



APPLICATION FILED: March 26, 2010
PLANNING COMMISSION: July 15, 2010
BOARD OF SUPERVISORS: July 27, 2010

County of Fairfax, Virginia

July 1, 2010

STAFF REPORT

APPLICATION SE 2010-HM-004

HUNTER MILL DISTRICT

APPLICANT: Sailini Magapu Lohia and Sandeep Lohia

ZONING: R-1

PARCEL(S): 28-1 ((1)) 13

ACREAGE: 4.50 acres

FLOOR AREA RATIO: 0.10

PLAN MAP: Private Recreation & Residential; .5-1 du/ac

SE CATEGORY: Category 3: Private school of general education, nursery school and child care center.

PROPOSAL: To permit a nursery school, child care center and private school of general education with a maximum enrollment of 99 children.

REQUESTED MODIFICATIONS/WAIVERS: Modification of transitional screening along all property lines to the existing vegetation as shown on the SE Plat

Waiver of the barrier requirements along all property lines

St. Clair Williams

STAFF RECOMMENDATIONS:

Staff recommends denial of SE 2010-HM-004; however, should the Board of Supervisors approve SE 2010-HM-004, staff recommends that the approval be subject to the draft development conditions contained in Appendix 1.

It should be noted that it is not the intent of the 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; and that should this application be approved, such approval does not interfere with, abrogate or annul any easements, 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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

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.



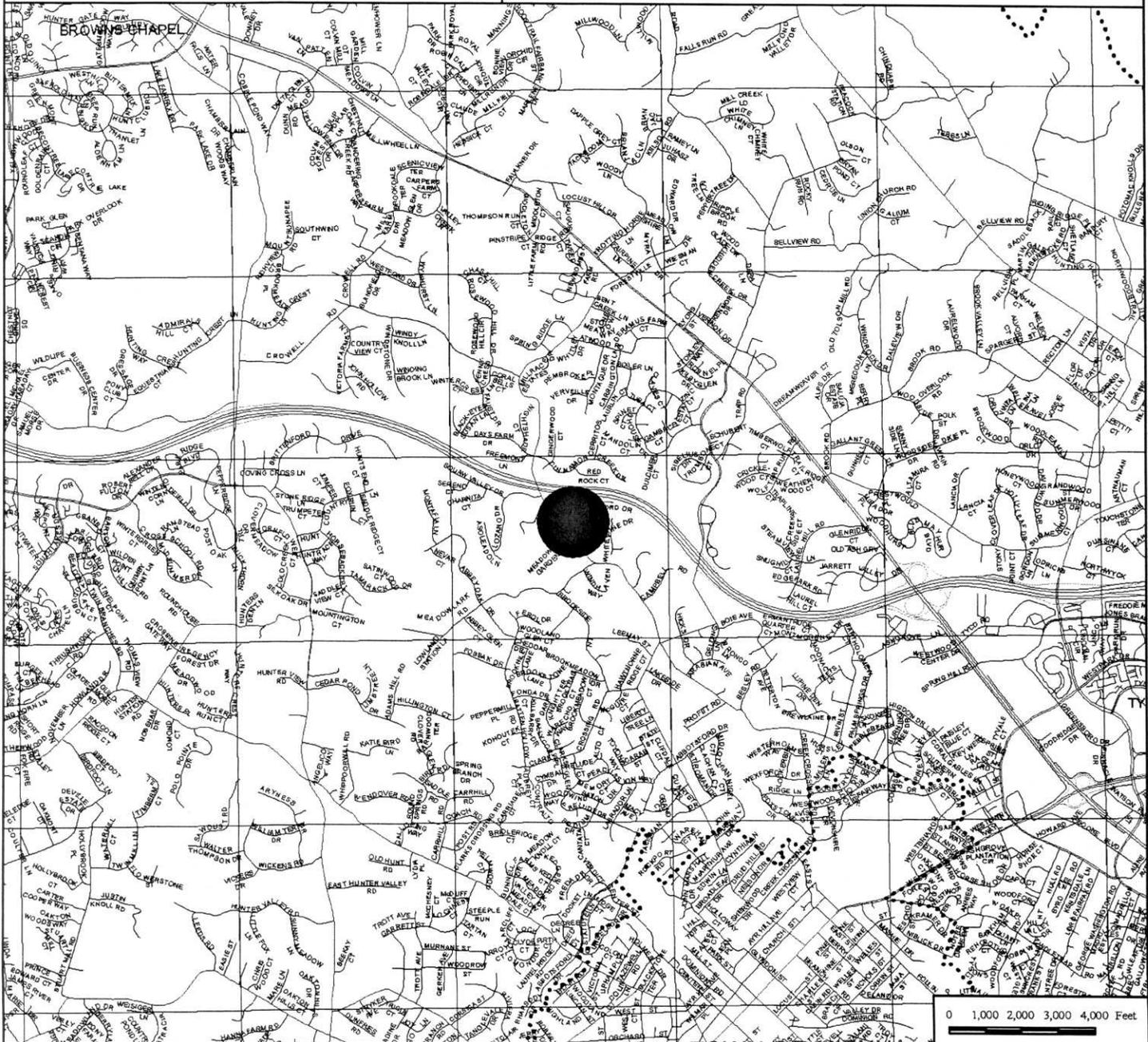
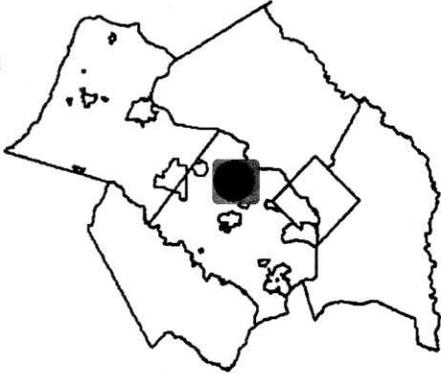
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2010-HM-004

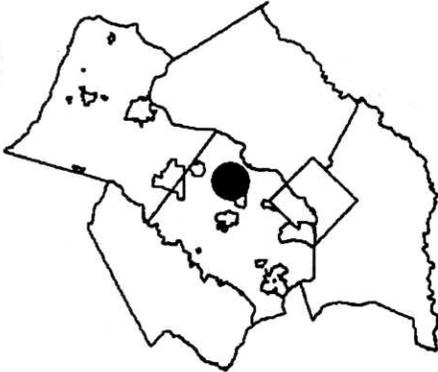
Applicant: SAILINI MAGAPU LOHIA AND SANDEEP LOHIA
Accepted: 03/26/2010
Proposed: PRIVATE SCHOOL OF GENERAL EDUCATION,
NURSERY SCHOOL AND CHILD CARE CENTER
Area: 4.504 AC OF LAND; DISTRICT - HUNTER MILL

Zoning Dist Sect: 03-0104
Art 9 Group and Use: 3-10 3-11
Located: 1629 BEULAH ROAD
Zoning: R-1
Plan Area: 2,
Overlay Dist:
Map Ref Num: 028-1- /01/ /0013



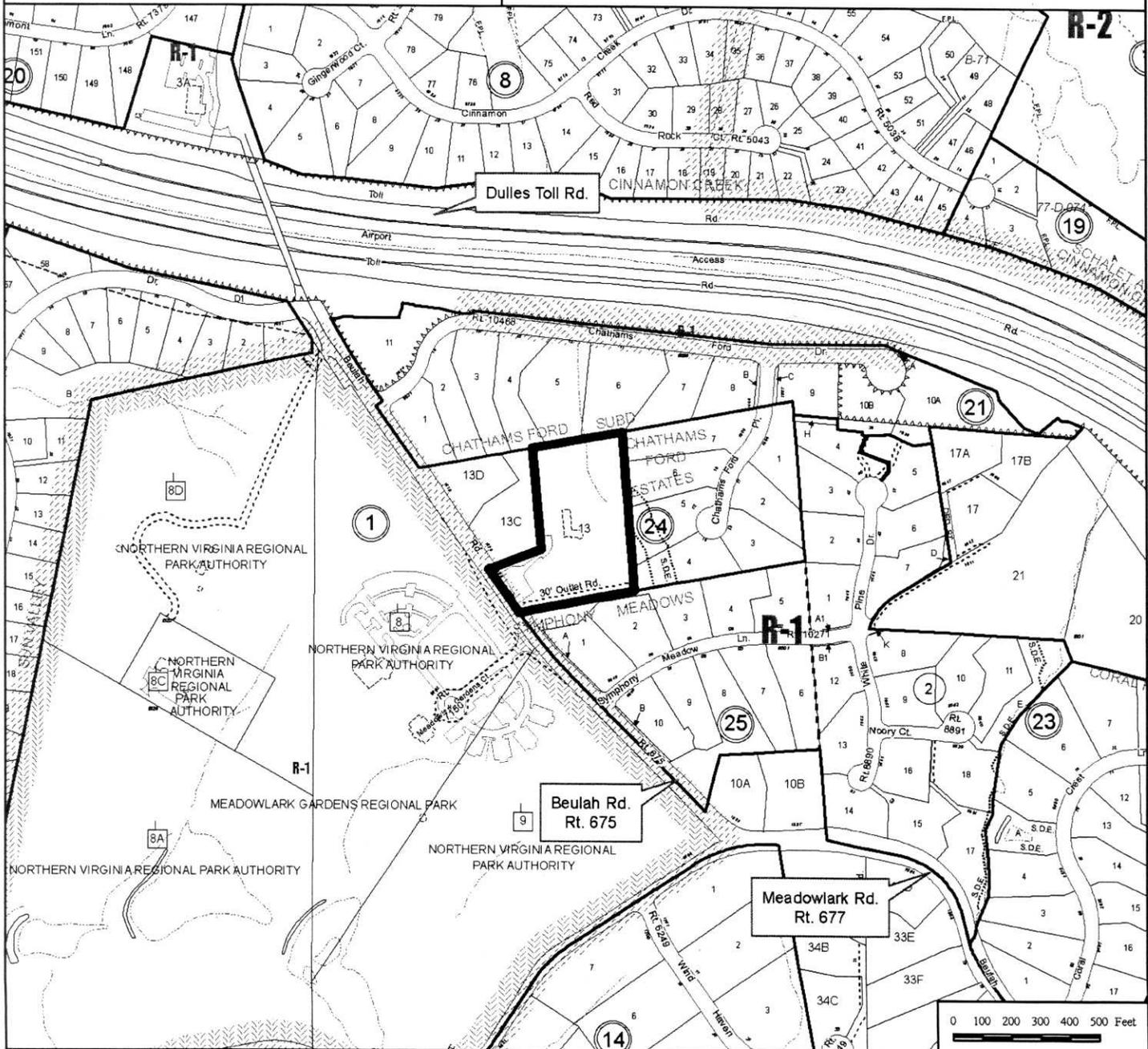
Special Exception

SE 2010-HM-004



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Located: 1629 BEULAH ROAD
Zoning: R-1
Plan Area: 2,
Overlay Dist:
Map Ref Num: 028-1- /01/ /0013



SPECIAL EXCEPTION APPLICATION

PLAN NUMBER: SE 2010-HM-004

HUNTER MILL DISTRICT FAIRFAX COUNTY, VIRGINIA

MARCH 16, 2010

1. REVISION - MAY 17, 2010
2. REVISION - JUNE 3, 2010



VICINITY & ZONING MAP 

SCALE: 1"=50'

TM NO. 28-1



SOILS MAP 

SCALE: 1"=50'

TM NO. 28-1

SHEET INDEX

1. COVER SHEET
2. EXISTING CONDITIONS
3. NOTES AND TABULATIONS
- 4A. SPECIAL EXCEPTION PLAT 1"=25' SCALE PHASE 1
- 4B. SPECIAL EXCEPTION PLAT 1"=25' SCALE PHASE 2
5. PROPOSED LANDSCAPE PLAN
6. EXISTING VEGETATION MAP
7. SWM CHECKLIST & OUTFALL DESCRIPTION
8. CONCEPTUAL STORMWATER MANAGEMENT PLAN
- 8A. CONCEPTUAL OUTFALL PLAN
9. SWM/BMP COMPUTATIONS & DETAILS

APPLICANT/OWNER

SAILINI MAGAPA-LOHIA AND SANDEEP LOHIA
8030 TYSONS OAK CIRCLE
VEINNA, VIRGINIA 22182
CONTACT: MR. SANDEEP LOHIA

ATTORNEY

WALSH, COLUCCI, LUBELEY, EMRICH, & WALSH P.C.
2200 CLAREDON BLVD, 13TH FLOOR
ARLINGTON VIRGINIA, 22201
CONTACT: LYNNE J. STROBEL, ESQUIRE
(703) 528-4700

ENGINEER/LANDSCAPE ARCHITECT

VIKA INC.
880 GREENSBORO DRIVE
SUITE 200
MCLEAN, VIRGINIA 22102
CONTACT: CHRIS CHAMPAGNE, PRINCIPAL ASSOCIATE, PE, LEED AP
(703) 442-7800

