



APPLICATION ACCEPTED: December 2, 2009
PLANNING COMMISSION: April 22, 2010
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

April 7, 2010

STAFF REPORT

SPECIAL EXCEPTION APPLICATION SE 2009-LE-024

LEE DISTRICT

APPLICANT: Knowledge Learning Corporation d/b/a KinderCare Learning Centers

ZONING: R-1 and R-5

PARCEL(S): 91-4 ((1)) 8A part and 12

ACREAGE: 28,828 square feet

FAR: .21

PLAN MAP: Residential, 1-2 du/ac

SE CATEGORY: Category 3, Child Care Centers and Nursery Schools, Private School of General Education

PROPOSAL: To permit a change in permittee for an existing Child Care Center and Private School of General Education

STAFF RECOMMENDATION:

Staff recommends approval of SE 2009-LE-024, subject to the development conditions in Appendix 1.

Staff recommends approval of modifications for transitional screening requirements for all property lines and the barrier requirement along the eastern property line in favor of that shown on the SE Plat.

Brenda J Cho

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

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

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

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

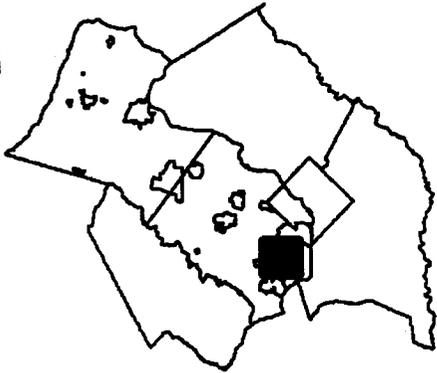
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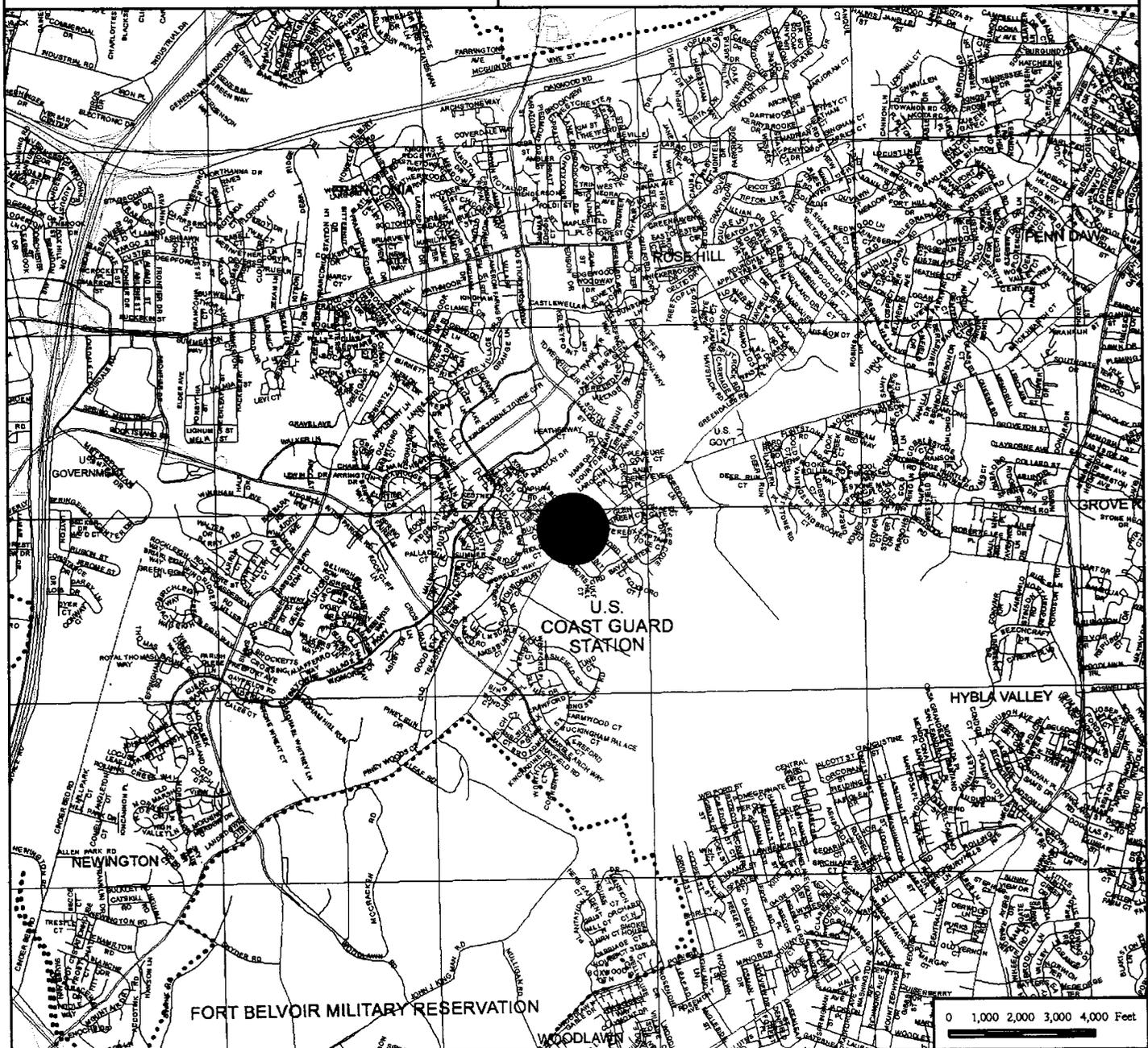
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2009-LE-024



Applicant: KNOWLEDGE LEARNING CORPORATION D/B/A KINDERCARE LEARNING CENTERS
Accepted: 03/26/2010- AMENDED 12/02/2009
Proposed: CHILD CARE CENTER AND PRIVATE SCHOOL OF GENERAL EDUCATION
Area: 28,828 SF OF LAND; DISTRICT - LEE
Zoning Dist Sect: 03-0104 03-0504
Art 9 Group and Use: 3-10 3-11
Located: 7136 TELEGRAPH ROAD
Zoning: R- 1 and R-5
Plan Area: 4
Overlay Dist:
Map Ref Num: 091-4 /01/ /0008A pt. /01/ /0012



