



APPLICATION ACCEPTED: August 21, 2009
PLANNING COMMISSION: January 13, 2010
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

December 23, 2009

STAFF REPORT

APPLICATION SEA 95-S-038-02

SPRINGFIELD DISTRICT

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

ZONING: R-1

PARCEL(S): 88-1 ((1)) 10

ACREAGE: 10.18 acres

PLAN MAP: Residential; 2-3 du/acre

SE CATEGORY: Category 3

PROPOSAL: Amend SE 95-S-038 previously approved for a place of worship, private school of general education, and nursery school to permit building additions and site modifications.

STAFF RECOMMENDATIONS:

Staff recommends approval of SEA 95-S-038-02, subject to the proposed development conditions contained in Appendix 1 of this report.

Staff recommends approval of a modification of the transitional screening requirements along the southern and a portion of the western lot lines, as conditioned.

Staff recommends approval of a waiver of barrier requirements along the southern, western and northern lot lines, as conditioned.

S. Zottl

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



Staff recommends approval of a waiver of the construction of frontage improvements along Old Keene Mill Road, in favor of right of way dedication as shown on the SEA Plat and as conditioned.

It should be noted that it is not the intent of staff to recommend that the Board, in imposing development 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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

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

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

O:\sbatti\SEA\SEA 95-S-038-02 Church of the Nativity\Staff Report_Cover.doc



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

Special Exception Amendment

SEA 95-S-038-02



Applicant:

THE MOST REVEREND PAUL S. LOVERDE,
BISHOP OF THE CATHOLIC DIOCESE OF
ARLINGTON, VIRGINIA, AND HIS
SUCCESSORS IN OFFICE

Accepted:

08/21/2009

Proposed:

AMEND SE 95-S-038 PREVIOUSLY APPROVED
FOR A CHURCH WITH A PRIVATE SCHOOL OF
GENERAL EDUCATION AND NURSERY SCHOOL
TO PERMIT BUILDING ADDITIONS AND SITE MODIFICATIONS

Area:

10.18 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect: 03-0104

Art 9 Group and Use: 3-15

Located:

6398 NATIVITY LANE

Zoning:

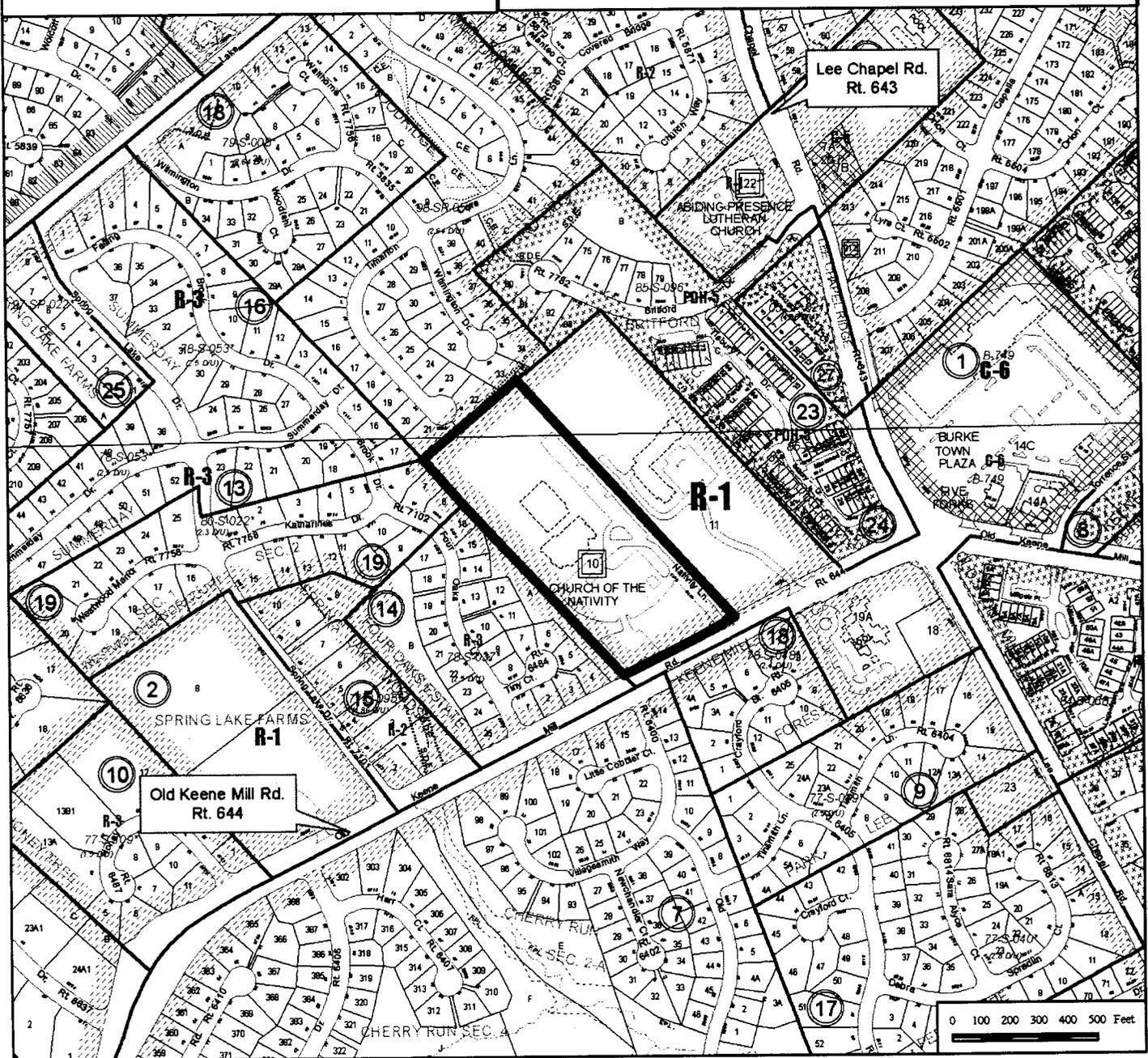
R-1

Plan Area:

3,

Overlay Dist:

Map Ref Num: 088-1- /01/ /0010



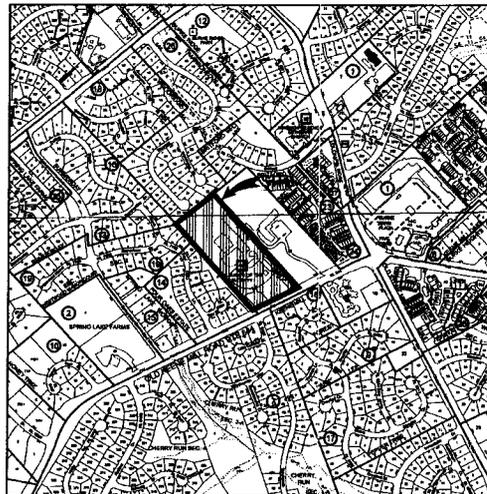
SPECIAL EXCEPTION AMENDMENT

CHURCH OF THE NATIVITY

SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA

PROPERTY IDENTIFICATION

LOCATION: 6398 NATIVITY LANE, SPRINGFIELD, VIRGINIA
 TAX MAP #: 088-1-((01))-0010
 SIZE: 10.1814 ACRES



VICINITY MAP
SCALE: 1" = 500'

SHEET INDEX

1. COVER SHEET
2. EXISTING VEGETATION MAP
3. SPECIAL EXCEPTION PLAT
4. SPECIAL EXCEPTION PLAT (20 SCALE)
5. STORMWATER MANAGEMENT & UTILITIES PLAN
6. LANDSCAPING PLAN

APPLICANT / PROPERTY OWNER
THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA

200 N. GLEBE ROAD
 ARLINGTON, VIRGINIA 22203

ENGINEER
BOWMAN CONSULTING GROUP, LTD.

9813 GODWIN DRIVE
 MANASSAS, VIRGINIA 20110
 (703) 530-8093

ARCHITECT
BMK, pc

209 COMMERCE STREET
 ALEXANDRIA, VIRGINIA 22314

ATTORNEY
WALSH, COLUCCI, LUBELEY, EMRICH AND WALSH, PC

COURTHOUSE PLAZA
 2200 CLARENDON BOULEVARD, 13TH FLOOR
 ARLINGTON, VIRGINIA 22201

Bowman
CONSULTING

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 8013 Godwin Drive
 Manassas, Virginia 20110
 Phone: (703) 530-8093
 Fax: (703) 530-8095
 www.bowmanconsulting.com

COVER SHEET
CHURCH OF THE NATIVITY
 SPECIAL EXCEPTION AMENDMENT
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA

SEA 95-S-438-2
 COUNTY PLAN NUMBER



PLAN STATUS	
05/19/09	1ST SUBMISSION
06/30/09	1ST SUBMISSION
11/06/09	2ND SUBMISSION
12/03/09	3RD SUBMISSION

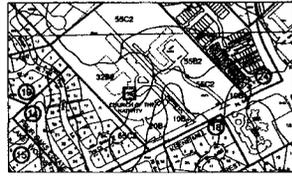
DATE	DESCRIPTION
SPC	SP/EM
DESIGN	DR/AM
SCALE:	1"=50'
JOB No.	7362-01-001
DATE:	MAY 2009
FILE No.	7362-D-MP-001

FAIRFAX COUNTY SOILS MAP

SOURCE: FAIRFAX COUNTY SOILS SURVEY (1990)