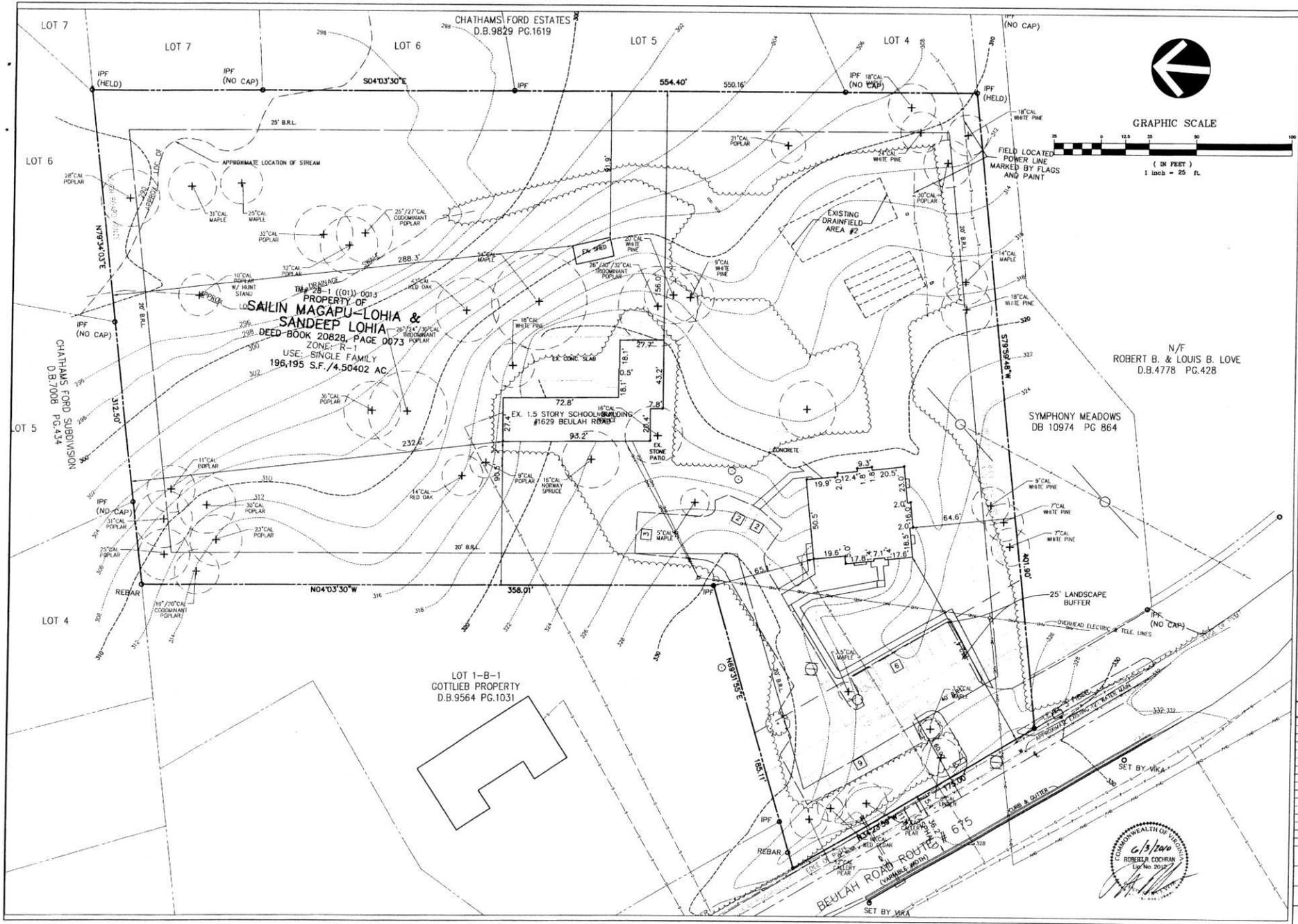
ENVIRONMENTAL ENGINEER

ENGINEERING CONSULTING SERVICES, LTD.
14026 THUNDERBOLT PLACE
SUITE 100
CHANTILLY VIRGINIA 20151
CONTACT: MR. BRYAN LAYMAN
(703) 471-8400

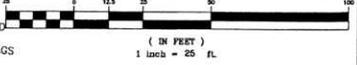
TRANSPORTATION CONSULTANT

WELLS AND ASSOCIATES, LLC
1420 SPRING HILL ROAD
SUITE 600
MCLEAN, VIRGINIA 22102
CONTACT: MR. WILL JOHNSON
(703) 971-0739





GRAPHIC SCALE



VKA
 ENGINEERS • ARCHITECTS • SURVEYORS • SERVICES
 VKA INCORPORATED
 10000 WOODBURN ROAD, SUITE 200
 FARMINGTON, VIRGINIA 22030

PROPERTY OF SAILINI MAGAPU-LOHIA & SANDEEP LOHIA
 HUNTER MILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

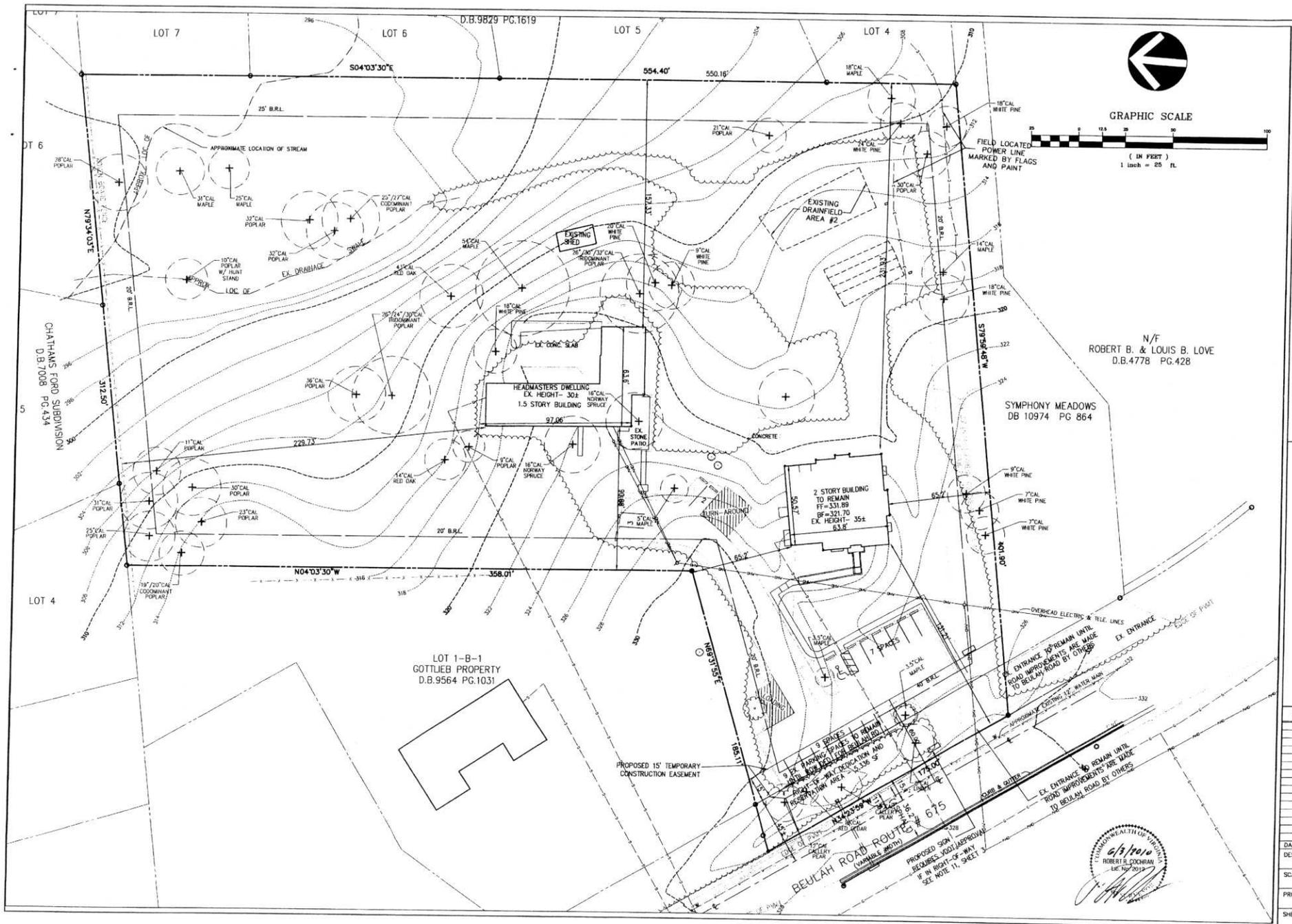
SPECIAL EXCEPTION
 EXISTING CONDITIONS PLAN

VKA REVISIONS

05-17-2010	
06-03-2010	

DATE:	03-18-2010
DES.	VKA DWG VKA
SCALE:	1" = 25'
PROJECT/FILE NO.	V7304A
SHEET NO.	2





VKA
 ENGINEERS & ARCHITECTS
 1100 GREENBRIER DR., SUITE 100
 FARMINGTON, VA 22934
 PHONE: (540) 853-2737
 FAX: (540) 853-2737
 WWW.VKAVIRGINIA.COM

PROPERTY OF SAILINI MAGAPU-
 LOHIA & SANDEEP LOHIA
 HUNTER HILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

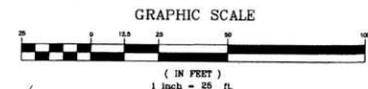
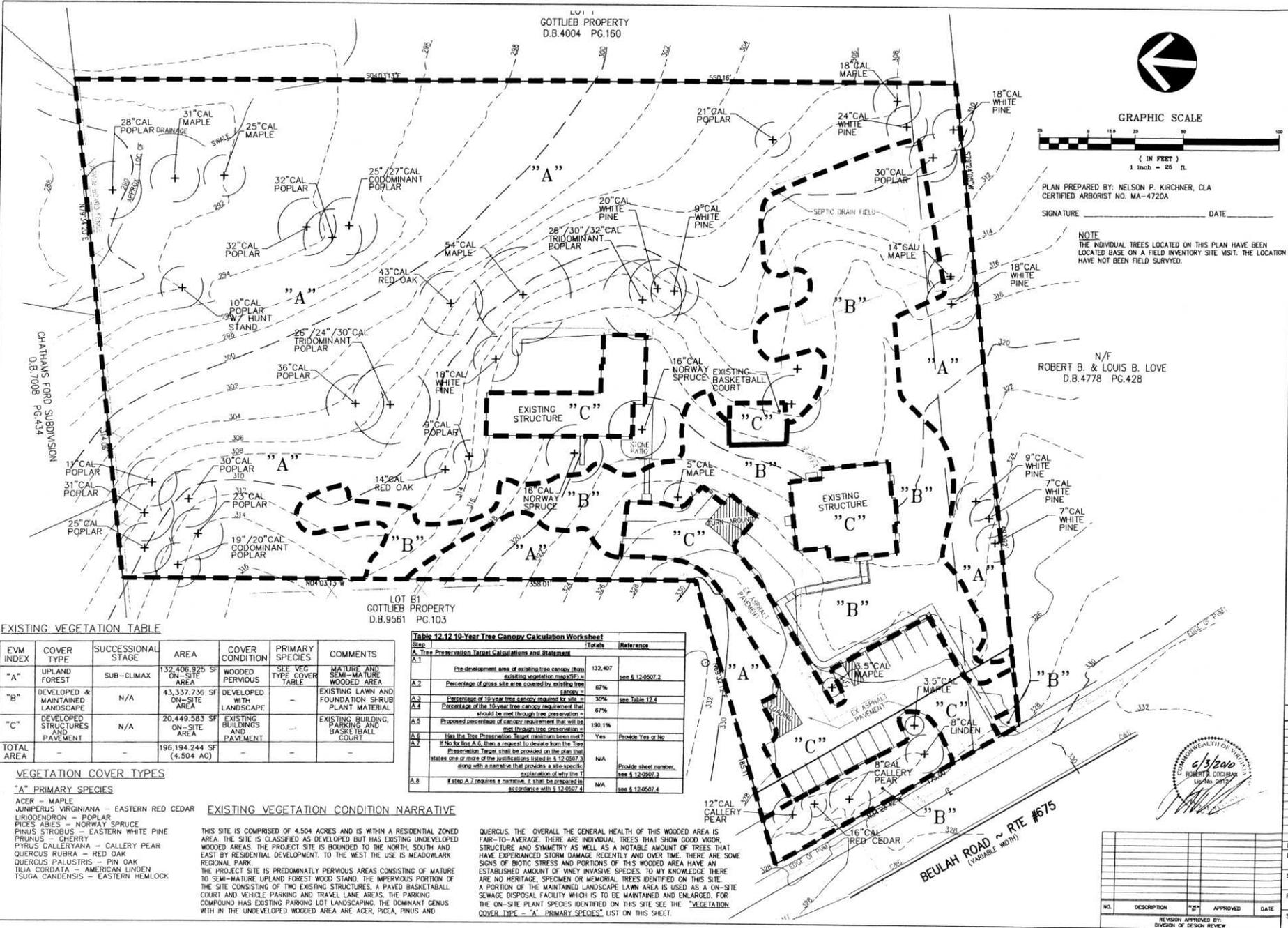
SPECIAL EXCEPTION PLAT
 PHASE ONE

VKA REVISIONS	
05-17-2010	
08-03-2010	
03-16-2010	

DATE:	03-16-2010
DES:	VKA
DWN:	VKA
SCALE:	1" = 25'
PROJECT/FILE NO.:	V7304A
SHEET NO.:	4A

PROPOSED SIGN
 IF IN RIGHT-OF-WAY
 SEE NOTE 17, SHEET

APPROVED
 03/16/10
 ROBERT B. COCHRAN
 LIC # 70113



PLAN PREPARED BY: NELSON P. KIRCHNER, CLA
 CERTIFIED ARBORIST NO. MA-4720A
 SIGNATURE _____ DATE _____

NOTE
 THE INDIVIDUAL TREES LOCATED ON THIS PLAN HAVE BEEN LOCATED BASE ON A FIELD INVENTORY SITE VISIT. THE LOCATION HAVE NOT BEEN FIELD SURVEYED.

