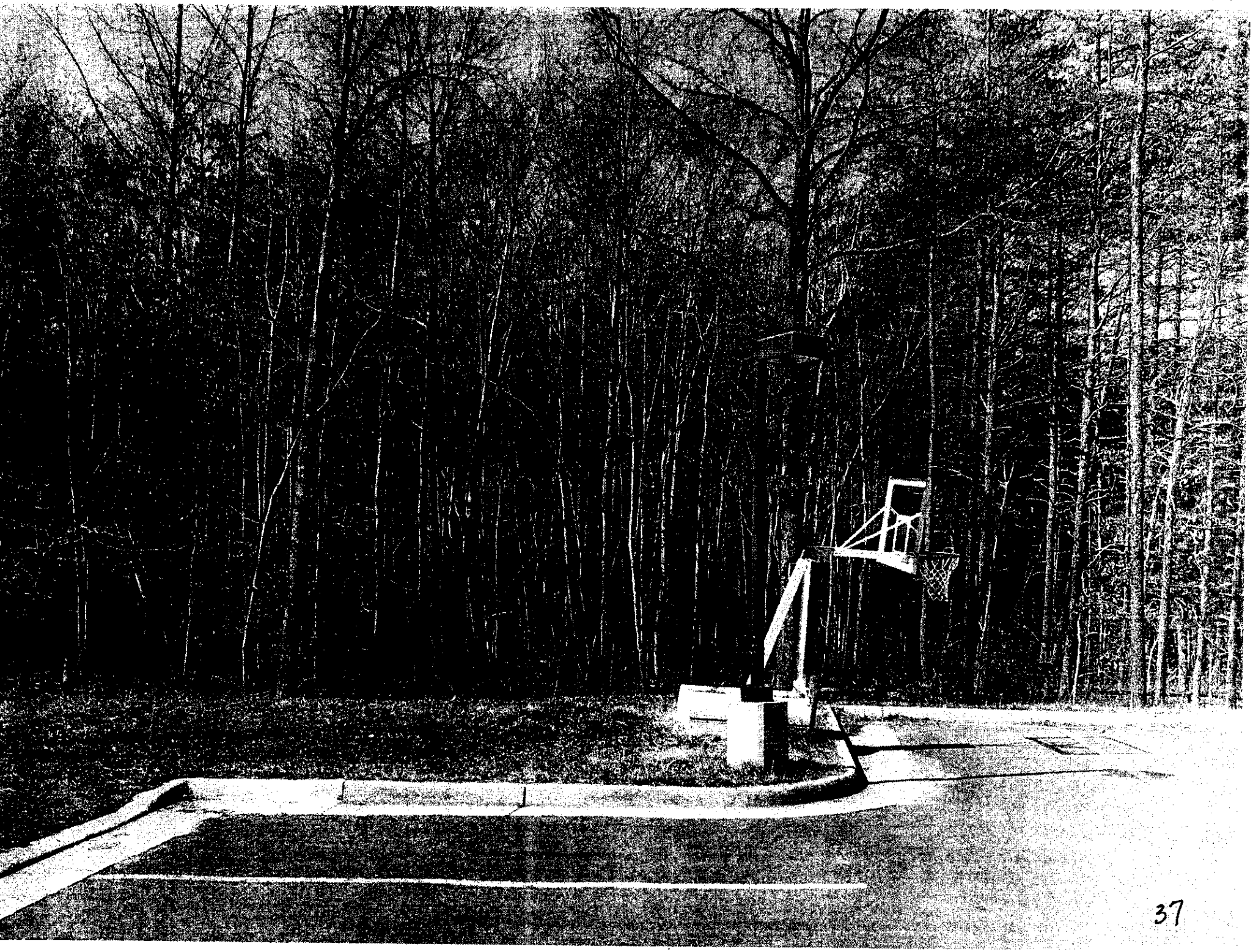

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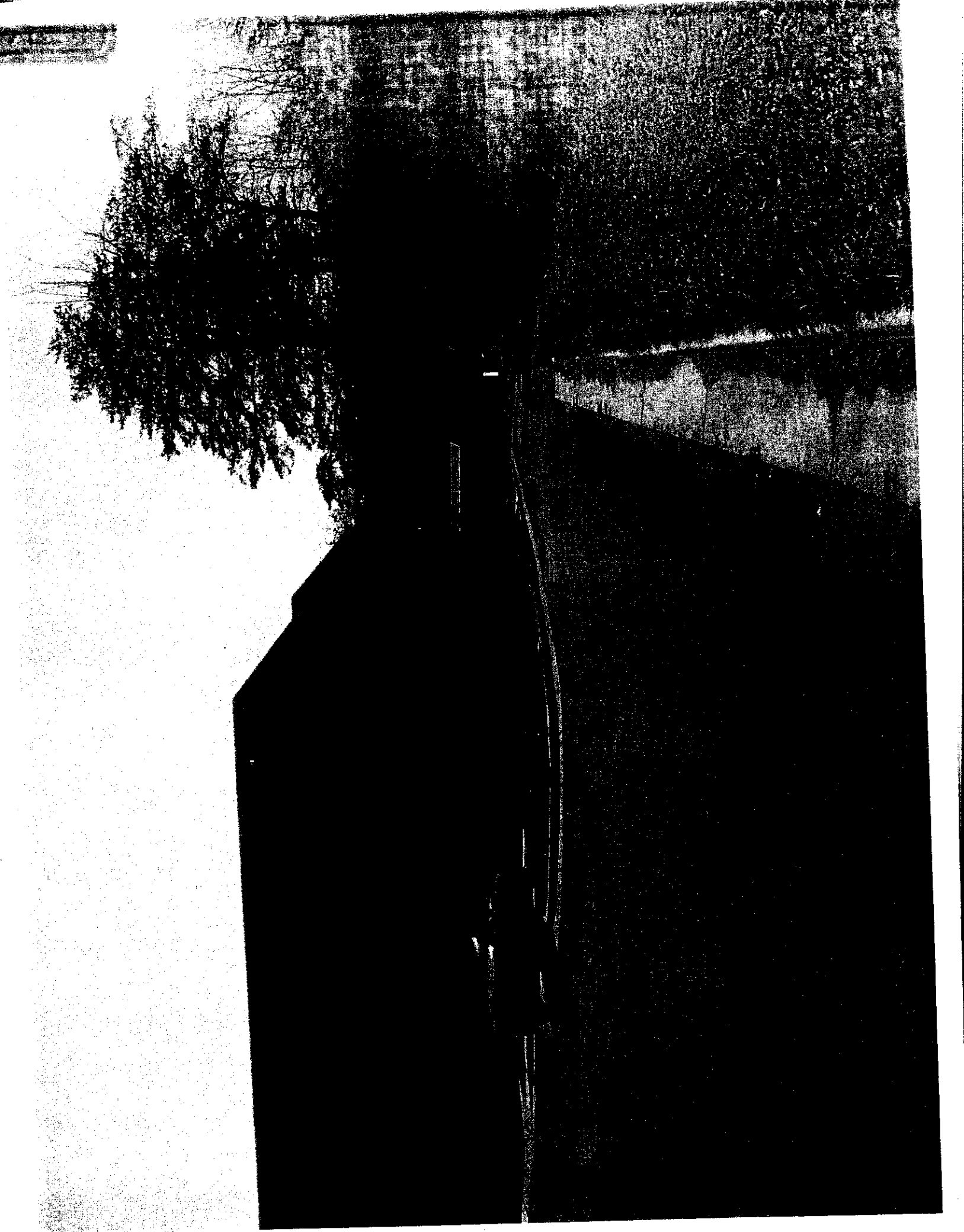
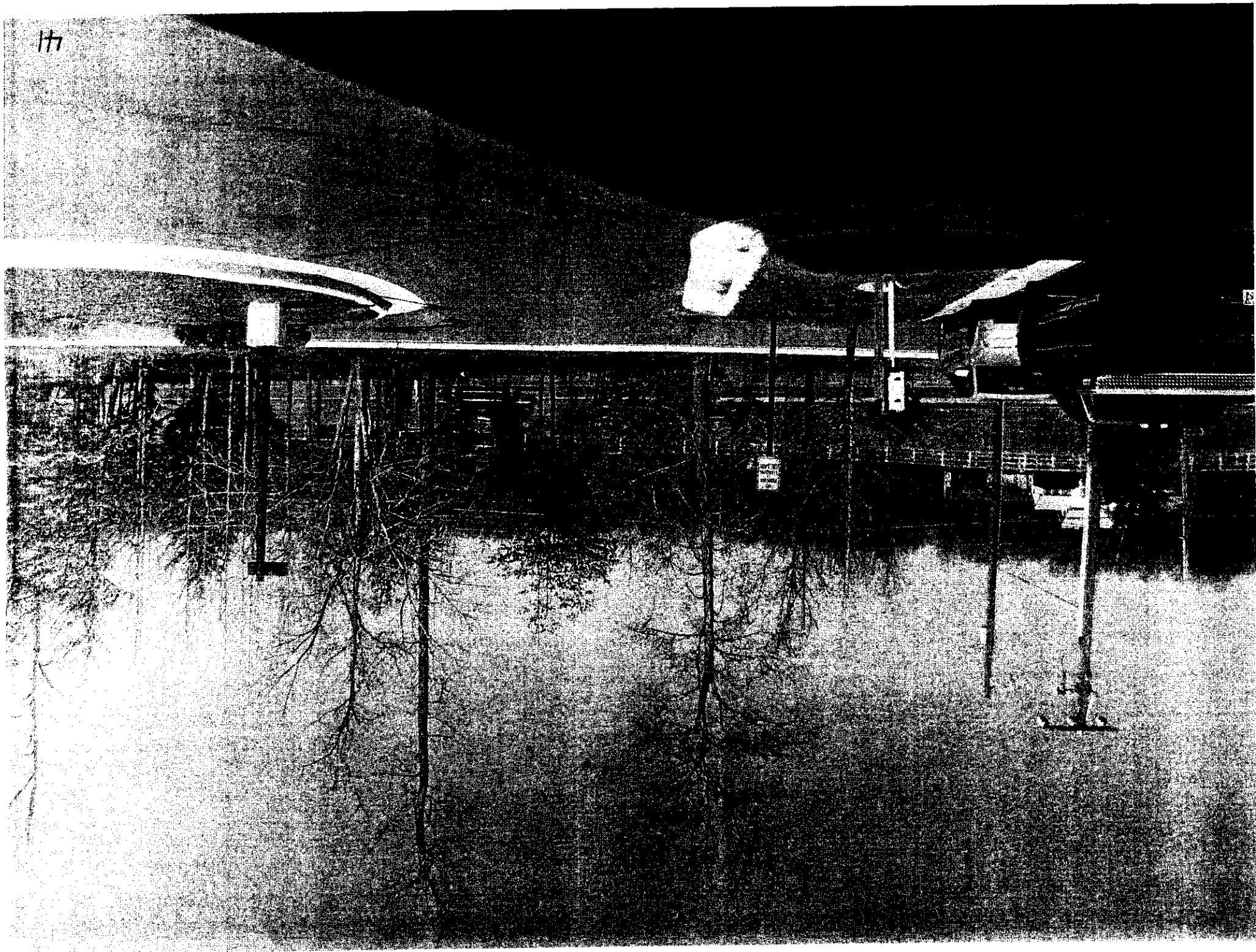




DESCRIPTION OF THE APPLICATION

Special Permit Request:

The applicant seeks to amend SP 89-S-013 previously approved for a church with 300 seats and a child care center with a maximum daily enrollment of 50 children. The applicant requests special permit approval to increase the seating capacity of the church to 600 seats; increase the maximum daily enrollment of the child care center and add a nursery school for a combined maximum daily enrollment of 165 children; add a private school of general education for up to 110 students for grades pre-kindergarten through eighth grade (Pre-K-8th); increase the maximum allowable employees on site from 10 to 28 employees; increase land area from 8.91 acres to 16.85 acres (three new lots with the former Mt. Zoar Church and two houses); construct building additions to accommodate an expanded sanctuary; construct a two-story child care center/nursery school addition; construct a new fellowship hall for ministry activities, fellowship, prayer groups and other ancillary church activities; and other site modifications to include reforestation of the site, additional parking and road improvements along Braddock Road. These modifications are proposed to occur in three phases.

	Existing	**Phase I**	**Phase II**	**Phase III**
Size	Site: 16.85 acres St. Mark Building – 29,050 sq ft Mt. Zoar Building – 2,580 sq ft Residential Dwelling (Lot 31) – 1,360 sq ft Residential Dwelling (Lot 32) – 1,249 sq ft	Sanctuary Addition – 4,804 sq. ft Second-Floor Addition – 5,064 sq. ft. Total building area (excluding the dwellings) – 41,498 sq. ft.	Two-Story Addition – 13,213 sq. ft. (excluding cellar space) Total building (excluding the dwellings) area – 54,711 sq. ft	Fellowship Hall – 20,000 sq. ft. Total building area – 74,711 sq. ft*
Parking	180 spaces	250 spaces	267 spaces	320 spaces
FAR	0.04	0.06	0.07	0.98**
Number of Seats	300 seats maximum	600 seats maximum	No change from Phase I	No change from Phase I
Number of Children in Child Care Center/Nursery School	50 children maximum (in child care center only)	90 children maximum combined total	165 children maximum combined total	No change from Phase II

	Existing	Phase I	Phase II	Phase III
Number of Students in Private School	None	56 students maximum daily	110 students maximum daily	No Change from Phase II
Number of Employees associated with Day Care/Nursery School/Private School of Gen Ed	10 employees maximum	22 employees maximum	28 employees maximum	No Change from Phase II

**Note: Calculated total assumes a 20,000 sq-ft bldg. The footprint of the fellowship hall as shown on the SP Plat exceeds 25,600 sq. ft.*

***Note: Assumes a 20,000 sq. ft building. The footprint of the fellowship hall as shown on the SP Plat provides a total building area greater than 77,731 sq. ft. which equates to a FAR of 0.11*

Hours of Operation:

Approved Under SPA 89-S-013

Sunday Worship Services:
6:00 a.m. to 9:00 a.m. and
9:15 a.m. to 11:30 a.m.