NORTH SIDE OF PROPERTY



SOUTH SIDE OF PROPERTY

SOILS IDENTIFICATION

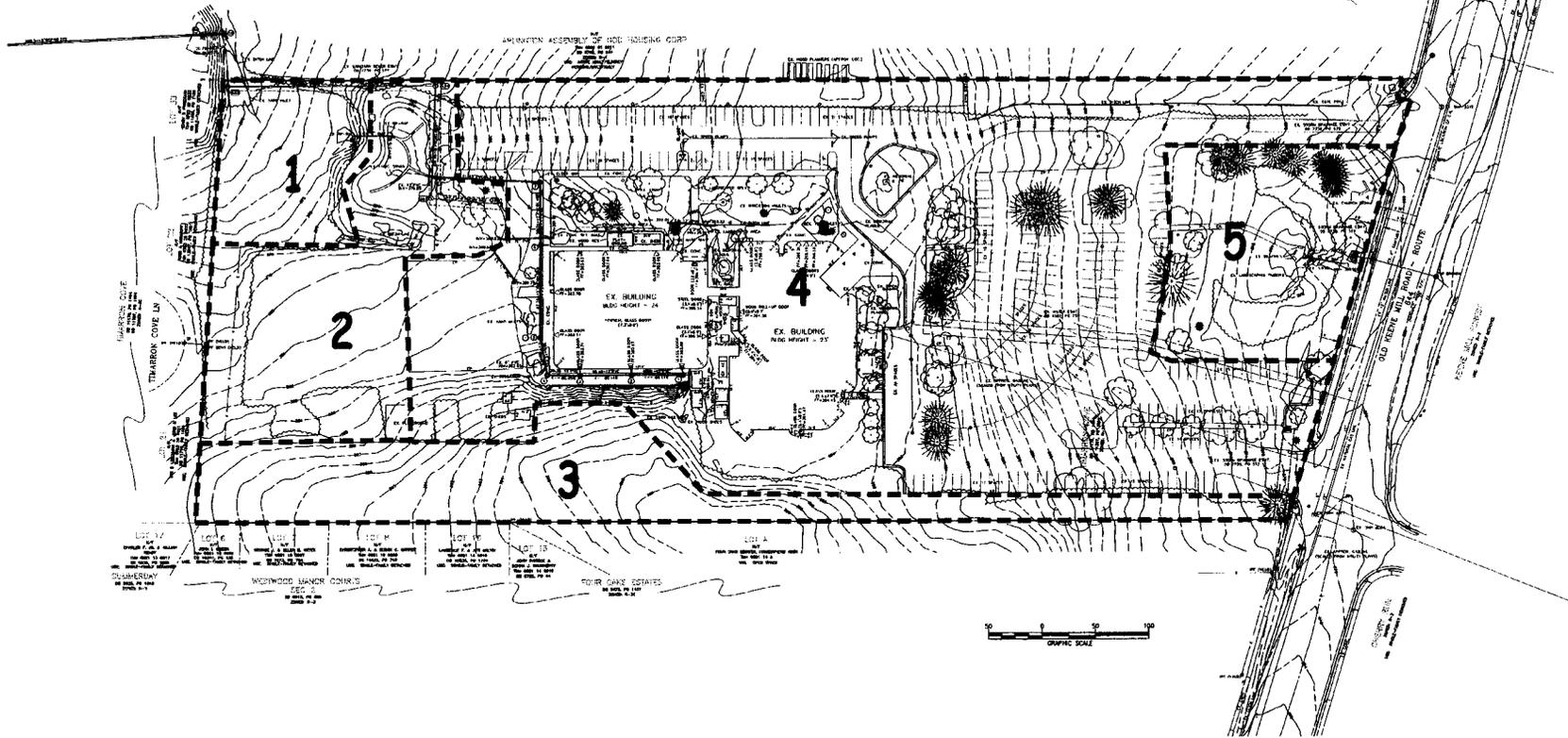
55C2	GLENELG	32B2	FAIRFAX
55B2	GLENELG	20B+	MEADOWVILLE
52B2	ELBERT-REDELL	10B+	GLENVILLE

NOTES

1. THERE ARE NO WETLANDS, CHESAPEAKE BAY RESOURCE PROTECTION AREAS, ENVIRONMENTAL QUALITY CORRIDORS OR OTHER ENVIRONMENTALLY SENSITIVE AREAS ON THE SUBJECT SITE.
2. THERE ARE NO KNOWN CEMETERIES LOCATED ON THE SUBJECT SITE.
3. THE PROPERTY IS LOCATED IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAINS. THE PROPERTY IS LOCATED ON FEMA FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 515525-0075D, LAST REVISED MARCH 5, 1990.

KEY TO MAP

FAIRFAX COUNTY EXISTING VEGETATION MAP			
PFM 12.0405, TABLE 12.2			
AREA	COVER TYPE	APPROX SF	NOTES
1	UPLAND FOREST	19,000	PRIMARILY OAK, MAPLE, TULIP POPLAR, SUB-CLIMAX FOREST COVER. 3/3 OF THE AREA IS AN ATHLETIC FIELD BORDERED WITH A CYPRESS BUFFER, THE REST IS A FENCED SWIM DRY POND.
2	MAINTAINED GRASSLANDS	58,000	
3	UPLAND FOREST	44,000	PRIMARILY OAK, MAPLE, TULIP POPLAR, SUB-CLIMAX FOREST COVER.
4	DEVELOPED LAND	284,000	PRIMARILY BUILDINGS, PARKING AND ASSOCIATED LANDSCAPING.
5	MAINTAINED GRASSLANDS	35,500	PRIMARILY A LANDSCAPED AREA.



Bowman
CONSULTING

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Herndon, Virginia 20151
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EXISTING CONDITIONS / EXISTING VEGETATION MAP
CHURCH OF THE NATIVITY
SPECIAL EXCEPTION AMENDMENT
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA

SEA 95-S-008-2
COUNTY PLAN NUMBER



PLAN STATUS
05/20/09 1ST SUBMISSION
06/30/09 1ST SUBMISSION
11/06/09 2ND SUBMISSION
12/03/09 3RD SUBMISSION

DATE	DESCRIPTION
SPK	SPK/BNH
DESIGN	DESIGN
SCALE: 1"=50'	
JOB No. 7362-01-001	
DATE: MAY 2009	
FILE No. 7362-D-MP-001	

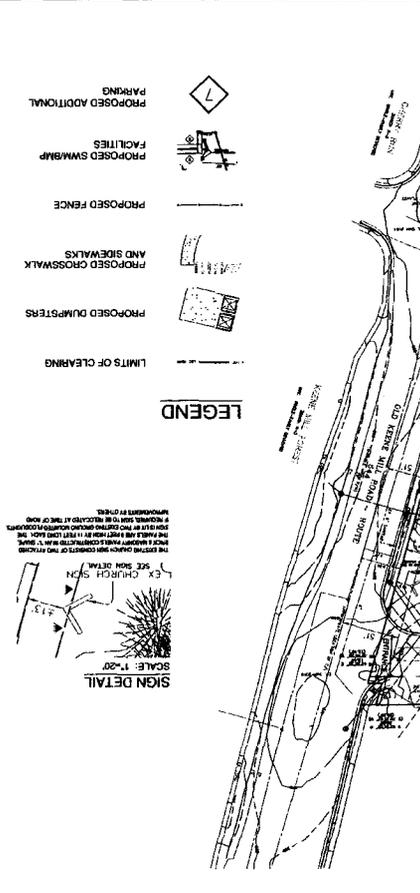
SITE TABULATIONS

ITEM	DESCRIPTION	QUANTITY	UNIT	REMARKS
1	EXISTING BUILDING VOLUME	884,110	CUBIC FEET	
2	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
3	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
4	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
5	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
6	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
7	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
8	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
9	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
10	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
11	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
12	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
13	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
14	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
15	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
16	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
17	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
18	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
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99	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	
100	EXISTING CHURCH FLOOR AREA	17,840	SQ FEET	



NOTES

1. CHECKS AND ACCESSORIES UNDER EXISTING STRUCTURE SHALL BE REFINISHED TO MATCH EXISTING FINISHES.
2. THE EXISTING CHURCH WAS BUILT IN 1978 WITH THE CHURCH BUILDING BEING BUILT IN 1980. ALL EXISTING STRUCTURES SHALL BE REFINISHED TO MATCH EXISTING FINISHES.
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LEGEND

- PROPOSED SIGN DETAIL
- LIMITS OF CLEARING
- PROPOSED DUMPSTERS
- PROPOSED CROSSWALK AND SIDEWALKS
- PROPOSED FENCE
- PROPOSED SWAMP FACILITIES
- PROPOSED ADDITIONAL PARKING

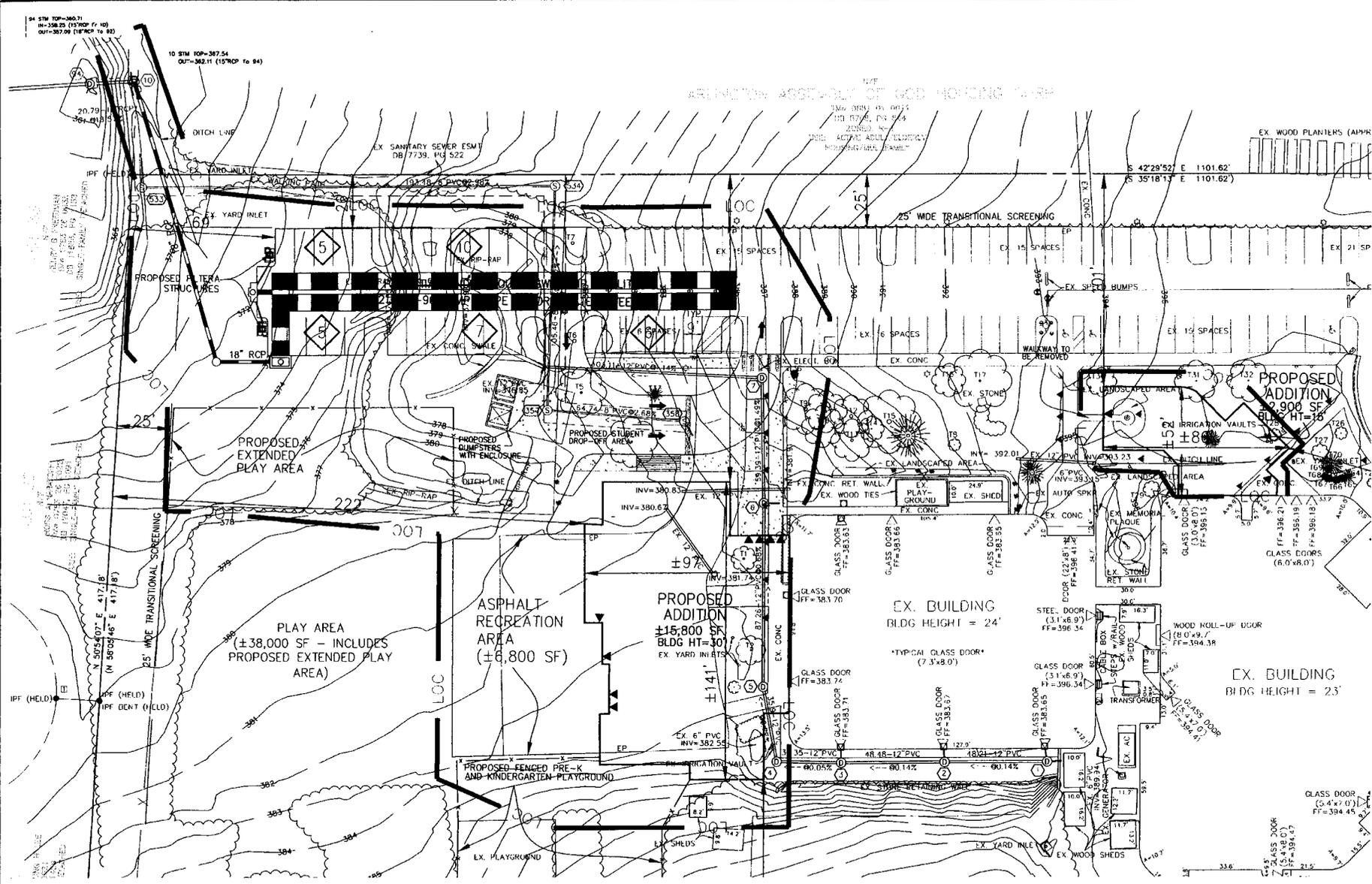
CHURCH OF THE NATIVITY
 SPECIAL EXCEPTION AMENDMENT PLAT
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA

