



APPLICATION ACCEPTED: September 24, 2009  
BOARD OF ZONING APPEALS: February 24, 2010  
MOVED AT APPLICANT'S REQUEST  
TIME: 9:00 a.m.

## County of Fairfax, Virginia

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February 17, 2010

### STAFF REPORT

**SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 83-P- 057-5**

#### SPRINGFIELD DISTRICT

**APPLICANT/OWNER:** The Church for All Nations, Inc

**STREET ADDRESS:** 2535 Cedar Lane, 8506, 8526 and 8529  
Amanda Place

**TAX MAP REFERENCE:** 49-1 ((1)) 35A, 37, 38 and 38A

**LOT SIZE:** 12.36 acres

**F.A.R.:** 0.18

**ZONING DISTRICT:** Parcels 35A, 38, 38A—R-1  
Parcel 37—R-4

**PLAN MAP:** Residential, 3-4 du/ac

**SPECIAL PERMIT PROPOSAL:** Amend previously approved special permit for a church to permit a change in permittee and deletion of land area.

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Suzanne Lin

**STAFF RECOMMENDATION:**

Staff recommends approval of SPA 83-P-057-5 subject to the proposed development conditions contained in Appendix 1.

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

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals (BZA). A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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

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

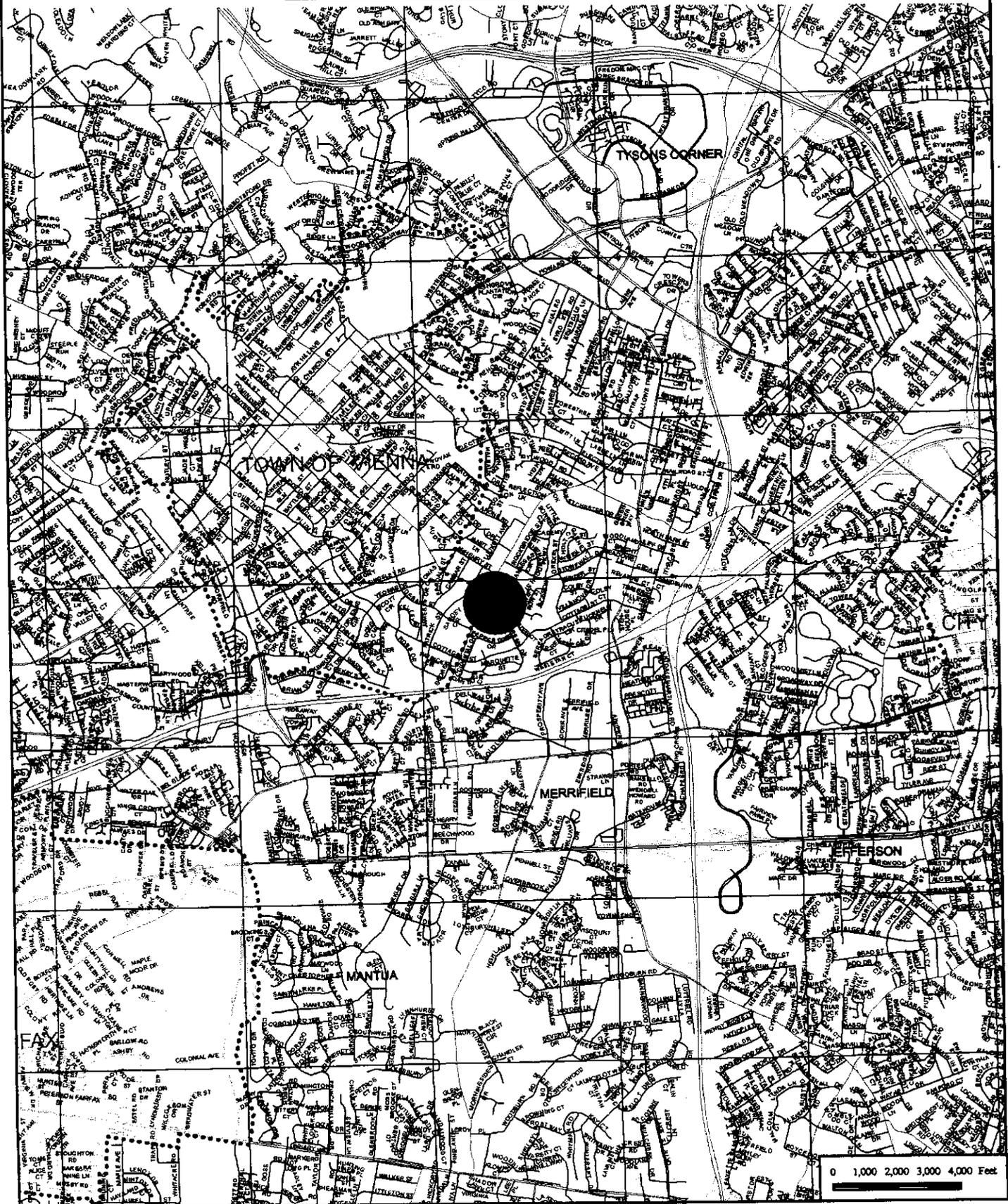


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit Amendment

SPA 83-P-057-05

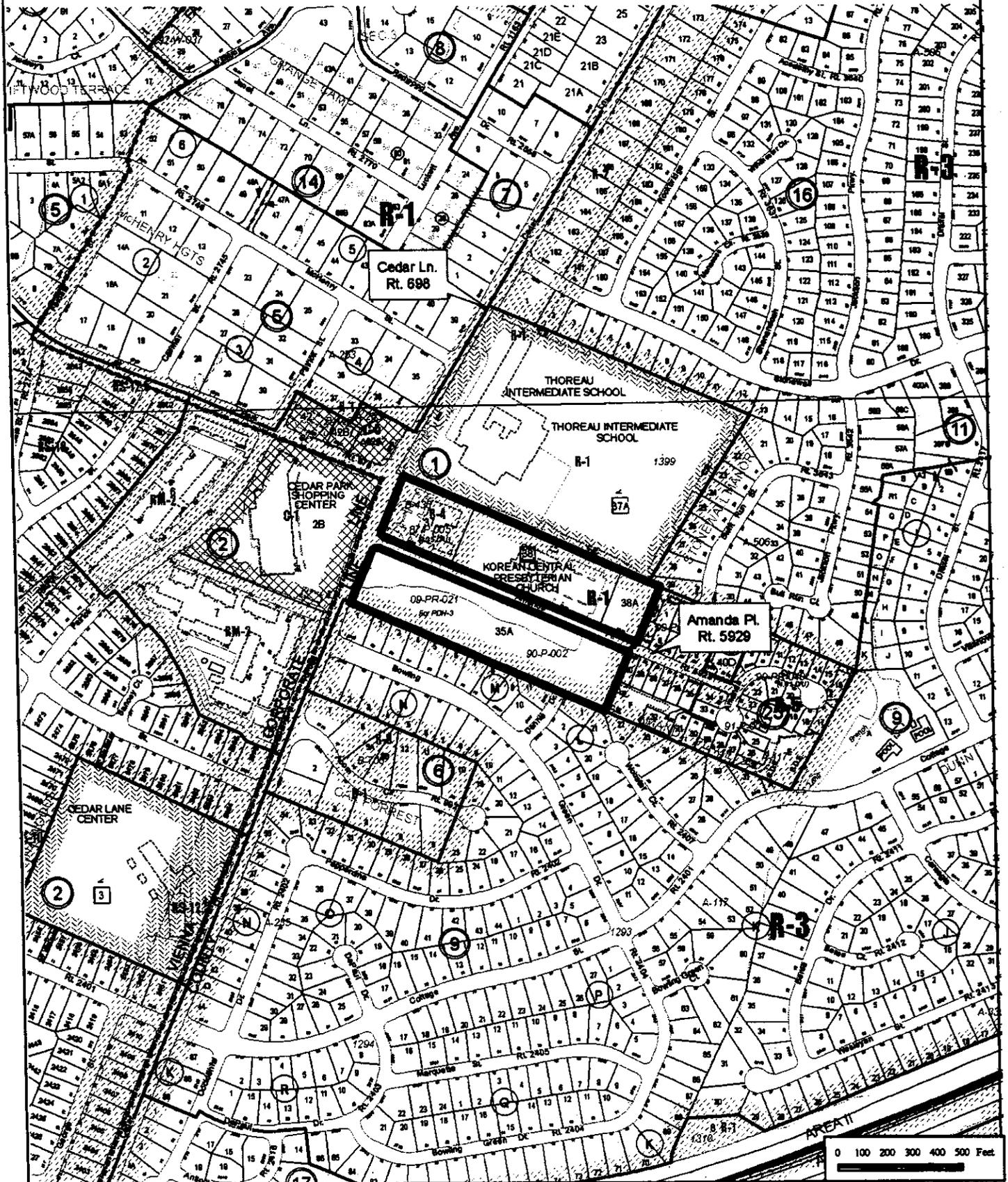
THE CHURCH FOR ALL NATIONS, INC.



# Special Permit Amendment

SPA 83-P-057-05

THE CHURCH FOR ALL NATIONS, INC.









**Hours of Operation:**

Worship Services: 8:00 a.m., 9:30 a.m., 11:00 a.m. on Sundays

Other activities: Existing buildings may be used in the evening for committee meetings, bible study classes and other types of activities typically found in association with a place of worship. Activities would end no later than 10:00 pm.

Administrative office: Office use will be open 10:00 am to 6:00 pm, Tuesday through Saturday

**Numbers of Employee/Staff:**

Maximum of five (5) ministers and eight (8) administrative staff.

**Waivers and Modifications:**

The applicant requests approval of modifications to the transitional screening requirements to the proposed southern boundary and on the eastern boundary to permit existing vegetation to meet screening requirements.

The applicant further requests approval of a waiver to the barrier requirements on the proposed southern boundary and the eastern boundary.

**Location and Character**Existing Site Description:

Parcels 37, 38 and 38A (to the north of Amanda Place) are currently developed with improvements associated with the Korean Central Presbyterian Church which consist of: a 24,375 SF two story (with basement) educational /multi-use building; a 21,100 SF two story church building containing 500 seats; and an existing 1,680 SF one story residential structure. The site also contains several sheds and/or accessory storage structures. These parcels contain 169 surface parking spaces. Parcel 35A, to the south of Amanda Place, currently part of the special permit land area, contains mature trees serving as a buffer to the subdivision to the south, approximately 160 additional parking spaces and a stormwater management dry pond. The applicant seeks to delete 35A from the special permit land area.