Child Care Center:
9:00 a.m. – 3:00 p.m., Monday through Friday

Proposed Under SPA 89-S-013-02

Sunday Worship Service:
8:30 a.m. to 11:30 a.m. (upon completion of Phase I)

Religious Education Classes and Other Activities:
11:30 a.m. to 1:30 p.m., Sunday

Child Care Center/Nursery School:
7:00 a.m. – 5:00 p.m., Monday through Friday

Private School of General Education:
9:00 a.m. – 3:00 p.m., Monday through Friday

LOCATION AND CHARACTER

Existing Site Description:

The application property is located on the south side of Braddock Road, east of the Fairfax County Parkway (Route 7100) and east of the intersection of Braddock Road with Second Road and west of its intersection with First Road. The application site is

comprised of six separate parcels when combined equates to 16.85 acres. Access to the site is provided through five entrances onto Braddock Road; seven curb cuts are depicted, but two of those curb cuts do not have driveways associated with them. Lots 27A, 34 and 42 located along the western portion of the site are developed with the existing St. Mark Coptic Orthodox Church campus. A right-in/right-out entrance to the existing St. Mark campus is provided via an asphalt driveway from Braddock Road that leads to an asphalt surface parking lot area located north of the church building. The drive aisle makes a continuous loop to the west of the building which leads north towards Braddock Road. It should be noted that the SPA Plat depicts a single trailer along the western drive aisle which appears to encroach into the limits of a recorded conservation easement. Previous approvals for this site prohibit the continued use of trailers on the site and the use of trailers is not included as part of this application request. Two tot lots are located south of the church building; one adjacent to the building and the other is located south of the parking lot. An open field shown on the SPA Plat as a soccer field is east of the second tot lot. A fenced area containing several storm drain easements serves as an existing dry stormwater management (SWM) pond and assist in providing best management practices (BMP) for the site. A small portion of the southeast corner of Lot 27A is located within a 100-year floodplain and Environmental Quality Corridor (EQC). Lot 33 is located to the east and is adjacent to the existing St. Mark Coptic Orthodox Church campus. It is developed with the old Mt. Zoar Church building. According to the SPA Plat, this two-story building measures 2,580 square feet, excluding cellar space, and is accessed via a second entrance from Braddock Road that is located east of the building and leads to surface parking to the east and south. Lots 32 and 31 along the eastern boundary of the application site are each developed with a single family detached dwelling. Lot 32 has a looping gravel driveway providing access via two curb cuts (entrances 3 and 4) from Braddock Road into the site. Lot 31 contains one driveway (entrance 5) from Braddock Road that terminates at a 6-foot high, chain-link fence. However, there is a network of gravel travel aisles located along the side and rear of the buildings that link all the lots together.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	**Use**	**Zoning**	**Plan**
North	Single Family Dwelling	R-C	Residential; .1–.2 du/ac
South	Single Family Dwellings (Lincoln Park Subdivision)	R-C	Residential; .1–.2 du/ac
East	Single Family Dwellings (Lincoln Park Subdivision)	R-C	Residential; .1–.2 du/ac

SURROUNDING AREA DESCRIPTION			
West	Vacant; Single Family Dwellings (Lincoln Park Subdivision)	R-C	Residential; .1–.2 du/ac

BACKGROUND

Site History:

On September 26, 1989, the Board of Zoning Appeals (BZA) approved SP 89-S-013 to allow a church limited to a maximum seating capacity of 300 seats.

On January 18, 2000, the BZA approved SPA 89-S-013 to amend SP 89-S-013 for a church and related facilities to permit a child care center with a maximum of 50 children, increase in land area and building additions. A copy of the Resolution and plat approved in conjunction with SPA 89-S-013 is included as Appendix 4.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area III

Planning Sector: Pohick Planning District
P1 Twin Lakes 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: St. Mark Coptic Orthodox Church of Washington, D.C.

Prepared By: Charles T. Henegar, Rinker Design Associates, P.C.

Dated: March 19, 2009, as revised through July 29, 2009, and signed August 3, 2009

Proposed Use:

The existing St. Mark's Coptic Orthodox Church is located on Lots 27A, 34 and 42, consisting of 8.91 acres. The applicant proposes to add 7.94 acres, consisting of Lots 31, 32 and 33. Lots 31 and 32 each contain a single family detached dwelling and Lot 33 is developed with the former Mt. Zoar Church. The applicant proposes

development to occur on this site over three phases. The first phase of development (Phase I) will consist of construction along the eastern and southern areas of the existing 29,050 square-foot building to expand the existing sanctuary eastward by 4,804 square feet in order to accommodate an increase in seating capacity from 300 seats to 600 seats and to construct a 5,064 square-foot, second-floor addition resulting in a 38,918 square-foot building that, when combined with the existing Mt. Zoar Church building with a floor area ratio (FAR) of 0.06. The second floor addition will be attached to the southern portion of the existing building to accommodate the expanded nursery school and the newly proposed child care center and private school of general education. The building will contain cellar space for classrooms. The maximum daily enrollment of the existing child care center increases from 50 children to a maximum daily enrollment of 90 children when combined with the newly added nursery school. The applicant also proposes to open a new private school of general education with a maximum enrollment of 56 students for grades Pre-K through 8th grade. The old Mt. Zoar Church building and the two existing dwelling structures are proposed to remain throughout Phase I. The applicant proposes to utilize these structures for offices, storage and ministry/counseling space. Several existing play areas are shown to serve as outdoor recreation space measuring 30,322 square feet in total. These outdoor play areas include two tot lots with a total area measuring 5,647 square feet, two outdoor half-basketball courts measuring 3,750 square feet in area and an open field identified as "Outdoor Recreation Area/ Soccer Field" on the Special Permit (SP) Plat which is shown to measure 20,925 square feet in area. There are no proposed changes to these areas. The applicant proposes to expand the existing asphalt surface parking lot from 180 parking spaces to 250 surface parking spaces in Phase I; 193 parking spaces are required to meet the Zoning Ordinance parking requirements for all of uses proposed during this phase of development. Additional site modifications include reforestation of the site to ascertain 47.8% undisturbed open space and the construction of a median break on Braddock Road along the site's frontage into its newly relocated full-access entrance. The existing St. Mark entrance is proposed to be modified as a right-in only entrance. The primary entrance into the site will be relocated just east of the existing Mt. Zoar entrance (entrance 2) and the existing Mt. Zoar entrance will be closed.

In Phase II, the applicant proposes to construct a 13,213 square-foot, two-story addition onto the southeast corner of the existing church, private school of general education, child care center and nursery school building to increase the capacity of the child care center and nursery school by an additional 75 students to its maximum of 165 students, and to increase the maximum enrollment of the private school of general education by an additional 54 students to its maximum of 110 students; a total maximum of 275 children on site at any one time are proposed. The old Mt. Zoar church building is proposed to remain throughout Phase II while the two dwelling structures are proposed to be removed during this phase. Development at the completion of this phase increases the site's intensity to a FAR of 0.07 with 54,711 square feet of floor area, including the Mt. Zoar Church Building. On-site parking is proposed to increase to a total of 267 surface parking spaces.

Phase III of development is proposed to consist of the demolition of the existing Mt. Zoar Church building and construction of a new 20,000 square-foot Fellowship Hall. The detached Fellowship Hall structure will be located east of the expanded church

building, separated by two travel aisles and surface parking. This one-story building is proposed to be utilized for ministry activities, fellowship, prayer groups and other similar types of ancillary Church activities. It should be noted that the footprint of the fellowship hall as shown on the SP Plat exceeds 25,600 square feet, but it is identified as a 20,000 square-foot building. Staff's analyses assume a building size of 20,000 square feet. An additional 53 surface parking spaces are proposed for an ultimate total of 320 parking spaces on site at a ratio of 1 parking space to every 1.87 seats. The completion of Phase III would result in 72,131 gross square feet of development at a FAR of 0.098. A FAR of 0.10 is permitted in the R-C District.

Land Use Analysis (Appendix 6)

The Comprehensive Plan recommends residential development at .1-.2 dwelling units per acre. The P1 Planning Sector is located within the Occoquan Reservoir watershed and protection of the Occoquan Reservoir water quality is the primary objective for this area. Non-residential uses requiring special permit (SP) or special exception (SE) approval should be rigorously reviewed and permitted only when the use is of a size and scale that will not adversely impact adjacent land uses and the overall low density residential character of the area and the use is designed to mitigate impacts on the water quality of the Occoquan Reservoir.

Compatibility

The intensity of the proposed use should not result in significant impacts on adjacent residential parcels. Provisions for screening, buffers and barriers meet or exceed what is typically required for this type of use in the R-C District. Lighting proposed for the parking area and all other lighting will meet current Zoning Ordinance standards.

Issue: Intensity

While the proposed ultimate FAR (0.098) is slightly below that which is permitted for non-residential uses within the R-C District (0.10 FAR), the overall intensity of the proposed uses at this location seem to exceed the level anticipated by the Zoning Ordinance for such uses. A church on its own could be designed in a manner that is consistent with similar uses in this area. However, staff believes that the additional uses, expanded impervious surface areas and relatively large structures do not seem to be compatible with the surrounding uses or other similar uses in this area of the County. While the seating of the sanctuary is being doubled, parking for the proposed use is not and it has been reported that parking for the existing uses has resulted in problems in the past. The applicant has provided commitments to preserve or restore approximately 47.8% undisturbed open space for the proposed development which will include restoration and reforestation for some areas of the property. The applicant should consider a redesign of the proposed expansion which accounts for the 50% undisturbed open space first and then inserts the proposed structures and other impervious surface areas after that exercise has been completed. The massing and height of the structure will be limited according to development conditions set forth by staff. Additional discussion regarding the intensity and potential traffic impacts of this development is further noted under the Fairfax County Department of Transportation

Analysis section of this report.

Resolution:

The applicant's agent has committed to resubmitting revised plans that depict a modest reduction in the project's mass and intensity. Development in Phase I and Phase II is proposed at a density of 0.06 and 0.07 FAR, respectively with a maximum building height of 29 feet and domes not to exceed 57 feet in height, which is generally in harmony with the recommendations of the Comprehensive Plan. Upon completion of Phase III, proposed building heights remain at 29 feet with domes not to exceed 57 feet in height; however density increases to 0.098 FAR. Staff continues to believe that subsequent submissions which may decrease the floor area of the proposed Phase III development, only marginally addresses the intensity issue on this site and the applicant should consider more efficient design alternatives for Phase III. Notwithstanding, the concern that parking may be inadequate for all of the proposed uses, with the sprawling nature of the current site design, surface parking areas account for 163,299 square feet or 3.75 acres of the site. The cumulative effect of the density of Phase III remains a concern for staff. However, staff could support the proposed intensity if subsequent submissions show a reduction in building size for Phase III and an overall more efficient site design. At the time that this report was prepared, the applicant had not submitted revised plans.

Building Layout

The proposed development is proposed as several expansions of the existing church building, to include the child care center, nursery school, private school of general education and surface parking. A courtyard is indented into the eastern side of the expanded church building, serving as the main entrance and facing the drive aisle of the primary site entrance. The removal of the former Mt. Zoar Church structure and the two single-family dwellings will take place at a later time, but no later than Phase III. Phase III will be comprised of the construction of the proposed fellowship hall, which will be located in a separate structure separated from the main church by courtyard plaza, parking and travel aisles. The proposed height of the church and related structures will not exceed 60 feet. Staff feels that a more consolidated layout would present additional opportunities for preserving open space. However the applicant has noted that this approach would not be consistent with their needs for the proposed expansion.

Open Space

The applicant has identified the amount of undisturbed open space on the special permit amendment plat as an ultimate area of 47.8% undisturbed open space for 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, staff has consistently recommended that at least 50% of a site be retained as undisturbed open space when considering SP and SE uses. Based on the proposed intensity requested, the applicant has not achieved at least 50% open space. As such, staff concludes that the application is not in harmony with the land

use recommendations of the Comprehensive Plan.

Limits of Clearing and Grading

The SPA Plat depicts the ultimate limits of clearing and grading for the proposed development, but do not show those limits for each phase of development. As the exact timeframe for each phase is development is undetermined, staff believes that the limits of clearing and grading should be depicted on the SPA Plat for each phase of development to ensure that the site is not left denuded or cleared for the ultimate build-out when it may be many years or possibly never constructed.

Environmental Analysis (Appendix 6)

The application property was rezoned by the Board of Supervisors to the Residential-Conservation (R-C) District in 1982, as part of the 40,000-acre Occoquan Basin rezoning. This zoning action was preceded by the publication of the Occoquan Basin Study (1982) and the adoption of amendments to the Comprehensive Plan (1982) that incorporated recommendations of the Study. Among the primary goals of this study was the protection of the quality of water in the reservoir through a combination of land use modifications and best management practices (BMPs). The zoning of two-thirds of the Occoquan watershed in Fairfax County to the R-C District was in furtherance of implementation of adopted County goals as set forth in the Comprehensive Plan 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.

Issue: Water Quality

The subject property is located within the Popes Head Creek Watershed and the Water Supply Protection Overlay District. The Comprehensive Plan recommends that such uses "be rigorously reviewed" and states that these uses should be approved only if certain conditions are met. One such condition is that: "the use is designed to mitigate impacts on the water quality of the Occoquan Reservoir." In order 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 existing church has approximately 47.6% undisturbed open space. With the proposed expansion in land area and uses, the subject property would retain approximately 47.8% undisturbed open space. While staff recognizes that much of the expanded land area is already disturbed, any expansion of land area should be considered an opportunity to expand undisturbed open space areas, including restoration of existing disturbed areas. Staff believes that by expanding the overall land area of the site, the site should provide a minimum of 50% undisturbed open space which may be achieved through preservation and reforestation. Staff believes that this provision has not been adequately addressed and is not in conformance with the Comprehensive Plan.

Resolution:

The applicant's agent has committed to resubmitting revised plans that meet the 50% undisturbed open space requirement. However, at the time that this report was prepared, revised plans had not been submitted. If subsequent plans show that this condition has been met, staff believes that this issue can be resolved.

Issue: Limited Capacity Sewer Service System

The application site is located within the Lincoln-Lewis-Vannoy Conservation Area and is served by a limited capacity sewer service system. The expansion of the existing church use coupled with the additional proposed uses has raised concerns regarding the ability of this system to support the numerous additional uses on the subject property. Staff requested that the applicant provide written verification from the Department of Public Works and Environmental Services (DPWES) in order to confirm that the proposed uses at this location will be adequately supported by the existing sewer infrastructure in this area.

Resolution:

The applicant has provided a letter, dated May 21, 2007 (Appendix 5), in which staff from the Engineering Analysis and Planning Branch of the Department of Public Works and Environmental Services (DPWES) has agreed to a development condition which limits the public sewer flows generated by the uses allowed by special permit approval to 1,800 gallons per day (gpd). Staff has proposed a development condition incorporating this agreement in Appendix I of this staff report. With the implementation of this development condition, this issue is resolved.

Countywide Trails Plan

The Countywide Trails Plan map shows a major paved trail along the south side of Braddock Road, adjacent to the site. The SPA Plat is consistent with the Countywide Trails Plan, showing an existing 8-foot wide asphalt trail along the site's Braddock Road frontage.

Urban Forest Management Analysis (Appendix 7)

Tree preservation should be optimized for this site in accordance with the Tree Preservation Ordinance. As notated on the SPA Plat, the applicant intends to provide the percentage of 10-year tree canopy requirements at site plan submittal. Consequently, staff has proposed detailed development conditions pertaining to tree protection and tree preservation on the site which is intended to help ensure the survivability of on-site vegetation.