N/F
 ROBERT B. & LOUIS B. LOVE
 D.B.4778 PG.428

EXISTING VEGETATION TABLE

EVM INDEX	COVER TYPE	SUCCESSIONAL STAGE	AREA	COVER CONDITION	PRIMARY SPECIES	COMMENTS
"A"	UNDEVELOPED FOREST	SUB-CLIMAX	132,406.828 SF ON-SITE AREA	WOODED PERVIOUS	SEE VEG TYPE COVER TABLE	MATURE AND SEMI-MATURE WOODED AREA
"B"	DEVELOPED & MAINTAINED LANDSCAPE	N/A	43,337.736 SF ON-SITE AREA	DEVELOPED WITH LANDSCAPE	-	EXISTING LAWN AND FOUNDATION SHRUB PLANT MATERIAL
"C"	DEVELOPED STRUCTURES AND PAVEMENT	N/A	20,449.583 SF ON-SITE AREA (4.504 AC)	EXISTING BUILDINGS AND PAVEMENT	-	EXISTING BUILDING, PARKING AND BASKETBALL COURT
TOTAL AREA	-	-	196,194.244 SF (4.504 AC)	-	-	-

Table 12.12 10-Year Tree Canopy Calculation Worksheet

Step	Description	Total	Reference
A.1	Preservation area of existing tree canopy (from existing vegetation map) (V1)	132,407	see § 12-9507.2
A.2	Percentage of gross site area covered by existing tree canopy	67%	see Table 12.4
A.3	Percentage of 10-year tree canopy required for site	30%	see Table 12.4
A.4	Percentage of the 10-year tree canopy requirement that should be met through tree preservation	67%	-
A.5	Proposed percentage of canopy requirement that will be met through tree preservation	100.1%	-
A.6	Has the tree preservation target minimum been met?	Yes	Provide Yes or No
A.7	If No to line A.6, then a request to deviate from the 10-year preservation target shall be provided on the plan that states one or more of the justifications listed in § 12-9507.3 along with a narrative that provides a site-specific explanation of why the 10-year preservation target is not being met	N/A	Provide sheet number, see § 12-9507.3
A.8	If step A.7 requires a narrative, it shall be prepared in accordance with § 12-9507.4	N/A	see § 12-9507.4

VEGETATION COVER TYPES

"A" PRIMARY SPECIES

- ACER - MAPLE
- JUNIPERUS VIRGINIANA - EASTERN RED CEDAR
- LIRIODENDRON - POPLAR
- PICEA ABIES - NORWAY SPRUCE
- PINUS STROBUS - EASTERN WHITE PINE
- PRUNUS - CHERRY
- PIRUS CALLERYANA - CALLERY PEAR
- QUERCUS RUBRA - RED OAK
- QUERCUS PALUSTRIS - PIN OAK
- TILIA CORDATA - AMERICAN LINDEN
- TSUGA CANDENSIS - EASTERN HEMLOCK

EXISTING VEGETATION CONDITION NARRATIVE

THIS SITE IS COMPRISED OF 4.504 ACRES AND IS WITHIN A RESIDENTIAL ZONED AREA. THE SITE IS CLASSIFIED AS DEVELOPED BUT HAS EXISTING UNDEVELOPED WOODED AREAS. THE PROJECT SITE IS BOUNDED TO THE NORTH, SOUTH AND EAST BY RESIDENTIAL DEVELOPMENT. TO THE WEST THE USE IS MEADOW/LARK REGIONAL PARK. THE PROJECT SITE IS PREDOMINANTLY PERVIOUS AREAS CONSISTING OF MATURE TO SEMI-MATURE UPLAND FOREST WOOD STAND. THE IMPROVED PORTION OF THE SITE CONSISTING OF TWO EXISTING STRUCTURES, A PAVED BASKETBALL COURT AND VEHICLE PARKING AND TRAVEL LANE AREAS. THE PARKING COMPOUND HAS EXISTING PARKING LOT LANDSCAPING. THE DOMINANT GENUS WITH IN THE UNDEVELOPED WOODED AREA ARE ACER, PICEA, PINUS AND

QUERCUS. THE OVERALL GENERAL HEALTH OF THIS WOODED AREA IS FAIR-TO-AVERAGE. THERE ARE INDIVIDUAL TREES THAT SHOW GOOD VIGOR, STRUCTURE AND SYMMETRY AS WELL AS A NOTABLE AMOUNT OF TREES THAT HAVE EXPERIENCED STORM DAMAGE RECENTLY AND OVER TIME, THERE ARE SOME SIGNS OF BIOTIC STRESS AND PORTIONS OF THIS WOODED AREA HAVE AN ESTABLISHED AMOUNT OF VINE INVASIVE SPECIES. TO MY KNOWLEDGE THERE ARE NO HERITAGE, SPECIMEN OR MEMORIAL TREES IDENTIFIED ON THIS SITE. A PORTION OF THE MAINTAINED LANDSCAPE LAWN AREA IS USED AS A ON-SITE SEWAGE DISPOSAL FACILITY WHICH IS TO BE MAINTAINED AND ENLARGED. FOR THE ON-SITE PLANT SPECIES IDENTIFIED ON THIS SITE SEE THE "VEGETATION COVER TYPE - "A" PRIMARY SPECIES" LIST ON THIS SHEET.



PROPERTY OF SAILINI MAGAPU-LOHIA & SANDEEP LOHIA
 COUNTY OF FAIRFAX, VIRGINIA
 HUNTER HILL DISTRICT

EXISTING VEGETATION MAP

VKA REVISIONS

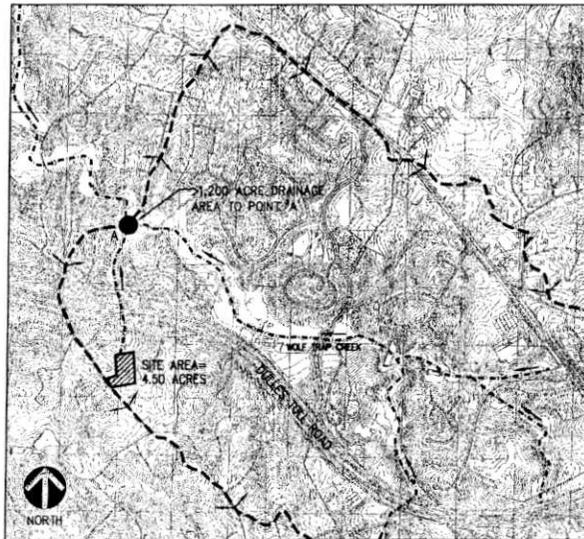
NO.	DESCRIPTION	DATE
05-17-2010		
06-03-2010		



NO.	DESCRIPTION	DATE	APPROVED	DATE

REVISION APPROVED BY:
 DIVISION OF DESIGN REVIEW

DATE:	03-18-2010
DES. NPK:	DWN. NPK
SCALE:	1" = 25'
PROJECT/FILE NO.:	V7304A
SHEET NO.:	6



3
7

OUTFALL MAP
SCALE: 1"=1,000'

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

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

This information is required under the following Zoning Ordinance paragraphs:
 Special Permits (8-011 2J & 2L) Special Exceptions (8-011 2J & 2L)
 Cluster Subdivision (8-015 1G & 1H) Commercial Revitalization Districts (8-022 2A (12) & (14))
 Development Plans PRC District (18-302 3 & 4L) PRC Plan (18-303 1E & 1O)
 FDP P Districts (except PRC) (18-302 1F & 1Q) Amendments (18-202 10F & 10I)

- 1. Plat is at a minimum scale of 1"=50' (unless it is depicted on one sheet with a minimum scale of 1"=100').
- 2. A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond pathways, access roads, site outfalls, energy dissipation devices, and stream stabilization measures as shown on Sheet 8.

3. Provide:

Facility Name/ Type & No.	On-site area served (acres)	Off-site area served (acres)	Drainage area (acres)	Footprint area (sf)	Storage Volume (cf)	If pond, dam height (ft)
15" TRENCH (15" x 10' x 100')	1.35 AC	0.0 AC	1.35 AC	4,114 SF	8,772 CF	N/A
Totals	1.35 AC	0.0 AC	1.35 AC	4,114 SF	8,772 CF	

- 4. On-site drainage channels, outfalls and pipe systems are shown on Sheet 8.
Pond inlet and outlet pipe systems are shown on Sheet N/A.
- 5. Maintenance access (road) to stormwater management facility(ies) are shown on Sheet 8.
Type of maintenance access road surface noted on the plat is ASPHALT (asphalt, gravel, gravel, etc.).
- 6. Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet 8.
- 7. A stormwater management narrative which contains a description of how detention and best management practices requirements will be met is provided on Sheet 8.
- 8. A description of the existing conditions of each numbered site outfall extended downstream from the site to a point which is at least 100 times the site area or which has a drainage area of at least one square mile (840 acres) is provided on Sheet 7.
- 9. A description of how the outfall requirements, including contributing drainage area of the Public Facilities Manual will be satisfied is provided on Sheet 7.
- 10. Existing topography with maximum contour interval of two (2) feet and a note as to whether it is an air survey or field run is provided on Sheets 7 AND 3.
- 11. A submission waiver is requested for N/A.
- 12. Stormwater management is not required because N/A.

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S.E. SWM INFORMATION CHECKLIST



PHOTO #1: THIS PHOTOGRAPH SHOWS THE EXISTING 24" END SECTION THAT DAYLIGHTS ALONG THE SITE'S EASTERN PROPERTY LINE. IT CONVEYS STORMWATER FROM THE ADJACENT DEVELOPMENT TO THE EAST.



PHOTO #2: THIS PHOTOGRAPH SHOWS THE SAME WALL-LINED CHANNEL AS IT FLOWS PARALLEL TO THE SITE'S NORTHERN PROPERTY LINE.



PHOTO #3: THIS PHOTOGRAPH SHOWS THE EXISTING CHANNEL DOWNSTREAM FROM PHOTO #1. THE CHANNEL IS APPROXIMATELY 3' WIDE AND 1.5' DEEP, AND IT MEANDERS THROUGH THE WOODS IN A NORTHERLY DIRECTION.



PHOTO #4: SAME CHANNEL AS PREVIOUS PHOTO. THIS SHOWS THE CHANNEL AS IT BENDS TO THE NORTH, AS IT FLOWS BETWEEN THE TWO RESIDENTIAL PROPERTIES LOCATED NORTH OF THE SUBJECT SITE.



PHOTO #5: THIS IS FARTHER DOWNSTREAM OF PHOTO #3. THE CHANNEL IS APPROXIMATELY 3' WIDE AND 1.5' DEEP AND CONVEYS OFF-SITE WATER IN A NORTHERLY DIRECTION ACROSS THE SUBJECT SITE.



PHOTO #6: THIS PHOTO SHOWS THE CHANNEL FARTHER DOWNSTREAM AND NORTH OF PHOTO #7. THE CHANNEL IS LINED WITH STONES AND CORNICES AND CONTINUES TO FLOW IN A NORTHERLY DIRECTION TOWARDS CHATHAM'S FORD ROAD.



PHOTO #7: THIS PHOTO SHOWS WHERE THE CHANNEL NOTED IN PHOTOS 2-3 MEETS THE ADJACENT SITE TO THE NORTH. THAT PROPERTY OWNER HAS CREATED A WALL-LINED CHANNEL TO DRAIN STORMWATER AROUND THEIR PLAYGROUND.



PHOTO #8: THIS IS THE 48" CULVERT THAT CONVEYS WATER BENEATH CHATHAM'S FORD ROAD.



PHOTO #9: THIS PHOTO SHOWS THE EXISTING DEPRESSION (LOOKING SOUTH) THAT IS LOCATED JUST EAST OF THE SMALLER EXISTING ONSITE BUILDING THAT IS TO REMAIN. IT CONVEYS WATER IN A NORTHERLY DIRECTION.