Character of Surrounding Area:

This 12.36 acre site is located on the northern and southern sides of Amanda Place to the east of the intersection of Amanda Place and Cedar Lane near the corporate limits of the Town of Vienna. The surrounding area is as follows:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Comprehensive Plan
North	School (Thoreau Middle School)	R-1	Public Facilities
South	Residential, Single Family Detached (Dunn Loring Woods)	R-3	Residential, 2-3 du/ac
East (Town of Vienna)	Shopping Center (Cedar Park Shopping Center)	C-1	Retail and Other (Town of Vienna)
West	Residential, Single Family Detached (Amanda Place)	R-5	Residential, 3-4 du/ac



Figure 2 Aerial Photograph of Church Site

**Background (Appendix 3)**

<b>History</b>			
Case Number	Acreage	Approval Body and Date	Application Description
SP 83-P-057	3.55 ac	BZA, 10/11/83	To permit construction of a 500 seat church and related facilities on <b>Parcel 38</b> .
RZ 87-P-005	1.9 ac	BOS, 8/3/87	To rezone <b>Parcel 37</b> from R-1 to R-4 to allow development of 6 single family detached dwellings.
PCA 87-P-005	1.9 ac	BOS, 10/28/91	To amend the proffered GDP to allow a church on <b>Parcel 37</b> rather than 6 residential lots.
SPA 83-P-057-1	6.26 ac	BZA 10/29/91	To permit the addition of an education building and surface parking on <b>Parcel 37</b> , an accessory structure, modification to screening condition and an increase in land area.
RZ 90-P-002		BOS	Request to allow <b>Parcels 35 and 36 (now known as Parcel 35A)</b> to be zoned R-4 (Dismissed)
SPA 83-P-057-2	12.93 ac	BZA, 6/8/93 (expired)	To permit additional land area, 2 temporary trailers, 20 additional parking spaces, waiver of dustless surface requirement and modification to the minimum yard requirement based on an error in building location. Proposal included, for the first time, land area to the south of Amanda Place, <b>Parcels 35 &amp; 36 (now known as Parcel 35A)</b> .
SPA 83-P-057-3*	12.66 ac	BZA 1/16/96	To permit an increase in land area, additional parking, three temporary classroom trailers, and modification to the minimum yard requirement based on an error in building location for a shed to remain 6 feet from side lot line on Parcel 38A (where a 20 foot minimum yard was required). Application included <b>Parcel 35 &amp; 36 (now known as Parcel 35A)</b> .
SPA 83-P-057-4	12.36 ac	BZA (denied)	To permit building additions, increase in seating, site modifications and change in development conditions. Most new development was proposed on <b>Parcel 35A</b> .

\*A copy of the Resolution and plat is included in Appendix 4.

As described above, the current sanctuary seating for the church has been maintained at 500 seats since approval of the original special permit. However, since that original approval, the special permit has been amended several times for the addition of new structures, additional land area and parking areas. Parcel 35A, which the applicant seeks to delete from the special permit area, was

formerly identified as Parcels 35 and 36. This parcel was formally added to the special permit on January 16, 1996.

### **Comprehensive Plan Provisions**

<b>Plan Area:</b>	II
<b>Planning District:</b>	Vienna Planning District
<b>Planning Sector:</b>	V-2, Cedar Community Planning Sector
<b>Plan Map:</b>	Residential, 3-4 du/ac
<b>Plan Text:</b>	

On page 57 of the Fairfax County Comprehensive Plan, as amended through July 13, 2009, the Plan states:

*Parcels fronting on both sides of Amanda Place are planned for 3-4 dwelling units per acre. As an option, if an acceptable redevelopment plan is submitted that fully consolidates all of the parcels along Amanda Place, consideration may be given for a residential density range of 5-8 dwelling units per acre. As an option, single-family detached housing at 4-6 dwelling units per acre may be appropriate on Tax Map Parcels 49-1((1))32, 32A, 33, 34, 39, 40, 40A, 40B and 41 to foster coordinated development of this land if the following conditions are met:*

- *Development should have substantial and logical consolidation, with any unconsolidated parcels able to integrate into any previous consolidation and develop in a similar manner;*
- *Development above 5 dwelling units per acres should only occur if full consolidation is achieved; and*
- *Internal open space should maximize opportunities to save mature trees on site.*

**ANALYSIS****Special Permit Amendment (SPA) Plat**

Title of SPA Plat: The Special Permit Plat, Fairfax County SPA 2009-0221, The Korean Central Presbyterian Church

Prepared by: ATCS, P.L.C

Dated: May 15, 2009 as revised through December 9, 2009

The SPA Plat consists of one sheet, which shows the layout of the site that is to remain and the area to be deleted (Parcel 35A, located on the south side of Amanda Place). The single sheet also provides the general notes, the parking tabulations and the Floor Area Ratio (FAR) calculations with and without the land area which is requested to be deleted.

**Proposal:**

This application proposes to delete Parcel 35A from the land area governed by the special permit. Parcel 35A (formerly known as Parcels 35 and 36) is located on the south side of Amanda Place and contains approximately 160 parking spaces in a gravel and asphalt surface parking lot, a SWM pond (dry) and an existing stand of trees. With this proposed deletion of land area, the site of the place of worship will be confined to the area north of Amanda Place. The development would continue to consist of: the existing 24,375 SF educational/multi purpose building; the existing 21,000 SF, 500 seat church sanctuary building; the existing 1,680 SF single family detached residential building; stormwater management facilities; and 169 surface parking spaces.

The Church for All Nations indicates that since their congregation is smaller than the current congregation, the excess parking is not necessary to support the operation of their church. They also indicate that the current stormwater management facilities to the north of Amanda Place are sufficient to account for the quantity and quality of stormwater that would be generated by their site.

The applicant has provided the following calculations for the floor area ratio (FAR) for the Church site both before and after the proposed deletion of land area. The information is presented in the chart below.

### Existing and Proposed Floor Area Ratio

<b>Tax Map</b>	<b>Buildings</b>	<b>Acreage</b>	<b>Gross Square Footage of Buildings</b>	<b>Floor Area Ratio</b>	<b>FAR Allowed</b>
<b>Existing FAR 49-1((1)) 35A, 37, 38, 38A</b>	Church Sanctuary Building, Educational/Multi Use Building and single family detached dwelling	12.36	47,155 SF	0.09*	0.15 on R-4 0.30 on R-1
<b>Proposed FAR (with deletion of land area for Parcel 35A)</b>	Same as above	6.22 (6.35*)	47,155 SF	0.18*	See table on Plat for further breakdown by parcel.

\*Land area and resultant FAR prior to previous dedication of land area for right of way associated with Cedar Lane.

#### Access and Parking

With the deletion of Parcel 35A and its approximately 160 parking spaces, the site would contain 169 parking spaces. These spaces are located within two paved parking areas, both accessed directly from Amanda Place. The surface parking lot for the educational building (located near Cedar Lane) is accessed from one driveway from Amanda Place and contains 42 parking spaces. The larger parking lot is accessed by two driveways near the existing church sanctuary building and contains 127 spaces.

The applicant has further shaded an area between the existing parking lot and the single family detached home to serve as possible future overflow parking. A note on the plat indicates that this area may provide up to 50 parking spaces and that this lot may utilize a pervious parking lot surface.

#### Pedestrian Amenities

There is an existing 4-foot wide asphalt trail along Amanda Place which would be retained with this application. In addition, the existing 4-foot wide concrete sidewalk along Cedar Lane will be retained.

#### Stormwater Management

As noted earlier, Parcel 35A contains an existing SWM dry pond. With deletion of this parcel, the general notes on the SPA Plat indicate that the existing stormwater management facilities to the north of Amanda Place will remain. These facilities consist of a dry pond, located between Parcel 37 and 38, which serves the educational building and development on Parcel 37. Parcel 38 (which

contains the sanctuary and surface parking) is to be served by the same dry pond and infiltration trenches located between Parcels 38 and 38A.

### Landscaping

As described earlier, Parcel 35A, which is proposed to be deleted from the SPA land area, contains a significant stand of mature trees. The applicant proposes to maintain the current landscaping around and in between the structures and the existing vegetation on the parcels which would remain associated with this SPA. The applicant has provided the limits of the existing tree lines on the parcels to the north of Amanda Place; however, specific details regarding the types of trees or other existing landscaping have not been provided.

### Land Use Analysis

The application is in conformance with the Comprehensive Plan recommendations for the site.

### Environmental and Stormwater Management Analysis (Appendix 4)

#### Issue: Facilities on Parcels 49-1(91)) 37, 38, and 38A

During several site visits and while researching the land use history for this site, staff became aware that the existing infiltration trenches near the southern end of the existing eastern parking lot were either not in existence or not properly maintained. Staff could not find one trench depicted on the SPA Plat between the parking lot and the single-family home and noted a stand of rather mature trees in the trench area between the parking lot and Amanda Place.

In addition, as noted in the December 13, 2009 Condition Assessment Report from the Fairfax County Stormwater Management and Contracting Branch of the Department of Public Works and Environmental Services (DPWES), several maintenance issues were noted on an site inspection conducted in early November 2009. The inspection, among other things, noted that the trench along Amanda Place is a surface trench and therefore gravel should be visible at ground level. Instead, the inspector noted mature vegetation. The inspector also noted sediment build up at the inflow and debris had accumulated in the inflow pipes.

#### Resolution:

The applicant has revised the SPA Plat to show more detail about the infiltration trenches along the parking lot and staff has proposed a development condition that the SWM facilities be maintained to the satisfaction of DPWES in order to assure that these facilities remain in place and functioning properly to serve the development on this site. In addition, staff notes that the applicant must satisfy

the terms of the Condition Assessment Report that is attached at Appendix 5 or the current church may be issued a violation notice. As such, staff finds this issue is resolved.

Issue: Removal of Existing SWM Dry Pond

The removal of Parcel 35A includes the removal of the dry pond stormwater management facility. Staff had expressed concern over whether its removal would have an adverse impact on the stormwater management system in the area and whether, in fact, the existing facilities on the remainder of this land area are sufficient to adequately treat the stormwater for the existing development. Staff notes that there have been drainage complaints downstream from the subject site (including a drainage complaint from 2613 Bowling Green Drive). Staff was concerned that these complaints would be exacerbated by the removal of the use of the large dry pond on Parcel 35A. Staff asked the applicant to provide evidence that the remaining facilities will continue to meet water quality and quantity requirements as applicable

Resolution:

The applicant, in a letter dated November 20, 2009, outlined the chronology of the stormwater management facilities and explained that the site plan for the church and multi-use building were approved in 1986 and 1994 respectively with their own, independent stormwater management facilities onsite. This letter is attached to this staff report in Appendix 2. The SWM dry pond facility on Parcel 35A was added later as it was approved in 2003. Therefore, the applicant notes that the SWM facilities for each parcel stand alone and were processed as separate site plans. The applicant notes that the dry pond was designed as a SWM and BMP facility for Parcel 35A because if that parcel were to ultimately develop at a greater intensity than a gravel parking lot, then the SWM would need to be redesigned.

In addition, the applicant has provided an email from the president of the Dunn Loring Civic Association noting that the drainage complaint at 2613 Bowling Green Drive was adequately resolved based on corrective measures taken by KCPC. Based on the information provided, staff has concluded that the SWM facilities on Parcel 35A were not designed as a SWM or BMP facility for the parcels north of Amanda Place and that those parcels were designed to be served by their onsite facilities. Given the chronological development of the site and the approved site plans showing that each of the parcels was served by separate SWM facilities, staff finds this issue is resolved.

## **Transportation Analysis**

### **Issue: Adequacy of Provided Parking Onsite**

Recent visits to this site on Sunday mornings have shown that the onsite parking areas and the gravel parking lot across Amanda Place were at capacity. Additionally, the current congregation has a parking agreement with the school to the north (Thoreau Intermediate School). The Thoreau parking lot was filled almost to capacity and congregants were parking across Cedar Lane in the shopping center. During the site visit, staff estimated that there were over 730 cars parked for the 11:00 AM service. In addition, the current church provides computer and English language training as needed to members of the community. It appears that these classes are offered during the week by the current congregation.

According to the Statement of Justification, The Church for All Nations has a considerably smaller congregation today (approximately 135 families) and expects that, even with modest growth, it will not reach the membership intensity of the current KCPC congregation. However, The Church for All Nations does not propose to reduce the physical development capacity on the north side of Amanda Place in any way.

The applicant argues that The Church for All Nations will be adequately parked through the remaining 169 on-site parking spaces. Additionally, should more parking be needed, the applicant revised the special permit plat to show a shaded area on Parcels 38 and 38A where an additional parking lot can be constructed with approximately 50 parking spaces. The applicant also indicated a willingness to continue a private parking agreement with Thoreau Middle School for off-site parking. Finally, the applicant notes that with approval of RZ/FDP 2009-PR-021 and the construction of the proposed 15 single-family detached dwellings, this will create a natural limitation to any significant growth of the church (or at least any growth that might require more parking than available).