Stormwater Management (SWM)/ Best Management Practices (BMP) Analysis (Appendix 8)

The applicant proposes to meet SWM requirements through the existing on-site underground detention facility and dry pond, in addition to a proposed underground detention facility noted as a StormTech system. A StormTech system does not meet the Public Facilities Manual (PFM) requirements for underground detention. However, a StormTech system would likely be approved as a modification of an infiltration trench facility should the applicant choose to pursue a modification request. The plat also shows that water quality management areas (WQMA) are to be used in conjunction with conservation areas, reforestation, and existing facilities to meet water quality controls. WQMAs cannot be used in BMP calculations and cannot be placed on properties where other means of providing water quality controls are available. The applicant should simply re-label these areas as conservation areas which can be used for BMP credit. A minimum 50% phosphorous removal rate is proposed in order to meet BMP requirements.

Issue: Adequate Outfall

There are two erosion complaints on file from two downstream properties. While the applicant contends that these complaints are not related to activities on its site, ultimate outfall for the application site has not been provided during the review process and will be a requirement of site plan approval.

Resolution:

The application site is divided into four drainage areas. Adequate outfall requirements are proposed to be met through existing facilities and infiltration trenches. Sheet 3 of the SPA Plat notes that the downstream drainage system will be further analyzed to meet PFM requires. Should the downstream drainage system prove to be inadequate to meet PFM requirements, the applicant proposes to enlarge the StormTech system and re-design it if necessary to meet requirements. Staff has proposed a development condition requiring the applicant to provide SWM/BMP facilities that meet PFM requirements and to demonstrate adequate outfall in accordance with the PFM at the time of site plan review.

Fairfax County Department of Transportation (FCDOT) Analysis (Appendix 9)

Trip Generation/Intensity

The proposed use is very intense given the property is zoned Residential-Conservation. Site development for the newly acquired lots (Lots 31-33) under the current zoning would permit three residences, which would generate about 30 vehicle trips per weekday, with three trips during each of the a.m. and p.m. peak hours. Residential development on the five existing lots would generate approximately 50 vehicle trips per day and five during peak periods. The Fairfax County Department of Transportation (DOT) estimates that the combination of the proposed uses, at build-out, will generate 1,360 vehicle trips per day which include 245 vehicles in the a.m. peak hours, 145 trips in the p.m. peak hours

and 400 trips during the peak hours of site use on Sundays. The applicant submitted a transportation analysis indicating that the site entrance will likely warrant signalization due to both the week-day and Sunday trip generation characteristics. DOT can not support the degree of site intensity that would create a need for signalization at the site entrance, and can not support placement of a signal at the site entrance. Moreover it is not desirable to have a development that is so intense that off-duty police officers must be routinely used to maintain adequate traffic operations.

Site Access

In 2006, the applicant secured permission from the Virginia Department of Transportation (VDOT) to construct a median break on Braddock Road along the site's frontage. Fairfax County DOT strongly recommends that the applicant work with the owner of the adjacent lot to the west, Tax Map 67-1 ((4)) 41, to secure access to Braddock Road via Second Road. Such access would negate the need to construct the median opening, and traffic from the site when combined with trips from other uses in the area could be directed to a signalized intersection at Braddock Road and Second Road if warranted. However, if the applicant is unable to secure access via Second Road, staff would support the construction of the median break along Braddock Road prior to the issuance of Non-residential use permits (Non-RUP) for Phase I improvements. The median break is delineated on the SPA Plat, and the applicant has indicated a willingness to construct the break as an element of the initial site expansion in Phase I. DOT does not support any additional development on the site without completion of the median break; therefore staff has proposed a development condition to ensure that the median break is constructed in Phase I. It should be noted that Fairfax County DOT does not object to the construction of the median break without the accompanying eastbound left-turn lane. However, the parameters for the design of that turn lane will be determined by VDOT.

The SPA Plat does not clearly delineate the closure of existing entrances to the Mt. Zoar Church and the residence immediately east of that church upon construction of the median opening. It should be clarified that with the exception of the proposed right-in only entrance and the full-access entrance, all remaining access points will be closed at such time as the median break is constructed. Staff has proposed a development condition requiring the closure of these entrances.

Until the easternmost house is removed on Lot 31, access to and parking on that property should be limited to uses associated with that structure. No worship service parking should occur at that property until the property is redeveloped as parking for the St. Mark congregation. Staff has proposed a development condition prohibiting overflow parking on this lot that is not associated with uses on the lot.

On-Site Circulation

On-site circulation is less than desirable. Several improvements could be implemented, but the applicant has not expressed an interest in implementing these modifications. The following items, at a minimum, should be implemented to improve safety and operations:

- A sidewalk should be provided along the eastern side of the Sanctuary building.

Although the applicant has indicated that there will be doors on both sides of the building, there will be times when pedestrians will want to walk to/from parking without passing through the sanctuary. Space for the sidewalk can easily be provided by slightly increasing the radius of the entry road immediately east and northeast of the building.

- Door locations should be identified so that the proposed pedestrian network can be better evaluated.

- No pedestrian access is provided between the parking spaces along the eastern parameter of the site and the Fellowship Hall to the west of these spaces. The sidewalks along the north and south sides of the proposed Fellowship Hall should extend to the travel aisle west of the hall. It is recognized that the pedestrian route along the south side of the hall would cross the front of the loading space, but staff believes that pedestrians will walk in this area with or without the sidewalk.

FCDOT Review of the Transportation Impact Analysis (TIA)

Fairfax County Department of Transportation identified the following concerns with the TIA study that was submitted with this application. These changes should be incorporated into any study submission:

- Page 10 of the study indicates that First Road carries 300 vehicles per day while Second Road has an average vehicle volume of 60 trips per day. This information is apparently from old VDOT count data and likely is not an accurate representation of current traffic volumes. While there is a house of worship located at the corner of Second and Braddock Roads, there is also a group home located at the intersection of First and Braddock Roads. As such, the daily volumes on these two roads would be expected to be more equal. In addition, the peak hour counts provided in the study do not suggest such an overall volume disparity.

- Figure 3-1 delineates existing/baseline volumes. However, the counts omit the U-turn trips at First and Second Roads, and only identify minimal westbound left turn volumes at the intersection of Braddock and Second Roads. The applicant has indicated that the U-turn volume data was collected at the time the traffic counts were taken, and that the data will be included in the revised analysis with additional count data provided if necessary.

- The existing Sunday peak hour volumes appear to be very low, especially given that there are two churches on the site, [St. Mark plus the former Mt. Zoar Church]. In addition, another church is located opposite the intersection of First and Braddock Roads. The count data should be verified for accuracy.

- Page 27 of the study indicates that the Fellowship Hall is..."Not intended to house additional worship uses". This study parameter can only be accepted if the applicant commits to a development condition stating that such uses will be precluded.

Virginia Department of Transportation (VDOT) Analyses (Appendix 10)

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 by meeting or exceeding trip generation criteria, which is more than 250 trips in the park hour. As noted in the previous section of this report, FCDOT estimates that the combination of the proposed uses, at build-out, will generate 1,360 vehicle trips per day including 245 vehicles in the a.m. peak hours, 145 trips in the p.m. peak hours and 400 trips during the peak hours of site use on Sundays. Therefore, the applicant was required to submit a TIA with the submission of this special permit amendment application. The TIA was determined unacceptable by VDOT on July 15, 2009 and the applicant was required to submit a revised TIA. A copy of the Evaluation Report can be found in Appendix 10 of this staff report. The applicant's agent has indicated that he intended to submit a revised TIA on or about September 10, 2009. VDOT requires forty-five (45) days to review a TIA request; therefore VDOT's response to the revised submission is estimated to be due by October 26, 2009. To date, the applicant has not received final acceptance from VDOT of their TIA. Publication of this staff report is September 29, 2009, which means both the draft and final report were due September 21, 2009. As of that date, staff had not received a memo from VDOT on the status of the revised TIA submission. Therefore, staff believes that application should not move forward with the public hearing process until all issues with the study are adequately addressed.

ZONING ORDINANCE PROVISIONS

Residential - Conservation (R-C) District		
Standard	**Required**	**Proposed**
Lot Size	5.0 acres (minimum)	16.85 acres
Lot Width	200 feet (minimum)	1,100.44 feet
Building Height	60 feet (maximum)	29 feet (40 feet to peak of dome)
Front Yard	50° ABP but not less than 40 feet	± 105 feet
Side Yard	45° ABP but not less than 20 feet	± 165 feet (west); ± 147 feet (east)
Rear Yard	45° ABP but not less than 25 feet	± 290 feet
Open Space	No requirement	47.8% (8.061 acres) Min. 50% undisturbed per the Policy Plan
FAR	0.10	Phase I: 0.06 Phase II: 0.07 Phase III: 0.98
Outdoor Recreation Area (Tot Lots)	100 sq ft / child	5,647 sq ft (maximum 56 children at any one time)

Residential - Conservation (R-C) District		
Standard	**Required**	**Proposed**
Outdoor Recreation Area (School of Gen. Ed. – Soccer Field)	430 sq. ft / child	20,950 sq ft (maximum 49 children at any one time)
Parking Spaces	Phase I = 193 spaces Phase II = 208 spaces Phase III = 208 spaces Church: 150 Child Care: Ph I = 17 Ph II = 26 Elementary School: Ph I = 26 Ph II = 32	Phase I: 250 spaces Phase II: 267 spaces Phase III: 320 spaces
Interior Parking Lot Landscaping	5% (8,165 sq ft)	5.36% (8,750 sq ft)
Transitional Screening (North, East, South and West)	TS 1: Min. 25 feet wide	Provided with existing vegetation and supplemental planting to the north.
Barrier (North, East, South and West)	D, E or F	Waiver needed

WAIVERS/MODIFICATIONS REQUESTED

- Modification of Transitional Screening on all sides to allow existing vegetation to utilized.
- Waiver of barrier on all sides.

The applicant has not requested a modification of the screening requirements but supposes to utilize existing vegetation for providing adequate screening. The width of the existing vegetation is generally in excess of that required for transitional screening; therefore, staff would not object to modifications of the transitional screening and/or requests for a waiver of the barrier requirements. Additional screening should be provided along the Braddock Road frontage as recommended by UFMD.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (Appendix 11)

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sects. 8-303, 8-305)
- Additional Standards for Private Schools of General Education (Sects. 8-308; 9-309)
- Additional Standards for Child Care Centers (Sects. 8-308; 9-310)

Summary of Zoning Ordinance Provisions

General Standard 1 requires that the proposed uses be in harmony with the adopted comprehensive plan. As previously discussed, the applicant has identified the amount of undisturbed open space on the special permit amendment plat as an ultimate area of 47.8% undisturbed open space for 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, staff has consistently recommended that at least 50% of a site be retained as undisturbed open space when considering SP and SE uses. Based on the proposed intensity requested, the applicant has not achieved at least 50% open space. As such, staff concludes that the application is not in harmony with the land use recommendations of the Comprehensive Plan and does not satisfy General Standard 1 of the Zoning Ordinance.

General Standard 4 requires that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. As stated previously, VDOT's review of the application has not been fully completed. At this point in the review, staff does not believe that this standard has been met.

CONCLUSIONS

The proposed application for a place of worship with 600 seats, a child care center and nursery school with a maximum daily enrollment of 165 children, an elementary school with 110 children, on this site with a total gross floor area of 74,711 sq. ft square feet (plus cellar space) and 163,299 square feet of surface parking, is too intense for the property in its current design. Staff does not believe that all applicable standards have been satisfied, specifically General Standards 1 and 4 as outlined in several sections above. Considering the constraints to the lot, specifically the need to meet the 50% undisturbed open space requirement, staff believes that the proposed development should be reduced in intensity. In addition, adequate time should be provided for a full VDOT review of the TIA. Without the benefit of this vital information, staff cannot support the expansion of the use. At this time, staff believes that expansion of this use is inappropriate, and is neither in harmony with the Comprehensive Plan nor the applicable Zoning Ordinance Provisions.

RECOMMENDATIONS

Staff recommends denial of SPA 89-S-013-02 as submitted. If it is the intent of the Board of Zoning Appeals to approve SPA 89-S-013-02, staff recommends that such approval be subject to the proposed development conditions contained in Appendix 1.

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

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

Appeals.

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Resolution and Approved Plat, SPA 89-S-013
5. Sewer Issues Agreement Letter, dated May 21, 2007
6. Land Use and Environmental Analysis
7. Urban Forest Management Analysis
8. Stormwater Management/ BMP Analysis
9. FCDOT Transportation Analysis
10. VDOT Transportation Analysis
11. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

September 29, 2009

If it is the intent of the Board of Zoning Appeals to approve SPA 89-S-013-02 located on property described as Tax Map 67-1 ((4)) 27A, 31, 32, 33, 34, 42 to amend SP 89-S-013-02 previously approved for a church with a child care center to permit the addition of a nursery school and private school of general education, an increase in land area, number of seats, enrollment and number of employees, building additions, and site 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, St. Mark Coptic Orthodox Church of Washington, D.C. and is not transferable without further action of this Board, and is for the location indicated on the application, 11821, 11829, 11901, 11911 and 11919 Braddock Road, 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 Charles T. Henegar, Rinker Design Associates, P.C., dated March 19, 2009, as revised through July 29, 2009, and signed August 3, 2009.

3. A copy of this special permit amendment and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted 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 I construction, the seating capacity in the main area of worship may increase from 300 to a maximum of 600 seats.

6. Upon issuance of Non-RUPs for each phase, the maximum combined total daily enrollment for the child care center and nursery school shall be 90 children in Phase I, and 165 children in Phase II.

7. The maximum hours of operation for the child care center and nursery school shall be 7:00 a.m. to 5:00 p.m., Monday through Friday.

8. Upon issuance of Non-RUPs for each phase, the private school of general education ranging from pre-kindergarten to eighth grade shall have a maximum daily enrollment of 56 children in Phase I, and 110 children in Phase II.

9. The maximum hours of operation for the private school of general education shall be 9:00 a.m. – 3:00 p.m., Monday through Friday.

10. The maximum number of employees for the child care center, nursery school and private school of general education combined, shall not exceed (22) employees in Phase I; and 28 employees in Phase II.

11. A combined total of no more than 56 children shall occupy the tot lots outdoor recreation area at any one time; no more than 49 children shall occupy the soccer field outdoor recreation area at any one time.

12. The operator(s) of the child care center, nursery school and private school of general education shall designate a carpool coordinator to administer and encourage participation in a carpool program designed to reduce the number of vehicle trips to and from the site during rush hour periods.

13. The design of the buildings shall be in substantial conformance with the architectural renderings included as Attachment 1 of these conditions.