Special Exception

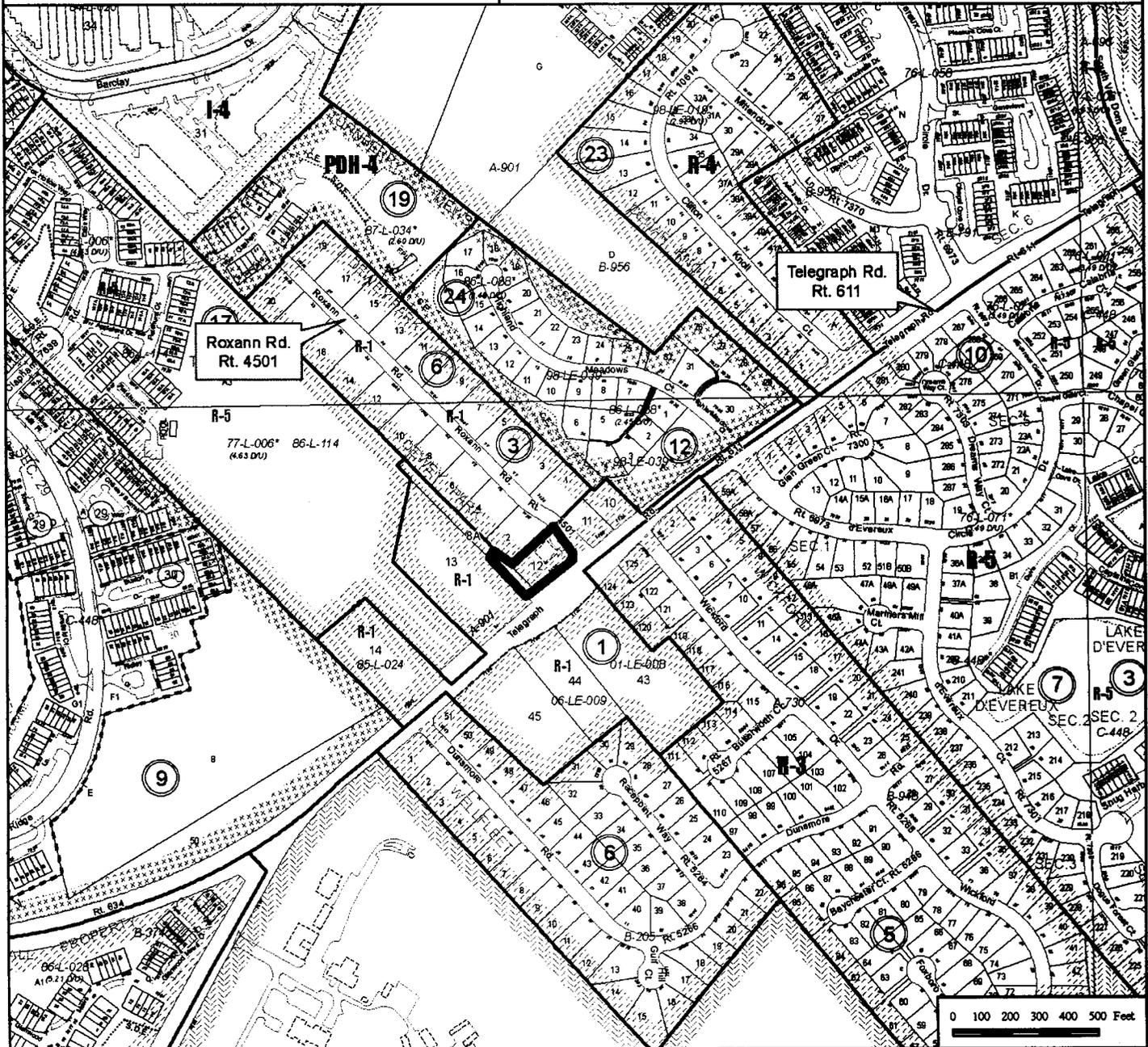
SE 2009-LE-024



Applicant: KNOWLEDGE LEARNING CORPORATION D/B/A KINDERCARE LEARNING CENTERS
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**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

This application is a request to change the permittee for an existing child care center and private school of general education from the Knowledge Learning Corporation to the KinderCare Learning Center. The child care center was originally approved by a Special Permit application for a school of general education including a day care, and the special permit was issued to the permittee (it did not run with the land). A Special Exception application is now required for a school of general education, child care center, and nursery school. Therefore, in order to change the permittee, the applicant was required to file this special exception.

The Knowledge Learning Corporation will continue to operate and license the existing day care centers, but will do business as KinderCare Learning Center once the application is approved. One-hundred children attend the child care center and school of general education, and it is open from 6:30 a.m. to 6:30 p.m., Monday through Friday. The applicant does not intend to change the current operations of the child care center, and no additions, site modifications or new structures are proposed for the site.

LOCATION AND CHARACTER

The subject property is located at the corner of Telegraph Road and Roxann Road, which is located between Hayfield Road and S. Van Dorn Street. The 28,828 square foot property is surrounded by single-family residences, and there are many mature trees on and around the site. According to Fairfax County Department of Tax Administration records, the existing one-and-a-half (1 ½) story building, which houses the child care center, measures 4,992 square feet (including the basement) and was built in 1977. There is a surface parking lot with 12 parking spaces next to the building along Telegraph Road and a circular driveway for pick-up and drop-off in front. In the rear of the building, there is a fenced play area that measures approximately 10,500 square feet.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single-Family Detached Residential	R -1	1 - 2 DU/AC
South	Single-Family Detached Residential	R -1	2 - 3 DU/AC
East	Single-Family Detached Residential	R -1	3 - 4 DU/AC
West	Single-Family Detached Residential	R -1	1 - 2 DU/AC

BACKGROUND

The Board of Zoning Appeals approved S-132-75 on August 1, 1975, for a private school of general education including day care. It was approved for 82 students from ages two (2) to seven (7) years old. The approved hours of operation were 6:30 a.m. to 6:30 p.m., Monday through Friday.