### **Resolution:**

Staff remains concerned that even with the 169 spaces provided and a commitment to continue the provision of shared offsite parking, the current and future needs of even the smaller congregation cannot be met. First, experience on this site shows that this amount of building square footage can support so much church activity that parking can be a problem even with shared parking agreements in the area. In addition, staff's experience is that church planners typically request more than the Zoning Ordinance minimum requirements of 1 space to 4 seats and strive for a ratio of 1 to 2 or even less to support their congregants. Staff does note that even with the deletion of Lot 35A, the site exceeds the parking requirements of the Zoning Ordinance, as they are

proposing a parking ratio of 1 space for every 2.9 seats. With the possible future addition of 50 spaces, the ratio improves even more.

Staff remains concerned about the future parking needs of this site given the past parking needs and the historical parking needs of places of worship in general. Staff has proposed a development condition that the applicant maintains the parking agreement with Thoreau Middle School and proscribes when the additional 50 spaces would be provided.

### **Waivers and Modifications**

As the applicant is proposing no new land disturbance and/or landscaping with this proposal, staff generally supports continuation of the previously approved modifications and/or waivers to the transitional screening along the eastern boundary.

However, staff notes that with the deletion of the parcel (35A) to the south of Amanda Place, the southern boundary has changed and the new boundary is directly adjacent to Amanda Place. As the parcel is now across the street from detached a single family residential zoning district (and such use is proposed with RZ 2009-PR-021), staff notes that the Zoning Ordinance would require a 25-foot wide strip of unbroken landscaping and a 48-72 inch barrier along that boundary. Staff however, supports a modification of the transitional screening requirements in favor of the existing vegetation as the landscaping along the church buildings and parking lot serves as an adequate landscape buffer to residential development to the south. In addition, staff supports a waiver of the barrier as the general design of the church site layout with setbacks and existing landscaping is designed to mitigate adverse impacts associated with the church. Staff notes that all interior and peripheral parking lot landscaping is required in the parking areas as reiterated by the proposed development conditions.

**Zoning Ordinance Provisions (Appendix 6)**

<b>Bulk Standards (R-1 and R-4 Zoning)</b>				
<b>Standard</b>	<b>Required R-1</b>	<b>Proposed R-1 site areas</b>	<b>Required R-4</b>	<b>Proposed R-4 site areas</b>
<b>Min. Lot Area</b>	36,000 sq. ft.	195,507 sq. ft.	8,400 sq. ft.	76,138 sq. ft.
<b>Lot Width</b>	175 ft.	At least 180 ft.	95 ft.	215.26
<b>Building Height</b>	60 ft.	46.5 ft.	60 ft.	41.75 ft.
<b>Front Yard</b>	Controlled by a 50° angle of bulk plane, but not less than 40 feet.	> 40 ft	Controlled by a 35° angle of bulk plane, but not less than 25 feet	> 25 ft.
<b>Side Yard</b>	Controlled by a 45° angle of bulk plane, but not less than 20 feet	Shed is 6.0 (variance approved)	Controlled by a 30° angle of bulk plane, but not less than 10 feet	24.70 ft.
<b>Rear Yard</b>	Controlled by a 45° angle of bulk plane, but not less than 25 feet	Shed at 13 feet (12 foot high)	Controlled by a 30° angle of bulk plane, but not less than 25 feet	20 feet.
<b>FAR</b>	0.15 for uses other than residential or public	0.12	0.30 for uses other than residential or public	0.32 (.30 prior to street dedication for Cedar Lane)
<b>Parking Spaces</b>	One (1) space per four (4) seats in the principal place of worship; (125)		169 spaces	

**Special Permit Standards**

**General Standard 1** requires that the proposed use at the specified location be in harmony with the adopted comprehensive plan. The Comprehensive Plan notes that this area is planned as residential and staff finds that this proposed use and intensity is in harmony with the adopted plan.

**General Standard 2** requires that the proposed use be in harmony with the general purpose and intent of the applicable zoning district regulations. As noted in the bulk standards above, and subject to the approved variance for the shed, staff finds that this use is in harmony with the Zoning Ordinance.

**General Standard 3** requires that the proposed use 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. While staff has expressed concern over whether the removal of the stormwater management pond on Parcel 35A will adversely impact the drainage patterns of the area, staff notes that the applicant has provided information which shows that the facilities on site, with proper maintenance, are engineered to provide sufficient outfall controls and

that the water which would be generated by this site has been sufficiently accounted for. Similarly, while staff has expressed concern about the sufficiency of parking onsite, staff notes that the applicant exceeds the Zoning Ordinance parking requirement and has the potential to construct up to 50 more spaces if needed. Staff has proposed a development condition requiring the additional spaces be constructed if a shared parking agreement cannot be obtained or maintained with the Thoreau Middle School. Therefore, based on the information provided and subject to the implementation of the development conditions, staff finds that this standard is satisfied.

**General Standard 4** requires that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. The proposed change in permittee and deletion of land area do not suggest any increase in vehicle trips associated with this site and the area is adequately served by sidewalks and/or existing trails along both Amanda Place and Cedar Lane. As such, staff finds that this standard is satisfied.

**General Standard 5** requires that landscaping meet not only the standards set for in this article but also meet landscaping and screening requirements in accordance with Article 13. Staff supports the continuation and approval of the requested transitional screening modifications since, as noted above, the applicant proposes no physical changes to the property at this time. Staff does note that the proposed development conditions require that the applicant provide all required landscaping (including parking lot landscaping and screening and/or barriers) if the parking lot is expanded closer to the existing single family detached dwellings on Amanda Place. Staff thus finds that this standard is satisfied.

**General Standard 6** requires that open space be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. There are no open space requirements for the R-1 or R-4 Zoning Districts (only required if a residential cluster development is proposed). Therefore, staff finds this standard is satisfied.

**General Standard 7** requires that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. As noted previously, while staff has expressed concern over whether the removal of the stormwater management pond on Parcel 35A will adversely impact the drainage patterns of the area, the applicant has provided information which shows that the facilities on site, with proper maintenance, are engineered to provide sufficient outfall controls and that the drainage which would be generated by the remaining site has been sufficiently accounted for. Similarly, staff has expressed concern about the sufficiency of parking on site given the past parking problems and the historic parking needs for places of worship. Technically, the use on the reduced land area exceeds the Zoning Ordinance parking

requirement and the potential exists to construct up to 50 more spaces if needed. Staff has proposed a development condition requiring the additional spaces be constructed if a shared parking agreement cannot be obtained and maintained with the Thoreau Middle School. Therefore, based on the information provided and subject to the implementation of the development conditions, staff finds that this standard is satisfied.

**General Standard 8** requires that signs be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance. Staff has proposed a development condition restating that the site is governed by the sign provisions of Article 12 and notes that the applicant has not requested an increase or modification to those requirements. As such, staff finds this standard has been satisfied.

## **CONCLUSION**

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions. For these reasons, staff recommends approval of SPA 83-P-057-5, subject to the implementation of the revised proposed development conditions contained in Attachment 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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

## **Attachments**

1. Development Conditions
2. Statement of Justification
3. Affidavit
4. Copy of Resolution and Plat approved with SPA 83-P-057-3
5. Stormwater Management Analysis
6. Transportation Analysis
7. Zoning Ordinance Provisions
8. Glossary

## **PROPOSED DEVELOPMENT CONDITIONS**

### **SPA 83-P-057-5**

**February 17, 2010**

If it is the intent of the Board of Zoning Appeals to approve SPA 83-P-057-5 located on property described as Tax Map 49-1 ((1)) 35A, 37, 38 and 38A to amend SP 83-P-057 previously approved for a church, to permit the deletion of land area (Lot 35A) and a change in permittee, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit are marked with an asterisk (\*). Minor edits have been made to these conditions to conform to current terminology.

1. This approval is granted to the applicant only, The Church for All Nations, Inc., and is not transferable without further action of this Board , and is for the location (2535 Cedar Lane, 8529 Amanda Place, 8526 Amanda Place and 8506 Amanda Place) indicated on the application and is not transferable to other land.\*
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit amendment plat prepared by Larry D. Caruthers, P.E., ATCS, P.L.C., dated May 15, 2009 and revised through December 9, 2009 and approved with this application as qualified by these development conditions.\*
3. A copy of this Special Permit and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.\*
4. This special permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with the approved special permit amendment (SPA) plat and these development conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.\*
5. The maximum number of seats in the main area of worship shall not exceed 500.\*
6. 169 parking spaces shall be provided as shown on the special permit plat. Overflow parking shall be provided at the Thoreau Intermediate School so long as the applicant obtains and maintains a valid agreement with the appropriate County agency. All other parking shall be on-site. There shall be no parking on Amanda Place.\* If after diligent efforts, a valid parking agreement with Thoreau Intermediate School cannot be obtained or maintained, a site plan shall be submitted to DPWES for approval to construct a minimum of 50 parking spaces in that area identified on the SPA Plat as "Possible Future

Parking." All new parking lots shall be constructed, screened by landscaping and/or barriers, and maintained in accordance with provisions of the Zoning Ordinance and the Public Facilities Manual (PFM).\*

7. All interior and peripheral landscaping for the parking lot(s) shall be provided in accordance with Article 13.\* The landscaping shall be maintained in a healthy condition and dead and/or dying plant materials replaced. Prior to the issuance of the new Non-RUP, Urban Forest Management shall inspect the site and shall require replacement and/or new vegetation to meet the intent of the parking lot landscaping requirements.
8. Transitional Screening shall be modified along all lot lines, as shown on the SPA Plat.\* The landscaping shall be maintained in a healthy condition and dead and/or dying materials replaced. Prior to the issuance of the new Non-RUP, Urban Forest Management shall inspect the site and shall require replacement and/or new vegetation to meet the intent of Transitional Screening requirements.
9. The barrier requirement shall be waived on all lot lines.\*
10. Except as required by Conditions 6 & 11, there shall be no land disturbance associated with this application.
11. The stormwater management facilities shall be properly maintained on this site. Should any deficiencies in existing (or future) stormwater management facilities be identified by the Stormwater Management Maintenance Division during regular inspections, or when investigating a drainage complaint, maintenance shall be performed in accordance with an issued punchlist. If determined necessary by DPWES, additional stormwater management facilities, such as rain gardens, infiltration trenches or improvements to existing facilities, shall be installed on the property subject to the review and approval of DPWES as described by the maintenance agreements with DPWES.
12. If the shed on Parcel 38A is removed for any reason, it may be replaced provided that minimum required yards are met and it is located outside any required planting areas.\*
13. There shall be a minimum of 45 minutes between the end of one worship service and the start of the next worship service.
14. The multi-use building shall not be used for services or other activities that coincide with services in the sanctuary, other than Sunday School, adult Bible Study, children's services and English Ministries (youth outreach/bible study in English), to ensure that the parking needs are met during the peak operating hours of the place of worship, which is the principal use on the property. With the exception of a "crying room" for parents and infants, worship services held in the main sanctuary shall not be simultaneously broadcast to other rooms or buildings.

15. Any new parking lot lighting installed shall be in accordance with the outdoor lighting standards as set forth in Section 14-900 of the Zoning Ordinance. The proposed parking lot light fixtures shall be fully shielded and International Dark Sky (IDA) approved. Exclusive of security lighting, all outdoor lighting shall be turned off within half hour of the end of any night time meetings and/or services. Motion detectors may be installed on parking lot and security lighting as a security measure.