14. The building heights shall not exceed 29 feet for any the proposed structures shown on the Special Permit Amendment (SPA) Plat per the height definition in the Zoning Ordinance, except that domes and towers shall not exceed 54 feet in absolute height.

15. Parking shall be provided as depicted on the SPA Plat. All parking for these uses shall be on-site. Parking on Lots 31 and 32 shall be limited to uses specific to those structures only. No worship service parking should occur at either property until the property is redeveloped as parking during Phases II and III.

16. All temporary trailers on the site shall be removed within 30 days of this special permit approval.

17. The former Mt. Zoar Church building on Lot 33 and the single family dwelling structures located on Lots 31 and 32 shall be used only for offices, storage and/or ministry/counseling space. These structures shall not be rented or occupied for uses unrelated to the church activities outlined above.

18. Prior to any land disturbing activities, a pre-construction conference shall be held on-site between DPWES, including the Urban Forester, and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, tree protection measures, and the erosion and sedimentation control plan to be implemented during construction.

19. The applicant shall conform strictly to the limits of clearing and grading subject to allowances for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. For each phase of

development, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements planned for that phase shall be submitted to DPWES, including the Urban Forest Management Division (UFMD), for review and approval. The extent of clearing and grading for each phase of construction shall be the minimum amount feasible as determined by DPWES. Further, prior to the issuance of the first Non-RUP, areas disturbed with clearing and grading for Phase I shall be stabilized with a ground cover to consist of grasses and/or a naturalized wildflower/meadow mix which shall be maintained until such time as subsequent phased construction is initiated. 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 SPA Plat, they shall be located in the least disruptive manner necessary as determined by 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 submit a Tree Preservation and Reforestation Plan as part of the first and all subsequent site plan submissions or grading plan submissions, whichever occurs first. These plans shall designate the limits of clearing as determined in the previous development condition and require that the area outside of the limits of clearing and grading be preserved and labeled as "perpetually undisturbed open space." The reforestation plan shall be developed with the intent of re-vegetating 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. These plans shall be prepared by a professional with experience in the preparation of tree preservation and reforestation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the UFMD, DPWES. The tree preservation and reforestation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 8 inches in diameter and greater (measured at 4 ½ feet from the base of the trunk or otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture), located within 25 feet to either side of the approved limits of clearing and grading for the entire site and shall be submitted for review by UFMD.

21. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four-(4) foot high, fourteen (14) gauge welded wire attached to six -(6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart. Tree protection fencing shall be erected along the limits of clearing and grading wherever construction activities are proposed adjacent to areas to remain undisturbed. Super silt fence may be approved by UFMD to the extent that required trenching for super silt fence does not sever or wound

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

22. The applicant shall meet the requirements of the Tree Conservation Ordinance pursuant to County Code, Chapter 122.

23. Transitional screening shall be modified along all lot lines to permit existing vegetation on site to meet transitional screening requirements, but shall be supplemented as follows:

    - Additional plantings shall be provided along the northern lot line adjacent to the Braddock Road frontage in Phase I to meet the intent of Transitional Screening 1;

    - Landscaping shall include substantial ornamental and shade trees, shrubs, foundation and understory plantings to soften the appearance of the parking areas and buildings from the street.

    - The size, species and location of plantings shall be provided in consultation with Urban Forest Management Division (UFMD) and DPWES.

24. The barrier requirement shall be waived along all lot lines.

25. Parking lot landscaping shall be provided in accordance with Article 13 of the Zoning Ordinance.

26. Any proposed new 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 lighting shall be full cut-off luminaries, shall be controlled by timers and shall be cut off when the site is not in use, except for security lighting. Any new outdoor lighting fixtures, except those attached to the building, shall be Bollard-style lighting fixtures at a maximum height of four feet, measured from the ground to the highest point of the fixture. Lighting shall not be installed in landscape islands. No new uplighting of landscaping, signage or architecture shall be provided.

27. Irrespective of that shown on the SPA Plat, a minimum of 50% of the site shall

be preserved as undisturbed open space.

28. Adequate outfall shall be demonstrated in accordance with the Public Facilities Manual (PFM), as determined by DPWES, at the time of site plan review.

29. Stormwater Management (SWM) and Best Management Practices (BMP) measures may be provided via an extended detention facility and infiltration trenches as shown on the SPA Plat as determined by DPWES, which shall be privately maintained. If a modification of the PFM to permit the proposed stormwater management/best management practices as shown on the SPA Plat is not granted by DPWES and SWM/BMP facilities in substantial conformance with the SPA 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.

30. Public sewer flows generated by the uses allowed by this approval shall not exceed an average of 1,800 gpd, as determined by the Wastewater Planning and Monitoring Division, DPWES. This shall be accomplished through the use of water reduction measures such as low-flow fixtures, waterless urinals and sensor-based faucet controls. The occupancy of the expanded church facilities shall be accomplished in three phases. Phase I shall consist of no more than an additional 300 sanctuary seats, 40 additional children in the child care center/nursery school, 56 students in the private school of general education, and 12 additional employees. The applicant shall submit its quarterly Fairfax Water invoices and a record of the level of occupancy of the place of worship and related facilities to the Director of the Wastewater Planning and Monitoring Division to evidence continued compliance with this condition for the first two years of expanded occupancy in each phase of development, including the development of the proposed Fellowship Hall in Phase III. The applicant is prohibited from increasing occupancy in subsequent phases of development until such time that DPWES deems any excess of the Maximum Allowed Capacity as "unused capacity" that permits such an expansion while maintaining the integrity of the sewer system infrastructure.

31. Prior to issuance of the first Non-RUP, the applicant shall construct all road improvements to include a median break along the site's Braddock Road frontage, an eastbound left-turn lane and a right-turn lane, in consultation with the Fairfax County Department of Transportation (FCDOT), and as approved by the Virginia Department of Transportation (VDOT). Site access shall be provided via two curb cuts on Braddock Road; the existing right-in/right-out access on Lot 34 which shall be constructed as a right-in only entrance and the proposed full-access entrance at the median break. All other curb cuts shall be removed as determined by VDOT.

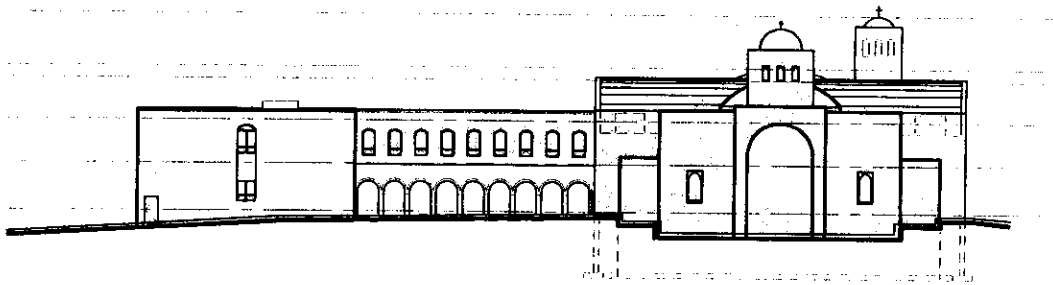
32. The applicant shall obtain a sign permit for any proposed sign in accordance with the provisions of Article 12 of the Zoning Ordinance.

33. The use of loudspeakers shall not be permitted outside the building.

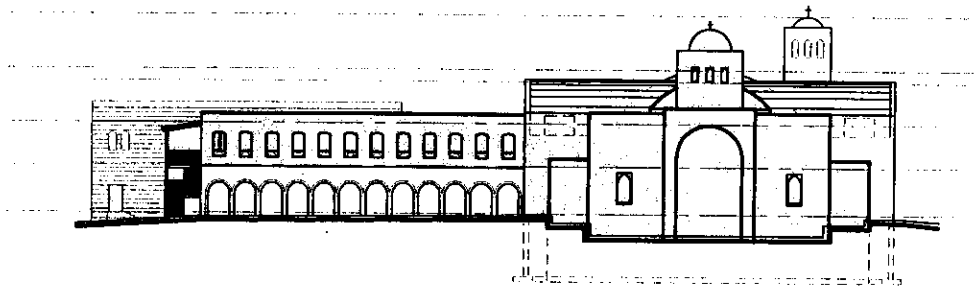
These conditions incorporate and supersede all previous conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit 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 I 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.

ATTACHMENT 1



5 EAST ELEVATION : PHASE 2



4 EAST ELEVATION : PHASE 1

PH 1 PH 2 PH 3

ARCHITECT:

BEGLIS ARCHITECTS, P.C.

407-I CHURCH STREET NE
VIENNA, VA 22180

PHONE: 703-242-2000
FAX: 703-242-2163

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PROJECT TITLE:

SAINT MARK'S COPTIC ORTHODOX CHURCH

BRADDOCK ROAD
FAIRFAX, VIRGINIA

SHEET TITLE:

EXTERIOR ELEVATIONS

REVISIONS

NO	DATE	DESCRIPTION

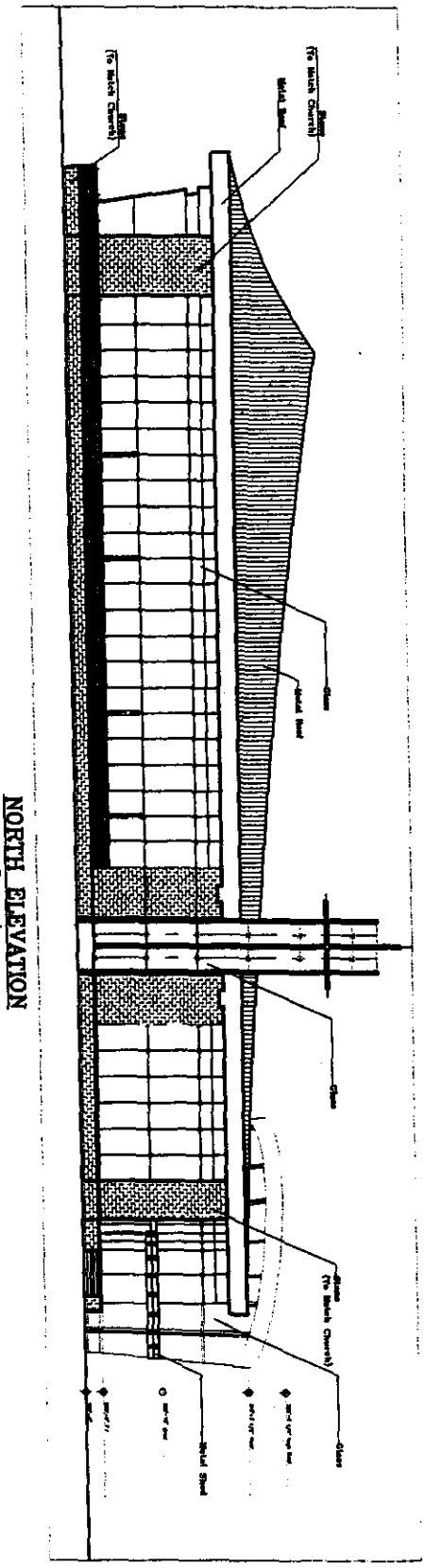
ISSUED

DATE: 03 AUG 09
SCALE: AS NOTED
DRAWN BY: —
PROJECT NO: —

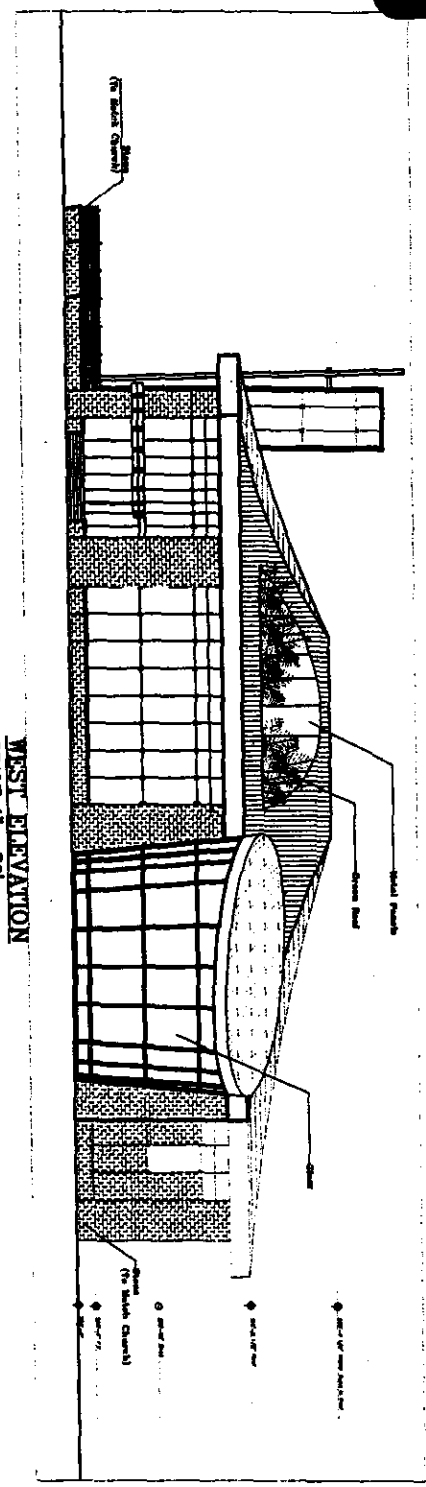
SHEET NO.