The Board of Zoning Appeals approved S-100-76 on July 6, 1976, to amend S-132-75 to permit a decrease in land area from 1.2 acres to 27,286 square feet and a decrease in the number of permitted children from 80 to 75.

The Board of Zoning Appeals approved S-100-76 on January 31, 1978, to change the name in permittee to Proctor Hatsell School Inc. and to change the permitted age group of children to three (3) months to seven (7) years old.

Finally, the Board of Zoning Appeals (BZA) approved S-11-79 on April 10, 1979, to add 4,574 square feet of additional land area to the existing site. The BZA also reiterated that the application and permit should be for a school of general education including a day care. Eight (8) development conditions were also approved, including a maximum daily enrollment of 105 children.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area IV
Planning District:	Rose Hill Planning District
Planning Sector:	RH4 Lehigh Community Planning Sector
Plan Map:	1-2 DU/AC

General Kingstowne/Manchester Lakes Policies

Land Use

- 1. Promote a balanced, planned development community that will serve as a showcase community and future focal point of the County.*
- 2. Plan residential densities within Kingstowne to a maximum overall average of 3-4 dwelling units per acre with bonuses, as appropriate. A balanced mix of housing types is encouraged in order to promote diversity and avoid the excessive development of any one dwelling unit type. A broad range of affordable dwelling units that meet the needs of all ages, family sizes and income levels should be provided. At any given time, the level of residential or commercial development should be related to the densities and character of adjoining properties, as well as transportation and environmental constraints, while recognizing the objective of achieving a planned*

mixed-use commercial/community activity center. Kingstowne should be developed as a unified element with additional parcel consolidation provided where appropriate.

- 3. Compatible land use and streetscape design should occur throughout the development, especially where Manchester Lakes meets Kingstowne.*
- 4. Encourage a planned development with a mixed-use commercial/community activity center as its focal point. The center should operate much like a downtown area, with the residential, retail and office uses all easily accessible by public transit, by foot or bicycle, as well as by automobile. The center should include residential densities sufficient to support a major core area in conjunction with recreational and leisure activities, commercial retail, office, service uses and compatible high-quality industrial uses, such as high technology. This core, or town center, should be located at the South Van Dorn Street/Kingstowne Boulevard junction.*
- 5. Protect stable adjoining neighborhoods through the use of compatible densities, type, design and/or natural features (e.g., trees, topography) which effectively screen or buffer incompatible or adverse uses.*
- 6. Encourage neighborhood areas that exhibit a distinct character with clearly defined boundaries and setbacks so as to provide a unique sense of identity. Clustering of residential neighborhoods should be planned in order to accomplish this objective, as well as promote usable open spaces within a reasonable walking distance.*
- 7. Promote an identifying theme for the entire planned development center to foster a sense of place including superior urban design features which should be a prerequisite to develop above the low end of the planned density range. Through the application of these design features, the relationship of all land uses within the planned community should exhibit an order, coherent arrangement of uses, identity and aesthetic/sensory appeal.*
- 8. Ensure that the necessary public facilities are in place prior to the completion of residential or commercial development. Public parkland dedication and parkland facilities should be provided in accordance with requirements and standards set by the County Park Authority.*
- 9. Any phased development techniques, if used, should plan the arrangement and relationship of uses, buildings, streets and other permanent elements so as not to preclude future alternative development considerations to achieve an overall coherent design.*

Policies for the Kingstowne South Village

27. More intensive development should be oriented to Hayfield Road. Lower density development near the Piney Run stream valley would help to minimize the impacts of erosion and sedimentation and would help to alleviate post-development nonpoint water pollution. Other methods to control erosion and sedimentation and water or air pollution should be implemented.

28. Substantial buffers should be provided in proximity to the Hilltop landfill property and existing stable areas.

ANALYSIS

Special Exception Amendment Plat (See Appendix 5)

The subject application is only to allow for a change in permittee. As noted earlier in this report, the special permit was issued to the permittee. Because child care centers and private schools of general education are now special exception uses, the applicant must receive special exception approval to change the name of the permittee. The applicant does not propose any new construction, additions or operational changes to the child care center with this application. Therefore, the plat submission requirements were waived.

The previously approved Special Permit plat is attached as Appendix 5. As described earlier in this report, the site is developed with a 4,992 square foot building which houses the school of general education and child care center. A surface parking lot with 12 spaces is located next to the building, and there is a fenced play area measuring 10,500 square feet in the rear of the building. In the play area and along the property lines, there are many existing mature trees, and there are shrubs in front of the building. There are two (2) access points to the site along Roxann Road, which include a circular driveway and the parking lot.

Land Use/Environmental Analysis (Department of Planning and Zoning)

Urban Forestry and Stormwater Analysis (Department of Public Works and Environmental Services)

Fairfax County Park Authority (Appendix 8)

Due to the nature of this application, a review of this application by the agencies listed above raised no issues. Therefore, the aforementioned departments do not object to the approval of this application. However, Urban Forest Management Division (UFMD) encourages additional transitional screening along the property's frontage on Roxann Road and recommends that modifications for the current transitional screening and barrier requirements be approved. The applicant requests modifications of the transitional screening and barrier requirements to allow the existing stockade and chain-link fencing, as well as the on-site mature trees, to meet Zoning Ordinance requirements. Staff does not object to the requested modification.