SHEET 3 OF 6
 FILE No. 7552-D-MP-001
 DATE: MAY 2009
 JOB No. 7347-01-001
 SCALE: 1"=50'
 DATE DESCRIPTION
 11/05/08 PROPOSED SWAMP FACILITIES
 11/05/08 PROPOSED ADDITIONAL PARKING
 05/27/09 PROPOSED FENCE
 05/27/09 PROPOSED CROSSWALK AND SIDEWALKS
 05/27/09 PROPOSED DUMPSTERS
 05/27/09 PROPOSED SIGN DETAIL

SEA 95-5-098-2
 COUNTY NUMBER
 SPECIAL EXCEPTION AMENDMENT PLAT
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA

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 Fax: 703-464-8813
 www.bowmanconsulting.com

Bowman
 CONSULTING



NOTE
 THIS SHEET IS ONLY INTENDED TO SHOW THE PROPOSED IMPROVEMENTS AT AN ALTERNATIVE SCALE. SEE SHEET 3 FOR A PLAN DEPICTING THE ENTIRE AREA SUBJECT TO THE SPECIAL EXCEPTION AMENDMENT

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SPECIAL EXCEPTION AMENDMENT PLAT (20 SCALE)
CHURCH OF THE NATIVITY
 SPECIAL EXCEPTION AMENDMENT
 FAIRFAX COUNTY, VIRGINIA
 SPRINGFIELD DISTRICT

SEA 05-S-038-2
 COUNTY PLAN NUMBER



DATE	DESCRIPTION
05/20/09	EX SUBMISSION
06/30/09	1ST SUBMISSION
11/09/09	2ND SUBMISSION
12/03/09	3RD SUBMISSION

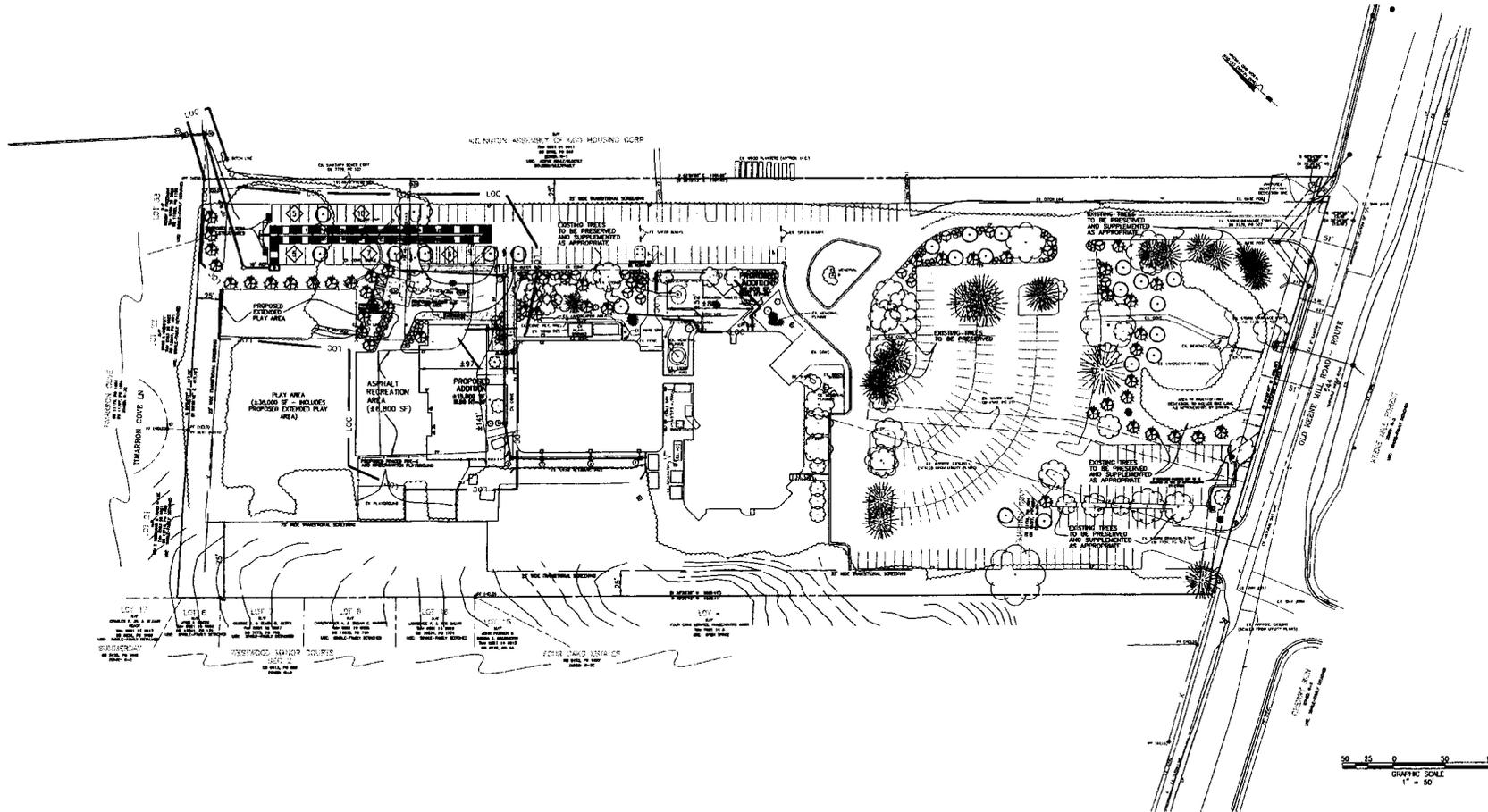
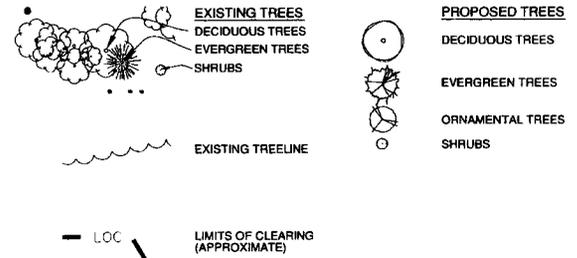
DATE	DESCRIPTION	DESIGNER	CHKD

SCALE: 1"=20'
 JOB No. 7362-01-001
 DATE: MAY 2009
 FILE No. 7362-D-MP-001

NOTES

1. THIS LANDSCAPING PLAN IS CONCEPTUAL ONLY AND SUBJECT TO CHANGE WITH FINAL SITE PLAN AND IN COORDINATION WITH THE FAIRFAX COUNTY ARBORIST. FINALLY TREE SELECTION TO BE DETERMINED DURING FINAL ENGINEERING.
2. REPLANTING OF TREES WILL BE PERFORMED WHERE TRANSITIONAL SCREENING AREAS ARE IMPACTED BY THE PROPOSED DEVELOPMENT.
3. REPLANTING AND SUPPLEMENTAL PLANTING OF TREES WILL BE PERFORMED TO OBTAIN A TEN-YEAR CANOPY AREA COMPRISING THIRTY (30) PERCENT OF THE SITE AREA AS REQUIRED BY THE PUBLIC FACILITIES MANUAL.
4. TREE SELECTION AND PLANTING SHALL BE DONE IN ACCORDANCE WITH THE PUBLIC FACILITIES MANUAL AND IN CONSULTATION WITH THE FAIRFAX COUNTY ARBORIST.
5. SITE IMPROVEMENTS MAY BE CONSTRUCTED IN MULTIPLE PHASES.

LEGEND

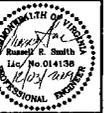


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LANDSCAPING PLAN
CHURCH OF THE NATIVITY
SPECIAL EXCEPTION AMENDMENT
FAIRFAX COUNTY, VIRGINIA
SPRINGFIELD DISTRICT

SEA 95 S-008-2
COUNTY PLAN NUMBER



DATE	DESCRIPTION
05/29/09	1ST SUBMISSION
06/30/09	1ST SUBMISSION
11/06/09	2ND SUBMISSION
12/23/09	3RD SUBMISSION

DATE	DESCRIPTION	SPC	SPR/SH	RES
	DESIGN	DR	DR	CHKD
SCALE: 1"=50'				
JOB No. 7362-01-001				
DATE: MAY 2009				
FILE No. 7362-D-MP-001				

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

DESCRIPTION OF THE APPLICATION

The applicant is seeking to amend SE 95-S-038, previously approved for a place of worship, private school of general education, and nursery school to permit building additions totaling approximately 18,700 square feet and associated site modifications including additional parking and stormwater management facilities. No additional uses on the property are proposed, and the number of seats in the sanctuary will remain the same. The combined maximum daily enrollment of the private school of general education and the nursery school will remain the same; the applicant has requested an increase to permit no more than forty (40) nursery school students on the site at any one time and no more than one hundred (100) students as a total enrollment for the nursery school.

The following chart shows the differences between the existing approval and the current application request.

	EXISTING: SEA 95-S-038	REQUESTED: SEA 95-S-038-02
Use	Place of Worship, Private School of General Education and Nursery School	No change
Sanctuary Seats	Maximum 800	No change
Hours of Operation	7:00 am-10:00 pm Monday-Friday	No change
Enrollment	Private School (grades K-8) and Nursery School Maximum Daily Enrollment (MDE): 450 students Nursery School: MDE 60 students, no more than 20 on site at any one time	No change Nursery School: MDE 100 students, no more than 40 on site at any one time.
Evening / Weekend Activity Hours	No later than 11:00 pm on weekends, holidays and special events	No change

Staff	Church Staff: 2 priests + 10 support staff School Staff: 34	No change
Parking	306 spaces provided	332 total spaces (+26 total)
Gross Floor Area (GFA)	47,796 sq ft	66,496 sq ft
Floor Area Ratio (FAR)	0.11	0.15
Stormwater management	Two ponds on the site	One pond to remain; one pond replaced with underground detention facility.