EXHIBIT

B

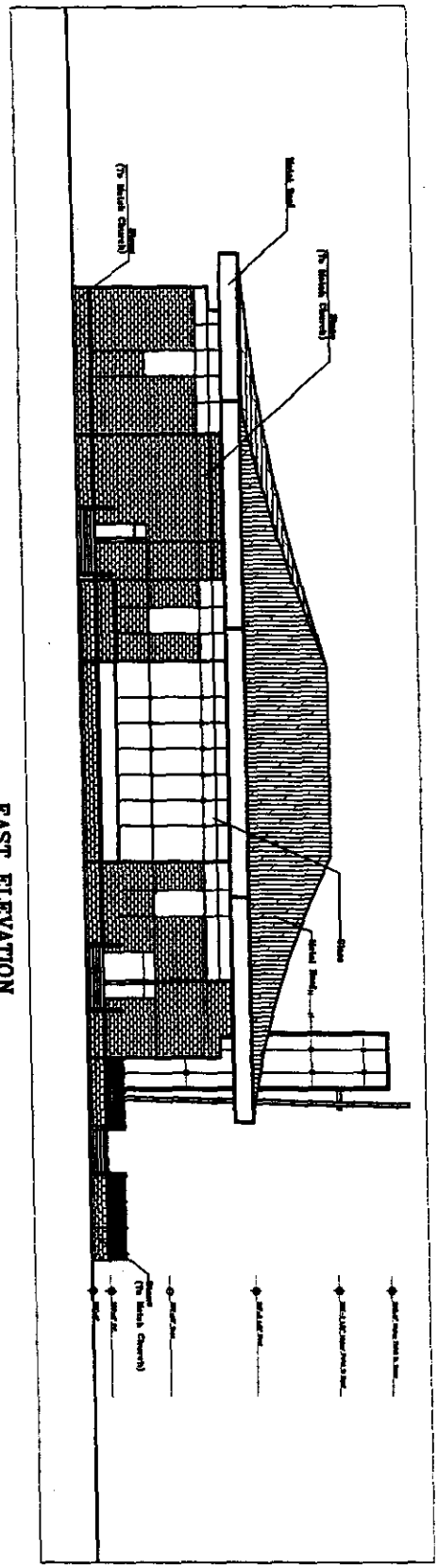


NORTH ELEVATION
SCALE 1" = 20'

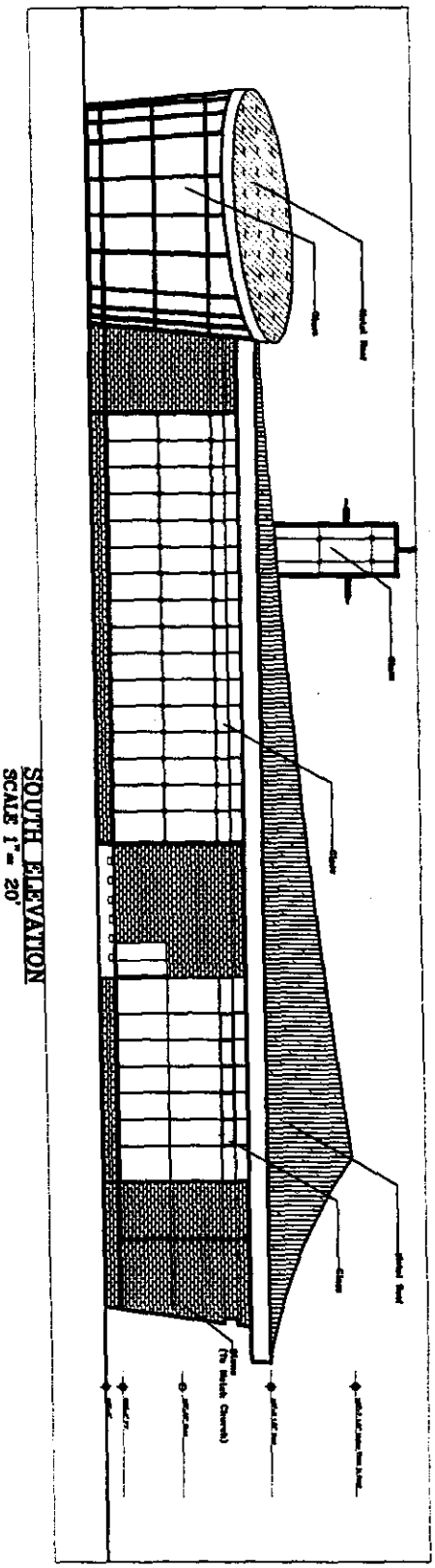


WEST ELEVATION
SCALE 1" = 20'

SAINT MARK'S COPTIC ORTHODOX CHURCH FAIRFAX, VIRGINIA	PHASE 3 FELLOWSHIP HALL August 3, 2009	BEGLIS ARCHITECTS, P.C. 407-4 CHURCH STREET NE, VIENNA, VIRGINIA 22180 PHONE: 703-242-2080 FAX: 703-242-2188	SHT. NO. FH-1



EAST ELEVATION
SCALE 1"= 20'



SOUTH ELEVATION
SCALE 1"= 20'

SAINT MARK'S COPTIC ORTHODOX CHURCH FAIRFAX, VIRGINIA	PHASE 3 FELLOWSHIP HALL August 3, 2009	BEGLIS ARCHITECTS, P.C. 407-1 CHURCH STREET NE, VIENNA, VIRGINIA 22180 PHONE: 703-242-2000 FAX: 703-242-2105	SHT. NO. C1

APPENDIX 2

Application No.(s): SPA-89-S-013-02
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 9, 2009
(enter date affidavit is notarized)

I, John L. McBride, 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

104147v

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)
St. Mark Coptic Orthodox Church of Washington, D.C. a District of Columbia non-profit corporation registered to do business in the commonwealth of Virginia as a non-stock corporation	11911 Braddock Road Fairfax, Virginia 22030	Applicant/Owner
-His Holiness Pope Shenouda III		Clergy/Agent
-Father Bishoy Andrawes		Clergy/Agent
-Maged F. Riad, Esquire		Attorney/Agent
Rinker Design Associates, P.C.	9300 W. Courthouse Road, Suite 300 Manassas, VA 20110	Agent/Engineer
-Jim Pickens		Senior Planner/Agent

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

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

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

Application No.(s): SPA-89-S-013-02

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

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

DATE: 9/9/09

(enter date affidavit is notarized)

1041470

(**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)
Vanderpool, Frostick, & Nishanian, P.C.	9200 Church Street, Suite 400 Manassas, Virginia 20110	Agent
-Paul N. Costanzo		Senior Planner/Agent
Odin, Feldman & Pittleman, P.C.	9302 Lee Highway, Suite 1100 Fairfax, Virginia 22031	Agent
-John L. McBride -Amber K. Scharn		Attorney/Agent Attorney/Agent
M.J. Wells & Associates, Inc.	11441 Robertson Drive, Suite 201 Manassas, Virginia 20109	Agent
-William F. Johnson -Robin Antonucci		Engineer/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): SPA-89-S-013-02

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 9, 2009

(enter date affidavit is notarized)

104147v

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)

St. Mark Coptic Orthodox Church of Washington, D.C.
11911 Braddock Road
Fairfax, Virginia 22030

DESCRIPTION OF CORPORATION: (check one statement)

[✓] There are 10 or less shareholders, and all of the shareholders are listed below.

[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

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

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

The Applicant is a non-profit religous organization 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.

SPA-89-S-013-02

Application No.(s): _____

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

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

DATE: 9/9/09

(enter date affidavit is notarized)

104147v

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Rinker Design Associates, P.C., a Virginia professional corporation
9300 West Courthouse Road, Suite 300
Manassas, VA 20110

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)

Edward B. Snider, Jr.
Stephen M. Seay
Chun M. Kim
Jack E. Rinker
William E. Missell
David S. Dwornik
Jeffrey J. Powell
Sidney G. Thomas, Jr.
Ashby L. Thompson, III

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Vanderpool, Frostick, & Nishanian, P.C., a Virginia professional corporation
9200 Church Street, Suite 400
Manassas, VA 20110

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)

Michael R. Vanderpool
Randolph D. Frostick
V. Rick Nishanian
Gail R. Prentiss
Susan E. Cooke
Kris K. Spitler

(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): SPA-89-S-013-02

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

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

DATE: 9/9/09

(enter date affidavit is notarized)

104147 v

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Odin, Feldman & Pittleman, P.C., a Virginia professional corporation
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 E. Feldman
James B. Pittleman
Patrick J. McConnell
Robert K. Richardson
David J. Brewer
John S. Wisiackas

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M.J. Wells & Associates, Inc., a Delaware corporation
11441 Robertson Drive, Suite 201
Manassas, VA 20109

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

(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): SPA-89-S-013-02

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 9, 2009

(enter date affidavit is notarized)

104147

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): SPA-89-S-013-02

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 9, 2009

(enter date affidavit is notarized)

104147

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): SPA-89-S-013-02

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 9, 2009 104147

(enter date affidavit is notarized)

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

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

NONE

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

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

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

WITNESS the following signature:

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

John L. McBride

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

Subscribed and sworn to before me this 9th day of September 20 09, in the ~~State~~/Comm. of Virginia, County/~~City~~ of Fairfax

Barbara D. Lester

Notary Public

My commission expires: 5-31-2011

~~ID#~~ 120854

Commissioned as: Barbara D. Lynn

BARBARA D. LYNN
Notary Public
Commonwealth of Virginia
120854
My Commission Expires May 31, 2011

SPA 89-S-013-2
ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON D.C.
SPECIAL PERMIT AMENDMENT APPLICATION
STATEMENT OF JUSTIFICATION
TM 067-1-((4))-0027A
TM 067-1-((4))-0031
TM 067-1-((4))-0032
TM 067-1-((4))-0033
TM 067-1-((4))-0034
TM 067-1-((4))-0042
11821, 11829, 11901,11911 & 11919 Braddock Road
~~March 20~~June 30, 2009

DESCRIPTION OF THE APPLICATION

Special Permit Request: To allow the existing church/place of worship, with an integrated child care center, to expand and incorporate a new private school of general education for grades K-8, a nursery school and a Fellowship Hall. The development will be to be constructed in three phases as follows: Phase 1 will consist of renovations to the existing sanctuary to increase its capacity by 300 seats to a new capacity of 600 seats, increase the number of students in the existing day care center from 50 children to a maximum of 90 children, and open the new private school with a maximum of 56 students. The old Mt. Zoar Church building and the two existing dwelling structures will remain. These will be utilized for offices, storage and ministry/counseling space. Reforestation of the site will begin. Phase II will consist of building a two story addition on the existing church/child care center and nursery school building that will increase the capacity of the child care center and nursery school by an additional 75 students to its maximum of 165 students and increase the private school by an additional 54 students to its maximum of 110 students. The old Mt. Zoar church building will remain. The two dwelling structures will be removed. Phase III will consist of the demolition of the existing Mt. Zoar Church building ~~and two detached single family houses~~ and construction of a new Fellowship Hall. The Fellowship Hall will be used primarily for ministry activities, fellowship, prayer groups and other similar types of ancillary Church activities.

Record Fee Owner/ Applicant: St. Mark Coptic Orthodox Church of Washington D.C.

Zoning: R-C (Residential Conservation); WSPOD (Water Supply Protection Overlay District)

Size: 16.853 acres of land area; 72, 131 square feet of maximum gross floor area of buildings; 0.098 FAR proposed; (0.10 allowed)

Maximum Number of Sanctuary Seats: Church – maximum of 600 worshipers

Maximum Number of Students:

Child Care Center and Nursery School– maximum 165 children
Private School of General Education (grades K-8) – maximum 110 children

Employees/Volunteers:

28 maximum on site at any time (at full buildout) for the school, child care and nursery uses.

Patrons/Clients/ Vicinity to be Served:

Based on a survey of the existing congregation, the members of the expanded church/place of worship will likely continue to primarily reside in the Centreville, Fairfax (Sully, Braddock and Springfield magisterial districts) and Prince William County areas. There are approximately 500 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-peak hour use.
- This congregation attending services at this church/place of worship will be significantly smaller than the surrounding church/place of worship uses. In addition, due to the manner in which the congregation practices their religion, once the worshipers arrive for the service, they stay at the facility for all of the ancillary activities that follow the service. Thereby not creating larger volumes and peaks of traffic throughout the entire day. This location, with direct access to an arterial road (Braddock Road) and within ¼ mile of its intersection with the Fairfax County Parkway, is ideal for these uses.

Hours of Operation/ Services and Activities/ Number in Attendance:

Currently, due to the existing small sanctuary, worship services are held on Sundays from 6:00AM to 9:00AM and 9:15AM to 11:30AM. This arrangement is necessary to accommodate all of their parishioners that want to attend services. Only one worship service will be held once the sanctuary is enlarged as part of the Phase I improvements. That service will be held from 8:30AM to 11:30AM. Following the expansion, as is done today, Sunday school classes and social activities are conducted from 11:30AM until 1:30PM.

The maximum hours of operation of the childcare center and nursery school will be from 7:00 a.m. to 5:00 p.m., Monday through Friday.

The maximum hours of operation of the private school of general education will be limited to 9:00 a.m. to 3:00 p.m., Monday through Friday, except for occasional evening activities.

Waivers and Modifications:

The Applicant is requesting no waivers or modifications of zoning ordinance requirements.

LOCATION AND CHARACTER

Existing Site Description: Unlike most RC zoned land in the County, only 47.6% of the existing site is undisturbed and wooded land, primarily with medium sized trees, as well as smaller understory vegetation. In addition to the existing St. Mark Coptic Orthodox Church facilities, the site contains the old Mt. Zoar Church facilities and two single family residential homes. The site isn't encumbered by any major utility easements and doesn't contain any floodplain or wetland areas. Photographs showing the property and the architecture of the existing facilities are included in the application.

Surrounding Area Description: The adjacent properties to the west and south contain single family homes that are part of the Lincoln Park Subdivision. The Singh Sabha Gurdwara Church is located further west past the single family house and Second Road. The properties to the east contain single family homes and a building owned by the Fairfax County Redevelopment & Housing Authority. North of the Property, across Braddock Road, the properties are a mixture of vacant land and single family homes. The Apostolic Church of Washington is also located on a parcel north and east across Braddock Road.

Hazardous and Toxic Substances: There will be no hazardous or toxic substances generated, stored, utilized, treated or disposed of on the site.

Direction	Use	Zoning
North	Single Family	R-C
South	Lincoln Park Subdivision	R-C
East	Lincoln Park Subdivision	R-C
West	Lincoln Park Subdivision	R-C

COMPREHENSIVE PLAN PROVISIONS:

Plan Area: Area III – Pohick Planning District

Community Planning Sector: P1 – Twin Lakes Community Planning Sector

Plan Map: Residential Conservation: 0.1 to 0.2 dwelling units per acre; low density residential

Plan Text: This sector is located in the northwestern portion of the Pohick Planning District. It is entirely within the watershed of the Occoquan Reservoir. The County has committed to maintain much of this area in low density development to protect the water quality of the Occoquan Reservoir. This commitment is reflected in the distribution of land uses in the sector with predominant uses being large lot residential, private open space, and public parks. While housing in the sector includes newer houses in five-acre lot subdivisions, a number of older houses, reflecting the area's rural past, remain. One particularly important concentration of older houses is the Lincoln-Lewis-Vannoy Conservation Area in which the Property is located.

The Lincoln-Lewis-Vannoy community has been designated as a Conservation Area. It is a community of approximately 215 single-family detached houses located in the Pohick (Sector P1) and Bull Run (Sector BR7) Planning Districts, two to three miles west of Route 123 on Braddock, Popes Head, and Colchester Roads. When the Conservation Plan for Lincoln-Lewis-Vannoy was developed, the majority of the area housing stock was in a state of deterioration. These conditions were compounded by problems related to inadequate water and sewerage facilities. In order to deal with these issues, the Board of Supervisors adopted a Neighborhood Improvement Program and a Conservation Plan in November 1976. Together, they outlined a program of public facilities improvements and a program for providing low-cost home rehabilitation loans. A specialized sanitary sewer system was constructed in the Lincoln-Lewis-Vannoy Conservation Area in 1985, and many of the homes have been repaired in the continuing rehabilitation process. No further expansion of the sewer system for this area is planned or approved. This community is planned for 0.1 – 0.2 dwelling units per acre.