Transportation Analysis (Appendix 9)

The Virginia Department of Transportation (VDOT) noted that the entrances should be designed and constructed in accordance with VDOT’s *Minimum Standards of Entrances to State Highways*, and the Fairfax County Department of Transportation recommends adequate on-site parking, per Zoning Ordinance requirements. According to current Zoning Ordinance standards, 17 parking spaces are required for the 13 staff members and four (4) additional visitor spaces; 12 parking spaces are currently provided. At the time of the Special Permit application (S-11-79) review and approval, the proposal met the parking standards at that time. Par. 2.B. of Sect. 11-101 of the Zoning Ordinance states that “when an existing structure and/or use is expanded or enlarged, the minimum off-street parking requirements in accordance with the provisions of this Article shall be provided for the area or capacity of such expansion or enlargement.” The applicant does not plan to expand or enlarge the current use or structure, so the current minimum off-street parking requirements would not apply.

ZONING ORDINANCE PROVISIONS

Bulk Standards (R-1 District)*		
Standard	Required	Provided
Lot Area	36,000 square feet	28,828 square feet ¹
Lot Width	175 feet (corner lot)	106.52 (east) – 180.87 (west) feet
Building Height	60 feet (for non-residential structures)	Between approximately 10 to 20 feet (based on grade changes)
Front Yard	50° angle of bulk plane, but not less than 40 feet	Approximately 50 feet (on both sides)
Side Yard	45° angle of bulk plane, but not less than 20 feet	20 feet
Rear Yard	45° angle of bulk plane, but not less than 25 feet	Approximately 120 feet
FAR	.15	.21 ²
Open Space	N/A	N/A
Parking Spaces	No less than one (1) space per faculty and staff member and other full-time employee, plus four (4) spaces ³ for visitors = 17 parking spaces	12 parking spaces

¹The lot area and floor area ratio (FAR) do not meet the current standards, but at the time of review for S-11-79, the lot size and building gross floor area met the applicable Zoning Ordinance standards at the time. Par. 2 of Sect. 15-101 also states that “Any use which was existing prior to the effective date of this Ordinance, which is allowed within a particular zoning district as a special permit or a special exception use by the Provisions of this Ordinance, may continue and shall not be deemed to be a nonconforming use of such district.” As noted in the Background section, the current use was originally approved for a private school of general education with a day care on August 1, 1975, by the BZA. The effective date of the current Zoning Ordinance was August 14, 1978. Therefore, the applicants are not required to bring an existing site up to current standards if no physical changes are proposed.

² Parcel 8A pt. is zoned R-5 District and is part of the play area.

³ See Transportation Analysis

Bulk Standards (R-1 District)*		
Standard	Required	Provided
Transitional Screening		
North (Zoning)	TS 1 – 25 feet	None
South (Zoning)	TS 1 – 25 feet	Approx. 15' wide landscape strip and trees
East (Zoning)	TS 1 – 25 feet	Approx. 20' wide landscape strip
West (Zoning)	TS 1 – 25 feet	None
Barrier		
North (Zoning)	Barrier E, F, G (6 foot wall, brick or architectural block; 6 foot high solid wood or otherwise architecturally solid fence; 6 foot chain link fence)	6' tall stockade fence
South (Zoning)	E, F, G	6' tall stockade fence
East (Zoning)	E, F, G	6' tall chain link fence (around play area)
West (Zoning)	E, F, G	6' tall stockade fence

Waivers and Modifications

Transitional Screening and Barrier Requirements

Along all of the property lines of the site, there are single-family residences, and the Zoning Ordinance requires the provision of transitional screening consisting of a 25-foot wide unbroken strip of open space with trees and shrubs to these residences. A barrier consisting of a 42 – 48 inch chain-link fence; six (6) foot high wall, brick or architectural block; or a six (6) foot high solid wood or architecturally solid fence is also required between the site and these residences. There is an existing 6 foot high stockade fence, as well as chain-link fencing, around the play area, and on and around the site, there are many mature trees. However, the existing landscape strips and trees do not meet the transitional screening requirements along all property lines, and the chain-link fence along the eastern boundary only surrounds the play area.

Par. 3 of Sect. 13-305 of the Zoning Ordinance permits the transitional screening requirements to be modified when the barrier and/or land between the building and property line is designed to minimize adverse impact. Most of the activity on-site is screened from the adjoining properties by the existing fencing and trees on-site, and the existing building is designed in a residential style. The staff supports the requested modifications for transitional screening requirements for all property lines and the barrier requirement along the eastern property line in favor of that shown on the GDP.

Special Exception Requirements and Other Zoning Ordinance Requirements (Appendix 7):

General Special Exception Standards (Sect. 9-006)

Standards for All Category 3 Uses (Sect. 9-304)

This application was originally approved as a Special Permit, and General Standards and Standards for All Category 3 Uses are similar for both Special Permit and Special Exception applications. The subject application was reviewed by these standards previously, and staff believes these standards continue to be met since no physical or operational changes are proposed. However, additional Special Exception standards may apply and are reviewed below.

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

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

Sect. 9-309 requires a minimum lot area of 100 square feet of usable outdoor recreation area for each child at any one time. Additionally, child care centers and nursery schools are required to have direct access to an existing or programmed public street to accommodate traffic, and pick-up and delivery of all persons should be handled on site. The site currently has 10,517 square feet of fenced outdoor recreation area, which satisfies the requirements for 100 square feet for each of the 100 children who attend the child care center. Also, the site is located at the corner of Telegraph Road (which is an arterial street) and Roxann Road, and pedestrian and vehicular demands can be handled on the site. Staff believes these standards are satisfied.

Sect. 9-310 also requires sufficient outdoor recreation area for each school age child, as well as meeting minimum lot size requirements and adequate vehicular and pedestrian access. The outdoor recreation area is sufficient, as well as the vehicular and pedestrian access due to the access points along Roxann Road, off of Telegraph Road, and close proximity to residences. However, the lot size measurements of the site do not meet the current standards, but satisfied the Zoning Ordinance requirements at the time the Special Permit applications were reviewed (see Zoning Ordinance Provisions for further explanation). Therefore, staff believes these standards are satisfied.