The applicant's Statement of Justification can be found in Appendix 3.

LOCATION AND CHARACTER

The 10.18 acre site is located at 6398 Nativity Lane, just west of the intersection of Old Keene Mill Road and Lee Chapel Road. The existing uses on the site are a church (The Church of the Nativity), a K-8 school, and a nursery school. There are a total of 332 parking spaces proposed for the property. The site is accessed via two existing entrances on Old Keene Mill Road.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single Family Detached	R-1, R-3 PDH-5	Residential (2-3 du/ac)
South	Single Family Detached	R-3	Residential (2-3 du/ac)
East	Senior Housing (assisted living)	R-1	Residential (2-3 du/ac)
West	Single Family Detached	R-3	Residential (2-3 du/ac)

BACKGROUND

On October 9, 1974, the Board of Zoning Appeals (BZA) approved S-156-74 to allow the construction of a church and related facilities on this property.

On November 18, 1981, the BZA approved S-81-S-070 to allow additional parking spaces to be constructed on the property. A total of 304 spaces were approved.

On May 23, 1989, the BZA approved SPA 81-S-070 to allow the addition of an activity center building.

On October 16, 1995, the Board of Supervisors approved SE 95-S-038 for a school of general education with an enrollment of 100 or more students daily (450 approved) to locate in the existing activity building (approved 1989) on the church campus. In addition, the Board of Supervisors approved a modification of the transitional screening requirements and a waiver of the barrier requirements.

On August 4, 2003, the Board of Supervisors approved SEA 95-S-038 to permit the addition of a nursery school. No physical changes to the existing structure or site were part of this approval.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area III
Planning District:	Pohick Planning District
Planning Sector:	Middle Run Community Planning Sector
Plan Map:	Residential; 2-3 du/ac

Relevant Plan text can be found in Appendix 5; there is no site specific text for the subject property.

ANALYSIS

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

Title of SE Plat: Church of the Nativity

Prepared By: Bowman Consulting Group, Ltd.

Original and Revision Dates: May 29, 2009 as revised through December 3, 2009

SE PLAT SHEET INDEX	
Sheet #	Contents
1	Cover Sheet
2	Existing Conditions Plan
3	Site Layout
4	Enlarged Layout Plan
5	Stormwater Management & Utilities Plan
6	Landscape Plan

Description of the Proposal:

A copy of the plat approved with SEA 95-S-038 is included for reference as part of Appendix 4.

The SEA Plat depicts two additions to the existing building and other site modifications associated with the site development. The first addition is for the school. It is proposed at approximately 15,800 square feet and is located at the rear of the building. This building addition will provide additional meeting space and designated classroom space for the school and for religious education classes.

The second building addition is shown as approximately 2,900 square feet and is located adjacent to the existing sanctuary. This addition will provide space for administrative offices that serve the place of worship. The SEA Plat also depicts the addition of 26 parking spaces and an underground stormwater detention facility along the eastern property line. A student drop-off area is proposed along this building addition's eastern frontage.

Land Use/Environmental Analysis (Appendix 6)

Issue: Tree Preservation

The development plan includes an inventory of existing vegetation and a proposed landscaping plan. The inventory of existing vegetation indicates that the 10.18 acre site is predominately developed with buildings and parking; vegetation includes grasslands and upland forest areas located in the northeast corner as well as along the western boundary of the site. The proposed school addition will be located on existing impervious surface; however, the installation of the proposed underground stormwater facility will result in loss of trees in the northeastern corner, and the sanctuary addition will eliminate a landscaped area. The applicant was encouraged to look for opportunities to augment landscaping throughout the site.

Resolution:

The applicant continues to propose additional vegetation in the northeast corner to supplement the removal of existing vegetation for stormwater management improvements and the parking lot extension. Additional plantings have also been shown within an existing planting bed between the parking lot and building. Due to the configuration of the proposed underground stormwater management system, further planting in this area is not feasible. Staff believes this issue is addressed.

Transportation Analysis (Appendix 7)**Issue: Right of Way Dedication**

Old Keene Mill Road is planned for four through lanes and an on-road bike lane (as shown on the Countywide Trails Plan). To accommodate this future improvement the applicant should dedicate 51 feet of right-of-way from the centerline.

Resolution:

The applicant has filed for a waiver of frontage improvements along Old Keene Mill Road, including installation of the bike lane. As an alternative to construction, the applicant has proposed right of way dedication measuring 51 feet from the centerline of Old Keene Mill Road to allow for future improvements at such time Old Keene Mill Road is widened as part of a larger road project; this has been included as a development condition. Staff does not object to a waiver of the construction of frontage improvements in favor of this right of way dedication. This issue is addressed.

Issue: Additional Vehicle Trips

The Department of Transportation would like assurance that the proposed multi-purpose building will not be regularly used for activities which will generate additional trips during peak hours of use by the place of worship.

Resolution:

The applicant has agreed to a development condition proposed by staff that clarifies that the additional square footage for the school will not be used during regular church services. This condition ensures that the number of vehicle trips to the site is not increased during the peak operating hours of the place of worship. With the imposition of this development condition, staff believes this issue is resolved.

Issue: Structures in the right-of-way

There is currently a parking space and sign that are within the area to be dedicated. The applicant has requested that these structures be allowed to remain in their existing location until frontage improvements are made. Additionally, the applicant's plan also shows existing vegetation in the new right-of-way area. It is likely that a license from Virginia Department of Transportation will be required for the structures to remain in their current location.

Resolution:

Staff has included a development condition that requires the applicant to obtain a license from VDOT to allow the existing structures, vegetation, and parking areas to remain in the right-of-way. This issue is addressed.

Stormwater Management Analysis (Appendix 8)**Issue: Water Quality Controls/Chesapeake Bay Preservation Ordinance**

No calculations in change in impervious area have been submitted. Two Filterra units are shown on the plat; however, it is not clear with the drainage area for these units will be or if these units can provide the required phosphorous removal rate.

Resolution:

In order to address water quality control concerns, the applicant has revised the plan and added a note that indicates BMPs will be met with a combination of treatment by Filterra units for parking lot runoff, permanent conservation easements over forested buffer areas, and other types of treatments necessary in order to meet State and County requirements. DPWES believes this issue is addressed.

Issue: Stormwater Detention

Stormwater detention is required. The plat shows an existing dry pond and an underground detention facility. Given the height of the underground storage and the outfall points that were originally shown, a large amount of fill would have been required in the northern corner of the site; a retaining wall at the edge of the parking lot was likely to be required.

Resolution:

The applicant has revised the plan to clarify elevation information related to the outfall points. Based on this new information, it is not likely that a retaining wall will be needed. Staff believes this issue is addressed.

ZONING ORDINANCE PROVISIONS

Bulk Standards (R-1 Zoning)		
Standard	Required	Provided
Lot Size	36,000 square feet min.	10.18 acres
Lot Width	150 feet	412.28 feet
Building Height	60 feet max.	35 feet max.
Front Yard	50 degree ABP, 40 feet	422 feet
Side Yard	45 degree ABP, 20 feet	101 feet 75 feet
Rear Yard	45 degree 25 feet	222 feet
FAR	0.15 (max)	0.15
Parking Spaces	Church Use: 200 spaces (800 seats; 1 space/4 seats) School use: 39 (35 staff; 1 space per staff + 4 visitor) Total: 239 required	332 provided

Transitional screening and Barrier Requirements:

The applicant is requesting reaffirmation of the following:

- o Modification of the transitional screening requirements along the southern and a portion of the western lot line, as conditioned. The applicant will continue to provide transitional screening at a minimum width of 75 feet along the western lot line from the northwest corner of the site to a point approximately 600 feet south of this corner. In this area and along the southern lot line, existing vegetation will continue to be used to satisfy the requirement.
- o Waiver of the barrier requirements along the southern, western, and northern property lines, as conditioned. There is an existing six (6) ft. chain link fence along these property lines.

Special Exception Requirements (Appendix 9)

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

General Special Exception Standards (Sect. 9-006)

The General Exception Standards require that the proposal be in harmony with the Comprehensive Plan; that there be a finding of no significant negative impacts on surrounding properties; and that safe and adequate vehicular and pedestrian access be provided. The applicant has proposed two building additions and the extension of a parking lot. Staff believes that, as previously discussed, with the imposition of the proposed development conditions, the use proposed in SEA 95-S-038-02 satisfies all of the General Special Exception Standards.

Category 3 Standards (Sect. 9-304)

All Category 3 special exception uses shall satisfy five (5) general standards. Standard 1 is not applicable since this is not a public use. Standards 2-4 require that all uses comply with the lot size, bulk regulations and performance standards. Standard 5 requires that all uses be subject to the provisions of Article 17, Site Plans. Staff is of the opinion that these standards were met with original development of the site and continue to be met with this application.

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

Additional Standard 1 requires that, in addition to complying with the minimum lot size requirements of the R-1 District, the minimum lot area for a private school of general education shall be of such size that 200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 and 430 square feet for each child in grades 4-12 that may use the space at any one time. The private school of general education will have a maximum of 350 children in the school. The SE Plat indicates an outdoor recreational area of 44,800 square feet, which will also be used by the child care center. A development condition has been included that limits the number of children using the outdoor play area at any time to not exceed the required standards of the Zoning Ordinance. With imposition of this development condition, it is Staff's opinion that this standard has been satisfied.

Additional Standard 2 pertains to private schools of special education, which does not apply to this application.

Additional Standard 3 states that the use shall be subject to the provisions set forth in Par. 2 and 3 of Sect. 309 and Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia. Staff has carried forward a previously imposed development condition to address this Standard. In Staff's opinion, this Standard has been met.

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

Additional Standard 1 states that 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 one hundred (100) square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. The applicant has provided 44,800 square feet of outdoor open space that is not located in the required front, rear or side yards. While this area is shared by the elementary school students, both groups will not occupy the play space at the same time. For the nursery school, the applicant anticipates a maximum of 40 children per session. Staff has included a development condition that states the number of children using the outdoor recreation area at any one time shall not exceed that required by the standards set in the Zoning Ordinance. In Staff's opinion, this standard has been met.