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 the 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.

CONFORMANCE WITH ZONING ORDINANCE 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 an integrated child care center and nursery school and private school of general education are appropriate uses for residential conservation areas, especially when located upon an arterial roadway such as Braddock Road. The size and scale of the proposed facilities are consistent with the low density character of the area, as well as with other churches along this portion of Braddock Road. Institutional uses are particularly appropriate along an arterial roadway, more so than single family residential structures. The ultimate "buildout" development will ~~provide~~ retain ~~approximately~~ 46~~7.5~~% of the site as undisturbed open space which will mitigate any impacts to the water quality of the Occoquan Reservoir. This application will not require or result in any increase to the Lincoln-Lewis-Vannoy Sewer facilities.

2. **The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.** Churches/places of worship uses with integrated child care facilities and 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 that 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 a 0.10 FAR, or less, and if a significant portion of the Property is left as undisturbed open space. The application meets both of these criteria with an FAR of 0.098 and by providing an undisturbed open space area of ~~7.852~~approximately 8 acres, or ~~46.547~~% of the site. The "build out" development of the site reduces the undisturbed open space by ~~only 1.1%~~ less than 1% of the entire site (an increase in ~~only 8,320~~ approximately 5,000 square feet of disturbed area). The proposed reforestation plan will result in an increase in ~~high~~the quality and quantity of the forested area. ~~after build out than exists now.~~

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 front or northern portion of the property, along Braddock Road and away from the residential area to the south. The location, size and height of the proposed building conforms to the constraints of the R-C district and will be architecturally compatible with the residential and institutional character of the surrounding neighborhood as shown on the architectural elevations filed with the application. The residential subdivision to the south is currently developed to its ultimate uses, and will not be adversely affected by the proposed development of the Property. These uses are sufficiently screened and buffered along the west, south and east borders so as to not be adversely affected. This screening and buffering will not change. The church/place of worship use with an integrated child care/nursery facility and private school is an appropriate transitional use between the high traffic volume arterial road (Braddock Road) to the north and the low density single family residential neighborhood to the south.

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.** Presently, Braddock Road doesn't have a median break leading into the property. Therefore, all west bound traffic going to the church must make a U-turn at the Second Road median break and travel east bound to enter the property. This application, as part of Phase II ~~(construction of the Fellowship Hall and demolition of the Mt. Zoar Church) at ultimate build out,~~ proposes to construct a median break that meets VDOT's standards on Braddock Road into the property. This will eliminate ~~the need for~~ traffic ~~from~~ making U-turns at the Second Road median break (further west on Braddock Road), thereby increasing traffic safety and the carrying capacity of Braddock Road. The Fairfax County Trails Plan indicates a major paved trail within the Braddock Road right-of-way along the Property frontage. This trail already exists along the site's frontage, in accordance with the Fairfax County Trail Plan requirements.

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. In addition, over 40,209 square feet (0.92 acres) of the Property will be reforested from its present disturbed condition to help offset and screen the new proposed development.

6. **Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.** There is no open space requirement in the Zoning Ordinance for these uses in the RC district.

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, and will continue to be, sufficient parking spaces to accommodate the church/place of worship, child care center, nursery school and private school uses. 208 total parking spaces are required and 3~~3~~20 parking spaces will be provided (i.e. 150 spaces required for the church/place of worship and 2~~5~~40 spaces provided, 26 spaces required for the child care center and nursery school and 47 spaces provided and 32 spaces required for the private school of general education and 47 spaces provided.). A BMP stormwater management facility will be provided, as shown on the SP plan. This facility will be designed in accordance with County standards so as to reduce the amount of runoff from the Property to the south to less than the predevelopment level. Public water, sewer and other utilities are currently available to the site. In a letter, signed May 21, 2007, Gilbert Osei-Kwadwo, Chief of the Engineering Analysis & Planning Branch of the Department of Public Works & Environmental Services, has recommended limiting the property to a series of phases for the overall development to ensure compliance with specific sewer usage criteria for the Lincoln-Lewis-Vanoy Sewer Service area. The Applicant has proposed a development condition to enforce this limitation.

8. **Signs shall be regulated by the provisions of Article 12.** The existing monument sign will remain in its present location as shown on the SP plat. All new signage on the site will meet Zoning Ordinance requirements.

ZONING ORDINANCE Section 8-303: SPECIFIC STANDARDS FOR ALL GROUP 3 SPECIAL PERMIT 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 2 of the SP plat shows compliance with these requirements. The maximum building height will be 54 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.** All phases of ~~T~~the proposed development of the Property will require site plan approval.

ZONING ORDINANCE SECTIONS 9-309 & -310: ADDITIONAL STANDARDS FOR CHILD CARE CENTERS, NURSERY SCHOOLS AND PRIVATE SCHOOLS OF GENERAL EDUCATION

Section 9-309 (CHILD CARE CENTERS AND NURSERY SCHOOLS)

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

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

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

   B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.

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

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

   As noted in the Tabulations on the SP Plan, 30,322 square feet of useable outdoor recreation area will be provided on the Property serving the both the child care center and nursery school and the private school of general education.

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

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

   The child care center and nursery school shall not exceed 165 children and have direct access to an arterial roadway. This information has been detailed in the Traffic Impact Analysis completed by Wells & Associates, and submitted as part of this application.

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

   The internal vehicular circulation is shown on the Special Permit Plan.

Section 9-310 (Private Schools)

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. Four outdoor recreation areas are shown on the plan. The area will be approximately 30,322 square feet in total.

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 will be met as shown on the Special Permit Plan at site plan review. There will be no request for a waiver of on-site detention or BMP requirements.

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 integrated child care/nursery facility and private school of general education use is in conformance with the Comprehensive Plan, and provides essential services to the larger Fairfax community. These uses are appropriately located along Braddock Road and are sized appropriately 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 is mitigated by the design of the development and its location at a newly constructed ~~signalized~~ median crossover on a major arterial roadway. This use is an appropriate use to transition between the high traffic volume of Braddock Road and the low density single

family detached neighborhood to its rear. All access is directly to Braddock Road. There is no vehicular access to or from these uses through the nearby residential areas.

ODIN, FELDMAN, PITTLEMAN, PC

By:_____
John L. McBride

#1114099v1 Statut of Justification JLM 2nd rev redline 7-1-09 51446/00001

COUNTY OF FAIRFAX, VIRGINIA APPENDIX 4

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES OF THE ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON D.C., SPA 89-S-013 Appl. under Sect(s). 3-C03 of the Zoning Ordinance to amend SP 89-S-013 for church and related facilities to permit child care center, increase in land area and building additions. Located at 11911 and 11919 Braddock Rd. on approx. 8.91 ac. of land zoned R-C and WS. Springfield District. Tax Map 67-1 ((4)) 27A, 34, and 42. (ADMINISTRATIVELY MOVED FROM 12/7/99). Ms. Gibb moved that the Board of Zoning Appeals adopt the following resolution:

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

WHEREAS, following proper notice to the public, a public hearing was held by the Board on January 18, 2000; and

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

1. The applicants are the owners of the land.

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

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sect(s). 3-C03 of the Zoning Ordinance.

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

1. This approval is granted to the applicant only, and is not transferable without further action of this Board, and is for the location indicated on the application, 11911 and 11919 Braddock Road (8.9 acres) and is not transferable to other land.

2. This Special Permit is granted only for the church and related facilities to permit a child care center with a maximum daily enrollment of fifty children, an increase in land area and building additions as indicated on the special permit plat prepared by William M. Robson of Robson Group Architects, dated September 13, 1999, as revised through December 16,1999, and approved with this application, as qualified by these development conditions.

3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

FAIRFAX COUNTY
RECEIVED
FEB 3 2000
DIVISION OF
ZONING ADMINISTRATION

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES OF THE ST. MARK COPTIC ORTHODOX CHURCH OF WASHINGTON D.C., SPA 89-S-013 Appl. under Sect(s). 3-C03 of the Zoning Ordinance to amend SP 89-S-013 for church and related facilities to permit child care center, increase in land area and building additions. Located at 11911 and 11919 Braddock Rd. on approx. 8.91 ac. of land zoned R-C and WS. Springfield District. Tax Map 67-1 ((4)) 27A, 34, and 42. (ADMINISTRATIVELY MOVED FROM 12/7/99). Ms. Gibb moved that the Board of Zoning Appeals adopt the following resolution:

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1. The applicants are the owners of the land.

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

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sect(s). 3-C03 of the Zoning Ordinance.

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

1. This approval is granted to the applicant only, and is not transferable without further action of this Board, and is for the location indicated on the application, 11911 and 11919 Braddock Road (8.9 acres) and is not transferable to other land.

2. This Special Permit is granted only for the church and related facilities to permit a child care center with a maximum daily enrollment of fifty children, an increase in land area and building additions as indicated on the special permit plat prepared by William M. Robson of Robson Group Architects, dated September 13, 1999, as revised through December 16,1999, and approved with this application, as qualified by these development conditions.

3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

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ZONING ADMINISTRATION

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

5. The maximum number of seats in the church shall be 300.

6. Upon issuance of the Non-Residential Use Permit for SPA 89-S-013, the maximum total daily enrollment for the child care center shall be 50 children with a maximum staff of 10 employees.

7. The maximum hours of operation for the child care center shall be limited to 9:00 a.m. to 3:00 p.m., Monday through Friday.

8. The outdoor recreational area of 3,000 square feet shown on the SP plat shall be enclosed with a four (4) foot high chain link fence.

9. Existing vegetation shall be used to satisfy the Transitional Screening I requirement along all lot lines, with the supplementation as needed of evergreen plantings to obtain the effectiveness of Transitional Screening I. The size, type and location of new supplemental plantings shall be approved by the Urban Forestry Branch of DPWES. All existing vegetation around the periphery of the site shall be maintained and supplemented as deemed necessary by the Urban Forestry Branch.

   The Barrier requirements shall be waived.

10. The limits of clearing and grading shown on the special permit plat shall be strictly adhered to. For each phase of development, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements planned for that phase shall be submitted to DPWES, including the Urban Forestry Branch, for review and approval. The extent of clearing and grading for each phase of construction shall be the minimum amount feasible as determined by DPWES. Prior to any land disturbing activities for each phase of construction, a pre-construction conference shall be held between DPWES and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, and the erosion and sedimentation control plan to be implemented during construction. Further, prior to the issuance of the first Non-RUP, areas disturbed with the clearing and grading for Phase I shall be stabilized with a ground cover to consist of grasses and/or a naturalized wildflower/meadow mix which shall be maintained until such time as subsequent phased construction is initiated.

11. At the time of either site plan submission or grading plan submission, whichever occurs first for each phase of development, a tree preservation plan shall be provided for review and approval by the Urban Forestry Branch. The tree preservation plan shall include a

tree survey which describes the location, species, size, accurate dripline, and condition of all trees 12 inches in diameter and greater 25 feet on either side of the limits of clearing and grading. The condition analysis shall be prepared by a certified arborist using the eighth edition of "The Guide for Plant Appraisal." Specific tree preservation activities shall be reflected in the tree preservation plans, including methods to be implemented to ensure preservation. The plan shall be developed with the intention of maintaining the existing vegetation within the tree save area depicted outside the limits of clearing and grading as shown on the special permit in undisturbed open space. The undisturbed open space shall be maintained by hand as needed to remove only undesirable vegetation such as brambles and vines, and there shall be no fertilizing or mowing of weeds or grass within the open space areas.

12. Parking lot landscaping shall be provided in accordance with the Public Facilities Manual as determined by the DPWES. Foundation plantings shall be provided for the purpose of softening the off-site visual impact of non-residential buildings and blend the development in with the adjacent residential subdivision. The type, size and location of these plantings shall be approved by the Urban Forestry Branch and shall depict a combination of flowering and evergreen shrubs and ornamental tree plantings along the perimeters of the parking areas and building foundation landscaping plantings.

13. Structural Best Management Practices shall be provided for stormwater management in accordance with the Public Facilities Manual standards for commercial developments in the Water Supply Protection Overlay District and as approved by DPWES.

14 Right of way to total 68 feet from the existing centerline of Braddock Road plus ancillary easements necessary for future road improvements shall be dedicated for public street purposes and shall convey to the Board of Supervisors, fee simple on demand or at time of site plan approval, whichever occurs first. A deceleration turn lane shall be constructed at the site entrance as determined by DPWES and VDOT at the time of site plan review.

15. Any proposed lighting of the parking areas shall be in accordance with the following:

- The combined height of the light standards and fixture shall not exceed 12 feet and shall be full cut-off lights.
- The lights shall be of a design which focuses the light directly onto the subject property.
- Shields shall be installed, if necessary, to prevent the light from projecting beyond the facility.
- The lights shall be controlled with an automatic shut-off device, and shall be turned off when the site is not in use.
- There shall be no up-lighting of any of the proposed building additions.

16. The use of loudspeakers shall not be permitted outside the building.

17. The two trailers shall be removed at the completion of Phase I.

18. The building height should not exceed 29 feet +/- a foot and the maximum height of the dome should not exceed 54 feet.

19. No less than 46% of the application property shall be preserved as perpetually undisturbed open space as approved by DPWES and as shown on the special permit plat. All of the site outside the limits of clearing and grading shall remain as perpetually undisturbed open space and if any feature such as the SWM pond is eliminated or reduced in size, the area shall become part of the perpetually undisturbed open space.

20. A geo-technical engineering study shall be submitted to DPWES for review and approval in accordance with Chapter 107 of the Fairfax County Code as determined necessary by DPWES and shall be implemented as determined by DPWES. If DPWES determines that a potential health risk exists due to naturally occurring asbestos, all construction personnel shall be alerted to the potential health risk and appropriate construction techniques, as determined by DPWES, shall be implemented.

21. The architectural design elements and materials utilized in the existing church building shall be continued throughout the proposed building additions.

22. A maximum of one hundred and eighty (180), parking spaces shall be provided. All parking shall be on site.

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

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

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

Mr. Kelley seconded the motion which carried by a vote of 6-0. Chairman DiGiulian was absent from the meeting.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on January 26, 2000. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:

Lori M. Mallam, Deputy Clerk
Board of Zoning Appeals

APPENDIX 5

VANDERPOOL, FROSTICK & NISHANIAN, P.C.
ATTORNEYS AT LAW
SUITE 400
9200 CHURCH STREET
MANASSAS, VIRGINIA 20110

703-369-4738
FAX 703-369-3653
E-MAIL INFO@VFNLAW.COM

May 21, 2007

VIA E-MAIL AND HAND-DELIVERY

Gilbert Osei-Kwadwo, Chief
Engineering Analysis & Planning Branch
Dept. of Public Works & Environmental Services
Wastewater Planning & Monitoring Division
12000 Government Center Pkwy, Suite 358
Fairfax, VA 22035-0058

Re: St. Mark's Coptic Church Expansion – Sewer Issues

Dear Gilbert:

On behalf of the congregation of St. Mark's Coptic Church located at 1911 Braddock Road, Fairfax, VA 22038 (the "Church"), this letter shall serve to request your concurrence as to the extent of the availability of public sewer for an expansion of land area and facilities utilized by the Church. We need this confirmation prior to filing a Special Use Permit amendment to expand the existing church uses. I attach a sewer flow analysis which shows the amount of expansion we claim can be accommodated by the Lincoln-Lewis-Vanoy sewer system, which limits the existing six church parcels to 1,800 gallons per day of sewer capacity (300 gpd per lot). The Church owns five parcels now and has a sixth parcel under contract to purchase.