Summary of Zoning Ordinance Provisions

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

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

In staff opinion, the Special Exception is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Recommendation

Staff recommends approval of SE 2009-LE-024, subject to the development conditions in Appendix 1.

Staff recommends approval of modifications for transitional screening requirements for all property lines and the barrier requirement along the eastern property line in favor of that shown on the SE Plat.

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

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

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Transitional screening and barrier requirements modification request from applicant
5. Approved Plat and Resolution for S-11-79
6. Resolution for S-100-76
7. Resolution for S-132-75
8. Fairfax County Park Authority Analysis
9. Transportation Analysis
10. Applicable Zoning Ordinance Provisions
11. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS

SE 2009-LE-024

April 7, 2010

If it is the intent of the Board of Supervisors to approve SE 2009-LE-024 located at 7136 Telegraph Road [Tax Maps 91-4 ((1)) Part 8A and 12] for nursery school, child care center and school of general education pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. 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.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Plans associated with this application as depicted in the attached exhibit. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The maximum number of permitted children shall be limited to 105 children between the ages of 3 months to 7 years old.
5. The hours of operation shall be from 6:30 a.m. to 6:30 p.m., Monday through Friday.

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

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.



County of Fairfax, Virginia

MEMORANDUM

Office of the County Attorney
Suite 549, 12000 Government Center Parkway
Fairfax, Virginia 22035-0064
Phone: (703) 324-2421; Fax: (703) 324-2665
www.fairfaxcounty.gov

DATE: March 31, 2010

TO: ✓ Brenda Cho, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Bette R. Crane, Paralegal *BR*
Office of the County Attorney

SUBJECT: Revised Affidavit
SE 2009-LE-024
Applicant: Knowledge Learning Corporation d/b/a KinderCare Learning
Centers
PC Hearing Date: 5/5/10
BOS Hearing Date: Not yet scheduled

REF.: 106857

Attached is an affidavit which has been approved by the Office of the County Attorney for the above-referenced case. Please include this affidavit dated 3/30/10, which bears my initials and is numbered 106857c, when you prepare the staff report.

Thank you for your cooperation.

Attachment

cc: (w/attach) Meredith Amonson, Planning Technician
Zoning Evaluation Division
Department of Planning and Zoning

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 30, 2010
(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 106857c

in Application No.(s): SE 2009-LE-024
(enter County-assigned application number(s), e.g. SE 88-V-001)

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Knowledge Learning Corporation d/b/a KinderCare Learning Centers Agents: Wayne K. Pipes D. Jean Shaw Tinalyn Denkers Michael E. Scott Thomas A. D'Antonio	Center: 7136 Telegraph Road Alexandria, VA 22315 Corporate: 650 NE Holladay Street, Suite 1400 Portland, OR 97232	Applicant / Lessee of Tax Map 91-4 ((1)) 12, 8A pt.
Claude A. and Betty J. Wheeler	P.O. Box 30148 Alexandria, VA 22310	Title Owners / Lessors of Tax Map 91-4 ((1)) 12, 8A pt.
Tria Adelpia Three, LLC Agents: Demetrios (nmi) Nicholakos Aspasia (nmi) Nicholakos	2101 N. Kensington Street Arlington, VA 22205	Contract Purchaser of Tax Map 91-4 ((1)) 12, 8A pt.

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

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

Special Exception Attachment to Par. 1(a)

DATE: March 30, 2010
(enter date affidavit is notarized)

106857c

for Application No. (s): SE 2009-LE-024
(enter County-assigned application number (s))

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. W. Bowyer Megan C. Shilling Elizabeth A. McKeeby		

(check if applicable)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 30, 2010
(enter date affidavit is notarized)

106857c

for Application No. (s): SE 2009-LE-024
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)
Knowledge Learning Corporation d/b/a KinderCare Learning Centers
Center: 7136 Telegraph Road, Alexandria, VA 22315
Corporate: 650 NE Holladay Street, Suite 1400, Portland, OR 97232

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)
Knowledge Schools, Inc.

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

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

Special Exception Attachment to Par. 1(b)

DATE: March 30, 2010
(enter date affidavit is notarized)

106857c

for Application No. (s): SE 2009-LE-024
(enter County-assigned application number (s))

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

Knowledge Schools, Inc.
650 NE Holladay Street, Suite 1400
Portland, OR 97232

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)

Knowledge Universe Education, L.P.

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,	

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

Special Exception Attachment to Par. 1(b)

DATE: March 30, 2010
(enter date affidavit is notarized)

106857c

for Application No. (s): SE 2009-LE-024
(enter County-assigned application number (s))

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

Tria Adelpia Three, LLC
2101 N. Kensington Street
Arlington, VA 22205

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)

Managing Member:	Members:
Demetrios (nmi) Nicholakos	Aspasia (nmi) Nicholakos
	Harry (nmi) Nicholakos
	Panagiota (nmi) Nicholakos
	Sotirios (nmi) Nicholakos

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 30, 2010
(enter date affidavit is notarized)

106857c

for Application No. (s): SE 2009-LE-024
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)
Knowledge Universe Education, L.P.
650 NE Holladay Street, Suite 1400
Portland, OR 97232

(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)