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

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



**APPENDIX 2**

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

**WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC**

August 5, 2009

**RECEIVED**  
Department of Planning & Zoning

**AUG 07 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: SPA 83-P-057-4  
Applicant: The Church For All Nations, Inc.  
Fairfax County Tax Map Reference: 49-1 ((1)) 35A, 37, 38 and 38A

Dear Ms. Coyle:

Please accept this letter as a statement of justification for a special permit amendment application requesting a change in permittee and deletion of land area.

The Applicant is the contract purchaser of approximately 6.1 acres located in the Providence Magisterial District that are identified among the Fairfax County tax map records as 49-1 ((1)) 37, 38 and 38A (the "Subject Property"). The Subject Property is located on the north side of Amanda Place at its intersection with Cedar Lane, and zoned to the R-1 and R-4 Districts. Surrounding properties are zoned to the R-1, R-3 and R-5 Districts. Development in the immediate area consists of single-family detached residential dwelling, an intermediate school to the north and a shopping center to the west.

The Subject Property is currently developed with a place of worship and related improvements that were originally constructed in conjunction with the approval of SP 83-P-057. The original special permit has been amended several times over the years and currently encompasses approximately 12.38 acres, that includes the Subject Property and approximately 6.28 acres identified among the Fairfax County tax map records as 49-1 ((1)) 35A ("Parcel 35A"). The Applicant is proposing to change the name of the permittee under SPA 83-P-057-3 from the Korean Central Presbyterian Church to The Church For All Nations, Inc. In addition, the Applicant proposes to delete Parcel 35A from the land area encumbered by the special permit. The existing improvements located on the Subject Property and north of Amanda Place will not be modified, and will be utilized by the Applicant as a place of worship. Parcel 35A, located on the south side of Amanda Place, is currently improved with a gravel parking lot that is not needed to support the Applicant's proposed use of the Subject Property. Parcel 35A is included in a separate rezoning application filed for residential development.

The Subject Property is currently owned by the Korean Central Presbyterian Church, that is presently constructing new facilities on Lee Highway in Centreville. The Korean Central

PHONE 703 528 4700 • FAX 703 525 3197 • WWW.THELANDLAWYERS.COM  
COURTHOUSE PLAZA • 2200 CLARENDON BLVD., THIRTEENTH FLOOR • ARLINGTON, VA 22201-3359

LOUDDON OFFICE 703 737 3633 • PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

Presbyterian Church has entered into a contract of sale with the Applicant for the Subject Property. The Applicant plans to continue use of the existing improvements on the Subject Property as a place of worship without any physical modifications. The number of religious services and programs offered by the Korean Central Presbyterian Church generated a need for parking in excess of the requirements of the Fairfax County Zoning Ordinance (the "Zoning Ordinance"). The Applicant, however, has a much smaller congregation than that of the Korean Central Presbyterian Church, and serves a local, and not regional, community. As a result, the gravel parking lot that was installed south of Amanda Place on Parcel 35A is no longer necessary. Therefore, this land area is proposed to be deleted from the current special permit, and the name of the permittee will be amended to The Church For All Nations, Inc.

The Subject Property is located within the Lee Community Planning Sector of the Vienna Planning District of the Area II Comprehensive Plan (the "Plan"). There are no site specific recommendations for the Subject Property, which is shown on the Plan Map to be developed with residential uses at a density of three (3) to four (4) dwelling units per acre. The Applicant is not proposing any changes to an existing place of worship that is located on the Subject Property, and its proposal is in harmony with the recommendations of the Plan.

In accordance with Section 8-011 of the Zoning Ordinance, please accept the following information regarding the proposed special permit amendment application:

- The type of operation is a place of worship. The place of worship will include accessory uses typically found in association with a place of worship, such as religious education, community outreach, and other ministries.
  - Religious services will be held on Sunday morning at 8:00 a.m., 9:30 a.m. and 11:00 a.m. The existing buildings may be used in the evening for committee meetings, bible study classes and other types of activities typically found in association with a place of worship. It is anticipated that all activities will end no later than 10:00 p.m. The Applicant will maintain an administrative office on the Subject Property that will be open from 10:00 a.m. to 6:00 p.m., Tuesday through Saturday.
  - The existing sanctuary has 500 seats and the number of seats will not be modified.
  - The Applicant currently has a membership of 135 families. The maximum number of parishioners attending services on Sunday is anticipated to be approximately 400 persons. This estimate does account for growth in the Applicant's membership. The most heavily attended Sunday service will be at 11:00 a.m., which may have approximately 300 persons in attendance. Weeknight meetings are typically attended by 50 to 75 persons on any given night. During the day, Monday through Saturday, parishioners may stop by the Subject Property to conduct business and coordinate events.
  - The number of proposed employees is five (5) ministers and eight (8) administrative staff.
-

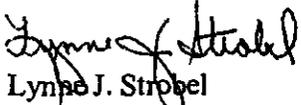
- The total number of vehicle trips to the Subject Property will vary by the day of the week, with the peak trip generation occurring on Sunday morning. During the peak hour use of the sanctuary, which is on Sunday morning for the 11:00 a.m. service, approximately 300 vehicle trips will be associated with the place of worship. These trips occur during typical off peak traffic hours for Fairfax County. There will be some vehicle trips to the Subject Property during the week. The number of estimated vehicle trips during an average weekday is approximately 100, and these trips will be staggered throughout the day. Approximately 50 vehicle trips are anticipated on a typical weekday evening.
- The Church will primarily draw parishioners from the areas of Vienna, Oakton, Fairfax and Annandale in Fairfax County.
- There are no new buildings proposed, nor any modifications proposed to existing improvements.
- The Applicant is unaware of any hazardous or toxic substances located on the Subject Property.
- The proposed development complies with all adopted standards, ordinances and regulations, except as may be noted on the special permit amendment plat and this letter.

The Applicant is not proposing to make any modifications to the existing improvements that are located on the Subject Property. The Applicant is simply changing the name of the permittee to allow for its use of the existing improvements. Further, as sufficient parking is provided on the north side of Amanda Place to serve the Subject Property, the Applicant proposes deletion of approximately 6.28 acres from the property that is currently encumbered by the special permit.

Should you have any questions regarding this application, 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 Board of Zoning Appeals at your earliest convenience.

Very truly yours,

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

  
Lynne J. Strobel

LJS/kae

cc: Sang Kuen Park  
Dr. Tong S. Park  
Gus Brush  
Martin D. Walsh

45195 Business Court, Suite 100, Dulles, VA 20166  
November 20, 2009

(703) 430-7500 FAX (703) 430-0889

**RECEIVED**  
Department of Planning & Zoning  
**NOV 20 2009**  
Zoning Evaluation Division

Suzanne Lin, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning  
12055 Government Center Pkwy # 250  
Fairfax, Virginia 22035-5503

**RE: Special Permit Amendment Application #SPA 83-P-057-05**  
**The Church for All Nations, Special Permit Plat dated September 24, 2009, LDS**  
**Project #8541-ZONA-003-1**  
**Tax Map: #49-1((01)), -0035A, -0037, -0038 & -0038A,**  
**Providence District**

Dear Ms. Lin:

Please accept this letter on behalf of The Trustees of the Koran Central Presbyterian Church, the current owner of the subject property in response to the memorandum dated October 26, 2009 from the Environmental and Site Review Division regarding the existing Stormwater Management Facilities for the subject parcels.

The following table outlines the chronological progression of the improvements for the subject parcels with the associated stormwater management (SWM) and best management practice (BMP) facility:

Location	Fairfax Co. Plan #	Approval Date	Site Use	Parcel Area	SWM/BMP Facility Type	SWM/BMP Drainage Area	Provides
Parcel 38	5553-SP-001-2	1986	Church	3.49 Ac	Gravel Trench	3.49 Ac	SWM & BMP
Parcel 37	8541-SP-002-1	1994	Multi use Building	1.75 Ac	Dry Pond	1.75 Ac	SWM & BMP
Parcel 35A	8541-MSP-001-1	2003	Temp Parking Lot	6.14 Ac	Dry Pond	6.28 Ac	SWM & BMP

Please refer to the stormwater management (SWM) graphic exhibit in conjunction with the table above. Parcel 38A does not require stormwater management as it consists of the original single family dwelling with no improvements as per the approved Site Plan above. The SWM graphic exhibit illustrates both the current drainage divides as well as the Site drainage design areas for each SWM/BMP as per the approved Site Plans. The SWM/BMP requirements for the subject parcels (37, 38 and 35A) were provided sequentially such that each parcel stands alone as processed with the approved Site Plans.

Suzanne Lin, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning  
November 20, 2009  
Page 2

The SWM/BMP requirements set forth for Parcels 37 and 38 were provided in accordance with the 1994 approved Site Plan (Plan No. 8541-SP-002-1). Additionally, SWM/BMP requirements for Parcel 35A ONLY was provided with the dry pond located on Parcel 35A in accordance with the 2003 approved Site Plan (Plan No. 8541-MSP-001-1). As indicated in the table, parcel 35A was designed and approved 9 years after parcel 37 was approved and 17 years after parcel 38 was approved. These various facilities have been providing SWM and BMPs for their respective developments.

When the temporary gravel parking lot was designed on parcel 35A, a dry pond was designed as a SWM and BMP facility for this parcel only. As it is stated on page C-4 of the approved plan for the gravel parking lot "***The required SWM/BMP system is designed for the temporary gravel parking lot use. At such time as the site is ultimately developed a new, permanent stormwater management system will be designed for the ultimate conditions.***" This facility was designed as a temporary facility to capture 1.71 acres of the site area. However, the pond was over designed to accommodate the existing 18" outfall pipe which was under capacity. In the future, when parcel 35A is developed this pipe will be replaced and SWM and BMPs will be provided for the entire site by the use of infiltration, rain gardens or similar facilities.

In conclusion, with exception to a minor maintenance item regarding the 9-ft parking lot curb cut on the SWM gravel trench, it appears that the SWM/BMP facilities serving Parcels 37 and 38 (North of Amanda Place) are functioning as designed/approved and will continue as such with the removal of Parcel 35A.

If you have any questions concerning the information provided, please give me a call at (703) 430-7500.

Sincerely,  
ATCS, P.L.C.