PHOTO #10: THIS PHOTO SHOWS 48" CULVERT THAT CONVEYS STORMWATER FROM THE PREVIOUSLY MENTIONED CHANNELS BENEATH THE DULLES TOLL ROAD INTO A TRIBUTARY OF WOLF TRAP CREEK.

2
7

SITE OUTFALL PHOTOGRAPHS

OUTFALL DESCRIPTION

THE SUBJECT PROPERTY IS IDENTIFIED ON THE FAIRFAX COUNTY TAX ASSESSMENT MAP AS 008-1-(01)-15. THE SITE IS LOCATED AT 1629 BEULAH ROAD AND IS BOUNDED BY BEULAH ROAD TO THE WEST, AND BY RESIDENTIAL PROPERTIES ALONG ALL OTHER PROPERTY LINES. VEHICULAR ACCESS TO THE SUBJECT PROPERTY IS PROVIDED FROM BEULAH ROAD VIA AN EXISTING DRIVE ASIDE. THE PRESENT DEVELOPMENT ON THE SITE CONSISTS OF TWO BUILDINGS, A BASKETBALL COURT, PARKING LOT, AND GRASS AND WOODED AREAS. THE SITE IS LOCATED IN THE R-1 ZONING DISTRICT AND IS IN THE UTILITY RIGHT-OF-WAY.

THERE ARE TWO OUTFALLS ASSOCIATED WITH THIS SPECIAL EXCEPTION APPLICATION. FOR THE "MINIMUM STORMWATER INFORMATION FOR REZONING APPLICATIONS" WORKSHEET, THE OUTFALL MUST BE DESCRIBED TO A POINT WHICH IS AT LEAST 100 TIMES THE SITE AREA OR WHICH HAS A DRAINAGE AREA OF ONE SQUARE MILE. THE SUBJECT SITE IS 4.5 ACRES, SO THE OUTFALL DESCRIPTION SHALL EXTEND TO A POINT WHERE THE DRAINAGE AREA IS AT LEAST 450 ACRES. SEE BELOW FOR THIS DETAILED DESCRIPTION OF THE OUTFALL. SEE THE OUTFALL MAP ON THIS SHEET FOR LOCATION AND EXTENT OF THE OUTFALL DESCRIPTION.

THE FIRST POINT OF OUTFALL IS LOCATED AT THE NORTHERN PROPERTY LINE. THERE ARE TWO "CHANNELS" LOCATED ON THE SUBJECT SITE THAT CONVEY STORMWATER TO THE OUTFALL POINT. THE EASTERN MOST CHANNEL CONVEYS OFF-SITE STORMWATER. AN EXISTING 24" END SECTION DAYLIGHTS ALONG THE EASTERN PROPERTY LINE AND CONVEYS STORMWATER FROM THE ADJACENT DEVELOPMENT. THIS CHANNEL IS SHOWN IN PHOTOS #1-4. THE CHANNEL HEADERS THROUGH THE WOODS UNTIL IT REACHES THE NORTHERN PROPERTY LINE AT WHICH POINT THE CHANNEL BECOMES LINED BY RETAINING WALLS. THE RESIDENTIAL LAND OWNER OF THE PROPERTY TO THE NORTH HAS CONSTRUCTED THE WALL-LINED CHANNEL TO DRAIN THE STORMWATER CONVEYED IN THE CHANNEL AROUND THEIR PLAYGROUND. SEE PHOTOS #4, #6, AND #7. THE SECOND "CHANNEL" ON THE SITE IS A LARGER DEPRESSED AREA THAT CONVEYS STORMWATER FROM THE SUBJECT SITE. IT RUNS IN A NORTHERLY DIRECTION STARTING APPROXIMATELY JUST EAST OF THE SMALLER ONSITE BUILDING THAT IS TO REMAIN. SEE PHOTO #9. STORMWATER FROM THIS CHANNEL FLOWS INTO THE WALL-LINED CHANNEL, BUT WEST OF WHERE THE OTHER CHANNEL CONNECTS TO IT. STORMWATER CONTINUES IN THE WALL-LINED CHANNEL FOR APPROXIMATELY 100' UNTIL THE CHANNEL CONDITIONS CHANGE BACK TO THOSE SHOWN IN PHOTO #6. A GRAVEL AND CORNICE EARTH LINED CHANNEL. STORMWATER CONTINUES IN THIS CHANNEL IN A NORTHERLY DIRECTION TOWARDS CHATHAM'S FORD ROAD. IT CROSSES CHATHAM'S FORD ROAD IN A 48" DIAMETER CULVERT, SHOWN IN PHOTO #8. STORMWATER BRIEFLY DAYLIGHTS BEFORE ENTERING ANOTHER 48" DIAMETER CULVERT THAT CONVEYS THE STORMWATER BENEATH THE DULLES TOLL ROAD AND INTO A TRIBUTARY OF WOLF TRAP CREEK. FARTHER NORTH, THE WOLF TRAP CREEK TRIBUTARY MERGES WITH ANOTHER TRIBUTARY. THIS POINT IS LABELED AS POINT "X" ON THE DRAINAGE MAP. THE DRAINAGE AREA AT THIS POINT IS IN EXCESS OF 1,000 ACRES, WHICH IS FAR MORE THAN 450 ACRES (100 TIMES SITE AREA). THEREFORE, THE OUTFALL DESCRIPTION FOR THE SUBJECT PROPERTY SHALL CEASE HERE, AND IS SUFFICIENT TO MEET THE REQUIREMENT OF THE "MINIMUM STORMWATER INFORMATION FOR REZONING APPLICATIONS" WORKSHEET.

THE SECOND OUTFALL LOCATION IS AT THE SOUTHERN END OF THE SITE AND ONLY INCLUDES THAT AREA WITHIN THE PROPOSED RIGHT-OF-WAY. THIS DRAINAGE AREA HAS BEEN REDUCED BY APPROXIMATELY 50% AS PART OF THIS PROPOSED PLAN. THIS OUTFALL CONSIST OF A 15" RCP AND IS MORE THAN ADEQUATE TO CONVEY THIS REDUCED FLOW.

OUTFALL NARRATIVE:

THE ADEQUATE OUTFALL REQUIREMENTS OF PFM SECTION 8-0203 WILL BE SATISFIED AT THE TIME OF FINAL ENGINEERING. HOWEVER, THE FOLLOWING IS AN OUTLINE AS TO HOW THE ADEQUATE OUTFALL REQUIREMENTS WILL BE MET. SINCE ALL THE FLOW LEAVING THE IMPROVED PORTIONS OF THE SITE IS NON-CONCENTRATED (I.E. SHEET FLOW) THE ADEQUATE OUTFALL REQUIREMENT CAN BE MET PER SECTION 8-0202.0A, NAMELY THAT THE PEAK RATE AFTER DEVELOPMENT DOES NOT EXCEED THE PRE-DEVELOPMENT PEAK RATE.



DESCRIPTION	DATE	APPROVED	DATE
REVISION APPROVED BY: DIVISION OF DESIGN REVIEW			



1629 BEULAH ROAD
SPECIAL EXCEPTION
HUNTERHILL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SWM CHECKLIST &
OUTFALL DESCRIPTION

VIKA REVISIONS

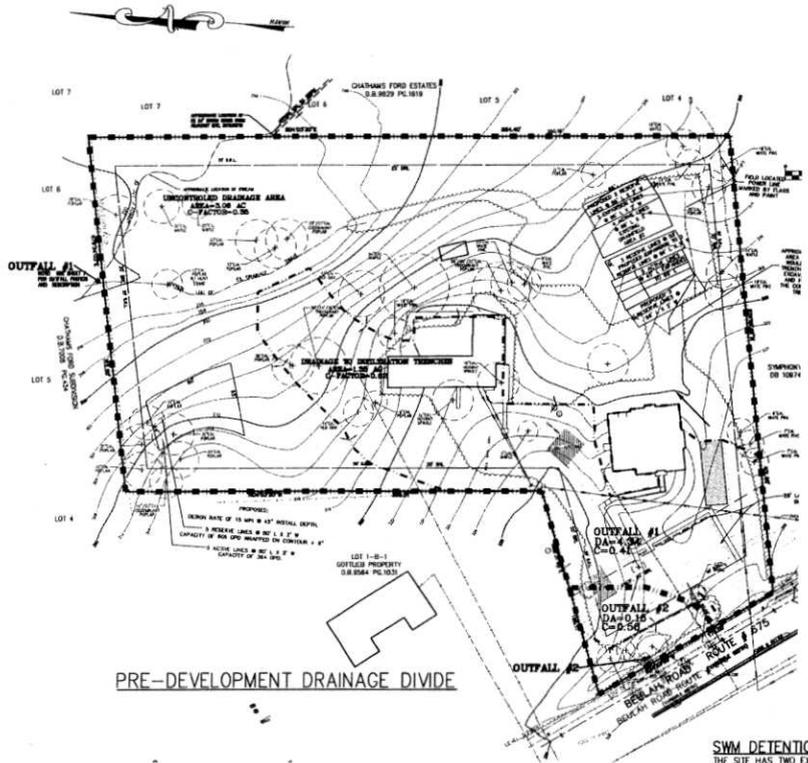
DATE	DESCRIPTION
05-17-2010	
06-03-2010	

DES. BRK	DWN. BRK

DATE: DECEMBER, 2009
 SCALE: AS SHOWN
 PROJECT/FILE NO. V7304A
 SHEET NO. 7



GRAPHIC SCALE
 1" = 50' PL.



SWM DETENTION NARRATIVE

THE SITE HAS TWO EXISTING OUTFALL, OUTFALL #1 AND OUTFALL #2. OUTFALL #1 IS LOCATED AT THE NORTHERN PROPERTY LINE AND IS A STREAM THAT FLOWS THROUGH THE SITE TO ADJACENT PROPERTIES. OUTFALL #2 IS AN EXISTING 12" RCP CULVERT THAT RUNS UNDER BELLAH ROAD (RT. #675). THIS OUTFALL DRAINS BOTH THE SUBJECT SITE AND AN ADJACENT PROPERTY.

PRE-DEVELOPMENT COMPUTATIONS:

OUTFALL#1	OUTFALL#2
2YR STORM Q=(0.41)(5.45)(4.34) Q=9.70 CFS	2YR STORM Q=(0.56)(5.45)(0.16) Q=0.49 CFS
10YR STORM Q=(0.41)(7.27)(4.34) Q=12.94 CFS	10YR STORM Q=(0.56)(7.27)(0.16) Q=0.65 CFS

POST-DEVELOPMENT COMPUTATIONS:

OUTFALL#1	OUTFALL#2
2YR STORM Q=(0.40)(5.45)(4.41) Q=9.81 CFS	2YR STORM Q=(0.35)(5.45)(0.09) Q=0.17 CFS
10YR STORM Q=(0.40)(7.27)(4.41) Q=12.82 CFS	10YR STORM Q=(0.35)(7.27)(0.09) Q=0.23 CFS

POST-DEVELOPMENT COMPUTATIONS (ROUTED):

OUTFALL#1
2YR STORM Q=(0.35)(5.45)(3.06) Q=5.84 CFS
10YR STORM Q=(0.35)(7.27)(3.06) Q=7.79 CFS

PRE-DEVELOPMENT RELEASE RATE

2YR STORM
 Q=OUTFALL#1 + OUTFALL #2
 Q= 9.70+0.49= **10.19 CFS**
 10YR STORM
 Q=OUTFALL#1 + OUTFALL #2
 Q=12.94+0.65= **13.59 CFS**

POST-DEVELOPMENT RELEASE RATE

2YR STORM
 Q=OUTFALL#1 (ROUTED) + OUTFALL #2
 Q= 5.84+0.17= **6.01 CFS**
 10YR STORM
 Q=OUTFALL#1 (ROUTED) + OUTFALL #2
 Q=7.79+0.23= **8.02 CFS**

THE POST DEVELOPMENT RUNOFF FROM THE SITE INCLUDES THE AREA DRAINING TO OUTFALL #2 AND THE DRAINAGE AREA FOR OUTFALL #1 THAT HAS BEEN SUBTRACTED BY THE AREA THAT IS DRAINING TO THE INFILTRATION TRENCH. THE INFILTRATION TRENCH DESIGN ASSUMES THAT THE RELEASE RATE WILL BE 0 CFS SINCE IT IS ALL BEING INFILTRATED INTO THE GROUND. THE REMAINING AREA AND OUTFALL#2 ARE IN GOOD FORESTED CONDITION AND ARE THE ONLY AREA CONTRIBUTING TO DISCHARGE FROM THE SITE. THUS THESE AREAS COMBINED EQUAL THE POST-DEVELOPMENT RELEASE RATE. AS CAN BE SEEN, THIS POST DEVELOPMENT RELEASE RATE IS LESS THAN THE PRE-DEVELOPMENT RELEASE RATE, THUS THE SITE PROVIDED AN ADEQUATE OUTFALL.