As you are aware, public sewer service for the Church was originally established in 1990, when the Church was originally constructed upon one 3.1 acre parcel pursuant to SP 89-S-013. Subsequently, on January 18, 2000, the Church obtained BZA approval to expand to a total of three parcels. This expansion (SPA 89-S-013) allowed 300 sanctuary seats, a childcare center with a maximum daily enrollment of fifty (50) children, and a maximum of ten (10) childcare center employees. This childcare center accommodates children between the ages of 4 through 14.

A letter from Jimmy D. Jenkins to William Robson dated August 18, 1999 (attached as Exhibit A), suggested that SPA 89-S-013 contain a development condition requirement whereby the water usage (*excluding irrigation water*) not exceed 300 gallons per day per lot, or 900 gallons per day for the three lots approved in SPA 89-S-013. However, this requirement was never imposed by the County as a development condition of either the SPA or the site plan. As a result, the Church did not separately meter the water used for irrigation. While this letter referenced utilizing 900 gallons per day of actual water consumption rather than the winter

quarter water consumption (which more accurately reflects actual sewer flow), it did so because it was assumed that the Church would either utilize well water or separately meter water for irrigation and other non-potable water needs. Since the Church has never utilized well water nor separately metered public water for these non-potable water uses, the actual water consumption shown on FCWA water usage invoices is higher than the actual sewage flow.

Accordingly, the Church proposes that the County accept the winter quarter consumption figures you suggested in our meeting (shown on the attached chart labeled Exhibit B). Pursuant to your suggestion, we have utilized only five of the seven quarterly consumption amounts -- we have not utilized the two abnormally low winter consumption readings for the 2/13/04 and 5/10/04 quarters. Utilizing these actual water consumption figures, the sewer flow average equals no more than 659 gallons per day for the existing church facilities. You stated that because the expanded church facilities will be situated upon six parcels, the uses must not generate more than 1,800 gpd of sewer flow (6x300 gpd).

As you suggested, we have utilized this 659 gpd figure to project sewer flow for a portion of the proposed Church expansion. Exhibit C shows a calculation of the sewer flows anticipated by the following proposed expanded facilities: a total of 600 sanctuary seats; a 200 child daycare; a 75 infant nursery; and, a maximum of 28 employees. Exhibit C shows a three step calculation of the sewer flows generated by these expanded uses. Expansion Phase 1(a) doubles the existing sanctuary seats, employees, daycare children, and therefore, the sewer flow. Expansion Phase 1(b) utilizes a normal assumed flow of 10 gpd per additional child or employee. Expansion Phase 2 utilizes a normal assumed flow of 10 gpd per additional child or employee and 5 gpd per infant in the nursery. Expansion Phases 1(a) and 1(b) result in a projected average sewer flow less than the 1,800 gpd capacity.

We believe that the projected sewer flows can be reduced by 50% because of our commitment to use low-flow fixtures, waterless urinals, and sensor-based faucet controls. While these fixtures cost more initially, they result in a 50% reduction in water and sewer usage. Exhibit D contains literature confirming this reduction.

We realize that the County needs assurances, rather than estimates, that the sewer flow will not exceed 1,800 gpd. The only way to attain that level of certainty is to impose a development condition in the SPA approval. Accordingly, I ask your concurrence that the following development condition be imposed in any SPA approval:

> *The Applicant shall ensure that the public sewer flows generated by the uses allowed by this approval do not exceed an average of 1,800 gpd, as determined by the Wastewater Planning and Monitoring Division of DPWES (the "Maximum Allowed Capacity"). This shall be accomplished through the use of water reduction measures such as low-flow fixtures, waterless urinals, and sensor-based faucet controls. The occupancy of the expanded church facilities shall be*

accomplished in two phases. The first phase expansion shall consist of no more than an additional 300 sanctuary seats, an additional 96 children and an additional 12 childcare center employees. For the first two years of full occupancy of this first phase expansion, the Applicant shall submit its quarterly Fairfax Water invoices and a record of the level of occupancy of the church facilities to the Director of the Wastewater Planning and Monitoring Division to evidence continued compliance with this condition. Any excess of the Maximum Allowed Capacity over the average quarterly sewer flow for the first phase of expanded occupancy during this two year period shall be deemed "Unused Capacity", provided the facilities are at full occupancy. In the event there is Unused Capacity, the Applicant shall be allowed to increase its occupancy in the second phase up to a maximum of an additional 54 children, 75 infants and 6 employees; provided, however, that said number of increase in children and employees shall not cause the Unused Capacity to be exceeded, as determined by the Wastewater Planning and Monitoring Division of DPWES.

Thank you for your courtesies and assistance in this matter.

Sincerely,

Vanderpool, Frostick & Nishanian, P. C.

John L. McBride

JLM/bdl
Enclosures
cc: Father Bishoy Andrews
Paul Costanzo, Senior Planner
Brandie Schaeffer, Planner

SEEN AND AGREED:

G. Osei-Kwadwo

By: GILBERT OSEI-KWADWO

Title: Chief, Engineering Analysis and Planning Branch

Date: 05.21.07

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COUNTY OF FAIRFAX
DEPARTMENT OF PUBLIC WORKS
AND ENVIRONMENTAL SERVICES
WASTEWATER PLANNING
AND MONITORING DIVISION
12000 GOVERNMENT CENTER PARKWAY
SUITE 358
FAIRFAX, VIRGINIA 22035-0058

APPENDIX 6

County of Fairfax, Virginia

MEMORANDUM

DATE: July 7, 2009

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:** SPA 89-S-013-02
St. Mark Coptic Orthodox 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 March 19, 2009 revised through May 7, 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, St. Mark Coptic Orthodox Church, is requesting special permit amendment approval to permit an increase in land area, a nursery school, a private school of general education, modifications to the development conditions and site modifications. The subject property contains approximately 17 acres. The property is currently developed as a church and child care with several buildings, road network, parking areas and wooded or grassy undeveloped areas. The expanded land area currently contains two existing single-family detached dwellings and an existing church, which is no longer in use. The proposed church expansion is planned to take place in three phases. Phase I includes the expansion of the existing sanctuary from 300 seats to 600 seats, the addition of the nursery school, an increase in the daily enrollment of the child care center from 50 to 90 students for the child care and nursery school, the addition of a new private school of general education for grades K-8 with a maximum daily enrollment of 56 students. To accommodate these changes, the existing church would be expanded with a 4,804 square foot sanctuary addition and 5,084 square foot second addition. It should also be noted that the surface parking will be constructed in Phase I to provide all required parking for the proposed expansion.

Phase II of the proposed expansion will include the construction of a two-story 13,213 square foot addition to the existing church building which will house the child care center and nursery

school. At this stage there would be an increase in the maximum daily enrollment of the child care center/nursery school from 90 to 165 students and an increase in the maximum daily enrollment of the private school from 56 to 110 students.

Phase III of the proposed development includes the demolition of the Mt. Zoar Church building and the construction of a 20,000 square foot fellowship hall. The completion of Phase III would result in 72,131 gross square feet of development at a floor area ratio (FAR) of 0.098. An FAR of 0.10 is permitted in the R-C District.

The subject property is zoned Residential Conservation (R-C) District and is located within the Water Supply Protection Overlay District. The applicant is proposing a single point of entrance from Braddock Road with a second right-out exit onto Braddock Road.

LOCATION AND CHARACTER OF THE AREA

The property is located on the south side of Braddock Road (Route 620), east of the Fairfax County Parkway (Route 7100) near the intersection of Braddock Road and Second Road. Properties located immediately north, south, east and west of the subject property are zoned R-C and developed with single-family dwellings.

COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, 2007 Edition, Area III, Pohick Planning District as amended through January 26, 2009, P1 Twins Lakes Community Planning Sector, page 22:

"1. The entire P1 Planning Sector is located within the watershed of the Occoquan Reservoir. Protection of the Occoquan Reservoir water quality is the primary objective for this area. Almost all of the land in the sector is planned for residential uses within a density range of .1-.2 dwelling unit per acre. This conforms with findings in the Occoquan Basin Study and is commensurate with predominant densities and the well-established character of existing development in this sector.

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, 2007 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, on page 7-16:

"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. . . .

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 private open space

LAND USE ANALYSIS

The applicant's request to expand an existing church sanctuary and add additional uses within the Residential-Conservation (R-C) zoning district raises a number of concerns. While the proposed ultimate FAR is slightly below that which is permitted for non-residential uses within the R-C District, the overall intensity of the proposed uses as currently proposed raises concerns with respect to its compatibility with existing and planned land uses. While a church on its own could be designed in a manner that is consistent with similar uses in this area, the additional uses, expanded impervious surface areas and relatively large structures do not seem to be compatible with the surrounding uses or other similar uses in this area of the County. The applicants have provided commitments to preserve approximately 47% undisturbed open space for the proposed development which would include restoration and reforestation for some areas of the property. Landscaping and screening for the proposed uses and related facilities are designed in a manner consistent with staff's recommendations and should be provided in a manner which limits any visual impacts to the surrounding area. The structures themselves will be located centrally on the site in close proximity to Braddock Road. While the seating of the sanctuary is being doubled, parking for the proposed use is not and parking for the existing uses has resulted in problems in the past. While the applicant has noted an informal parking agreement with the nearby Mott Center, staff feels that a more formal offsite parking arrangement is desirable. Staff feels that the applicant should redesign the proposed expansion by delineating 50% undisturbed open space first and then locating proposed structures and other impervious surface areas. The massing and height of the structure will be limited according to development conditions set forth by staff.

Compatibility

The intensity of the proposed use should not result in significant impacts on adjacent residential parcels. Noise, vehicle traffic and visual impacts of the proposed parking lot and building mass appear to be adequately mitigated. Provisions for screening, buffers and barriers meet or exceed what is typically required for this type of use in the R-C District. No lighting is proposed for the parking area and all other lighting will meet current Zoning Ordinance standards.

Building Layout, Open Space and Design

Building Layout. The proposed development is proposed as several expansions of the existing church building, to include the nursery school, daycare, private school of general education and surface parking. The removal of the former Mt. Zoar Church structure and the two single-family dwellings will take place at a later, as yet to be determined time, but no later than Phase III. Phase III will be comprised of the construction of the proposed fellowship hall, which will be located in a separate structure separated from the main church by a small plaza, parking and travel aisles. The proposed height of the church and related structures will not exceed 60 feet. Staff feels that a more compressed layout would present additional opportunities for preserving open space.

Open Space. The applicant has identified the amount of undisturbed open space on the special permit amendment plat as an ultimate area of 47% undisturbed open space for 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, 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 applicant has not achieved at least 50% open space.

It appears that the applicants have not made a significant effort to overcome some of staff's initial concerns regarding the proposed development of the subject property. Issues related to the proposed undisturbed open space, traffic concerns and overall intensity of the proposed use were noted during a pre-application meeting in May of 2008. Since that time the proposed layout of the expanded church and related facilities has not been altered in any manner which addresses staff's concerns. As such, staff concludes that the application is in not 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

Issue:

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

Occoquan Watershed: 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 (SP) and Special Exception (SE) 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 met with staff in May of 2008 to discuss the proposed expansion of the existing church. At that time it was noted that the proposed expansion would retain less than 50% undisturbed open space. The existing church has approximately 47.5% undisturbed open space

and with the proposed expansion in land area and uses the subject property would retain approximately 47% undisturbed open space. While staff recognizes that much of the expanded land area is already disturbed it was clearly noted at that time that any expansion of land area should be considered an opportunity to expand undisturbed open space areas, including restoration of existing disturbed areas. Anything less than the provision of 50% undisturbed open space would not acceptable.

Resolution:

The current application was submitted with no apparent modifications to address this concern. Any application for uses within the Water Supply Protection Overlay District requiring special exception or special permit approval is expected to preserve a minimum of 50% undisturbed open space. This is particularly true for applications which are new or existing uses involving an amended application with expanded land area. The use should be modified to fit a consistent land use pattern for this area of the County. The application should be modified to fit the land by retaining a greater area of undisturbed open space through a combination of preservation and restoration. This is consistent with efforts to address the purpose and intent of the R-C District and the water quality goals associated with development within the Occoquan Reservoir. 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. Staff feels that this provision has not been adequately addressed.

Issue:

There is a small stream channel which crosses the southeast corner of Lot 27A. This stream channel appears to be intermittent or ephemeral in character. As such, it falls under the classification as headwaters streams and are subject to protection under the guidance noted in the Comprehensive Plan. While the applicants have agreed in principal to ensure that these streams are protected, no specific buffers have been noted on the special permit plat as requested by staff.

Resolution:

The plat should be revised to depict a buffer along the stream consistent with the guidance noted for the Environmental Quality Corridor policy.

Issue:

The subject property is located within the Lincoln-Lewis-Vannoy Conservation Area and is served by a limited capacity sewer service system. The expansion of the existing church use coupled with the additional proposed uses has raised concerns regarding the ability of this system to support the numerous additional uses on the subject property. Staff feels that the applicant should provide written verification from the Department of Public Works and

Environmental Services (DPWES) that the existing system capacity will be adequate to support all of the proposed uses at this location.

Resolution:

The applicant should provide written confirmation from DPWES in order to ensure that the proposed uses will be adequately supported by the existing infrastructure in this area. To date, this information has not been provided.

COUNTYWIDE TRAILS PLAN

The Countywide Trails Plan map shows a major paved trail along the south side of Braddock Road adjacent to the site. The special permit plat is consistent with the Countywide Trails Plan, showing an existing eight foot wide asphalt trail along the site's Braddock Road frontage.

PGN: JRB

APPENDIX 7

County of Fairfax, Virginia

MEMORANDUM

August 11, 2009

TO: Shelby Johnson, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh Whitehead, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: St. Mark Coptic Orthodox Church, SPA 89-S-013-02

I have reviewed the above referenced Special Permit plat and Special Permit Amendment application, stamped as received by Zoning Evaluation Division on August 3, 2009. The following comment is based on this review. A site visit was conducted during review of the first submission of this application.