Gus Brush  
Project Manager

GAB/gab

Cc: Dr. Park (KCPC)  
Mr. Sang Kuen Park (All Nations Church)  
Ms. Lynne Strobel (Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.)  
Mr. Allan Baken (CPJ)  
Mr. Kenneth Lawrence (Fairfax County PC Member – Providence District)

Application No.(s): SPA 83-P-057-05  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: December 7, 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      1055894

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

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

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

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
The Church For All Nations, Inc.  Agents: Sang Kuen Park Rev. Won Kittong Doug Ho Kim	5265 Port Royal Road Springfield, Virginia 22151	<b>Applicant/Contract Purchaser</b> of Tax Map 49-1 ((1)) 37, 38, 38A
ATCS, P.L.C.  Agent: Gregory A. Brush	45195 Business Court Suite 100 Dulles, Virginia 20166	<b>Engineer/Agent for Applicant</b>

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

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

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

Application No.(s): SPA 83-P-057-05  
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 2

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

DATE: December 7, 2009  
(enter date affidavit is notarized)

1055890

**(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 <b>BOLD</b> above)
Korean Central Presbyterian Church, Inc.  Agents: Daniel Changsoo Ro Younggil Kwon Joo Hee Kim Wong Sang Lee Sam H. Chung Tong S. Park Harold H. Pyon Young S. Park Young Ho Chang	8526 Amanda Place Vienna, Virginia 22180	<b>Title Owner of Tax Map</b> 49-1 ((1)) 35A, 37, 38, 38A
Elm Street Communities, Inc.  Agents: James L. Perry Jack B. Perkins	1355 Beverly Road, Suite 240 McLean, Virginia 22101	<b>Contract Purchaser of Tax Map</b> 49-1 ((1)) 35A
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M.W. Bowyer Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	<b>Attorneys/Planners/Agent for Applicant</b>

(check if applicable)

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

Application No.(s): SPA 83-P-057-05  
(county-assigned application number(s), to be entered by County Staff)

Page 2 of 2

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

DATE: December 7, 2009  
(enter date affidavit is notarized)

1055896

**(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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD above</b> )
Charles P. Johnson & Associates, Inc.  Agents: Allan D. Baken Ipek (nmi) Aktuglu Paul B. Johnson	3959 Pender Drive, Suite 210 Fairfax, VA 22030	Engineers/Agents
M.J. Wells & Associates, Inc.  Agents: Robin L. Antonucci Christopher R. Kabatt	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/ Agent
McGuire Woods LLP  Agents: Scott E. Adams Carlson Lee Fifer, Jr. Joanna C. Frizzell David R. Gill Jonathan P. Rak Gregory A. Riegler Mark M. Viani Kenneth W. Wire Lisa M. Chiblow Lori R. Greenlief Sheri L. Hoy	1750 Tysons Boulevard, Suite 1800 McLean, Virginia 22102	Attorneys/Planners/Agent for Elm Street Communities, Inc.

(check if applicable)

[ ]

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

Application No.(s): SFA 83-P-057-05  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: December 7, 2009  
(enter date affidavit is notarized)

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

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

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
The Church For All Nations, Inc.  
5265 Port Royal Road  
Springfield, Virginia 22151

**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)

A not-for-profit corporation

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

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

Application No.(s): SPA 82-P-057-05  
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 3

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

DATE: December 7, 2009  
(enter date affidavit is notarized)

10558945

**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)

ATCS, P.L.C.  
45195 Business Court, Suite 100  
Dulles, Virginia 20166

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

William A. Caruthers, Jr.	Jonathan M. Hoyes
Larry D. Caruthers, Sr.	Kevin S. Porter
Young Ho Chang	John A. DePasquale
James W. Whitehead	Bruce D. Boltz, Jr.
Joseph C. Coppedge	

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

Application No.(s): SPA 83-P-057-05  
(county-assigned application number(s), to be entered by County Staff)

Page 2 of 3

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

DATE: December 7, 2009  
(enter date affidavit is notarized)

1055894

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

Elm Street Communities, Inc.  
1355 Beverly Road, Suite 240  
McLean, Virginia 22101

**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 D. Flanagan

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

Korean Central Presbyterian Church, Inc.  
8526 Amanda Place  
Vienna, Virginia 22180

**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)

A not-for-profit corporation

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

Application No.(s): SPA 83-P-057-05  
(county-assigned application number(s), to be entered by County Staff)

Page 3 of 3

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

DATE: December 7, 2009  
(enter date affidavit is notarized)

1055891

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Charles P. Johnson & Associates, Inc.  
3959 Pender Drive, Suite 210  
Fairfax, VA 22030

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

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
Charles P. Johnson  
Paul B. Johnson

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
M.J. Wells & Associates, Inc.  
1420 Spring Hill Road, Suite 600  
McLean, Virginia 22102

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

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)  
M.J. Wells & Associates, Inc. Employee  
Stock Ownership Trust. All employees are  
eligible plan participants; however, no one  
employee owns more than 10% of any class  
of stock.

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

Application No.(s): SPA 83-P-057-05  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: December 7, 2009  
(enter date affidavit is notarized)

105589 ✓

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

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)  
McGuire Woods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

(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)

**Equity Partners of McGuireWoods LLP**

- |                         |                       |                       |
|-------------------------|-----------------------|-----------------------|
| Alphonso, Gordon R.     | Beil, Marshall H.     | Buchan, Jonathan E.   |
| Anderson, Arthur E., II | Belcher, Dennis I.    | Busch, Stephen D.     |
| Anderson, Mark E.       | Bell, Craig D.        | Cabaniss, Thomas E.   |
| Andre-Dumont, Hubert    | Beresford, Richard A. | Cacheris, Kimberly Q. |
| Bagley, Terrence M.     | Bilik, R. Eric        | Cairns, Scott S.      |
| Barger, Brian D.        | Blank, Jonathan T.    | Capwell, Jeffrey R.   |
| Barnum, John W.         | Boland, J. William    | Cason, Alan C.        |
| Barr, John S.           | Brenner, Irving M.    | Chaffin, Rebecca S.   |
| Becker, Scott L.        | Brooks, Edwin E.      | Cobb, John H.         |
| Becket, Thomas L.       | Brown, Thomas C., Jr. | Cogbill, John V., III |

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

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

Application No.(s):

SPA 83-P-057-05

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

Page 1 of 2

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

DATE: December 7, 2009

(enter date affidavit is notarized)

1055894

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

McGuire Woods LLP  
1750 Tysons Boulevard, Suite 1800  
McLean, VA 22102

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

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

Covington, Peter J.  
Cramer, Robert W.  
Cromwell, Richard J.  
Culbertson, Craig R.  
Cullen, Richard (nmi)  
de Cannart d'Hamale, Emmanuel  
De Ridder, Patrick A.  
Dickerman, Dorothea W.  
DiMattia, Michael J.  
Dooley, Kathleen H.  
Dorman, Keith A.  
Downing, Scott P.  
Edwards, Elizabeth F.  
Ey, Douglas W., Jr.  
Feller, Howard (nmi)  
Fennebresque, John C.  
Foley, Douglas M.  
Fox, Charles D., IV  
France, Bonnie M.  
Freedlander, Mark E.  
Fuhr, Joy C.  
Getchell, E. Duncan, Jr.  
Gibson, Donald J., Jr.  
Glassman, Margaret M.  
Glickson, Scott L.  
Gold, Stephen (nmi)  
Goldstein, Philip (nmi)

Grant, Richard S.  
Greenberg, Richard T.  
Grieb, John T.  
Harmon, Jonathan P.  
Harmon, T. Craig  
Harmon, Yvette (nmi)  
Hartsell, David L.  
Hayden, Patrick L.  
Hayes, Dion W.  
Heberton, George H.  
Horne, Patrick T.  
Hosmer, Patricia F.  
Hutson, Benne Cole  
Isaf, Fred T.  
Jackson, J. Brian  
Jarashow, Richard L.  
Johnston, Barbara Christie  
Kanazawa, Sidney (nmi)  
Katsantonis, Joanne (nmi)  
Keenan, Mark L.  
Kennedy, Wade M.  
King, Donald E.  
King, Sally Doubet  
Kittrell, Steven D.  
Kratz, Timothy H.  
Krueger, Kurt J.  
Kutrow, Bradley R.

La Fratta, Mark J.  
Lias-Booker, Ava E.  
Lieberman, Richard E.  
Little, Nancy R.  
Long, William M.  
Manning, Amy B.  
Marianes, William B.  
Marks, Robert G.  
Marshall, Gary S.  
Marshall, Harrison L., Jr.  
Marsico, Leonard J.  
Martin, Cecil E., III  
Martin, George Keith  
Martinez, Peter W.  
Mason, Richard J.  
Mathews, Eugene E., III  
Mayberry, William C.  
McCallum, Steven C.  
McDonald, John G.  
McElligott, James P.  
McElroy, Robert G.  
McFarland, Robert W.  
McIntyre, Charles Wm.  
McLean, J. Dickson  
McRill, Emery B.  
Muckenfuss, Robert A.  
Muir, Arthur B.

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

Application No.(s):

SAA 83-P-057-05

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

Page 2 of 2

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

DATE: December 7, 2009

(enter date affidavit is notarized)

1055894

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

McGuire Woods LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

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

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

Murphy, Sean F.
Nesbit, Christopher S.
Nunn, Daniel B., Jr.
O'Grady, Clive R. G.
O'Grady, John B.
O'Hare, James P.
Oakey, David N.
Oostdyk, Scott C.
Padgett, John D.
Pankey, David H.
Parker, Brian K.
Phears, H.W.
Plotkin, Robert S.
Potts, William F., Jr.
Pryor, Robert H.
Pusateri, David P.
Rak, Jonathan P.
Rakison, Robert B.
Reid, Joseph K., III
Richardson, David L.
Riegle, Gregory A.
Rifken, Lawrence E.
Riley, James B., Jr.
Riopelle, Brian C.

Roberts, Manley W.
Robinson, Stephen W.
Rogers, Marvin L.
Rohman, Thomas P.
Rosen, Gregg M.
Rust, Dana L.
Satterwhite, Rodney A.
Scheurer, P. Christian
Schewel, Michael J.
Schill, Gilbert E., Jr.
Schmidt, Gordon W.
Sellers, Jane Whitt
Shelley, Patrick M.
Simmons, L. D., II
Simmons, Robert W.
Skinner, Halcyon E.
Slone, Daniel K.
Spahn, Thomas E.
Spitz, Joel H.
Stallings, Thomas J.
Steen, Bruce M.
Stein, Marta A.
Stone, Jacquelyn E.
Swan, David I.

Tackley, Michael O.
Tarry, Samuel L., Jr.
Thornhill, James A.
Tirone, Joseph G.
Van der Mersch, Xavier G.
Vaughn, Scott P.
Vick, Howard C., Jr.
Viola, Richard W.
Wade, H. Landis, Jr.
Walker, John Tracy, IV
Walsh, James H.
Watts, Stephen H., II
Werlin, Leslie M.
Westwood, Scott E.
Whelpley, David B., Jr.
White, H. Ramsey, III
White, Walter H., Jr.
Williams, Steven R.
Wilson, Ernest G.
Wilson, James M.
Wren, Elizabeth G.
Young, Kevin J.
Younger, W. Carter

(Former Equity Partner List)

Gordon, Alan B.
Jeffcoat, Brenton D.

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

Application No.(s):

SPA 83-P-057-05

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

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: December 7, 2009  
(enter date affidavit is notarized)

1055874

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

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

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

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

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

None

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

Application No.(s): SAA 93-P-057-05  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: December 7, 2009  
(enter date affidavit is notarized)

10558916

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

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

None

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

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

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

WITNESS the following signature:

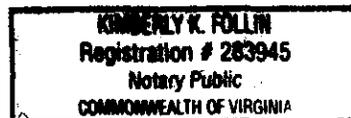
(check one)  Applicant *Lynne J. Strobel*  Applicant's Authorized Agent

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 7 day of December 2009, in the State/Comm. of Virginia, County/City of Arlington.

*Kimberly K. Rollin*  
Notary Public

My commission expires: 11/30/2011



**SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS**

In Special Permit Amendment Application SPA 83-P-057-3 by KOREAN CENTRAL PRESBYTERIAN CHURCH, under Section 3-103 of the Zoning Ordinance to amend SP 83-P-057 for church and related facilities to permit increase in land area and parking spaces, temporary classroom trailers and reduction to minimum yard requirements based on error in building location to allow shed to remain 6.0 feet from side lot line, on property located at 8526 Amanda Place, Tax Map Reference 49-1((1))35, 36, 37, 38, and 38A, Mr. Kelley moved that the Board of Zoning Appeals adopt the following resolution:

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

WHEREAS, following proper notice to the public, a public hearing was held by the Board on January 2, 1996; and

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

1. The applicant is the owner of the land.
2. The present zoning is R-1 and R-4.
3. The area of the lot is 12.66 acres.

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

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sections 8-303, 8-903 and 8-914 of the Zoning Ordinance.