Additional Standard 2 states that the use 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. The site has access to Old Keene Mill Road. In Staff's opinion, this standard has been met.

Additional Standard 3 states that the use shall permit the pick-up and delivery of all persons on the site. The site provides for adequate circulation and drop-off areas. In Staff's opinion, this standard has been met.

Additional Standard 4 states that the use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia. Staff proposed a development condition to address this standard. Staff has carried forward a previously imposed development condition to address this Standard. Staff believes this Standard has been met.

Summary of Zoning Ordinance Provisions

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

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

In staff's opinion, with the adoption of the proposed development conditions, this Special Exception Amendment is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends that the Board of Supervisors approve SEA 95-S-038-02, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening requirements along the southern and a portion of the western lot lines, as conditioned.

Staff recommends approval of a waiver of barrier requirements along the southern, western and northern lot lines, as conditioned.

Staff recommends approval of a waiver of the construction of frontage improvements along Old Keene Mill Road, in favor of right of way dedication as shown on the SEA Plat and as conditioned.

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

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

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Clerk's Letter and Plat for SEA 95-S-038
5. Comprehensive Plan Text
6. Environmental Analysis
7. Transportation Analysis
8. Stormwater Management Analysis
9. Applicable Zoning Ordinance Provisions
10. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS**SEA 95-S-038-02****December 23, 2009**

If it is the intent of the Board of Supervisors to approve SEA 95-S-038-02 located at Tax Map 88-1 ((1)) 10 (6398 Nativity Lane) to amend SE 95-S-038 previously approved for a place of worship, private school of general education, and nursery school to permit building additions and site modifications pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions shall supersede previous development conditions for the area subject to this application. Conditions which are substantively the same and which have been carried forward from the previous application are indicated with an asterisk *.

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted for only the purpose(s) and/or use(s) indicated on the special exception plat approved with this application, as qualified by these development conditions which supersede all previous special permit and special exception conditions.*
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in conformance with the approved Special Exception plat entitled "Church of the Nativity", prepared by Bowman Consulting Group, Ltd., dated May 29, 2009 as revised through December 3, 2009, consisting of six sheets, and these conditions.
4. The maximum number of seats in the main area of worship shall be 800.*
5. The combined maximum daily enrollment of the private school of general education and the nursery school shall be 450. The school of general education shall be for grades K through 8. Upon issuance of a Non-RUP for this Special Exception Amendment, the nursery school shall have no more than 100 students enrolled at any one time and no more than 40 students on site at any one time.
6. The hours of operation for the private school of general education and the nursery school shall be from 7:00 a.m. to 10:00 p.m., Monday through Friday, and no later than 11:00 p.m. on weekends and holidays or special events.*

7. The number of children using the 44,800 square foot outdoor recreation area as shown on the SEA Plat at any one time shall not exceed that required by the standards set forth in Section 9-309 (Additional Standards for Child Care Centers and Nursery Schools) and 9-310 (Additional Standards for Private Schools of General Education and Private Schools of Special Education) of the Zoning Ordinance, which currently require the following: 100 square feet of outdoor recreation area per child using the space at any one time for the child care center; 200 square feet per child in grades K-3; and 430 square feet per child in grades 4-12.
8. Parking spaces shall be provided as shown on the special exception plat. However, parking may be reduced to 290 spaces, if necessary to reconfigure the entrance as required by development condition number 12, below.*
9. Transitional Screening shall be provided at a minimum width of seventy-five (75) feet along the western lot line from the northwest corner of the site to a point approximately 300 feet south of the northwest corner. In this area and along the southern lot line, existing vegetation may be used and/or supplemented to satisfy the requirement of Transitional Screening 1 as determined by UFM.*
10. In the fifty (50) foot wide vegetated strip located in the recreation area, high quality existing mature deciduous trees shall be saved and undergrowth removed and replaced with mulch or other appropriate material as determined by the UFM. The tree preservation in this area shall serve as additional screening for the use and shall provide shade for the recreational uses which may occur in this area.
11. In lieu of the barrier standards as set forth in the Zoning Ordinance, the six (6) foot high chain link fence (including a lockable personnel gate) as shown on the plat shall remain.
12. At such time as Old Keene Mill Road is improved to a divided facility by others, the applicant shall provide interparcel access to Lot 11 located to the immediate east, within a public access easement.*
13. Within 30 days of the approval of this Special Exception Amendment, the applicant shall submit a request to reevaluate the need for crossing guards, a painted crosswalk, signage and/or flashing warning lights on Old Keene Mill Road, to the Fairfax County Police Department, School Safety Section and VDOT. Any such safety features which are deemed necessary by the Police/VDOT shall be provided by the applicant expeditiously.*
14. A policy shall be created to encourage the use of a walking plan and/or a carpool drop-off plan for the students and parents of the school. This plan shall include procedures for supervised release of walking students at pre-determined points, recommended walking routes, and procedures for parents who drop-off or pick-up students.*

15. No amplified speakers/bells shall be used outside the school building. Hand bells and whistles may be used by administrators and teachers during organized activities.*
16. The nursery school shall be subject to the regulations of Chapter 30 of The County Code, (e.g., indoor recreation space), Title 63.2, Chapter 17 of the Code of Virginia and all other applicable County, State and Federal regulations.
17. The additional square footage for the school (approximately 15,000 square feet) shall not be regularly used by the place of worship during church services to ensure that the number of vehicle trips to the site is not increased during the peak operating hours of the place of worship, which is the principal use on the property.
18. Right of way up to fifty-one (51) feet from the centerline of Old Keene Mill Road along the entire Old Keene Mill Road frontage of the site shall be dedicated to the Board of Supervisors, in fee simple, at the time of site plan approval or within sixty (60) days upon demand by DPWES or VDOT, whichever occurs first. All ancillary easements along the Old Keene Mill Road frontage of the site shall be conveyed to the Board of Supervisors at the time of site plan approval or within sixty (60) days upon demand by DPWES or VDOT, whichever occurs first.
19. Prior to site plan approval, a license agreement shall be entered into by the applicant with VDOT to permit the existing structures, landscaping, and parking areas to remain in the right of way along Old Keene Mill Road, including in the area to be dedicated on those roadways, as shown on the Special Exception Amendment Plat. If a license agreement cannot be obtained, or at such time as road improvements are made, the church shall be permitted to re-locate their sign, subject to the provisions of Article 12, out of the right-of-way, directly to the north/west of its current location, without the need for a special exception amendment.

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

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as evidenced by the issuance of a new Non-Residential Use Permit. If the project is phased, development of the initial phase shall be considered to establish the use for the entire development as shown herein.

APPENDIX 1

The Board of Supervisors 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 exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 1, 2009
 (enter date affidavit is notarized)

I, Lynne J. Strobel, attorney/agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

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

10573/a

in Application No.(s): SEA 95-S-038-2
 (enter County-assigned application number(s), e.g. SE 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office	200 North Glebe Road, Suite 704 Arlington, Virginia 22203	Applicant/Title Owner of Tax Map 88-1 ((1)) 10
Agents: J. Reid Herlihy Mark J. Anthony John J. O'Donnell Denise I. Richard		
Bowman Consulting Group, Ltd.	14020 Thunderbolt Place Suite 300 Chantilly, Virginia 20151	Engineers/Agent
Agents: Steven P. Grant Russell R. Smith		

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

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

Special Exception Attachment to Par. 1(a)

DATE: October 1, 2009
(enter date affidavit is notarized)

105731a

for Application No. (s): SEA 95-S-038-2
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Maginnis + del Ninno, Architects f/k/a BMK, PC	209 Commerce Street Alexandria, VA 22314	Architect/Agent
Agents: Theresa Del Ninno Howard "Skip" P. Maginniss		
Walsh Colucci Lubeley Emrich & Walsh, P.C.	2200 Clarendon Boulevard 13th Floor Arlington, VA 22201	Attorneys/Planners/Agent
Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. Whisler Megan C. Shilling Elizabeth A. McKeeby		

(check if applicable)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 1, 2009
(enter date affidavit is notarized)

105731a

for Application No. (s): SEA 95-S-038-2
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) Bowman Consulting Group, Ltd.
14020 Thunderbolt Place, Suite 300
Chantilly, Virginia 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)
Gary P. Bowman

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

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

Special Exception Attachment to Par. 1(b)

DATE: October 1, 2009
(enter date affidavit is notarized)

105731a

for Application No. (s): SEA 95-S-038-2
(enter County-assigned application number (s))

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

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

Maginniss + Del Ninno, Architects f/k/a BMK, PC
209 Commerce Street
Alexandria, VA 22314

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Theresa Del Ninno
Howard "Skip" P. Maginniss
Mary B. Maginniss
Thomas H. King (former)
Robert M. Asbury (former)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 1, 2009
(enter date affidavit is notarized)

105731a

for Application No. (s): SEA 95-S-038-2
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 1, 2009
(enter date affidavit is notarized)

105731a

for Application No. (s): SEA 95-S-038-2
(enter County-assigned application number(s))

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

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

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

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

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

None

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

Application No.(s): SEA 95-S-038-2
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: October 1, 2009
(enter date affidavit is notarized)

105731a

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

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

None

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

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

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

WITNESS the following signature:

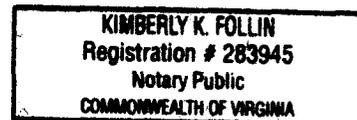
(check one) Lynne J. Strobel
[] Applicant [x] Applicant's Authorized Agent

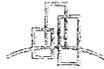
Lynne J. Strobel, attorney/agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 1 day of October 2009, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2011





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

**WALSH COLUCCI
 LUBELEY EMRICH
 & WALSH PC**

June 1, 2009

RECEIVED
 Department of Planning & Zoning
 JUN 02 2009
 Zoning Evaluation Division

Via Hand Delivery

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

Re: Special Exception Amendment Application (SEA 95-S-038-2)
 Applicant: The Most Reverend Paul S. Loverde, Bishop of the Catholic
 Diocese of Arlington, Virginia, and his successors in office
 Church of the Nativity
 Fairfax County Tax Map Reference: 88-1 ((1)) 10

Dear Ms. Coyle:

Please accept this letter as a statement of justification for a special exception amendment application to permit a building addition and site modifications.