1. **Comment:** The Tree Conservation Ordinance includes several different types of tree protection fence, some of which are not appropriate for this site.

   Recommendation: Require that the last paragraph of draft condition #11 be included to require four-foot high 14-gauge welded wire fence, ensuring that appropriate tree protection fence is used on this site.

   "All individual trees to be preserved and all areas designated to be left undisturbed shall be protected by tree protection fencing and signage as set forth below. Tree protection fencing shall be four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart. Tree protection shall be shown on the demolition and phase I and II erosion and sediment control sheets. Super silt fence, 42 inch high, may be used as an alternative to 14-gauge welded wire, as may be approved by UFMD to the extent that required trenching for super silt fence does not sever or wound structural roots which can lead to failure and/or uprooting of trees.

   All tree protection fencing shall be installed prior to the demolition of any existing structures adjacent to tree preservation areas. At least three days prior to the commencement of any clearing, grading, or demolition activities and prior to the installation of tree protection fencing, UFMD and the District Supervisor shall be notified in writing and given the opportunity to inspect the site to assure that all individual trees to be preserved and all areas to be left undisturbed have been correctly delineated. UFMD shall provide written notice to the applicant as to whether or not the areas have been

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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

delineated correctly. If it is determined by UFMD that the areas are not delineated correctly, no grading or construction activities shall occur on the subject property until the delineation is corrected and field verified by UFMD."

If there are any questions or concerns, please contact me at (703)324-1770.

HCW/
UFMID #: 146151

cc: RA File
DPZ File

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APPENDIX 8

County of Fairfax, Virginia

MEMORANDUM

DATE: August 7, 2009

TO: Shelby Johnson, 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 Amendment Application #SPA 89-S-013-02, St. Mark Coptic Orthodox Church, Plat dated July 29, 2009, LDS Project #8271-ZONA-001-2, Tax Map #67-1-04-0027A, -0031, -0032, -0033, -0034 & -0042, Springfield District

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

Chesapeake Bay Preservation Ordinance (CBPO)
There is no Resource Protection Area (RPA) on this site.

Water quality controls are required for this development (PFM 6-0401.2A). The plat states the controls will be provided via a conservation area, reforestation, and the existing facilities. Water quality management areas (WQMA) cannot be used in BMP calculations and will not be placed on properties where other means of providing water quality controls are available, however, Sheet 3 continues to show a WQMA area. Reforestation areas are not considered to be undisturbed open space and cannot be placed in a Conservation Easement, however, these areas can be used for BMP credit if placed in a Reforestation Easement (PFM Table 6.3). About 60 linear feet of the proposed storm drain system appears outside of the limits of clearing and grading and within the proposed conservation easement on Sheet 3. Disturbed areas will not be allowed to be included in a Conservation Easement (PFM Table 6.3).

The extent of the existing dry pond is now shown on the plat.

Floodplain
There are regulated floodplains on lot 27A. The note on sheet 1 indicating there are no floodplains on the property has been removed.

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Land Development Services, Environmental and Site Review Division
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Downstream Drainage Complaints

There are erosion complaints on file from two downstream properties. A complaint was received from 11934 Washington Street in April, 2008. The complaint from12001 Washington Street was received in May, 2007. The applicant states that these complaints are not related to activities on its site, nevertheless, adequate outfall will be a requirement of site plan approval (PFM 6-0202.2B).

Stormwater Detention

Additional water quantity control must be provided, if not waived (PFM 6-0301.3). The plat states controls will be provided by a StormTech system. StormTech systems do not qualify as underground detention since they do not meet PFM requirements of i) a 72" height (§ 6-1306.3H) or ii) a smooth, rounded bottom (§ 6-1306.3M). A StormTech system, however, would likely be approved as a modification of an infiltration trench facility. The applicant indicates it will pursue these modifications.

Site Outfall

A narrative description of the site's outfall has been provided. A demonstration of adequate outfall meeting PFM requirements will be required at site plan submission (PFM 6-0203 & 6-0204.1).

Please contact me at 703-324-1720 if you require additional information.

BF/

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

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Zoning Evaluation Division

10-6 S.S.

APPENDIX 9

County of Fairfax, Virginia

MEMORANDUM

DATE: September 10, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division

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

SUBJECT: Transportation Impact

FILE: 3-6 (SP 89-S-013)

REFERENCE: SPA 89-S-013-02; St. Mark Coptic Orthodox Church of Washington, D.C.
Traffic Zone: 1656
Land Identification: 67-1 ((4)) 27A, 31, 32, 33, 34, and 42

The following comments reflect the position of the Department of Transportation, and are based on the applicant's statement of justification dated June 26, 2009, the Special Permit Plat revised to August 3, 2009 and the applicant's State of Virginia mandated Transportation Impact Analyses. Because this review is based in part on the information submitted, expansion of the use in accordance with these submissions should be made a condition of any approval of the requested use.

The existing church building contains approximately 29,050gsf. In addition, the applicant has purchased two small homes and an adjoining church building. The adjoining church building, which contains approximately 5,100gsf including cellar, is presently leased to another congregation. The request proposes to remove the adjoining church and both of the small homes, in order to be able to add approximately 29,680gsf to the applicant's existing church/school building and to construct a 30,000gsf fellowship hall [including cellar space]. *NOTE; the footprint of the fellowship hall as shown exceeds 25,600gsf, but is identified as being a 20,000gsf building. The applicant's transportation analysis is based on a 20,000gsf building footprint, and this Department will use the 20,000gsf figure for analysis of the application.* With the above additions, the church campus will contain approximately 88,730gsf of structures.

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Trip Generation/Intensity

1. The applicant has proposed to phase development of the new facilities. At build-out, the site will include a 600-seat church, a child care facility for 165 children, a private school for 110 children and a 40,000gsf fellowship hall. This Department estimates that the combination of these proposed uses will generate 1,360 vehicle trips per day, 245 vehicles in the a.m. peak hour, 145 trips in the p.m. peak hour and 400 trips during the peak hour of site use on Sundays.

The proposed use is very intense given that the property is zoned for Residential Conservation. Site development under the current zoning would permit three residences, which would generate about 30 vehicle trips per weekday, with three trips during each of the a.m. and p.m. peak hours. Residential development on the five existing lots would generate approximately 50 vehicle trips per day and five during peak periods.

2. The applicant's transportation analysis indicates that the site entrance will likely warrant signalization due to both the week day and Sunday trip generation characteristics. This Department can not support the degree of site intensity that would create a need for signalization at the site entrance, and can not support placement of a signal at the site entrance. Moreover it is not desirable to have a development that is so intense that off-duty Police Officers must be routinely used to maintain adequate traffic operations.

Site Access

1. This Department very strongly recommends that the applicant work with the owner of lot 67-1 ((4)) 41 to secure access to Braddock via Second Road. Such access would negate the need to construct the median opening, and traffic from the site when combined with trips from other uses in the area, would likely warrant signalization of the Braddock Road/Second Road intersection.

2. The applicant in 2006 secured permission from VDOT to construct a median break on Braddock Road along the site frontage. The median break is delineated on the development plan, and the applicant has indicated a willingness to construct the break as an element of the initial site expansion. This department can not support any additional development on the site without completion of the median break prior to the issuance of occupancy permits. Note that this department would not object to construction of the median break without the accompanying eastbound left turn lane, However, VDOT will determine the parameters of the design.

3. The development plat does not clearly delineate the closure of existing entrances to the Episcopal Church and the residence immediately east of that Church, with construction of the median opening. It should be clarified that these two points of access will be closed at such time as the median break is constructed.

4. Until the easternmost house is removed, access to and parking on that property should be limited to uses associated with that structure. No worship service parking should occur at that property until the property is redeveloped as parking for the St. Mark congregation.

On-Site Circulation

On-site circulation is less than desirable. Several improvements could be implemented, but the applicant has not expressed an interest in such modifications. The following items, at a minimum, should be implemented to improve safety and operations.

1. A sidewalk be provided along the east side of the Sanctuary building. Although the applicant has indicated that there will be doors on both sides of the building, there will be times when pedestrians will want to walk to/from parking without passing through the sanctuary. Space for the sidewalk can easily be provided by slightly increasing the radius of the entry road immediately east and northeast of the building.

2. The plat does not identify entrance locations for any of the buildings. Door locations should be identified so that the proposed pedestrian network can be better evaluated.

3. No pedestrian access is provided between the parking spaces along the eastern parameter of the site and the Fellowship Hall to the west of these spaces. The sidewalks along the north and south sides of the Fellowship Hall should extend to the travel aisle west of the Hall. It is recognized that the pedestrian route along the south side of the Hall would cross the front of the loading space, but pedestrians will walk in this area with or without the sidewalk.

VDOT Transportation Impact Review

VDOT staff have identified several concerns with the traffic impact study. The applicant has yet to resubmit a corrected study as required by Virginia State law. The application should not move forward to the public hearing process until all issues with the study are adequately addressed.

FCDOT Transportation Impact Review

This Department has also identified the following concerns with the study as submitted. These changes should be incorporated into any study submission.

1. Page 10 of the study indicates that First road carries 300 vehicles per day while Second Road has an average vehicle volume of 60 trips per day. This information is apparently from old VDOT count data and likely is not an accurate representation of current traffic volumes. While there is a house of worship located at the corner of Second and Braddock Roads, there is also a group home located at the intersection of First and Braddock Roads. As such the daily

volumes on these two roads would be expected to be more equal. In addition, the peak hour counts provided in the study do not suggest such an overall volume disparity.

2. Figure 3-1 delineates existing/baseline volumes. However, the counts omit the U-turn trips at First and Second Roads, and only identify minimal westbound left turn volumes at the intersection of Braddock and Second Roads. The applicant has indicated that the U-turn volume data was collected at the time the traffic counts were taken, and that the data will be included in the revised analysis with additional count data provided if necessary.

3. The existing Sunday peak hour volumes appear to be very low, especially given that there are two churches on the site, [St. Mark plus the Holy Trinity Reformed Episcopal Church]. In addition, another church is located opposite the intersection of First and Braddock Roads. The count data should be verified for accuracy.

4. Page 27 of the study indicates that the Fellowship Hall is..."Not intended to house additional worship uses". This study parameter can only be accepted if the applicant commits to a development condition stating that such uses will be precluded.

Conclusion

The proposed use of the site is very intense. Site access will be difficult and congested during a.m. weekday mornings and mid-day on Sundays. The applicant has indicated that the volumes will likely meet peak hour traffic signal warrant standards. This Department will <u>not</u> support signalization of the entrance. Moreover, the routine traffic control by off-duty Police Officers, while providing for orderly site access, severely disrupts the movement of traffic on the arterial roadway. It is recommended that the intensity of the proposed development be substantially reduced to reduce the transportation impacts of the application.

AKR/CAA

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

APPENDIX 10

COMMONWEALTH of VIRGINIA

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

DAVID S. EKERN, P.E.
COMMISSIONER

July 15, 2009

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

Re: SPA 89-S-013-02 Saint Mark Coptic Orthodox Church

Dear Ms. Coyle:

In accordance with the Virginia Traffic Impact Analysis Regulations, 24 VAC 30-155, the referenced Special Permit Amendment application was submitted to the Virginia Department of Transportation (VDOT) for review on June 10, 2009. It was anticipated the application would create a substantial impact or change to the existing transportation network of state highways.

In general, the TIA is found not acceptable and it should be revised and resubmitted to address the comments provided in the attached Evaluation Report.

Please contact me if you have any further questions regarding this report.

Sincerely,

Thomas B. Walker
Senior Transportation Engineer

Attachment

cc: Angela Rodeheaver, Fairfax County Office of Transportation

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Zoning Evaluation Division

5J

EVALUATION REPORT OF
St. Mark Coptic Orthodox Church
TRAFFIC IMPACT ANALYSIS

Summary of the Key Findings

The proposed plan consists of increasing the size of an existing church facility, including the sanctuary, day care, and fellowship hall, and also to provide a new 110 student school. The site is located on the south side of Braddock Road (Route 620), north of Washington Street (Route 3740), east of Second Road (Route 3564) and west of First Road (Route 3739), Access to existing St. Mark Coptic Church is provided via one right-in/right-out driveway on Braddock Road. The development of the Property will be completed in two phases. The first phase would include demolishing the existing two single-family dwelling units, increase the capacity of the church sanctuary to 600 seats and increase the size of day care to 165 students and add a new 110 student K-8 private school. The second phase would include razing the existing Mount Zoar Church to construct a 20,000 square foot fellowship hall. Access to the site will be provided via two of the seven existing curb cuts on Braddock Road. The remaining curb cuts will be removed. The Mount Zoar Entrance would be converted from the right-out entrance to a full-movement entrance with a new median break. The existing St. Mark Driveway would be converted from a right-in/right-out driveway to a right-in only driveway. The trip generation analysis shows that the existing church uses generate 57 AM peak hour, 56 PM peak hour, and 311 Sunday. The proposed expansion would generate 206 AM peak hour, 161 PM peak hour, and 497 Sunday peak hour trips over the existing uses.

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. We have following comments on the traffic impact analysis.

1. No description of general terrain.
2. The site plan shows a shared through/left lane configuration for north bound traffic at the widened The Mount Zoar Entrance when it is T-intersection with Braddock Road.
3. Queuing is not included in the study as required in the approved scope of services in the Appendix C.
4. Why AM-Peak hour is used for traffic analysis on Sunday when traffic counts show that Mid-Day Peak has consistently higher traffic volumes in that hour.
5. There is a discrepancy on the length of the turn lanes and tapers shown in the site plan and the ones used in the Synchro analysis. For example, the site plan shows 350' of west bound left turn lane with 100' of taper at The Mount Zoar Entrance, but 200' of the left turn lane and 25' of taper is used for analysis.

Comments on the Recommended Improvements

1. The recommendations should include specific improvements to Braddock Road at the driveways including left and right turn lanes and the proposed median break.

Additional VDOT Recommendations/Comments

1. Although a signal is intuitively warranted based on weekday AM and Sunday peak hour traffic at the study intersection of new church access, however, we recommend that a signal warrant study be re-examined no earlier than one year prior to build out of the project. Signal warrant study needs to be provided in a separate booklet and alternatives other than a traffic signal should be provided in the study.
2. VDOT's turn lane length and taper requirements need to be followed for all proposed turn lanes.
3. We are recommending providing an east bound left turn lane at The Mount Zoar Entrance for U-turns.

4. The right turn lanes for the right in only and the full movement entrance should be separately delineated with curb or striping. The full movement entrance could be shifted to the east to maximize the length of the right turn lane for the full movement entrance.

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.

8-006 General Standards

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

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.

2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.

4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.

6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.

8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

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

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

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

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

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.

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

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

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

B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.

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

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

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

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

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

4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title63.2, Chapter 17 of the Code of Virginia.

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

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

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

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

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

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

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

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

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

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

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

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