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

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.\*
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Mark Mittereder of ArchGroup dated November 27 1995 and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.\*
4. This Special Permit is subject to the provisions of Article 17, Site Plans, as may be determined by DEM. Any plan submitted pursuant to this special permit shall be in conformance with the approved Special Permit plat and these development conditions.\*

5. The maximum number of seats in the main area of worship shall be 500.\*
6. 328 parking spaces shall be provided as shown on the special permit plat. Overflow parking may be provided at the Thoreau Intermediate School so long as the applicant obtains and maintains a valid agreement with the appropriate County agency.\* All other parking shall be on-site. There shall be no parking on Amanda Place.\*
7. All parking lots shall be constructed and maintained in accordance with the standard practices approved by the Director of the Department of Environmental Management.\* Both entrance and exit locations for the proposed parking lot shall be aligned with the entrance and exit locations of the existing parking areas on the north side of Amanda Place. If a waiver of dustless surface requirements is granted by the Department of Environmental Management, pavement shall be placed from the edge of the abutting roadway for a minimum of 25 feet into the interior of the site at both entrance and exit locations to prevent the parking area surfacing material from entering the abutting street. In addition, individual wheel stops shall be provided for each unpaved parking space along Amanda Place and Cedar Lane as requested by the applicant.
8. All interior landscaping for the proposed parking lot shall be provided in accordance with Article 13. Peripheral parking lot landscaping shall be provided as shown on the special permit plat, except that street trees shall be added to those areas where the proposed parking lot fronts Amanda Place and Cedar Lane.
9. Transitional Screening shall be modified along all lot lines, except for the southern property lines of Parcels 35 and 36, to allow existing vegetation and the proposed landscaping shown on the special permit plat to satisfy the Transitional Screening requirements. Existing vegetation shall be supplemented along the southern property lines of Parcels 35 and 36 to provide the equivalent of Transitional Screening 1 as approved by the Urban Forestry Branch of the Department of Environmental Management.
10. The barrier requirement shall be waived on all lot lines.\*
11. Limits of clearing and grading shall be as shown on the special permit plat, except in the area of the stormwater management as required by the Department of Environmental Management. There shall be no structures and no clearing or grading of vegetation in the area except for dead or dying trees.\*
12. If an a Storm Water Management area is deemed necessary by the Department of Environmental Management, the Storm Water Management areas shown on the special permit plat shall be designed and engineered to fulfill requirements for Best Management Practices to the satisfaction of the Director of the Department of Environmental Management.
13. If the shed on Parcel 38A is removed for any reason, it may be replaced provided the minimum required yards are met.\*

14. The three temporary trailers shall be removed within 2 years of obtaining a Non-Residential Use Permit, or on or before January 10, 1999, whichever comes first.
15. Right-of-way to 26 feet from the centerline of Amanda Place shall be dedicated for public street purposes and shall convey to the Board of Supervisors in fee simple on demand or at the time of site plan approval, whichever comes first. Ancillary construction easements shall be provided to facilitate these improvements.\*
16. Right-of-way to 45 feet from the centerline of Cedar Lane shall be dedicated for public street purposes and shall convey to the Board of Supervisors in fee simple on demand or at the time of site plan approval, whichever comes first. Ancillary construction easements shall be provided to facilitate these improvements.

These conditions incorporate and supersede all previous development conditions.

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

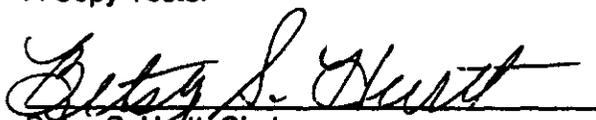
Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval\*\* unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Zoning Appeals may grant additional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

\*Denotes previously approved conditions.

Mr. Pammel seconded the motion which carried by a vote of 6-0. Mr. Ribble was absent from the meeting.

\*\*This decision was officially filed in the office of the Board of Zoning Appeals and became final on January 16, 1996. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:

  
Betsy S. Hufft, Clerk  
Board of Zoning Appeals





## County of Fairfax, Virginia

**MEMORANDUM**

**DATE:** October 26, 2009

**TO:** Suzanne Lin, Staff Coordinator  
 Department of Planning and Zoning

**FROM:** Beth Reynolds, Chief Engineer *By*  
 Environmental and Site Review Division  
 Department of Public Works and Environmental Services

**SUBJECT:** Special Permit Amendment Application #SPA 83-P-057-05; The Church for All Nations, Special Permit Plat dated May 15, 2009, LDS Project #8541-ZONA-003-1, Tax Map #49-1-01-0035A, -0037, -0038, and -0038A, Providence 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 seem to have been a development condition of an earlier special permit amendment. The applicant should provide evidence that the project will continue to meet the requirements of any water quality development condition.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There have been drainage complaints filed by the owner of 2613 Bowling Green Drive.

Stormwater Management

The applicant should provide evidence that the project will continue to meet the requirements of any development condition concerning stormwater management. The responsibility for the maintenance of the existing stormwater management pond on lot 35A will be transferred to any new owner of the property.

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

Department of Public Works and Environmental Services  
 Land Development Services, Environmental and Site Review Division  
 12055 Government Center Parkway, Suite 225  
 Fairfax, Virginia 22035-5503  
 Phone 703-324-1720 • TTY 711 • FAX 703-324-8359





# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

DEC 13 2009

Trustees  
Korean Central Presbyterian Church  
8526 Amanda Pl  
Vienna, VA 22180

**Subject: Visual Condition Assessment of Privately Maintained Stormwater Management Facilities**

**Reference: Project: Korean Central Presbyterian Church  
Plan No: 5553-SP-01-2  
Location: 8526 Amanda Pl  
Tax Map No: 049.1 ((01)) () 0038  
Site ID / Facility ID: S0576 / TR0049**

Dear Sir or Madam:

Staff from this agency performed a visual condition assessment of the stormwater management facility at the referenced site on 11/05/2009. Please be advised that as the owner of this infiltration trench, you are obligated to properly maintain your facility. The following are attached:

- Condition Assessment Report
- Copy of Approved Facility Plan Sheet(s)
- Copy of Private Maintenance Agreement (Deed Book / Page: 06247 / 0147)
- Copy of Tax Map with Site Identified
- Copy of GIS Aerial Site Photo
- Maintenance Guidelines
- Copy of 45 Day - Maintenance Activity Report

Fairfax County performs visual condition assessments of stormwater management facilities as part of the County's larger program to ensure compliance with state and federal water quality permits and to protect the Chesapeake Bay Watershed. These visual condition assessments offer a "point-in-time" representation of observed conditions at these facilities, and are not intended to provide any information related to functional integrity of the structure nor provide warranty as to present or future structure condition or performance. Fairfax County recommends that you consult a qualified professional for a more thorough assessment of the conditions and for specific recommendations for corrective actions or measures based on material contained in this report.

---

**Department of Public Works and Environmental Services  
Maintenance and Stormwater Management Division**  
10635 West Drive  
Fairfax, VA 22030-4229  
Phone: 703-877-2800, TTY: 711, FAX: 703-934-2868  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



The attached stormwater management guidelines are provided as a courtesy and are based on general knowledge of maintenance required for these types of facilities. The guidelines are not meant to replace or supersede any specific recommendations offered by a qualified professional. In order to complete the Federal and State-required inspection process, MSMD requests that the responsible party(ies) respond in-writing (Attn: Private Condition Assessment & Enforcement Program), using the attached Maintenance Activity Report (MAR) form, within 45 days of your receipt of this letter.

To ensure an adequate response, please note the following:

- The MAR must be completed and signed for the facility listed above
- The MAR must address each maintenance issue described in the Condition Assessment Report
- Please include photos, invoices, contracts, proposals, and/or work plans with the MAR
- Relaying this information via phone does not substitute completion of the form

The maintenance of private stormwater management facilities is the responsibility of the owner. Properly constructed and maintained facilities provide the stormwater quantity control necessary to mitigate flooding and the water quality benefits needed to help meet the Federal Clean Water Act's objectives. In addition, regular maintenance will help prevent stormwater management facilities from becoming a nuisance, hazard or a liability to the owner. Prompt attention to maintenance issues will likely result in reduced costs over the long term. Your attention to this matter is greatly appreciated.

If you have any questions regarding the Condition Assessment Report, please contact Richard Markey or myself at (703) 877-2800. Please reference your Site ID / Facility ID in all correspondence. For additional information, please visit our website at [www.fairfaxcounty.gov/dpwes/utilities/swm\\_facility\\_maint.htm](http://www.fairfaxcounty.gov/dpwes/utilities/swm_facility_maint.htm).

Sincerely,



Paul M. Shirey, Chief  
Stormwater Management and Contracting Branch

Encl.: As Stated  
cc: Chron Files & Facility Files

## CONDITION ASSESSMENT REPORT

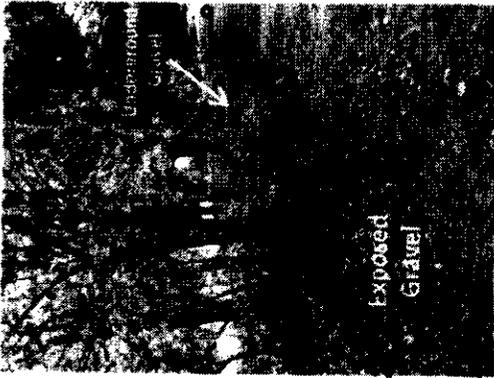
### A. Inspection Items and Recommended Corrective Actions

- The trench could not be accessed for inspection. Please provide access to the facility and notify the County at 703-877-2800 when it is accessible.
- The gravel trench or a portion of it has been eliminated. This trench should be reinstalled in accordance with the original approved facility plans (See attached copy of approved facility plan). (Note: If previous County approval or action eliminated the trench, it is requested that the details of the approval be provided to this agency).
- A portion of the gravel trench has been covered over or has silted in causing the trench to be non-functional. The trench should be restored to the approved facility plan condition (See attached copy of approved facility plan). The Southeastern corner of the trench is a surface trench, i.e., exposed gravel. The material in the trench area should be excavated and replaced with clean VDOT #57 stone. (Photos #1-2)
- Drainage to the gravel trench has been blocked or diverted away from the original trench design. The trench drainage design should be restored to the approved facility plan (See attached copy of approved facility plan). Sediment has accumulated at the inflow (one parking space with no curbing) to the exposed gravel portion of the trench. Positive flow into the trench should be restored. (Photo #2)
- Silt and/or debris have collected in the control structure. This material should be removed and properly disposed of (Power flushing the material downstream would not be considered proper disposal). Approximately 3.81 feet of sediment has accumulated in the Cleanout Structure (Str#1), causing 99% blockage of the 15" inflow pipe from Str#2. Sediment should immediately be removed to an elevation of 375 feet, or to the bottom of the perforated CMP riser. (Photo #4)
- Silt and/or debris have collected in the inflow pipes. This material should be removed and properly disposed of (Power flushing the material downstream would not be considered proper disposal). (Photos #6-10)
- Other Items: The outfall pipe is 50% blocked with sediment. Positive flow from of the pipe should be restored. (Photo #11)
- Other than your normal routine maintenance, no additional maintenance is needed at this time based on the visual condition assessment.