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

- Proposal:** The applicants, Sailini Magapu-Lohia and Sandeep Lohia, are seeking approval of a Special Exception to establish a child care center, nursery school, and private school of general education with a maximum enrollment of 99 children, ages 6 weeks to 12 years of age. No breakdown of the number of students in the child care center, nursery school or private school has been provided. The applicants would develop the site in two phases. Under Phase 1, the maximum enrollment would be a maximum of 50 children. The maximum enrollment with Phase 2 would be 99 children. During Phase 1, the applicants will live in the same building, while operating the proposed child care, nursery school and private school on the first floor and basement of the existing 2-story building on the site. With Phase 2, the applicant plans to either rebuild a vacant 1 ½-story building on site or demolish it and construct a new 2-story building in its place.
- Hours:** 7:00 am-6:00 pm Monday to Friday
- Employees:**
- Phase 1:
Child care center and nursery school –
Three (3) employees
Private school of general education –
Four (4) employees
- Phase 2:
Child care center and nursery school –
Eleven (11) employees
Private school of general education –
Four (4) employees
- Waivers and Modifications:** Modification of the transitional screening requirement along all boundaries of the site to that shown on the SE Plat; and

Waiver of the barrier requirement along all property lines of the site.

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

LOCATION AND CHARACTER

The subject property is located on the east side of Beulah Road approximately 1000 feet south of the Dulles Airport Access Road. The site is an L-shaped property of 4.5 acres, which previously housed a private school of general education for up to 50 students (known as the Enterprise School). The subject property is currently developed with an existing 2-story building, an existing 1 ½-story building, and a shed, as well as associated surface parking of 21 spaces. The existing 2-story building, which is located approximately 132 feet from Beulah Road and 63 and 65 feet from adjacent lots lines, contains approximately 10,000 square feet (SF) and resembles a large house with a gable roof and chimney. The existing 1 ½ story building contains a total floor area of 5,556 SF and is located approximately 90 feet east of the western property boundary adjacent to single-family dwellings along Beulah Road. The site is served by an existing drain field in the southeastern portion of the site. The property also consists of woods and natural vegetation throughout the northern portion of the lot, with a stream located in the northeast corner of the property. The site slopes from Beulah Road down toward the northeast corner of the site. Access to the site is provided from Beulah Road via a driveway. The driveway has two access points along Beulah, one for entering vehicles and one for exiting vehicles.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single Family Detached (Chathams Ford)	R-1	Residential; .5-1 du/ac
South	Single Family Detached (Symphony Meadows)	R-1	Residential; .5-1 du/ac
East	Single Family Detached (Chathams Ford Estates)	R-1	Residential; .5-1 du/ac
West	Meadowlark Gardens Regional Park (NOVA Regional Park)	R-1	Public Park

BACKGROUND

On November 7, 1985, the Board of Zoning Appeals approved SP 85-C-049 to permit a private school of general education on the site.

On January 14, 1986, the Board of Zoning Appeals approved SPA 85-C-049 to amend SP 85-C-049 by deleting the development condition requiring a deceleration lane.

On January 25, 1991, the Board of Zoning Appeals approved SPA 85-C-049-02 to increase the number of employees to eight, the number of students to 30 and allow an addition to the facility.

On June 12, 1996, the Board of Zoning Appeals approved SPA 85-C-049-03 to permit site modifications and to amend the development conditions to eliminate the term limitation and to permit a change in hours of operation.

On January 27, 1999, the Board of Zoning Appeals approved SPA 85-C-049-04 to amend SP 85-C-049 to allow the construction of a 10,000 square foot building for classroom and offices and the addition of parking.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area II
Planning District:	Vienna Planning District
Planning Sector:	Piney Branch Community Planning Sector
Plan Map:	Residential; .5-1 du/ac & Private Recreation

The Fairfax County Comprehensive Plan, 2007 Edition, Area II, Vienna Planning District as amended through March 9, 2010 V4 Piney Branch Community Planning Sector, page 78, provides lands use recommendations, which states:

Land Use

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

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

1. *To prevent strip commercial development along Route 123 south from the Town of Vienna and to define strictly commercial activity areas:*
 - a. *All future commercial uses and activity in this sector should be limited to the existing Oakton shopping center site and the adjacent land already zoned for commercial use.*

In Fairfax County, as in other areas of the country, there is an increasing need for high-quality child care facilities. Such facilities should be encouraged throughout the County to the extent that they can be provided consistently with the following criteria:

- 1. Child care facilities should have sufficient open space to provide adequate access to sunlight and suitable play areas, taking into consideration the size of the facility.*
- 2. Child care facilities should be located and designed to ensure the safety of children.*
- 3. Child care facilities should be located and designed to protect children from excessive exposure to noise, air pollutants, and other environmental factors potentially injurious to health or welfare.*
- 4. Child care facilities should be located and designed to ensure safe and convenient access. This includes appropriate parking areas and safe and effective on-site circulation of automobiles and pedestrians.*
- 5. Child care facilities in Suburban Neighborhoods should be located and designed to avoid creating undesirable traffic, noise, and other impacts upon the surrounding community. Therefore, siting child care facilities in the periphery of residential developments or in the vicinity of planned community recreation facilities should be considered.*
- 6. Child care facilities should be encouraged in employment centers to provide locations convenient to work places. However, these locations should make provisions for a safe and healthful environment in accord with the guidelines listed above.*

ANALYSIS

Special Exception Plat (Copy at front of staff report)

Title of SE Plat:	Property of Sailini Magapu-Lohia and Sandeep Lohia
Prepared By:	VIKA Inc.
Original and Revision Dates:	March 16, 2010, as revised through June 3, 2010

The SE Plat consists of eleven (11) sheets showing the following:

Property of Sailini Magapu-Lohia and Sandeep Lohia	
Sheet 1	Sheet Index, Vicinity Map, Soils Map, Contact Information
Sheet 2	Existing Conditions Map
Sheet 3	General Notes, Site Tabulations, Angle of Bulk Plane Detail
Sheet 4A	Site Layout – Phase 1
Sheet 4B	Site Layout – Phase 2
Sheet 5	Landscape Plan
Sheet 6	Existing Vegetation Map
Sheet 7	Stormwater Management Checklist, Outfall Description
Sheet 8	Conceptual Stormwater Management Plan
Sheet 8A	Conceptual Outfall Plan
Sheet 9	Stormwater Management/Best Management Practices Computations & Details

Site Layout: The applicant proposes to develop the site in two phases, which are described below.

Under Phase 1, the maximum enrollment for the child care center, nursery school and private school of general education would be 50 children. No physical improvements are proposed to the site under this phase. The existing two-story school building will be used, while the 1 ½ story building will remain vacant. Within the two-story building, the applicant plans to use the first floor and basement for the child care center, nursery school, and private school of general education. The headmaster's residence will be located on the second floor. All of the existing parking will remain, as it currently exists on the site. No changes to the existing driveway access from Beulah Road are proposed. The existing drainfield in the southeastern portion of the site will continue to serve the site. Existing vegetation will be preserved along the northern and eastern boundaries of the site. With Phase 2, the applicant would increase the maximum total enrollment for the child care center, nursery school and private school of general education to 99 children. Phase 2 improvements include the elimination of the southernmost access point to the site and the improvement of the remaining access point. An 11,000 SF outdoor play area would be provided to the rear of the two-story school building. The two-story building will continue to be used while the existing 1 ½-story building (which is to be vacant during Phase 1) will either be renovated or demolished and replaced with a two-story building, which would then serve as the headmaster's residence. A possible 20 x 30 foot greenhouse is depicted within the outdoor play area. In addition, an area for an organic garden is depicted near the

western boundary of the site. The existing drainfield in the southeastern portion of the site would remain with a reserve drainfield proposed in the northwestern portion of the site. Preferred locations for two infiltration trenches are depicted in the southeastern and northern portions of the site. Three alternate infiltration trench locations are also depicted to the east of the headmaster's residence. The alternate locations will only be utilized if the preferred locations are not adequate to provide the required detention. Supplemental planting is proposed along the western and southern boundaries of the site to screen the internal driveway.

Access and Road Improvements: During Phase 1, access to the site will continue to be provided from Beulah Road via two access points at the southwestern corner of the site. The access points will provide vehicular access to and from the existing parking lot. In addition, the application proposes to reserve forty-five (45) feet of right-of-way along the site's Beulah Road frontage for future dedication. The future dedication shall be made upon request by either VDOT or Fairfax County. A crosswalk is proposed across Beulah Road; this crosswalk is subject to VDOT approval. Once the dedication along Beulah Road takes place, the nine parking spaces closest to the Beulah Road right-of-way will be eliminated and relocated within the site (described below). Under Phase 2, the existing access will be modified to a single two-way access point into the site. This improved access point will be located where the exit for the site is currently located. In addition to the access modifications, the applicant proposes to construct a turnaround/drop-off area adjacent to the proposed headmaster's residence

Parking: The SE Plat depicts a total of 21 surface parking spaces proposed for Phase 1 of development of the site, with 17 spaces located in the existing parking lot near Beulah Road and five parking space located near the existing 1 1/2-story building in the central portion of the site. For Phase 2, the 21 spaces will be supplemented with three more space for a total of 24 spaces will be provided on the site. Because of the proposed dedication along Beulah Road, the existing parking would also be relocated. Seven existing parking spaces would remain in the southeastern parking area on the site, and two parallel parking spaces would be provided near the northeast corner of the two-story building. In addition, 15 parking spaces would be located along the western boundary of the site near the current 1/1/2-story building, including four spaces for the future headmaster's residence.

Landscaping and Open Space: Tree save areas of approximately 60,500 SF in size and consisting of evergreen trees, and large and small deciduous trees are depicted along the boundaries of the site. The SE Plat also depicts supplemental landscaping consisting of evergreen trees and large deciduous tress to be provided mainly on western and southern portions of the site.

Stormwater Management: Stormwater management for the proposed development is shown to be handled by two infiltration trenches proposed for the site in the northern portion of the site and in the southern portion of the site. Three alternate locations for infiltration trenches are also depicted to the east of the

existing 1 ½-story building which may be renovated or demolished and rebuilt with the Phase 2 development of the site. Note #16 on Sheet 3 of the SE Plat states that the applicant reserves the right to relocate the limits of clearing and grading to use the alternate locations for the infiltration facilities as long as the Urban Forest Management Division of the Department of Public Works and Environmental Services (DPWES) and the total disturbed area does not increase.

Signage: The applicant is proposing a monument sign at the entrance of the site. No detail of the sign has been provided.

Land Use Analysis

The Comprehensive Plan includes *Locational Guidelines for Child Care Facilities* in the Policy Plan. These guidelines provide six criteria to consider when siting a child care. Staff finds that the proposal satisfies many of the listed criterion. The child care facilities are located away from Beulah Road. The proposed neighborhood is residential in nature and will not expose children to noise or pollution. The proposed layout provides appropriate parking areas and safe and effective on-site circulation. While surrounded by residential neighborhoods, the subject site was previously used as a school and staff finds that the proposed improvements will not adversely impact these surrounding residences. Finally, the proposed site is near the employment centers of Tysons Corner and Vienna.

However, the applicant has failed to demonstrate that suitable play areas will be provided on the site during Phase 1. While Phase 2 depicts 11,000 SF of outdoor play area, no outdoor play areas are depicted with Phase 1. In addition, staff does not believe that the applicant has shown that the proposed child care center and school will have safe and convenient access, particularly in light of the increase enrollment proposed under Phase 2. As discussed later in the Transportation Analysis, staff had requested that the applicant provide information regarding adequate sight distance and the need for any right or left turn lanes into the site. The applicant has not provided this information at this time. As such, staff cannot determine if there will be safe and convenient access into the site nor can staff evaluate if the proposed child care center and school will create undesirable traffic impacts upon the surrounding community.

Environmental Analysis (Appendix 5)

Issue: Soil Constraints/Septic System Drainfields

As noted earlier in this report, the site is served by septic. Currently, that septic system can accommodate 50 students. In order to accommodate the Phase 2 increase in students up to 99 students, the SE Plat depicts several possible areas where septic system drainfield expansion could occur. Staff recommended that the applicant provide evidence that the proposed drainfield expansion areas have been reviewed, approved, and permitted by the Fairfax County Health

Department to ensure that the site can accommodate the maximum number of 99 students that has been requested.

Resolution:

The applicant has not demonstrated that the Health Department has reviewed the proposed expansion of the septic system. Instead, the applicant has provided a note on the SE Plat which states that the proposed drainfields on the site will be provided as approved by the Fairfax County Health Department. Staff recommends a development condition requiring the applicant to demonstrate Health Department approval for the existing and proposed drain fields prior to the issuance of a Non-Residential Use Permit (Non-RUP) for Phase 2.

Issue: Retaining Wall

The SE Plat depicts a "potential retaining wall" up to a maximum of eight feet high situated east of the existing 1 1/2-story building which may be demolished and replaced with Phase 2 of the proposed development. No detail is provided regarding the proposed retaining wall. Staff recommended that the applicant provide more information regarding the need for and purpose of the retaining wall (for example, is it due to geotechnical issues?). Furthermore, staff requested that the applicant provide greater detail regarding the construction materials and appearance of the proposed wall, particularly in light of its possible impact on the adjacent residences.

Resolution:

No additional information regarding the proposed retaining wall has been provided; therefore, this issue remains outstanding.