The Applicant is the owner of approximately 10.18 acres located in the Springfield Magisterial District that are identified among the Fairfax County tax map records as 88-1 ((1)) 10 (the "Subject Property"). The Subject Property is located on the north side of Old Keene Mill Road near its intersection with Lee Chapel Road, and zoned to the R-1 District. Surrounding properties are predominately developed with single-family homes, and zoned to the R-3 District. The adjacent property to the east is developed with an age-restricted multi-family residential building.

Existing uses on the Subject Property consist of a place of worship, private school of general education, and nursery school located within connecting buildings. The Applicant is not proposing any additional uses on the Subject Property. The number of seats in the sanctuary and the total number of children enrolled in the school and nursery school will remain the same. The Applicant proposes to improve its facilities for existing parishioners, not to increase membership. The proposed improvements will consist of two building additions totaling approximately 18,700 square feet, or a .15 FAR, which is permitted for non-residential uses in the R-1 District.

The Church of the Nativity (the "Church") has been a part of the Springfield community since its original construction in 1978. On October 9, 1974, the Board of Zoning Appeals approved S-156-74 to allow the construction of a church and related facilities. This original

approval was amended by the Board of Zoning Appeals in 1981 and 1989 to allow additional parking spaces and the construction of an activity center on the Subject Property. On October 16, 1995, the Board of Supervisors approved SE 95-S-038 to permit a private school of general education. This approval was further amended by the Board of Supervisors in 2003 to permit the addition of a nursery school. The most recent approval did not include the addition of any buildings or other improvements to the Subject Property.

The Applicant proposes two building additions to better serve the needs of existing parishioners. Primarily, the proposal is intended to address conflicts that have developed for meeting space among different users. Existing classrooms serve the school, as well as provide meeting space for religious education classes and a variety of community meetings and activities. This multiple use of classroom space has resulted in scheduling conflicts. In addition, the school is in need of specific facilities to maintain its high-quality curriculum. The school currently lacks designated art and music rooms, an adequate science lab and a gymnasium, all of which are important curriculum components. The Applicant is proposing an addition for the school at the rear of the existing building, and consisting of approximately 15,800 square feet. The location of the addition is central to the Subject Property to ensure the provision of adequate buffers to adjacent residential communities, and the preservation of existing mature vegetation. The location of the addition will provide for the most efficient use of the Subject Property, as well as allow integration of the proposed improvements with the existing building.

The Applicant continues to propose play areas for the students consisting of an asphalt playground at the rear of the addition, and a natural surface play area at the rear of the Subject Property. The proposed school building addition is the primary feature of this application, but the Applicant also proposes an addition of approximately 2,900 square feet adjacent to the existing sanctuary. This small addition will allow for the creation of administrative offices to serve the place of worship. Lastly, parking will be increased and vehicular safety improved. To provide an appropriate student drop-off area, the existing parking lot is reconfigured and additional parking is provided along the eastern portion of the Subject Property. The new parking and drop-off area is oriented to that portion of the Subject Property that is adjacent to a multi-family residential building, and preserves existing mature stands of trees on site.

The Subject Property is located within the Middle Run Community Planning Sector of the Pohick Planning District in the Area III Comprehensive Plan (the "Plan"). The Plan does not include any site specific recommendations for the Subject Property. The Subject Property is planned for residential development at two (2) to three (3) dwelling units per acre. The Church is an existing use that is compatible with existing low density residential development and the Applicant proposes to retain the existing R-1 zoning. Therefore, the Applicant's proposal is consistent with the Plan's recommendations.

In accordance with the Fairfax County Zoning Ordinance (the "Ordinance") requirements of Section 9-011, please accept the following information regarding the proposed special exception amendment application:

- The type of operation is a place of worship, and its existing operation will not be modified. The maximum number of approved seats in the main area of worship is currently 800, and is not proposed to be increased with this application. The Church will continue to provide accessory uses and services typically found in association with a place of worship, such as committee meetings; religious education classes; youth programs; choir practices; weddings and funerals; and social outreach programs.

The Applicant also operates a private school of general education and a nursery school with a combined maximum daily enrollment of 450 children. While the physical improvements that serve the school and nursery school will be enhanced, there will be no increase in the maximum daily enrollment.

- The typical hours of operation of the Church, private school of general education and nursery school will not be modified. The Church currently offers the following services:

-- Mass Schedule: Monday through Friday --
7:30 a.m.

Saturday --
9:00 a.m., 5:00 p.m. and 7:00 p.m.

Sunday --
7:30 a.m., 9:00 a.m., 11:00 a.m., and 12:45 p.m.

-- Meetings are held during the week, in the day and evening, which include Church related and community meetings.

-- The Church may also hold special services on religious occasions such as Christmas and Easter.

-- School Hours: Monday through Friday --
8:00 a.m. – 3:00 p.m.

The private school of general education does include typical after school activities, and periodic evening events such as back-to-school night, student performances, and parent/teacher conferences. All activities will end no later than 10:00 p.m., Monday through Friday and 11:00 p.m. on weekends and holidays.

-- Nursery School Hours: Monday through Friday --
8:30 a.m. – 2:45 p.m.

-- The school also offers parents extended day care, not unlike public schools. Extended day care hours begin at 7:00 a.m. and end at 6:00 p.m.

- The estimated number of parishioners varies by service and activity. Typical attendance at the daily Mass is approximately 100 persons. Approximately 500 persons attend Saturday evening Mass, and the largest attendance at Mass on Sunday is at 11:00 a.m. The 11:00 a.m. Mass is usually attended by approximately 650 parishioners.

The private school of general education and nursery school is approved for a maximum daily enrollment of 450 students. The private school is for grades Kindergarten through eighth grade. The nursery school is currently limited to no more than sixty (60) students enrolled at any one time and no more than twenty (20) students on-site at any one time. The Applicant proposes to include one (1) additional classroom of nursery school students in the morning and afternoon that would permit no more than forty (40) students on-site at any one time and no more than one hundred (100) students as a total enrollment for the nursery school. There are no other changes proposed to the number of students.

- The Church staff includes two (2) priests as well as 10 support staff. The school and nursery school is administered by a total of 34 teachers and staff.
- The Church, private school and nursery school draw parishioners and students primarily from the areas of Fairfax, Burke, and Springfield in Fairfax County.
- As the total number of sanctuary seats and maximum daily enrollment of students is not changing, there will be no changes to the total number of vehicle trips to the Subject Property. During the peak hour use of the sanctuary, which is on Sunday morning, approximately 504 trips will be associated with the place of worship. These trips occur during off-peak traffic hours for Fairfax County. All students arrive at the school and nursery school by private vehicle. The number of vehicle trips associated with the school and nursery use is approximately 428 during the a.m. peak and 313 during the p.m. peak.
- The existing sanctuary, built in 1978, and private school building, built in 1990, are constructed of steel frame with masonry walls, a flat roof, and accent windows. The proposed additions will complement the existing buildings, in massing, architectural detail and materials.
- The Applicant is unaware of any hazardous or toxic substances on the Subject Property.

June 1, 2009

Page 5

- The proposed development complies with all adopted standards, ordinances and regulations except as may be noted on the special exception amendment plat and in this letter.

The Applicant is proposing additional improvements to better serve its existing parishioners. The new facilities will ensure that students are receiving a quality education and that there is adequate meeting space for religious education as well as community groups. The Church is a valuable community asset and the proposed improvements will allow its continued service to Fairfax County residents.

Should you have any questions regarding the above, or require additional information, please do not hesitate to give me a call. I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience. As always, I appreciate your cooperation and assistance.

Very truly yours,

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



Lynne J. Strobel

LJS/kae

cc: Mark J. Anthony
Jay O'Donnell
Theresa del Ninno
Steve Grant
Martin D. Walsh

{A0168128.DOC / 1 Statement of Justification 000714 000023}



FAIRFAX COUNTY

OFFICE OF THE CLERK BOARD OF SUPERVISORS

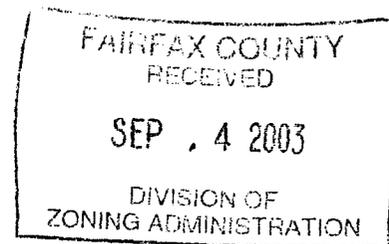
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

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

V I R G I N I A

www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm
Email: clerktothebos@fairfaxcounty.gov

August 21, 2003



Reverend Robert J. Rippy, Attorney-in Fact for Most
Reverend Paul S. Loverde, Bishop, Catholic Diocese of Arlington, Virginia
200 N. Glebe Road, Suite 914
Arlington, Virginia 22203

RE: Special Exception Amendment Application
Number SEA 95-S-038

Dear Reverend Rippy:

At a regular meeting of the Board of Supervisors held on August 4, 2003, the Board approved Special Exception Amendment Application Number SEA 95-S-038 in the name of Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia, and his successors in Office/Church of the Nativity School, located at 6400 Nativity Lane, Tax Map 88-1 ((1)) 10. to amend SE 95-S-038 previously approved for a church and related facilities with a private school of general education to permit the addition of a nursery school, pursuant to Section 3-104 of the Fairfax County Zoning Ordinance by requiring conformance with the following development conditions. These development conditions shall supersede previous development conditions for the area subject to this application. Conditions which are substantively the same and which have been carried forward from the previous application are indicated with an asterisk *.