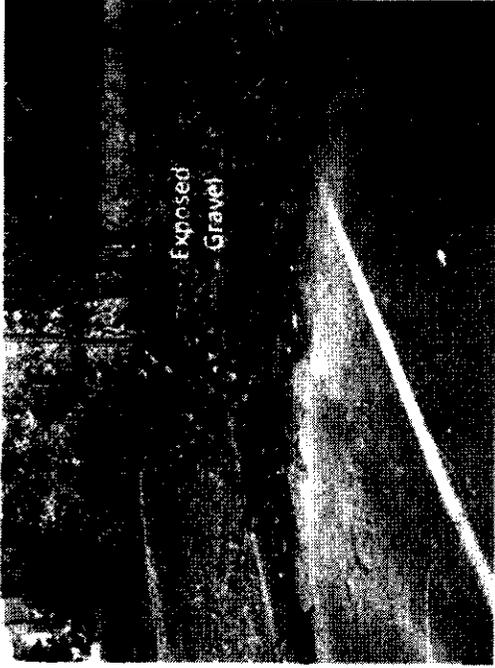
### B. Summary of the Maintenance Issues

- Inspection could not be performed. Please provide access to the facility and notify the County at 703-877-2800 when it is accessible.
- General routine and preventive maintenance is recommended.
- Replacement of trench is recommended.
- Refurbishment (i.e. cleaning and/or repairing) of trench is recommended.
- Other items: \_\_\_\_\_
- Other than your normal routine maintenance, no additional maintenance is needed at this time based on the visual condition assessment.

TR0049 Inspection Photos – 11/05/2009



(1) Overall of TR0049- facing NW



(2) Overall of SE-portion of TR0049



(3) Overall of Cleanout Str#1

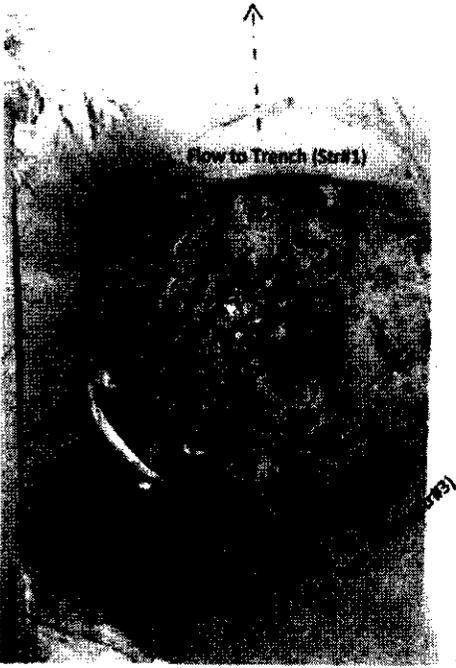


(4) Sediment accumulation observed inside Cleanout Str#1

TR0049 Inspection Photos – 11/05/2009



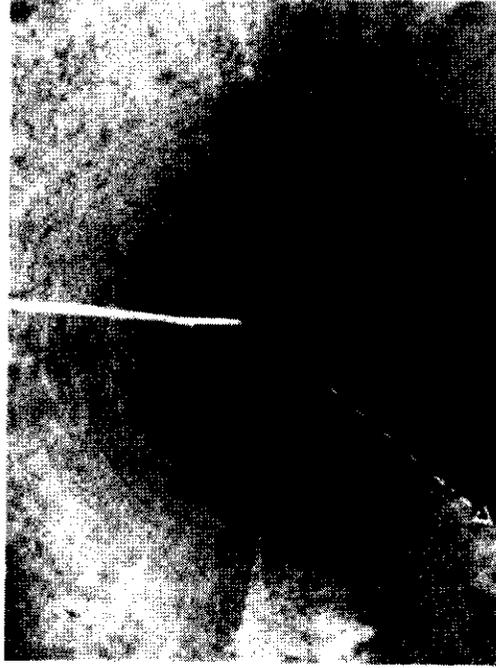
(5) Overall of Inflow Str#2



(6) Inside Inflow Str#2- Sediment / debris accumulation observed



(7) Inside view of outfall pipe to trench (connects to Str#1)- Sediment accumulation observed



(8) Inside view of inflow pipe from building- Sediment accumulation observed

TR0049 Inspection Photos – 11/05/2009



(9) Inside view of inflow pipe from street (Str#3)- Sediment accumulation observed



(10) Overall of Str#3 (grate inlet in street)



(11) Outfall pipe (Str#D1)- 50% blocked with sediment



**GENERAL NOTES**

1. This map is a technical drawing and is not to be used for any other purpose.
2. All dimensions are in feet unless otherwise noted.
3. All elevations are in feet above sea level unless otherwise noted.
4. All structures are shown as existing unless otherwise noted.
5. All utilities are shown as existing unless otherwise noted.
6. All streets are shown as existing unless otherwise noted.
7. All other features are shown as existing unless otherwise noted.

**SOSTA**



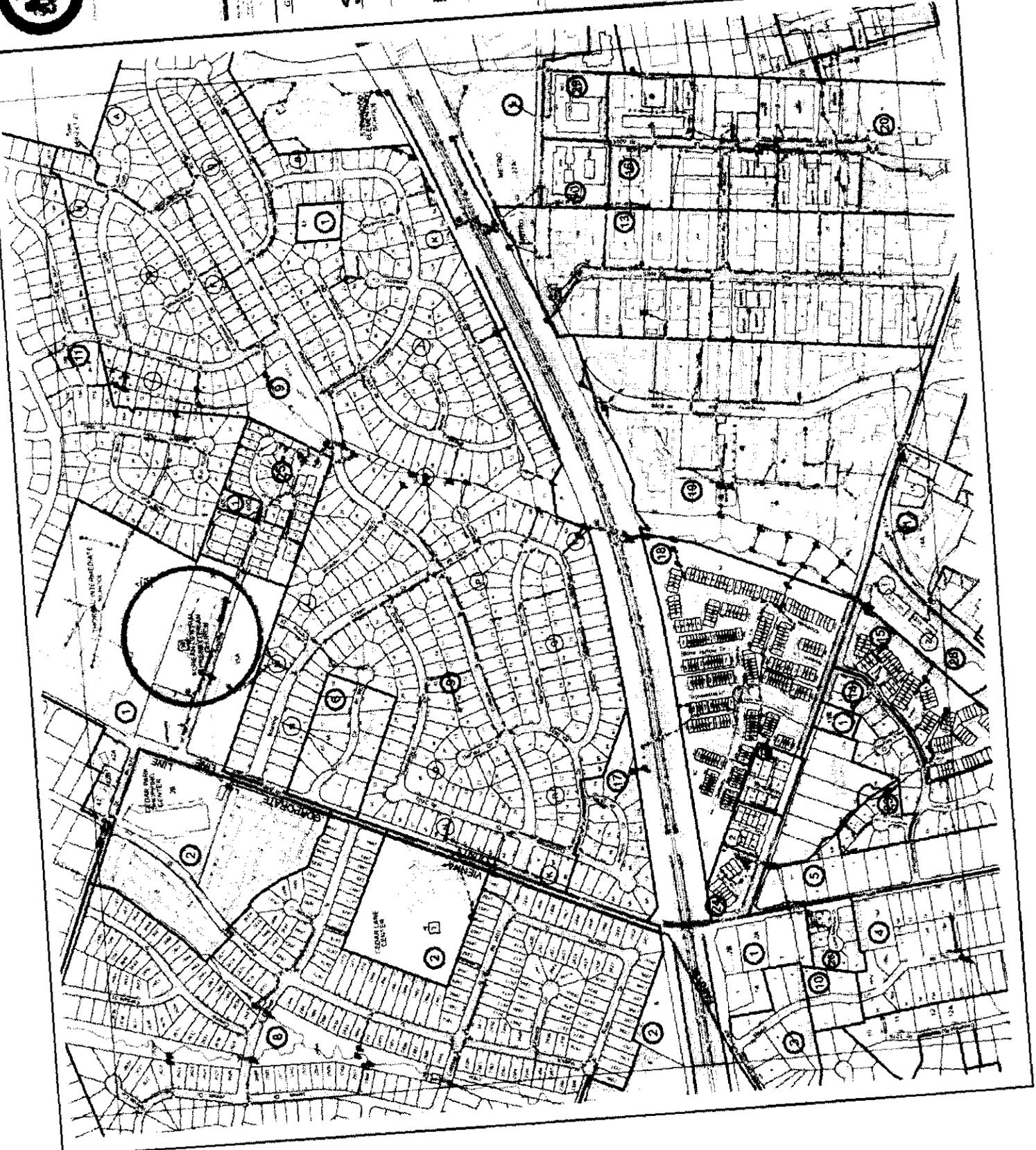
MISSOURI STATE SURVEY  
 PLAT NO. 13,941  
 10.2  
 10-1 10-2 10-4



MISSOURI STATE SURVEY  
 PLAT NO. 13,941  
 10.2  
 10-1 10-2 10-4

**STORMWATER NETWORK MAP**  
**49-1**

Revised By: J. L. SAPP





TR0049

AMANDA RL



## MAINTENANCE GUIDELINES

### **UNDERGROUND DETENTION TRENCH FACILITIES**

Prepared By:  
FAIRFAX COUNTY  
Department of Public Works and Environmental Services  
Maintenance and Stormwater Management Division  
(703) 877-2800

#### **IMPORTANT**

*The attached stormwater management guidelines are provided as a courtesy and are based on general knowledge of maintenance required for these types of facilities. Fairfax County specifically disclaims any warranty, either expressed or implied, arising out of the use of these guidelines. The guidelines are not meant to replace or supersede any specific recommendations offered by a qualified professional.*

OWNERS ARE ADVISED OF THE FOLLOWING MAINTENANCE GUIDELINES:

- 1) Please remove all grass and plant material on and around the manhole covers and BILCO Access doors to allow entry, inspection and maintenance of the underground percolation trench facility.
- 2) It is recommended that the owner remove debris, trash and sediment buildup from the underground perforated pipe to prevent the underground trench from becoming clogged and to ensure adequate storage volume for the designed rainfall storm event.
- 3) It is recommended that the owner keep stormwater inlets and outlets clear of debris and check after major rainfall storm events.
- 4) It is recommended that the owner repair erosion areas around stormwater inlets and outlets and around the access manhole covers and BILCO doors to prevent further damage.

THANK YOU FOR MAINTAINING YOUR STORMWATER FACILITY WHICH HELPS  
PROTECT FAIRFAX COUNTY'S WATERWAYS AND THE CHESAPEAKE BAY



# MAINTENANCE GUIDELINES

## **GRAVEL TRENCHES**

Prepared By:  
FAIRFAX COUNTY  
Department of Public Works and Environmental Services  
Maintenance and Stormwater Management Division  
(703) 934-2860

### IMPORTANT

*The attached stormwater management guidelines are provided as a courtesy and are based on general knowledge of maintenance required for these types of facilities. Fairfax County specifically disclaims any warranty, either expressed or implied, arising out of the use of these guidelines. The guidelines are not meant to replace or supersede any specific recommendations offered by a qualified professional.*

#### OWNERS ARE ADVISED OF THE FOLLOWING MAINTENANCE GUIDELINES:

1. Please remove any material that is blocking the entrance to the trench, such as access silt buildup, grass or any physical object.
2. Adequate openings (e.g. curbs) to allow water flow into the trench should be cleared to ensure proper functioning.
3. Stormwater should not run into the trench and then off again. Water running off the trench could be evidence of excessive silt build up in the upper layers of the trench. Please ensure that water goes into the gravel immediately.
4. Removal of all grass and roots, woody brush and trees from the gravel detention trench should be done on a regular basis, as needed. Please refill the excavated area with Virginia Department of Transportation Course Aggregate as specified in the Site Plan design drawings.
5. Please remove all trash and debris from the surface of the trench.
6. Please do not allow cars or other vehicles to drive on the trench.