Issue: Green Buildings

The Policy Plan of the Comprehensive Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects in the County. In the event that the currently unused 1 1/2-story structure on the site is demolished and rebuilt, staff recommends that the applicant consider constructing the new residence as an energy star qualified home.

Resolution:

The applicant has made no commitment toward green building practices.

Transportation Analysis (Appendix 6)

Both Virginia Department of Transportation (VDOT) and Fairfax County

Department of Transportation (FCDOT) staff requested that the applicant submit left and right turn lane studies in order to see if these turn lanes were necessary, particularly in light of proposed increase in the number of students. In addition, VDOT and FCDOT staff noted that the applicant should demonstrate adequate sight distance for the existing and proposed entrances. The applicant has provided none of the requested information. Without this information, staff cannot determine if the site will have safe and convenient access or if the proposed use will have undesirable traffic impacts upon the surrounding neighborhood. FCDOT staff has reiterated that the requested information must be submitted and approved by VDOT before this Special Exception application can be approved.

Urban Forestry Analysis (Appendix 7)

Issue: Limits of Clearing and Grading

In its review of the application, Urban Forest Management Division (UFMD) staff noted that significant clearing was proposed on the site for the installation of the nature trail. UFMD further opined that features, such as nature trails, can be constructed with minimal impacts on existing vegetation. As such, it was recommended that the applicant revise the limits of clearing and grading to include only those areas where clearing and grading are absolutely necessary. Additionally, it was noted that an infiltration trench was proposed in an existing wooded area to the east of the existing 1 1/2-story building. Staff recommended that the applicant revise the limits of clearing and grading to keep this area wooded, as natural wooded areas typically provide good infiltration and valuable tree cover.

Resolution:

The applicant has revised the SE Plat to remove the previously shown nature trail, which, in turn, eliminates the need for clearing in the areas previously shown on the plat. The applicant has also revised the SE Plat to reduce the number of infiltration trenches proposed on the site. Furthermore, the infiltration trenches shown near the existing 1 1/2 story building are now labeled as alternative locations if the primary locations shown for infiltration trenches are not adequate to provide the detention required. Based on the revisions made to the SE Plat, this issue has been resolved.

Stormwater Management Analysis (Appendix 8)

Issue: Stormwater Management/Outfall Analysis

The subject site is not currently served by any stormwater management facilities. Two infiltration trenches are proposed to serve the site for Phase 2 of the development in order to meet the water quality and quantity requirements. Alternative locations are also shown for infiltration trenches in the event that the primary locations are determined to be inadequate. The outfall narrative included

in the SE Plat states that outfall adequacy and the appropriateness of the stormwater management facilities will be determined at final engineering. Staff recommended that the applicant resolve all issues regarding the water quality and quantity control (including adequacy of outfall) during the review of the SE in order to ensure that the proposed stormwater measures depicted on the SE Plat do in fact meet the current requirements.

Resolution:

Despite staff's recommendations, the applicant has still not fully addressed the questions of outfall adequacy and appropriateness of the stormwater management facilities. The adequacy of the proposed stormwater management, water quality measures and outfall is subject to review by DPWES at the time of site plan approval. If DPWES finds problems with either the SWM measures or the outfall, then the applicant must resolve those issues. Staff is concerned any solution that the applicant proposed to address the problem must be found to be in substantial conformance with the SE Plat, otherwise, an approval of a special exception amendment will be required.

Park Authority Analysis (Appendix 9)

Fairfax County Park Authority (FCPA) staff has reviewed the subject application and determined that the proposed development bears no adverse impacts on land or resources of the FCPA.

Sanitary Sewer Analysis (Appendix 10)

As discussed earlier in the Environmental Analysis section of this report, the application proposes to utilize the existing drainfield to provide sanitary sewer measures for the site during Phase 1 of the development. An additional drainfield is proposed with Phase 2. The applicant has provided a note on the SE Plat stating that sanitary sewer will be provided in the existing and proposed drainfields, subject to change and final approval by the Fairfax County Health Department. Staff has proposed development conditions to ensure that Health Department approval for the drainfields is obtained prior to site plan approval.

ZONING ORDINANCE PROVISIONS

Bulk Standards (R-1 District)		
Standard	Required	Proposed
Lot Size	36,000 square ft.	196,194 SF (4.504 ac)
Lot Width	150 ft. interior lot 175 ft. corner lot	175 ft.

Standard	Required	Proposed
Front Yard	50 degree ABP, but not less than 40 ft.	87 ft.
Side Yard	45 degree ABP, but not less than 20 ft.	60 ft.
Rear Yard	45 degree ABP, but not less than 25 ft.	158 ft.
FAR	0.15	0.10
Open Space	N/A	38%
Interior Parking Lot Landscaping	5%	5%
Parking Spaces	Phase 1 0.19 spaces per max # of student (32) = 7 1 spaces per office staff + 4 for visitors = $\frac{8}{15}$ Phase 2 0.19 spaces per max # of student (59) = 12 1 spaces per office staff + 4 for visitors = 8 3 spaces per single-family detached unit = $\frac{3}{23}$	Phase 1 - 20 spaces Phase 2 - 24 spaces
Loading Spaces	1 loading space	1 loading space
Transitional Screening		
North (SFD)	TS 1 – 25 feet wide	Modification to permit 25 foot wide strip of existing vegetation
East (SFD)	TS 1 – 25 feet wide	Modification to permit 25 foot wide strip of existing vegetation
South (SFD)	TS 1 – 25 feet wide	Modification to permit 25 foot wide strip of existing vegetation
West (Park)	TS 1 – 25 feet wide	Modification to permit 25 foot wide strip of existing vegetation
Barrier		
North (SFD)	D, E or F (six foot high)	Waiver requested
East (SFD)	D, E or F (six foot high)	Waiver requested
South (SFD)	D, E or F (six foot high)	Waiver requested
West (Park)	D, E or F (six foot high)	Waiver requested

Other Zoning Ordinance Requirements:

Waivers and Modifications

Modification of Transitional Screening and Waiver of Barrier Requirements

Along all of the property lines of the site, there are single-family residences. In addition, a public park is located to the west of the site (across Beulah Road).

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 and 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 along the perimeter of the site. There are no existing fences existing or proposed around the site's perimeter; however, there are many mature trees, as well as a possible 4-5-foot high chain-link fence proposed around the play area. No structures are proposed to be located any closer to the property lines of the site, than the existing structures on the site. 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 trees on-site, and the existing and proposed buildings are designed in a residential style. As such, the applicant has requested that the transitional screening requirement be modified along all property lines to that shown on the SE Plat. The applicant has further requested that the barrier requirement be waived along all property lines.

In its review, UFMD staff recommended that the applicant supplement the existing vegetation in those portions of the site where the existing vegetation does not provide adequate screening. UFMD further recommended that the applicant provide additional trees in the southern portion of the site in those open areas of the transitional screening yard between the 30-foot wide utility easement and the existing school building. The applicant has revised the SE Plat to show additional plantings in the southern portion of the site but has not proposed any supplemental planting in other areas of the site. Staff has proposed development conditions to require the provision of supplemental plantings as recommended by UFMD. Only with the implementation of this development condition can staff recommend approval of the requested modification of transitional screening and waiver of the barrier requirements.

Special Exception Requirements (Appendix 11)

- **General Special Exception Standards (Sect. 9-006)**
- **Standards for all Category 3 Uses (Sect. 9-304)**
- **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)**

General Special Exception Standards (Sect. 9-006)

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

General Standards 1 and 2 require that the proposed use be in harmony with the adopted Comprehensive Plan and be in harmony with the general purpose and intent of the applicable zoning district regulations. As previously discussed, staff does not believe that the proposal has satisfied the Locational Guidelines for Child Care as contained in the Policy Plan. The applicant does not designate any outdoor play areas with Phase 1 of the development. As such, staff cannot conclude that adequate outdoor play area will be provided for the child care center and school. In addition, the applicant has not provided the requested sight distance exhibits or the right and left turn lanes studies. Without this information, staff cannot determine if there will be safe and convenient access into the site nor can staff evaluate if the proposed child care center and school will create undesirable traffic impacts upon the surrounding community.

General Standards 3 and 4 require that the proposed use will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted Comprehensive Plan and that pedestrian and vehicular traffic associated with the use will not create hazards or conflict with the existing and anticipated traffic in the neighborhood. The applicant has failed to demonstrate that there will be adequate sight distance at the access points to the subject site. Furthermore, the applicant has failed to provide the requested right and left turn lane studies so that staff can evaluate whether or not these lanes would be required due to the proposed child care center and school. As such, staff cannot evaluate whether or not the proposed development will create traffic conflicts or hazards.

General Standard 5 requires that landscaping and screening is in accordance with the provisions of Article 13. The applicant has requested a modification of transitional screening and a waiver of the barrier requirements for the site. Staff can support this modification and waiver with the implementation of the proposed development condition requiring the planting of supplemental landscaping. The tabulations provided in the SE Plat indicate that 5% interior parking lot landscaping will be provided on the site, in accordance with the Zoning Ordinance. Finally, the provided tree cover will satisfy the tree conservation ordinance requirements for the site. Therefore, this standard has been met.

General Standards 6 requires that open space be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. There is no open space requirement for conventional subdivisions in the R-1 District. However, approximately 38% of the site is designated as open space area. With this amount of open space, the applicant should be able to designate an outdoor play area for Phase 1 of the child care center and school.

General Standard 7 requires that adequate utilities, drainage, parking and loading spaces and other necessary facilities to serve the proposed use. The application proposes to utilize the existing drainfield to provide sanitary sewer measures for the site during Phase 1 of the development of the site. In order to meet the

increase enrollment proposed under Phase 2, the applicant proposes to provide an additional drain field facility. The applicant has provided a note on the SE Plat stating that sanitary sewer will be provided in the existing and proposed drain fields, subject to change and final approval by the Fairfax County Health Department. However, staff would prefer that the applicant receive Fairfax County Health Department approval of the proposed drainfields prior to any approval of this special exception.

General Standard 8 requires signs to be regulated in accordance with the Zoning Ordinance; however, the Board of Supervisors may impose more strict requirements for a given use than those set forth in this Ordinance. All signage on the application property will be required to comply with Article 12 of the Fairfax County Zoning Ordinance. All lighting on the application property will be required to comply with Article 9 of the Fairfax County Zoning Ordinance, and as such, this standard has been satisfied.

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

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

For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient government services to the residents of properties within the general area of the location. This standard is not applicable to this request since a child care center, nursery school, and private school of general education, and is not a public use as defined by the Zoning Ordinance.

Except as may be qualified below in the following sections, all uses shall comply with the lot size requirements of the zoning district in which located. As indicated in the Zoning Ordinance provisions identified above, the subject property meets the minimum area requirement and meets the lot width requirement based on the depiction on the plat.

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. The proposed development is in compliance with all of the R-1 District bulk standards; therefore, this standard has been met.

All uses shall comply with the performance standards specified for the zoning district in which located. All performance standards are satisfied with the implementation of the staff-proposed development conditions.

Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans. The applicant will be required to fulfill any applicable provisions of Article 17, as they relate to this request.

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

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. The applicant is proposing a maximum enrollment of 99 children. The SE Plat depicts 11,000 square feet of outdoor recreation space to be provided when the enrollment goes above 50 children (Phase 2). However, the SE Plat does not depict an outdoor play area for Phase 1 of the development. As such, this standard has not been satisfied.

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

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

The subject property has direct access to Beulah Road. With Phase 1 of the development of the site, the two existing access points to the site will remain and function as they currently do. With Phase 2 of the development of the site, the two access points will be combined into a single two-way access point. While Beulah Road may have sufficient right-of-way and cross-section width to accommodate the proposed development of the site, VDOT and Fairfax County staff has reviewed the application and have noted that the applicant has not submitted the left and right turn lane studies as requested. Furthermore, the applicant has not demonstrated adequate sight distance for the existing and proposed entrances. FCDOT staff has stated that the requested information must be submitted and approved by VDOT before this application can be approved.

All such uses shall be located so as to permit the pick-up and delivery of all persons on the site. The SE Plat depicts that during Phase 1, a drop-off area will be used near the northern side of the building for the childcare center and private school of general education. During Phase 2, another circular driveway will be provided near the existing 1 ½ story building for pick-up and drop-off. In both case, staff finds that adequate area is provided for the queuing of vehicles.

Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.1, Chapter 10 of the Code of Virginia. The applicant will be required to fulfill any applicable provisions of Chapter 30 of The Code or Title 63.1, Chapter 10 of the Code of Virginia.

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

The additional standards under Sect. 9-310 also relate to issues surrounding usable play area and sufficient transportation access. As noted above, there is no outdoor play area designated with Phase 1 of the development. In addition, the applicant has not determined whether or not adequate sight distance is provided at the existing or proposed site entrance. Finally, the applicant has not provided studies to determine whether or not a left and/or right turn lanes are needed into the site. Therefore, staff finds that these standards have not been met.