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted for only the purpose(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with this application, as qualified by these development conditions which supercede all previous special permit and special exception conditions.*
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception Amendment

shall be in conformance with the approved Special Exception Plat dated February 14, 1995 as revised through July 31, 1995 entitled Church of the Nativity, consisting of one sheet and these conditions.*

4. The maximum number of seats in the main area of worship shall be 800.*
5. The combined maximum daily enrollment of the private school of general education and the nursery school shall be 450. The school of general education shall be for grades K through 8. Upon issuance of a Non-RUP for this Special Exception Amendment, the nursery school shall have a maximum daily enrollment of no more than 60 students and no more than 20 students on site at any one time.
6. The hours of operation for the private school of general education and, upon issuance of a Non-RUP for this Special Exception Amendment, the nursery school shall be from 7:00 a.m. to 10:00 p.m., Monday through Friday, and no later than 11:00 p.m. on weekends and holidays or special events.*
7. Parking spaces shall be provided as shown on the Special Exception Plat. However, parking may be reduced to 290 spaces, if necessary to reconfigure the entrance as required by development condition number 11, below.*
8. Transitional Screening shall be provided at a minimum width of seventy-five (75) feet along the western lot line from the northwest corner of the site to a point approximately 600 feet south of the northwest corner. In this area and along the southern lot line, existing vegetation may be used and/or supplemented to satisfy the requirement of Transitional Screening 1 as determined by the Urban Forestry Division of DPWES.*
9. In the fifty (50) foot wide vegetated strip located in the recreation area and labeled as "Ex. deciduous trees to be saved if possible", high quality existing mature deciduous trees shall be saved and undergrowth removed and replaced with mulch or other appropriate material as determined by the Urban Forestry Division of DPWES. The tree preservation in this area shall serve as additional screening for the use and shall provide shade for the recreational uses which may occur in this area.*
10. The barrier requirement shall be waived along the southern, western and northern lot lines provided the six (6) foot high chain link fence (including a lockable personnel gate) as shown on the plat is provided.*
11. At such time as Old Keene Mill Road is improved to a divided facility, the applicant shall provide interparcel access to Lot 11 located to the immediate east, within a public access easement.*

12. Within 30 days of the approval of this Special Exception Amendment, a request to reevaluate the need for crossing guards, a painted crosswalk, signage and/or flashing warning lights on Old Keene Mill Road, shall be made to the Fairfax County Police Department, School Safety Section and VDOT. Any such safety features which are deemed necessary by the Police/VDOT shall be provided expeditiously.*
13. A policy shall be created to encourage the use of a walking plan and/or a carpool drop-off plan for the students and parents of the school. This plan shall include procedures for supervised release of walking students at pre-determined points, recommended walking routes, and procedures for parents who drop-off or pick-up students.*
14. No amplified speakers/bells shall be used outside the school building. Hand bells and whistles may be used by administrators and teachers during organized activities.*
15. The nursery school shall be subject to the regulations of Chapter 30 of The County Code, (e.g., indoor recreation space), Title 63.1, Chapter 10 of the Code of Virginia and all other applicable County, State and Federal regulations.

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

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as evidenced by the issuance of a new Non-Residential Use Permit. The Board of Supervisors 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 Exception Amendment. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also reaffirmed:

- **Modifications of the transitional screening requirements along the southern and a portion of the western lot lines, as conditioned.**
- **Waiver of barrier requirements along the southern, western, and northern lot lines, as conditioned.**

SEA 95-S-038
August 21, 2003

- 4 -

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

Sincerely,



Patti M. Hicks
Clerk to the Board of Supervisors

PMH/ns

cc: Chairman Katherine K. Hanley
Supervisor McConnell, Springfield District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Enforcement Branch
John Crouch, Deputy, Zoning Enforcement Branch, ZPRB
Audrey Clark, Director, BPRD, DPWES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPWES
DPWES – Bonds & Agreements
Department of Highways, VDOT
Joyce Evans, Land Acqu. & Planning Div., Park Authority
District Planning Commissioner
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools
Maria E. Kelly, Principal, Church of the Nativity School
6398 Nativity Lane, Burke, VA 22015

P6 MIDDLE RUN COMMUNITY PLANNING SECTOR

CHARACTER

This sector is located southwest of the Main Branch (P2) Community Planning Sector. Most of the area north of Burke Lake Road is part of the planned residential community of Burke Centre. This planned development contains approximately 1,300 acres and is located south of the Southern Railroad, east of Ox Road, north of the South Run watershed, and west of Burke Lake Road. Burke Centre includes a mixture of uses including single-family, townhouse, and multi-family units, as well as a small village center, a community center, and park and open space recreational uses. Most of the remainder of the sector is developed with single-family detached houses and townhouses, as well as complementary public facilities and commercial and institutional uses.

Very little is known about heritage resources in this sector. Prehistoric sites as old as 8,500 years, have been recorded in the Burke Centre area and other unidentified prehistoric sites have been located elsewhere. Mulberry Hill and Little Zion Church and Cemetery are significant heritage resources listed in the Fairfax County Inventory of Historic Sites. A list and map of heritage resources are included in the Pohick Planning District Overview section, Figures 4 and 5. There is potential for additional significant heritage resources in this sector.

Major access roads in the sector are Ox Road (Route 123), Guinea Road, Pohick Road, Burke Lake Road, Old Keene Mill Road, Lee Chapel Road and Sydenstricker Road.

CONCEPT FOR FUTURE DEVELOPMENT

The majority of this sector is classified as Suburban Neighborhood. The portion of the sector which is located within the South Run watershed is classified as a Low Density Residential Area.

RECOMMENDATIONS

Land Use

The Middle Run Community Planning Sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Figure 34 indicates the geographic location of land use recommendations for this sector. Where recommendations are not shown on the General Locator Map, it is so noted.

1. The Burke Centre master plan is included in the Comprehensive Plan by reference and is shown on Figure 35. Where the Area Plan map and the Burke Centre master plan conflict, the Area Plan map overrides. [Not shown]

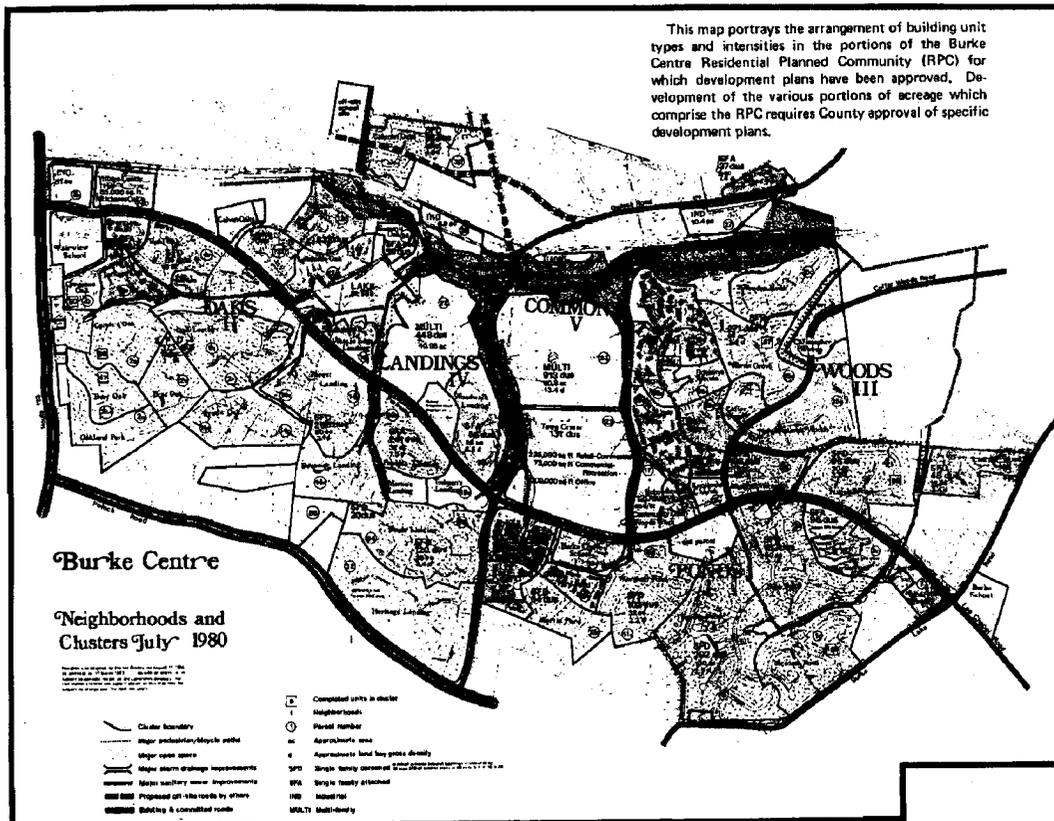
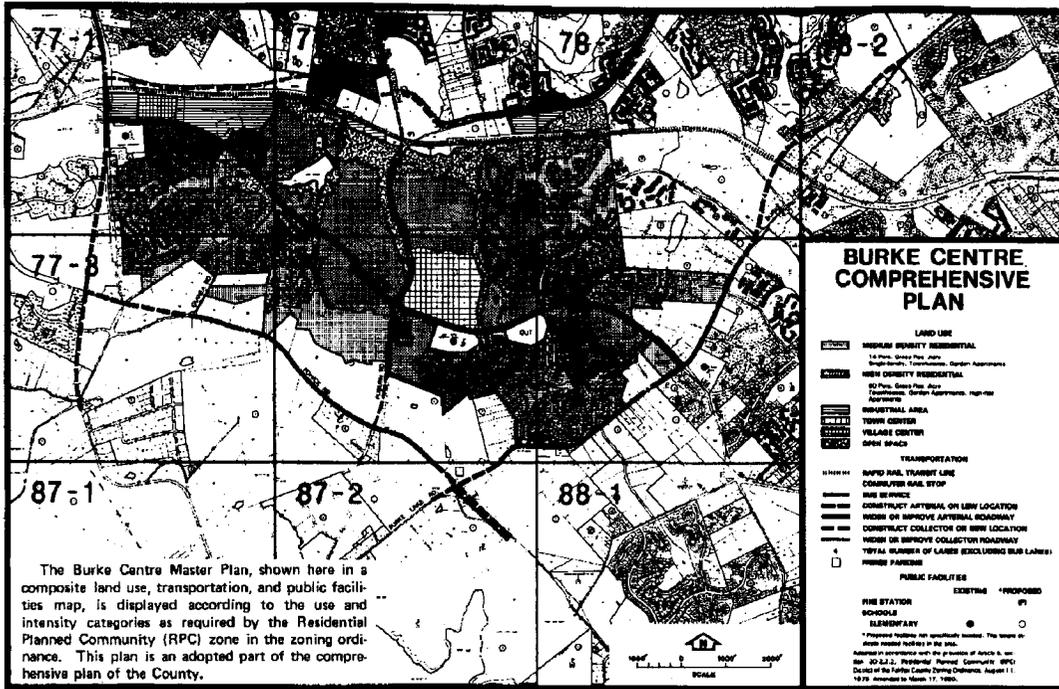