**THANK YOU FOR MAINTAINING YOUR STORMWATER FACILITY WHICH HELPS  
PROTECT FAIRFAX COUNTY'S WATERWAYS AND THE CHESAPEAKE BAY**



# MAINTENANCE ACTIVITY REPORT

(Response requested within 45 days of receipt)



According to County records you are the current owner of a privately maintained stormwater management facility that had deficiencies at the time of an inspection on 11/05/2009. This standard Maintenance Activity Report is requested as part of the private inspection/enforcement process. Failure to complete this form in a timely manner could result in a non-compliance status which could lead to enforcement activities.

**Complete this form legibly in ink and mail or fax to the following address within 45 days of receipt**

**Attn: Visual Condition Assessment Program  
Department of Public Works and Environmental Services  
Maintenance and Stormwater Management Division  
10635 West Drive  
Fairfax, Virginia 22030  
TEL: 703-877-2800 FAX: 703-934-2868**

**Facility Information (as shown on plan of record):**

**Project: Korean Central Presbyterian Church  
Plan No: 5553-SP-01-2  
Location: 8526 Amanda Pl  
Tax Map: 049.1 ((01)) 0038  
Site ID / Facility ID: S0576 / TR0049  
Watershed: Accotink Creek**

**Ownership and Contact Information**

**Current Owner:**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

**Owner's Agent for Maintenance:**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

Description of Work Completed	Date Completed	Cost (optional)
Attach any invoices, photos or other information relative to maintenance performed or planned		
See other side for additional space.		

I, \_\_\_\_\_, hereby certify that the statements above are true to the best of my knowledge.

Printed Name

\_\_\_\_\_  
Signature (Owner or Owner's Agent)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Legislation/Regulations/Permitting/Guidelines:**

- Fairfax County Codes, Article 1, Section 106-1-1, Storm drainage facilities; maintenance and cleanliness
- Fairfax County Codes, Article 1, Section 105-1-1, Pollution of State Waters
- Federal Clean Water Act/Section 402-(P) enabling the National Pollution Discharge Elimination System under which Fairfax County is required to meet Federal mandates as required by the Municipal Separate Storm Sewer System (MS4) Permit #: VA0088587
- Chesapeake Bay Preservation Act
- Virginia Stormwater Management Act



STORM WATER DETENTION AGREEMENT

THIS AGREEMENT, made and entered into this 23rd day of August, 19 84, by and between

INSERT FULL NAME OF TENANT  
hereinafter called the "Tenant",  
THE KOREAN CENTRAL PRESBYTERIAN CHURCH, INC.

INSERT FULL NAME OF LANDOWNER  
hereinafter called the "Landowner", and the Board of Supervisors of Fairfax County, Virginia, hereinafter called the "County";

WITNESSETH, that

WHEREAS, the Landowner is the owner of certain real property, more particularly described as 8510 AMANDA PLACE  
INSERT LEGAL DESCRIPTION OF PROPERTY

KOREAN CENTRAL PRESBYTERIAN CHURCH 49-1.001.38  
PLAN NAME TAX MAP REFERENCE  
as recorded in the land records of Fairfax County, Virginia at Deed Book 5431 at Page 1062, hereinafter called the "Property"; and

WHEREAS, the Tenant is in the process of developing this parcel of land; and

WHEREAS, Site Plan/Subdivision Plan 5553 SP 01,  
INSERT PLAN NUMBER  
hereinafter called the "Plan" as approved or about to be approved by the County and expressly made a part of this agreement, provides for detention of storm water within the confines of the property; and

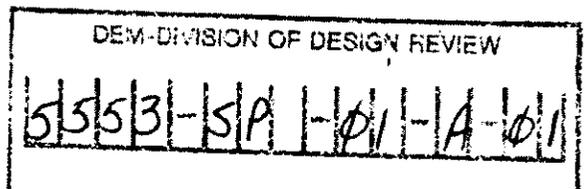
WHEREAS, the County, the Landowner, and the Tenant agree that the health, safety and general welfare of the residents of Fairfax County, Virginia, require that on-site storm water detention facilities be constructed and maintained on the property; and

WHEREAS, the County requires that on-site storm water detention facilities as shown on the Plan be constructed and adequately maintained by the Tenant and/or the Landowner;

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site storm water detention facilities shall be constructed by the Tenant and/or the Landowner in accordance with

Return to: DEM - Design Review - Janda, Capso



the plans and specifications identified in the plan.

2. The Tenant and/or Landowner shall maintain the storm water detention facilities as shown on the Plan in good working order acceptable to the County.

3. The Tenant and the Landowner hereby grant permission to the County, its authorized agents, and employees to enter upon the property and to inspect the storm water detention facilities whenever it deems necessary. Whenever possible, the County shall notify the Tenant or the Landowner prior to entering the property.

4. In the event the Tenant and/or the Landowner fails to maintain storm water detention facilities as shown on the Plan in good working order acceptable to the County, the County may enter upon the property and take whatever steps it deems necessary to maintain said storm water detention facilities. This provision shall not be construed to allow the County to erect any structure of a permanent nature on the land of the Landowner without first obtaining written approval of the Tenant and/or the Landowner. It is expressly understood and agreed that the County is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the County.

5. In the event the County, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Tenant and/or the Landowner shall reimburse the County upon demand, within ten (10) days of receipt thereof for all costs incurred by the County hereunder.

6. It is the intent of this Agreement to insure the proper maintenance of on-site storm water detention facilities by the Tenant and/or the Landowner; provided, however, that this Agreement shall not be deemed to create or effect any additional liability of any party for damage alleged to result from or be caused by storm water drainage.

7. The Tenant and the Landowner, their executors, administrators, assigns, and any other successors in interest, shall indemnify and hold the County harmless for any damages, accidents, casualties, occurrences, or claims which might arise or be asserted against the County from the construction, presence, existence, or maintenance of the storm water detention facilities by the Tenant,

the Landowner, or t (nty.

In the event a claim is asserted against the County, its agents or employees, the County shall promptly notify the Tenant and/or the Landowner and the Tenant and/or the Landowner shall defend at his own expense any suit based on such claim. If any judgement or claims against the County, its agent or employees shall be allowed, the Tenant and/or the Landowner shall pay all costs and expense in connection therewith.

8. This agreement shall be recorded among the land records of Fairfax County, Virginia, and shall constitute a covenant running with the land, and shall be binding on the Tenant and the Landowner, their administrators, executors, assigns, heirs and any other successors in interest.

WITNESS the following signatures and seals:

*Pyohng S. Kim*  
Landowner (SEAL)  
PYOHNG SUN KIM  
SECRETARY, BOARD OF TRUSTEES

*Chung H. Kim*  
Landowner (SEAL)  
CHUNG H. KIM  
CHAIRMAN OF BOARD OF TRUSTEES

\_\_\_\_\_  
Tenant (SEAL)

\_\_\_\_\_  
Tenant (SEAL)

THE BOARD OF SUPERVISORS OF  
FAIRFAX COUNTY, VIRGINIA

By: *[Signature]* (SEAL)  
[Redacted]  
DIRECTOR, DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

Attest: \_\_\_\_\_

STATE OF VIRGINIA )  
COUNTY OF FAIRFAX )

THIS IS TO CERTIFY that PYOHNG SUN KIM  
whose name(s) is/are signed to the foregoing Agreement bearing the  
date of the 2 day of AUGUST, 19 84, appeared before  
me in my State and County aforesaid and acknowledged the same.

GIVEN UNDER MY HAND this 23RD day of AUGUST,  
19 84.

[Signature]  
Notary Public

My Commission expires NOVEMBER 6, 1987

STATE OF VIRGINIA )  
COUNTY OF FAIRFAX )

THIS IS TO CERTIFY that CHUNG HUM KIM  
whose name(s) is/are signed to the foregoing Agreement bearing the  
date of the \_\_\_\_\_ day of AUGUST, 19 84, appeared before  
me in my State and County aforesaid and acknowledged the same.

GIVEN UNDER MY HAND this 23RD day of AUGUST,  
19 84.

[Signature]  
Notary Public

My Commission expires NOVEMBER 6, 1987

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

THIS IS TO CERTIFY that \_\_\_\_\_  
whose name(s) is/are signed to the foregoing Agreement bearing the  
date of the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, appeared before  
me in my State and County aforesaid and acknowledged the same.

GIVEN UNDER MY HAND this \_\_\_\_\_ day of \_\_\_\_\_,  
19 \_\_\_\_\_.

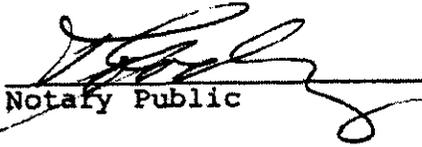
\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

THIS IS TO CERTIFY that C G COOPER, DIR OF ENV MGMT  
County Executive, whose name is signed to the foregoing Agreement  
bearing a date of the 23RD day of AUGUST, 19 84 appeared  
before me in my Commonwealth and County aforesaid and acknowledged  
the same.

19 84. GIVEN UNDER MY HAND this 25th day of OCTOBER.

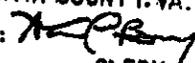
  
\_\_\_\_\_  
Notary Public

My Commission expires 7-14-86

RECORDED W/CERTIFICATE ANNEXED

1985 OCT 18 AM 8:07

FAIRFAX COUNTY, VA.

TESTE:   
CLERK



## County of Fairfax, Virginia

**MEMORANDUM**

DATE: November 13, 2009

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

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

**FILE:** 3-6 (SP 83-P-057)

**SUBJECT:** Transportation Impact

**REFERENCE:** SPA 83-P-057-05; The Church For All Nations  
Traffic Zone: 1528  
Land Identification Map: 49-1 ((01)) 35A, 37, 38 and 38A

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plat dated August 28, 2009.

The special permit is to change the name of the permittee from the Korean Central Presbyterian Church to *The Church For All Nations* and to delete a 6.14 acre site parcel from the special permit.

The proposed is a place of worship with the congregation estimate of 300 to attend Sunday's, 11:00 am main service. The existing sanctuary of 500 seats is to remain with the change of permittee. As such, this department is to evaluate the application with full consideration of a 500 seat sanctuary.

This department provides the following comments.

A recent field survey examined the site's existing parking and traffic for the Sunday 11:00 am service. The parking for the service did overflow from the existing on-site parcels of 35A, 38 and parcel 37. Not only were the parking on the existing lots full, excess church parking was verified on the school parking lot to the north and in the existing shopping center to the west. In all, approximately 700 vehicles related to the church were parked on site and on the purlieus.

At around noon time, the service dismissal of traffic related to the overflow of parking was conducted by Police Officers, who directed exiting traffic onto Cedar Lane in platoons of thirty vehicles, while protracting a northbound pass-by queue of vehicles on Cedar Lane.

This application is to delete ( 6.14 acres) parcel 35A, which abuts Amanda Place to the south and currently is being used to park over 150 vehicles for the congregation service.

While disclaiming that the overflow of parking may be inherited by the new church, it does flag a concern regarding the consumption of parking for area churches in general. Church seat to parking ratios, as specified in the zoning ordinances, appear to be outdated as the consumption of seat to actual parking ratios has drifted from a 4 to 1 ratio to approximately a 2.8 to 1. Compare the existing Church's seat to examined parking ratio.

Therefore, at some point, it is anticipated the congregation of the new church will expand to 500 seats and it is recommended that the new church commit to park all church related activities on site. If this is not an option, measures should be taken to distribute the services provided without overlapping parking. Any dependence on school and shopping center parking is discouraged.

AKR/AK CC: Michelle Brickner, Director, Design Review, DPW & ES

**8-006 General Standards**

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

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

**8-303**

**Standards for all Group 3 Uses**

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

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

## APPENDIX 8

### 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		