Summary of Zoning Ordinance Provisions

As discussed above, the proposed application does not satisfy the applicable Zoning Ordinance standards for a child care center, nursery school and private school of general education.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Based on the analysis provided in this report, staff finds that the proposal is not in harmony with the Locational Guidelines for Child Care Facilities as contained in the Policy Plan. The applicant has not designated an outdoor play area for the child care center and school with Phase 1 of the development. In addition, the applicant has failed to submit right and left turn lane studies and a sight distance analysis for the site. As such, staff cannot determine that the site will avoid creating undesirable traffic impacts on the Beulah Road and the surrounding community. Furthermore, FCDOT staff has reiterated that the requested information must be submitted and approved by VDOT before this Special Exception application can be approved. Due to these outstanding issues, staff cannot find the proposed application to be in harmony with the Comprehensive Plan or in conformance with the applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends denial of SE 2010-HM-004; however, should the Board of Supervisors approve SE 2010-HM-004, staff recommends that the approval be subject to the draft development conditions contained in Appendix 1.

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

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. Case History for Subject Site
5. Environmental Analysis
6. Transportation Analysis
7. Urban Forest Management Analysis
8. Stormwater Management Analysis
9. Fairfax County Park Authority Analysis
10. Fairfax County Health Department Analysis
11. Applicable Zoning Ordinance Provisions
12. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS**SE 2010-HM-004****July 1, 2010**

If it is the intent of the Board of Supervisors to approve SE 2010-HM-004 located at 1629 Beulah Road [Tax Map Parcel 28-1 ((1)) 13] for a nursery school, child care center and private 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 Exception 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 Special Exception Plat entitled "Property of Sailini Magapu-Lohia and Sandeep Lohia" prepared by Vika Inc., consisting of 11 sheets dated March 16, 2010, as revised through June 3, 2010 and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Upon issuance of a Non-Residential Use Permit (Non-RUP) for Phase 1 of the site, the total maximum daily enrollment shall be limited to fifty (50) students, three employees in the child care center and nursery school and four employees in the private school of general education. Upon issuance of a Non-RUP for the site modifications proposed under Phase 2, the total maximum daily enrollment shall be limited to 99 children, eleven employees in the child care center and nursery school and four employees in the private school of general education.
5. The hours of operation shall be 7:00 am to 6:00 pm, Monday through Friday.
6. Right-of-way to 45 feet from the existing centerline of Beulah Road necessary for future road improvements shall be reserved for dedication for public street purposes upon request of either the Virginia Department of Transportation (VDOT) or Fairfax County. This right-of-way shall convey to the Board of Supervisors in fee simple. At the time as this right-of-way is dedicated, the parking spaces closest to the road will be eliminated and relocated to the locations depicted on the SE Plat.
7. Prior to the issuance of any Non-RUP, left and right turn lane studies of the existing and proposed site entrances shall be submitted for the review and approval of VDOT.

8. Prior to the issuance of any Non-RUP, sight distance analyses of the existing and proposed site entrances shall be submitted for the review and approval of VDOT.
9. Where existing vegetation to be retained does not provide adequate screening, as determined by the Urban Forest Management Division, supplemental planting shall be provided to meet the intent of Transitional Screening 1 for all required screening yards.
10. Where vegetation retained to meet transitional screening requirements includes invasive species, as determined by the Urban Forest Management Division, an invasive species control plan shall be submitted with the first and all subsequent submissions of the site plan for review and approval of the Urban Forest Management Division.
11. There shall be no clearing or grading outside the limits of clearing and grading as shown on the SE Plat, except for dead or dying vegetation and any clearing necessary to maintain the septic fields shown on the SE Plat.
12. The combined height of the any light standards and fixtures on the site shall not exceed twelve (12) feet. All lighting on the site shall be in conformance with the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance.
13. All loading and unloading of children shall occur on the application property.
14. The maximum number of children in the outdoor play area at any one time shall be limited by the provisions of Paragraph 1 of Sections 9-309 and 9-310 of the Zoning Ordinance.
15. No freestanding signs shall be allowed. All new signage shall comply with provisions of Article 12 of the Zoning Ordinance.
16. A dwelling shall be permitted on the site which may be used as a single family residence for an employee of the child care center and his or her family.
17. Sewage disposal for the proposed child care center, nursery school, and private school of general education shall be provided by an on-site sewage disposal system. Prior to any site plan approval for Phase 2, approval of the Fairfax County Health Department must be obtained for sewage disposal system which meets all State and County requirements and accommodates a maximum of 99 children and fifteen staff members. In addition, an emergency back-up plan for the disposal of sewage in the event of failure of the primary system shall be prepared for the review and approval of the Health Department.

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 through the issuance of a Non-RUP. 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

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

June 28, 2010

Lynne Strobel
Walsh Colucci, et. al.
2200 Clarendon Blvd., 13th Fl.
Arlington, Virginia 22201

RE: RZ/FDP 2006-PR-027 and SEA 00-P-050

Dear Applicant or Agent:

Your pending application is scheduled for public hearing before the **Planning Commission in the Board Auditorium, Lobby Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia, on July 29, 2010 at 8:15 P.M.** The public hearing before the Board of Supervisors on your application will be scheduled following the Planning Commission's decision on your application.

Compliance with Chapter 112 (Zoning Ordinance), 1976 Code of the County of Fairfax, as amended, requires your completion of the following action:

- Sending written notice via certified mail to a minimum of twenty-five (25) different owners of property that are abutting/adjacent to the application property in accordance with the attached instructions.

Please be advised that it is extremely important for you to review the attached legal notice within 2 days of receipt to ensure that it is accurate and complete and for you to notify our office immediately if there are any problems or necessary changes. This legal notice will be published in the newspaper approximately two and one-half weeks and one and one-half weeks prior to the scheduled public hearing date. In order to avoid any deferral of your application and to ensure that the legal advertisement is correct, we must be informed of any necessary changes a minimum of 23 days prior to the public hearing date.

If you have questions concerning the requirements for notices, please call the Zoning Evaluation Division at 703-324-1290.

Sincerely,

Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

Attachment: A/S

 American with Disabilities Act (ADA): For special accommodations, call 703-324-1334 (TTY 711 Virginia Relay Center) seven days in advance of the meeting to make the necessary arrangements.

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

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Integrity * Teamwork * Public Service



County of Fairfax, Virginia

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

June 28, 2010

Sara Mariska
Walsh, Colucci, et. al.
2200 Clarendon Blvd. 13th Fl.
Arlington, Virginia 22201

RE: FDPA 78-C-118-19

Dear Applicant or Agent:

Your pending application is scheduled for public hearing before the **Planning Commission in the Board Auditorium, Lobby Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia, on July 29, 2010 at 8:15 P.M.** The public hearing before the Board of Supervisors on your application will be scheduled following the Planning Commission's decision on your application.

Compliance with Chapter 112 (Zoning Ordinance), 1976 Code of the County of Fairfax, as amended, requires your completion of the following action:

- Sending written notice via certified mail to a minimum of twenty-five (25) different owners of property that are abutting/adjacent to the application property in accordance with the attached instructions.

Please be advised that it is extremely important for you to review the attached legal notice within 2 days of receipt to ensure that it is accurate and complete and for you to notify our office immediately if there are any problems or necessary changes. This legal notice will be published in the newspaper approximately two and one-half weeks and one and one-half weeks prior to the scheduled public hearing date. In order to avoid any deferral of your application and to ensure that the legal advertisement is correct, we must be informed of any necessary changes a minimum of 23 days prior to the public hearing date.

If you have questions concerning the requirements for notices, please call the Zoning Evaluation Division at 703-324-1290.

Sincerely,

Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

Attachment: A/S

 American with Disabilities Act (ADA): For special accommodations, call 703-324-1334 (TTY 711 Virginia Relay Center) seven days in advance of the meeting to make the necessary arrangements.

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County of Fairfax, Virginia

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

June 28, 2010

Willie W. Hassell
2516 Squirrel Hill Rd.
Herndon, Virginia 20171

RE: SE 2010-HM-008

Dear Applicant or Agent:

Your pending application is scheduled for public hearing before the **Planning Commission in the Board Auditorium, Lobby Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia, on July 29, 2010 at 8:15 P.M.** The public hearing before the Board of Supervisors on your application will be scheduled following the Planning Commission's decision on your application.

Compliance with Chapter 112 (Zoning Ordinance), 1976 Code of the County of Fairfax, as amended, requires your completion of the following action:

- Sending written notice via certified mail to a minimum of twenty-five (25) different owners of property that are abutting/adjacent to the application property in accordance with the attached instructions.

Please be advised that it is extremely important for you to review the attached legal notice within 2 days of receipt to ensure that it is accurate and complete and for you to notify our office immediately if there are any problems or necessary changes. This legal notice will be published in the newspaper approximately two and one-half weeks and one and one-half weeks prior to the scheduled public hearing date. In order to avoid any deferral of your application and to ensure that the legal advertisement is correct, we must be informed of any necessary changes a minimum of 23 days prior to the public hearing date.

If you have questions concerning the requirements for notices, please call the Zoning Evaluation Division at 703-324-1290.

Sincerely,

Regina C. Coyle, Director
Zoning Evaluation Division, DPZ

Attachment: A/S

 American with Disabilities Act (ADA): For special accommodations, call 703-324-1334 (TTY 711 Virginia Relay Center) seven days in advance of the meeting to make the necessary arrangements.

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SPECIAL EXCEPTION AFFIDAVIT

DATE: June 7, 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 107978a

in Application No.(s): SE 2010-HM-004
 (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)
Sandeep Lohia Sailini Magapu Lohia	8020 Tysons Oaks Circle Vienna, Virginia 22182	Applicant/Title Owners of Tax Map 28-1 ((1)) 13
VIKA, Incorporated Agents: John F. Amatetti Robert J. Bosco • P. Christopher Champagne (a/k/a Philip C. Champagne) Robert R. Cochran	8180 Greensboro Drive, Suite 200 McLean, Virginia 22102	Engineer/Agent
M.J. Wells & Associates, Inc. Agents: Robin L. Antonucci William F. Johnson	1420 Spring Hill Road, Suite 600 McLean, Virginia 22102	Transportation Consultant/ Agent

(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: June 7, 2010
 (enter date affidavit is notarized)

107978a

for Application No. (s): SE 2010-HM-004
 (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. Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Elizabeth D. Baker Inda E. Stagg Kara M. W. Bowyer Megan C. Shilling Elizabeth A. McKeeby	2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201	Attorneys/Planners/Agent
ECS Mid-Atlantic, LLC Agents: R. Kent Kendall Brian C. Layman	14026 Thunderbolt Place, Suite 100 Chantilly, Virginia 20151	Soils Consultant/Agent

(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: June 7, 2010
(enter date affidavit is notarized)

107978a

for Application No. (s): SE 2010-HM-004
(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)
M.J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 600
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

(check if applicable) [] There is more corporation information and Par. 1(b) is continued 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: June 7, 2010
(enter date affidavit is notarized)

107978a

for Application No. (s): SE 2010-HM-004
(enter County-assigned application number (s))

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

VIKA, Incorporated
8180 Greensboro Drive, Suite 200
McLean, Virginia 22102

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Charles A. Irish, Jr., John F. Amatetti,
Harry L. Jenkins, Robert R. Cochran,
Mark G. Morelock, Jeffrey B. Amateau,
Kyle U. Oliver, Philip C. Champagne

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: June 7, 2010
(enter date affidavit is notarized)

107978a

for Application No. (s): SE 2010-HM-004
(enter County-assigned application number (s))

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

ECS Mid-Atlantic, LLC
14026 Thunderbolt Place, Suite 100
Chantilly, Virginia 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Engineering Consulting Services, Ltd.,
Managing Member

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

Engineering Consulting Services, Ltd.
14026 Thunderbolt Place, Suite 100
Chantilly, Virginia 20151

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Henry L. Lucas

(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: June 7, 2010
(enter date affidavit is notarized)

107978a

for Application No. (s): SE 2010-HM-004
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: June 7, 2010
(enter date affidavit is notarized)

107978a

for Application No. (s): SE 2010-HM-004
(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.



WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

December 23, 2009

RECEIVED
Department of Planning & Zoning

DEC 28 2009

Zoning Evaluation Division

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

Via Hand Delivery

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

Re: Proposed Special Exception Application
Applicants: Sailini Magapu Lohia and Sandeep Lohia
Fairfax County Tax Map Reference: 28-1 ((1)) 13

Dear Ms. Coyle:

Please accept this letter as a statement of justification for a special exception application to amend an approved private school of general education to permit an increase in enrollment, building additions, site modifications and the addition of a nursery school and child care center.

The Applicants are the owners of approximately 4.504 acres located in the Hunter Mill Magisterial District that are identified among the Fairfax County tax map records as 28-1 ((1)) 13 (the "Subject Property"). The Subject Property is located on the east side of Beulah Road and zoned to the R-1 District. Surrounding properties include single-family homes, similarly zoned to the R-1 District, and the Meadowlark Gardens Regional Park, that is located on the west side of Beulah Road.