FIGURE 35

2. Tax Map 78-3((1))22A and 22B, located at the southwest corner of the intersection of Lee Chapel Road and Britford Drive, is planned for residential use at 2-3 du/ac. The area may be considered for residential use at 4-5 dwelling units per acre if the following conditions are met:
 - To complement the Britford community and Abiding Redeemer Lutheran Church, high quality site design is a priority;
 - Provide sufficient set back of individual lots and privacy fences along Lee Chapel Road to allow landscaping next to the public right-of-way;
 - Provide sufficient parking to prevent over-flow parking in the adjacent subdivision or church parking lot;
 - Demonstrate that any land-disturbing activity will not destabilize the homes and land in the Britford subdivision that is at the top of the hill on the western edge of this site; and
 - If quality tree cover exists on site, as determined by the County, it is highly desirable that development meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable.
3. The area between Clara Barton Drive, the Fairfax County Parkway, Fred's Oak Road and the Burke Centre Residential Planned Community to include Parcels 77-3((1))7A, 8, 9 pt. (north of the Fairfax County Parkway), 11, 12 and 13 is planned for light intensity industrial use up to .25 FAR. Industrial development in the subject area should provide for visually attractive and appropriately buffered relationships with adjacent areas planned for residential use. Existing and future uses should not adversely affect the area's environmental resources and efforts should be made to protect and improve water quality in the Pohick Creek watershed. Existing vegetative buffers shall be preserved to minimize visual, light and noise impacts on the residential uses to the north, and east. Future uses should not be of a regionally-oriented scope due to the limited access to properties through neighborhood streets.
4. Parcels 78-3((1))9, 12A, 13A, 17, 17A, 32, and 47 and 77-3((1))5, 5A, 6B and 6C on the perimeter of the Burke Centre Residential Planned Community are shown on the Comprehensive Land Use Plan map for Alternative Uses. These parcels are appropriate for incorporation into the Burke Centre RPC or residential use at 2-3 dwelling units per acre. This recommendation is consistent with long-standing land use guidance for these parcels on the periphery of Burke Centre. [Not shown]
5. The parcels that are located east of Ox Road, south of the Southern Railroad, and north of Burke Centre Parkway, but not included in the Burke Centre Residential Planned Community are planned as follows:
 - a. Parcels 77-1 ((21))A, B, B1, C1, D1, D2, D3, D4, and D5 and 77-1((1))64 are planned for neighborhood-serving retail uses up to .25 FAR. Such uses are consistent with adjacent retail uses in the Burke Centre Residential Planned Community.
 - b. Parcels 77-1((16))A-N are planned for local-serving office use up to .25 FAR.

- c. Parcel 77-1((1))74A is planned for light intensity industrial use up to .25 FAR. Industrial uses should be limited to this parcel. These uses should be designed to minimize visual impacts on adjacent residential parcels and should provide substantial screening and buffering.
 - d. Parcels 77-1((1))68 and 71 are planned for institutional uses and should serve as a transition between the non-residential uses to the north and west and the residential uses to the east and south.
6. The Belleair subdivision is be planned for residential use at .2-.5 dwelling unit per acre in order to assure infill at densities compatible with existing development and to help protect the environmental quality of the South Run watershed.
 7. A portion of the South Run watershed is located in this sector and future development in this area should be designed to minimize impacts on the watershed. For further land use recommendations for areas in the South Run watershed, see Sector P7. [Not shown]
 8. Commercial use in Burke Village is planned for and should be limited to Parcels 78-1((1))18, 19, 22A, 23, 24, part of 27 north of Burke Road realigned, 33, and 35-38 for retail use up to .25 FAR. Access for retail development on parcel 27 pt. should be oriented through the Burke Village Shopping Center. Additional retail and commercial uses would be inconsistent with existing and planned residential development.
 9. If it becomes necessary at some future date to relocate the fire station in Burke Village, the land where this use is now located may be redeveloped for retail use up to .25 FAR.
 10. Burke Hills subdivision is planned for residential use at .5-1 dwelling unit per acre to be compatible with present development within the subdivision.
 11. Parcels 77-2((1))39 (part), 40B, 58, 58A and 58C located south of the Southern Railroad and west of Roberts Parkway are planned for light intensity industrial uses up to .25 FAR. Development in this area should be designed to minimize visual impacts and should provide substantial screening and buffering. Existing and future uses should not adversely affect the area's environmental resources and efforts should be made to protect and improve water quality in the Pohick Creek watershed. Existing vegetative buffers shall be preserved to minimize visual, light and noise impacts on the residential uses to the north, south and west. Future uses should not be of a regionally-oriented scope due to the limited access to the site.
 12. The parcel (Tax Map 77-4((1)) 1A) abutting Fairfax County Parkway, which is located south of the Burke Centre Planned Residential Community is planned for residential use at 0.2 – 0.5 du/ac. Development of this parcel should be similar to the low density character of development to the south and east. Intensification above 0.5 du/ac is not appropriate due to site access constraints.

Transportation

Local shuttle bus or similar para-transit services should be provided and should result in reducing local traffic and demand on parking facilities at Burke Centre VRE station and other bus



County of Fairfax, Virginia

MEMORANDUM

November 18, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *P&Z*
Environment and Development Review Branch, DPZ

SUBJECT: Environmental Assessment: SEA 95-S-038-2
Church of the Nativity, Catholic Diocese of Arlington, Virginia

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject special exception amendment application for this property and the revised special exception plat, dated November 6, 2009. The extent to which the application is in harmony with the applicable guidance contained in the Comprehensive Plan is noted.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on pages 7-9, the Plan states:

- “Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.**
- Policy 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 k. For new development and redevelopment, apply better site design and low impact development (LID) techniques. . . .
- Minimize the amount of impervious surface created.
 - Where feasible, convey drainage from impervious areas into pervious areas. . . .

Department of Planning and Zoning
Planning Division
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Fairfax, Virginia 22035-5509
Phone 703-324-1380
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- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements. . . .
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements
- Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

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.”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on page 10, the Plan states:

“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....”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on page 16, the Plan states:

“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.”

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.

The applicant, the Church of the Nativity, is located on a 10.18 acre parcel of land situated on the north side of Old Keene Mill Road west of the intersection with Lee Chapel Road. This amendment requests approval to construct a 15,800 square foot addition to the existing school building and a 2,900 square foot addition to the sanctuary. This request seeks to improve the church facilities for the existing church membership. No new seats to the sanctuary are proposed with this application.

Tree Preservation: The development plan includes an inventory of existing vegetation and a proposed landscaping plan. The inventory of existing vegetation indicates that the 10.18 acre site is predominately developed with buildings and parking; vegetation includes grasslands and upland forest areas located in the northeast corner as well as along the western boundary of the site. The proposed school addition will be located on existing impervious surface; however, the installation of the proposed underground stormwater facility will result in loss of trees in the northeastern corner, and the sanctuary addition will eliminate a landscaped area. The applicant is encouraged to look for opportunities to augment landscaping throughout the site.

COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan depicts an on-road bike lane along Old Keene Mill Road immediately adjacent to the subject property. The November 6, 2009 revised submission indicates the applicant’s intention to seek a waiver of frontage improvements along Old Keene Mill Road including installation of the of the bike lane. As an alternative, the applicant proposes to dedicate right of way measuring 51 feet from the centerline of Old Keene Mill Road to allow for future improvements at such time Old Keene Road is widened as part of a larger road improvement project.

PGN: MAW



County of Fairfax, Virginia

MEMORANDUM

DATE: November 23, 2009

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section, DOT

FILE: 3-5 (SEA 95-S-038)

SUBJECT: SEA 95-S-038-2; The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office, Church of the Nativity
Land Identification Map: 88-1-((1))-10

This department has reviewed the special exception amendment plat revised through November 6, 2009. We have the following comments.

- Old Keene Mill Road is planned for four through lanes and an on-road bike lane. To accommodate this future improvement the applicant should dedicate 51 feet of right-of-way from the centerline.
- There is currently a parking space and sign that are within the area to be dedicated. The applicant's response letter dated November 6, 2009 requests that these structures be allowed to remain in their existing location until frontage improvements are made. Additionally, the applicant's plan also shows existing vegetation in the new right-of-way area. It is likely that a permit from the Virginia Department of Transportation will be required for the structures and vegetation to remain in their current location.

AKR/MEC



County of Fairfax, Virginia

MEMORANDUM

DATE: November 10, 2009

TO: Suzianne Zottl, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

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

SUBJECT: Special Exception Amendment Application #SEA 95-S-038-2, Church of the Nativity, Special Exception Amendment Plat dated November 6, 2009, LDS Project #2186-ZONA-001-2, Tax Map #88-1-01-0010, 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 on this site.

Water quality controls are required for this project (PFM 6-0401.2). It is not clear whether this project qualifies as development or redevelopment; no calculations for change in impervious area were submitted. If this application qualifies as redevelopment, the projected phosphorus runoff pollution load after redevelopment shall not exceed the existing phosphorus runoff pollution load (PFM 6-0401.2C); the current facilities remove 27% of the phosphorus load.

Two Filterra units are shown on the plat, however, it is not clear what the drainage area for these units will be (Paragraph 2.J(1)(b) of Zoning Ordinance 9-011) or if these units can provide the required phosphorus removal rate. The largest Filterra unit is limited to a 0.44-acre area (LTI 09-04), yet the plat shows 3.25 acres upstream of the 2 units.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There is a downstream drainage complaint on file. In 2002, standing water was reported at or near 6327 Timarron Cove Lane.



Suzianne Zottl, Staff Coordinator

Special Exception Amendment Application #SEA 95-S-038-2, Church of the Nativity

November 10, 2009

Page 2 of 2

Stormwater Detention

Stormwater detention is required. The plat shows an existing dry pond and an underground detention facility. Given the height of the underground storage and its outfall point, a large amount of fill will be required in the northern corner of the site; a retaining wall at the edge of the parking lot is likely to be required.

Site Outfall

A narrative description of the outfall to 100 times the site's area has been provided. At site plan submission, calculations and a narrative description demonstrating adequate outfall meeting the PFM requirements will be necessary (PFM 6-0203 & 6-0204).

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

9-006 General Standards

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

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

9-304 Standards for all Category 3 Uses

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

1. For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location.
2. Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located.
3. Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.
4. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
5. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

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

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

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

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

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

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

- A. That area not covered by buildings or required off-street parking spaces.
 - B. That area outside the limits of the required front yard.
 - C. Only that area which is developable for active outdoor recreation purposes.
 - D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.
2. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area of a private school of special education shall be based upon a determination made by the Board; provided, however, that the proposed use conforms with the provisions set forth in Sect. 304 above.
3. All private schools shall be subject to the provisions set forth in Par. 2 and 3 of Sect. 309 above. If applicable, such uses shall also be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

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

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

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

- A. That area not covered by buildings or required off-street parking spaces.
 - B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.
 - C. Only that area which is developable for active outdoor recreation purposes.
 - D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.
2. All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

Number of Persons Street Type

- 1-75 Local
- 76-660 Collector
- 660 or more Arterial

3. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.
4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals.

It should not be construed as representing legal definitions.

Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Abbreviations Commonly Used in Staff Reports

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