- Knowledge Universe Education, L.P. (no partner listed below owns 10% or more of Knowledge Learning Corporation, the Applicant/Lessee)
AIG PEP IV Co-Investment, L.P.
AIG PEP V Co-Investment, L.P.
AIG Private Equity (Bermuda) Ltd.
AIG Vantage Capital, L.P.
Al Rayyan Investment Company
Arcola Investment Holdings Limited
Blazon LLC
Caspian Capital Partners, L.P.
Caspian Select Credit Master Fund LTD
Central Valley Administrators, Inc.
DB Distressed Opportunities Master Portfolio, Ltd.
G.C. Investments, LLC
GGC Partners, LLC, Golden Arc Capital LP
Goldman, Sachs & Co.
Greenspun Legacy Limited Partnership
Hyperion (PE) Limited
K Group Investors, LLC
Knowledge Universe Learning Group LLC
KUE Management Inc.
KULG-1 LLC
LBF Holdings, LLC
Les and Sheri Biller Revocable Trust Dated 9/22/2000 f/b/o Les & Sheri Biller
Mariner LDC
Mariner Opportunities Fund, L.P.
Midland National Life Insurance Company
National Union Fire Insurance Company of Pittsburgh, PA
North American Co. for Life & Health Insur
Orpheus Holdings Limited
Orpheus Holdings LLC
Oval Investments Limited
Post Aggressive Credit Master Fund, LP
Post Distressed Master Fund, LP
Post Strategic Master Fund, LP
Post Total Return Master Fund, LP
S.L. Nominees Pty Ltd ATF Haskin Settlement
Sandycrest Pty Ltd ATF Mainridge Superannuation Fund
Stephen Goldsmith
The Silverstein Family Trust
Wakra Investment Company
Western Regional Insurance Company, Inc.
Windsor Media Inc.
Zenith Insurance Company

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 30, 2010
(enter date affidavit is notarized)

106857c

for Application No. (s): SE 2009-LE-024
(enter County-assigned application number(s))

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

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

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

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

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

None

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: March 30, 2010
(enter date affidavit is notarized)

106857c

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

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

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

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

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

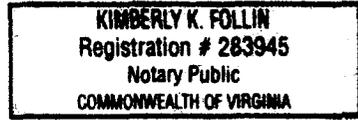
WITNESS the following signature:

(check one) [] Applicant [x] Applicant's Authorized Agent
Lynne J. Strobel
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 30 day of March 20 10, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2011



Knowledge Learning Corporation®

Where Lifetime Learning Begins®

Wayne K. Pipes
Direct: (503) 872-1555
E-mail: wpipes@klcorp.com

June 12, 2009

Via hand delivery by Michael E. Scott, Regional Facilities Manager

County of Fairfax
Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035

RECEIVED
Department of Planning & Zoning
JUN 11 2009
Zoning Evaluation Division

**Re: Knowledge Learning Corporation Renaming Project
Center No. 075122 – 7136 Telegraph Road, Alexandria, VA 22315**

Dear Sir or Madam:

Knowledge Learning Corporation operates child care centers under various brands nationwide. In order to streamline our operations we are in the process of renaming many centers to “KinderCare Learning Centers”. We have already notified our families and staff of the change, and we are working to update all of our parent materials and signage.

In Fairfax County, the centers are currently licensed to Knowledge Learning Corporation, doing business under various trade names. The renamed centers will continue to be operated by and licensed to Knowledge Learning Corporation, but will be doing business as “KinderCare Learning Centers” once the change is complete.

The day-to-day operations of these renamed centers will not be affected by the renaming process. The physical condition, capacity, address, and telephone numbers for the centers will remain the same. Additionally, this change will not affect center staff outside the ordinary course of business. No corporate information for the Knowledge Learning Corporation will change; the only change will be the trade name used for this center.

We are working to notify all licensing and subsidy agencies related to each center. In order to ensure a smooth transition, we are filing this Special Exception Application (“Application”) required by the Fairfax County Board of Zoning to support this change

Justification Letter to the County of Fairfax, VA

June 12, 2009

Page 2 of 3

and, in connection with the Application, we are attaching our responses to the information required for the Special Exception Statement of Justification.

Do not hesitate to contact our Tinalyn Denkers in our legal department at (503) 872-4336 with any questions or concerns. Please let her know if you require any additional information.

Very truly yours,



Wayne K. Pipes,
Vice President, Facilities and Development

APPROVED BY LEGAL DEPARTMENT
DATE: 6/11/09
SIGNATURE: 

Enclosure: Questionnaire Answers

cc: D. Jean Shaw, Assistant General Counsel, Real Estate
Christina Stewart, Director Facilities Services
Michael E. Scott, Regional Facilities Manager

Special Exception Statement of Justification Answers

KinderCare Learning Centers #075121 – 6318 May Boulevard, Alexandria, VA 22310

- A. Child Care Facility
- B. 6:30am-6:30pm (Monday-Friday)
- C. 100 children
- D. 13 staff members
- E. Minimal traffic impact. The maximum expected trip generation is 90 trips by car when parents are dropping off and picking up children mainly between 6:30am-9:00am and 3:00pm-6:30pm. There will also be 4- 20 passenger bus trips per day for taking children to local public schools in the morning between 8:15am-9:15am and returning between 1:30pm-4:25pm. This has been the standard since August 3, 1994, the date of lease commencement for this child care center; there is no change anticipated.
- F. Surrounding neighborhood families within a 10 miles radius
- G. There are no proposed new buildings or additions.
- H. There are pool chemicals that are stored and used on site to maintain the swimming pools. There are no known hazardous waste and or petroleum products to be stored, treated and/or disposed of on site.
- I. The continued use of the existing child care center being renamed to KinderCare Learning Center conforms to the applicable ordinances, regulations, adopted standards and applicable conditions by helping to facilitate and maintain the convenient, attractive and harmonious community asset by providing childcare service for children and families in the Alexandria, Virginia area.



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

WALSH COLUCCI
 LUBELEY EMRICH
 & WALSH PC

March 31, 2010

Via E-Mail

Brenda Cho
 Fairfax County Department of Planning & Zoning
 12055 Government Center Parkway, Suite 801
 Fairfax, Virginia 22035

Re: SE 2009-LE-024
 Applicant: Knowledge Learning Corporation d/b/a KinderCare Learning Center
 Fairfax County Tax Map reference: 91-4 ((1)) 12 and 8A pt. (the "Subject Property")

Dear Ms. Cho:

Please accept this letter as a statement of justification for a modification of the transitional screening and barrier requirements in conjunction with the referenced application.

The referenced application has been submitted solely to allow a change in permittee. There are no physical modifications proposed to the existing building, the parking lot, or the site. The Applicant proposes a modification of the transitional screening and barrier requirements in order to allow the existing fencing and landscaping to remain on the Subject Property.

The Subject Property is zoned to the R-1 and R-5 Districts and has been developed as a private school of general education and day care center since the approval of a special permit by the Board of Zoning Appeals on August 1, 1975. While a number of amendments have been granted to the original approval, the last substantive modification was granted in 1979 to increase the number of students from 75 to 105.

The Subject Property is bound on two sides by roads, specifically Telegraph Road and Roxann Road. In addition, a playground is located behind the existing building, that creates a buffer at the rear of the Subject Property. Presently, a number of mature trees exist on the Subject Property and a chain link fence surrounds the outdoor recreation area, and provides a barrier to the only residence that is located in proximity to the Subject Property.

As the Applicant does not propose any modifications to the existing use or operation on the Subject Property, nor propose any physical improvements to the building or grounds, a modification of transitional screening and barrier requirements is warranted. Please accept this proposal that will allow existing conditions to satisfy screening and barrier requirements.

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

LOUDOUN OFFICE 703 737 3633 ■ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

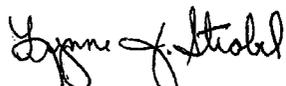
March 31, 2010

Page 2

Should you have any questions regarding this request, or require additional information, please do not hesitate to give me a call. As always, I appreciate your consideration.

Very truly yours,

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



Lynne J. Strobel

LJS/kae

cc: D. Jean Shaw
Tinalyn Denkers
Claude Wheeler
Martin D. Walsh

{A0189895.DOC / 1 Cho ltr re: modification to transitioning screening 006869 000003}

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

Ms. Ardin made the following motion:

WHEREAS, Application No. S-11-79 by Proctor Hatsell Private School, Inc. under Section 3-103 of the Fairfax County Zoning Ordinance to amend S-100-76 and to increase maximum number of students from 75 to 105 and an increase in land area to 28,828 square feet on property located at 7136 Telegraph Road, Tax Map Reference 91-4 ((1)) pt. of 8A and 91-4 ((3)) 12, County of Fairfax, Virginia, has been properly filed in accordance with all applicable requirements; and,

WHEREAS, following proper notice to the public and a public hearing by the Board of Zoning Appeals held on April 10, 1979; and

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

1. That the owner of the subject property is the applicant.
2. That the present zoning is R-1.
3. That the area of the lot is 28,828 square feet.
4. That compliance with the Site Plan Ordinance is required.

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

1. THAT the applicant has presented testimony indicating compliance with Standards for Special Permit Uses in R Districts as contained in Section 8-006 of the Zoning Ordinance; and,

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 in the application and is not transferable to other land.
2. This special permit shall expire one year from this date unless construction (operation) has started and is diligently pursued or unless renewed by action of this Board prior to any expiration.
3. This approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board (other than minor engineering details) whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes (other than minor engineering details) without this Board's approval, shall constitute a violation of the conditions of this Special Permit.
4. This granting does not constitute an exemption from the legal and procedural requirements of this County and State. THIS SPECIAL PERMIT IS NOT VALID UNTIL A NON-RESIDENTIAL USE PERMIT IS OBTAINED.
5. 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.
6. Landscaping and screening shall be required in accordance with Article 13 of the Zoning Ordinance and provided to the satisfaction of the Director of Environmental Management.
7. The number of students shall be 105.
8. This permit subject to all provisions of S-100-76 which have not been altered or amended by this resolution.

Mr. Barnes seconded the motion.

In application S-100-76 by Claude A. Wheeler T/A Proctor Hatsell School under Section 30-7.2.6.1.3 of the Zoning Ordinance to permit school of general education on property located at 7136 Telegraph Road, 91-4((3))12, County of Fairfax, Mr. Durrer 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 in accordance with the by-laws of the Fairfax County Board of Zoning Appeals, and

WHEREAS, following proper notice to the public by advertisement in a local newspaper, posting of the property, letters to contiguous and nearby property owners, and a public hearing by the Board held on July 6, 1976.

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

- 1. That the owner of the property is John C. Meyers. The applicant is the contract purchaser.
- 2. That the present zoning is RE-1.
- 3. That the area of the lot is 27,286 sq. ft.
- 4. That compliance with the Site Plan Ordinance is required.
- 5. The property is subject to Pro-Rata Share for off-site drainage.

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

That the applicant has presented testimony indicating compliance with Standards for Special Use Permit Uses in R Districts as contained in Section 30-7.1.1 of the Zoning Ordinance, and

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 in the application and is not transferable to other land.
- 2. This permit shall expire one year from this date unless construction has started or unless renewed by action of this Board prior to date of expiration.
- 3. This approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by

Page 302, July 6, 1976

this Board (other than minor engineering details) whether or not these additional uses or changes require a Special Use Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes (other than minor engineering details) without this Board approval, shall constitute a violation of the conditions of this Special Use Permit.

- 4. The granting of this Special Use Permit does not constitute an exemption from the various legal and established procedural requirements of this County and State. The Permittee shall be responsible for complying with these requirements. This permit SHALL NOT be valid until a Non-Residential Use Permit is obtained.
- 5. The resolution pertaining to the granting of the Special Use Permit SHALL BE POSTED in a conspicuous place along with the Non-Residential Use Permit 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.
- 6. The number of students shall be 75.
- 7. The hours of operation shall be from 6:30 a.m. to 6:30 p.m., Monday through Friday.
- 8. The age of the children shall be 2 through 7 years.

Mr. Barnes seconded the motion.

The motion passed unanimously.

~~1. JULY 6, 1976
 AFTER AGENCY ITEM: SUN OIL COMPANY GASOLINE SERVICE STATION, CHAIN BRIDGE ROAD AND OLD COURT HOUSE ROAD, 39-1((16))15, 16 & 17. Special Use Permit originally granted in 1968, S-902-68. Came back to BZA in 1969 for shift in building location.~~

~~Mr. John W. Kinnally requests permission to have a vegetable stand on this property for the summer months. He appeared before the Board with a letter from Sun Oil stating that they have no control over this location. This matter is strictly up to the dealer, Mr. Thomas R. Michie. The letter was signed by Mr. R. F. Watson, Division Sales Manager, Sunmark Industries, 5900 Princess Garden Parkway, Suite 700, Lanham, Maryland 20801.~~

~~Mr. Smith stated that Sun Oil Company does have control over this property as long as they have a Special Use Permit and operate this gasoline service~~

Page 314, August 1, 1975

RESOLUTION

In application S-132-75 by Claude E. Wheeler, T/A Proctor Hatsell School under Section 30-7.2.6.1.3.2 of the Zoning Ordinance to permit private school of general education on property located at 7136 Telegraph Road, 91-4((3))2 and ((1))12, Lee District, County of Fairfax, 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 in accordance with the by-laws of the Fairfax County Board of Zoning Appeals, and

WHEREAS, following proper notice to the public by advertisement in a local newspaper, posting of the property, letters to contiguous and nearby property owners and a public hearing by the Board of Zoning Appeals held on the 1st day of August, 1975.

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

1. That the owner of the subject property is John C. Meyers. The applicant is the contract purchaser.
2. That the present zoning is RE-1.
3. That the area of the lot is 1.1264 acres.
4. That compliance with Site Plan Ordinance is required.
5. That compliance with all applicable State and County Codes is required.
6. That property is subject to Pro Rata Share for off-site drainage.
7. That the applicant has been operating, pursuant to special use permit S-27-74 granted May 22, 1974, a private school for a maximum of 45 children at 7150 Telegraph Road in Lee District. This current application seeks permission to relocate the school to a new site on which a new building is proposed to be constructed, which site is located at the westerly corner of Roxann and Telegraph Roads in Lee District. The Health Department has approved the plans for the proposed facility based on a maximum of 82 students at any one time.

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

1. That the applicant has presented testimony indicating compliance with Standards for Special Use Permit Uses in R Districts as contained in Section 30-7.1.1 of the Zoning Ordinance, and

NOW, THEREFORE, BE IT RESOLVED, that the subject application be and the same is hereby 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 in the application and is not transferable to other land.
2. This permit shall expire one year from this date unless construction or operation has started or unless renewed by action of this Board prior to date of expiration.
3. This approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by the Board of Zoning Appeals (other than minor engineering details) whether or not these additional uses or changes require a Special Use Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes (other than minor engineering details) without Board of Zoning Appeals approval, shall constitute a violation of the conditions of this Special Use Permit.
4. The granting of this Special Use Permit does not constitute an exemption from the various legal and established procedural requirements of this County and State. The Permittee shall be responsible for complying with these requirements. This permit SHALL NOT be valid until a Non-Residential Use Permit is obtained.
5. The Resolution pertaining to the granting of the Special Use Permit SHALL BE POSTED in a conspicuous place along with the Non-Residential Use Permit 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 use.
6. The maximum number of students shall be 82, ages 2 to 7 years.
7. The hours of operation shall be 6:30 A.M. to 6:30 P.M., Monday through Friday, during the normal school year.
8. Landscaping and/or screening shall be to the satisfaction of the Director of Environmental Management.

Mr. Barnes seconded the motion. The motion passed 5 to 0.



FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

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

FROM: Sandy Stallman, Manager, 
Park Planning Branch, PDD

DATE: December 17, 2009

SUBJECT: SE 2009-LE-024, Knowledge Learning Corporation
Tax Map Number: 91-4 ((1)) 12

The Park Authority staff has reviewed the above referenced plan. Based on that review, staff has determined that this application bears no adverse impact on land or resources of the Park Authority.

FCPA Reviewer: Andi Dorlester
DPZ Coordinator: Brenda Cho

Copy: Cindy Walsh, Director, Resource Management Division
Chron Binder
File Copy

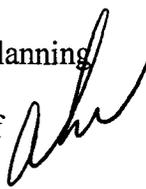


County of Fairfax, Virginia

MEMORANDUM

DATE: February 19, 2010

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

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

FILE: 3- 5 (SE 2009-LE-024)

SUBJECT: Transportation Impact

REFERENCE: SE 2009-LE-024; Knowledge Learning Corporation D/B/A KinderCare
Learning Center
Traffic Zone: 1490
Land Identification Map: 91-4 ((01)) 12

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plat dated May 11, 1977.

This special exception is proposed for an existing childcare for a change in permittee. The hours of operation will remain the same, from 6:30 am to 6:30 pm, Monday through Friday. Enrollment is to remain at the approved 100 children.

This department provides the following comment:

The applicant should provide adequate on site parking per the Zoning Ordinance.

AKR/AK
W:SE 2009-LE-024 Knowledge Learning Center
CC: Michelle Brickner, Director, Design Review, DPW & ES



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

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

January 25, 2010

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

Re: SE 2009-LE-024, Proctor Hatsell School
Tax Map No.: 091-4 /01/ /0012

Dear Ms. Coyle,

This office has reviewed the special exception plat relative to special exception application 2009-LE-024 and offers the following comments.

The application has been filed for an existing child care center to permit a change in permittee.

The entrances should be designed and constructed in accordance with VDOT's *Minimum Standards of Entrances to State Highways*.

Sincerely,

A handwritten signature in black ink that reads "Noreen H. Maloney".

Noreen H. Maloney
Transportation Engineer

cc: Ms. A. Rodeheaver

9-304 Standards for all Category 3 Uses

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

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

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

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

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

- A. That area not covered by buildings or required off-street parking spaces.
- B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.
- C. Only that area which is developable for active outdoor recreation purposes.
- D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

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

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

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

4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

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

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

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

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

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

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

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

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

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

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

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

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

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		