The Subject Property is developed with two (2) buildings; one (1) building that has been operated as a private school of general education with an enrollment of less than 100 students daily, and a second building that was previously used as a school. The Applicants are proposing to increase the enrollment of the school and add a nursery school and child care center as approved uses. All educational instruction will be provided in the Montessori teaching method. In addition, the Applicants propose to live on the Subject Property. The Applicants will either renovate the unused building on the Subject Property so that it may be used in the future as a residence, or replace the unused building with a new residential dwelling unit. The residential dwelling unit shall be classified as an accessory use to the principal use of the private school, nursery school and child care center. The existing non-residential building, that contains 11,956 gross square feet, will remain, and results in an FAR of .065, which is well below the .15 FAR permitted for non-residential uses in the R-1 District.

The Applicants propose a number of site modifications including parking, a defined drop-off and pick-up area, stormwater management facilities, and an improved septic field to permit the increase in student enrollment. Additional modifications will be made to enhance the

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

appearance of the Subject Property and the learning environment for the children. Approximately 38% of the Subject Property will remain as undisturbed open space that includes existing mature trees. These trees, along with proposed supplemental plantings, will provide a buffer to adjacent residences. The play area will be designed to accommodate an increase in student enrollment, and on-site amenities consisting of a greenhouse and nature trail will be installed to create additional educational opportunities. Incorporating the natural environment into the learning curriculum is a part of the Montessori teaching method.

The Subject Property has been developed as a private school since the approval of SP 85-C-049 by the Board of Zoning Appeals on November 7, 1985. Since the original approval, a number of amendments have subsequently been granted, including the most recent application that is referenced by Fairfax County as SPA 85-C-049-4. The most recent approval resulted in the construction of the existing building, that is comprised of brick and siding with a residential appearance to be consistent with the surrounding residential community. The Applicants do not propose any changes to the exterior of the existing building. The Applicants envision the establishment of a Montessori school that will offer additional educational opportunities in Fairfax County. By adding a nursery school and child care center, the Applicants will provide a broader range of valuable services to working parents. The Applicants propose to offer two (2) programs, one (1) for full day care, and a half day program for preschoolers that will provide education and social interaction. Both programs will serve surrounding residents and will be especially appealing to Fairfax County residents who live in proximity to the employment center that is Tysons Corner.

The Applicants also propose to live on the Subject Property. Eventually, either the unused building on the Subject Property will be renovated for residential use, or a separate single-family detached dwelling will be constructed as a head master's home. In the interim, the Applicants propose to live on the top floor of the existing building and will operate the Montessori school and child care center on the first floor. As enrollment is increased, a single-family home will be incorporated into the site, and the entire school building will be used for the educational uses. During the renovation and construction of improvements on the Subject Property, the Applicants intend to incorporate green building practices. These practices will include use of low impact development techniques, such as infiltration for the proposed stormwater management facilities.

The Subject Property is located in the Piney Branch Community Planning Sector (V4) of the Vienna Planning District of the Area II Comprehensive Plan (the "Plan"). While there is no specific Plan text recommendation, the general text includes the Subject Property within an area planned for residential use at .5 to one (1) dwelling unit per acre. This is also consistent with the Plan map. The existing building, as well as the proposed improvements, are compatible with the existing low density residential development and the Applicants propose to retain the existing R-1 zoning. The improvements are well within the FAR permitted for non-residential uses in the R-1 District. Therefore, the Applicants' proposal is consistent with the Plan's recommendation.

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

- The type of operation proposed is a Montessori school and child care center for children ages six (6) weeks to twelve (12) years. The emphasis will be on educational opportunities for pre-school children as public schools do not provide similar education or day care. The Applicants propose to operate two (2) programs consisting of full day care for children of working parents and a half day educational program for preschoolers.
- The typical hours of operation will be 7:00 a.m. to 6:00 p.m., Monday through Friday. The arrival and departure of students will be staggered depending on the work schedule of the parents. The preschool will operate between the hours of 9:00 a.m. and 3:00 p.m. The Applicants anticipate that the proposed educational and child care programs will be provided on a year round basis as the school will have a summer session. Additional activities on the Subject Property may include those typically found in association with a private school. Parent/teacher meetings will occur and school events will be held, such as assemblies and plays, that may be attended by parents. Meetings and extracurricular activities on the Subject Property shall end no later than 8:00 p.m.
- The number of students shall be limited to 99 children. The age of the children shall range from six (6) weeks to twelve (12) years.
- The Applicants propose to have a maximum of five (5) teachers present on the Subject Property at any one time. This number will be determined by the number of children enrolled in the various programs. In addition, there will be two (2) office staff and four (4) teacher assistants.
- The arrival and departure of students will be staggered. Children will arrive at the Subject Property between the hours of 7:00 a.m. and 9:00 a.m., and be picked up in the afternoon between the hours of 12 noon and 6:00 p.m. All students will be dropped off and picked up by private vehicle. The number of vehicle trips associated with the use of the Subject Property is approximately 81 during the a.m. peak hour and approximately 59 during the p.m. peak hour based on the Institute of Transportation Engineers (ITE) Trip Generation 8th Edition.
- The general area to be served by the use includes a five (5) mile radius, that includes Vienna and Tysons Corner.
- The existing school building, that was built in 2000, is constructed of brick and siding in a traditional architectural style. This building will remain on the Subject Property without any exterior modifications. The proposed single-family dwelling, if constructed, will complement the existing building in massing, architectural detail and materials.
- The Applicants are unaware of any hazardous or toxic substances on the Subject Property.

- The proposed development complies with all adopted standards, ordinances and regulations except as noted on the special exception plat and as follows:
 - Waiver of the trail requirement along the Beulah Road frontage, in accordance with the Plan.
 - Waiver of Ordinance Section 17-201-5 to provide inside curb and gutter on interior travel lanes and parking areas.
 - Waiver of Ordinance Section 17-201-3 to provide interparcel access.
 - Modification of Ordinance Section 13-303 to allow existing vegetation to satisfy transitional screening requirements and a waiver of the barrier requirement in favor of that shown on the special exception plat.

The Applicants are proposing to enhance an approved use to better serve the residents of Fairfax County. The Applicants will provide quality education with a child care option for working parents and the proposed school will be a community asset. In addition, the Applicants propose to live on the Subject Property which will enhance its residential character and ensure a twenty-four (24) hour presence on the Subject Property. Lastly, a number of on-site improvements will be made that will enhance the overall appearance of the Subject Property.

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

Very truly yours,

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



Lynne J. Strobel

LJS/kae

cc:	Sailini Magapu Lohia	Chris Champagne
	Sandeep Lohia	Will Johnson
	John Amatetti	Brian Layman
	Bob Bosco	Martin D. Walsh

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

In Special Permit Application SPA 85-C-049-3 by THE ENTERPRISE SCHOOL, under Section 3-103 of the Zoning Ordinance to amend SP 85-C-049 for private school of general education to permit change in development conditions and continuation of use, on property located at 1629 Beulah Road, Tax Map Reference 28-1((1))13, Mr. Pammel moved that the Board of Zoning Appeals adopt the following resolution:

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

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 4, 1996; and

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

1. The applicant is the owner of the land.
2. The present zoning is R-1.
3. The area of the lot is 4.50 acres.

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

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sections 8-303 and 8-307 of the Zoning Ordinance.

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

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application, and is not transferable to other land.*
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by Richard C. Lessard, Architect dated May 7, 1990, revised through January 30, 1996 and approved with this application, as qualified by these development conditions.*
3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.*
4. This Special Permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Environmental Management. Any plan submitted pursuant to this special permit shall be in conformance with the approved Special Permit plat and these development conditions.*

5. The maximum daily enrollment shall be limited to twenty-nine (29) students.*
6. There shall be 21 parking spaces provided. All parking shall be on site as shown on the special permit plat.* The size and configuration of parking spaces shall satisfy the requirements of the Public Facilities Manual (PFM) as determined by the Director, Department of Environmental Management at the time of site plan review.
7. The hours of operation shall be limited to 7:45 a.m. to 3:30 p.m., Monday through Friday.
8. Right-of-way to 60 feet from the existing centerline of Beulah Road necessary for future road improvements shall be dedicated for public street purposes and shall convey to the Board of Supervisors in fee simple on demand from the Virginia Department of Transportation when a road improvement project is initiated in front of the site. Ancillary easements shall be provided to fifteen (15) feet behind the new right-of-way line. The applicant shall relocate the existing parking lot prior to dedication of the right-of-way and shall provide a screening yard equivalent to that which currently exists along the front lot line.* The parking lot shall not be relocated closer to any existing lot lines than currently exists.
9. The existing vegetation along all lot lines shall be deemed to satisfy the transitional screening requirements of Article 13. A modification to the transitional screening requirement shall be allowed along the front lot line to allow the existing vegetation to satisfy the requirement. This screening yard shall be maintained when the parking lot is shifted to accommodate the dedication for road improvements. A modification to the transitional screening yard along the southern lot line shall also be allowed to allow the infringement of a corner of the parking lot as shown on the special permit plat. The existing fencing shall be deemed to satisfy the barrier requirements of Article 13.*
10. If a waiver of the dustless surface agreement is not approved by the Director, Department of Environmental Management, the parking lots and driveway shall be paved.
11. There shall be no clearing or grading within the limits of clearing and grading as shown on the special permit plat, except for dead or dying vegetation and except for clearing necessary to maintain the septic field as shown on the special permit plat. The clearing for this septic field shall not exceed the line shown as "limit" on the plat.*
12. There shall be a maximum of eight (8) employees. One (1) student intern may also be on site.
13. Any lighting on site will be in accordance with the following:
 - The combined height of the light standards and fixtures shall not exceed twelve (12) feet.
 - The lights shall be a low-intensity design which directs the light directly onto the facility.
 - Shields shall be installed, if necessary to prevent the light from projecting beyond the parking lot area.
14. This special permit is approved for a period of five (5) years from June 12, 1996.

These development conditions incorporate and supersede all previous development conditions. The previously approved conditions are noted with an asterisk.

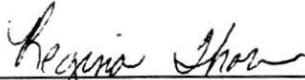
This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures,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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, twelve (12) months after the date of approval* unless the use has been established. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

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

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on June 12, 1996. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:



Regina Thorn, Deputy Clerk
Board of Zoning Appeals



County of Fairfax, Virginia

MEMORANDUM

DATE: June 18, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Environmental Assessment: SE 2010-HM-004 Lohia Property
1629 Beulah Road

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development based on the revised Special Exception (SE) development plan dated June 3, 2010.

Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS

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

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

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

Policy j. Regulate land use activities to protect surface and groundwater resources. . . .

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

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

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

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on pages 17-19, the Plan states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*)
- Optimization of energy performance of structures/energy-efficient design
- Use of renewable energy resources
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies
- Reuse of existing building materials for redevelopment projects
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris

- Use of recycled and rapidly renewable building materials
- Use of building materials and products that originate from nearby sources
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs....”

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions.

The subject property encompasses approximately 4.504 acres of land located east of Beulah Road approximately 1,000 feet south of the Dulles Airport Access Road. The subject property is currently developed with two buildings one which is used as a private school of general education and a second building which was previously used as a school. The current proposal seeks to increase the enrollment and increase the approved uses to include a nursery school and a child care center. In the future the applicants intend to either renovate the currently unused structure or to construct a new residence in its place as a headmaster's residence. Other modifications are proposed which include improving the septic system drainfield, adding stormwater management facilities and improving parking and pick up and drop-off areas.

Stormwater Management/ Outfall Analysis: The subject property is located in the Difficult Run Watershed and it is characterized by significant topographic relief which ranges between 330' from the site frontage along Beulah Road on the southwest corner to approximately 298' on the northeast side of the property adjacent to Chathams Ford Estates. Because the site is not

currently served by stormwater management facilities, two infiltration trenches are proposed to be constructed on the site to accommodate water quality and quantity control measures.

The outfall narrative indicates that runoff from the property drains in two different locations. The northernmost outfall location is on the northern property line and it ultimately flows under the Dulles Toll Road into a tributary of Wolftrap Creek. The second outfall location is on the southwestern end of the site and it captures runoff from land which is in the right-of-way.

The narrative states that outfall adequacy and appropriateness of stormwater management facilities will be determined at final engineering. However, staff recommends that all issues regarding water quality and quantity controls as well as outfall adequacy be resolved at this stage of review to ensure that the proposed stormwater measures will meet the current requirements for this proposal. The adequacy of any proposed SWM/BMP facilities and outfall measures will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

Septic System Drainfields: The plat depicts several possible areas where septic system drainfield expansion could occur to accommodate the proposed additional student enrollment above the currently approved number of 50. The applicant should provide documentation that the proposed drainfield expansion areas have been approved by the Fairfax County Health Department to ensure that the proposed drainfield(s) can accommodate the maximum number of 99 students that has been requested.

Retaining Wall: Sheet 5 of the revised development plan depicts a “potential retaining wall” up to a maximum of eight feet high situated east of the existing 2-story building which may be demolished and replaced. No other detail is provided regarding the proposed retaining wall other than its depiction on Sheets 4B and 5 of the current revised development plan. The applicant should provide more information and justification for the possible retaining wall. If the retaining wall is required because of geotechnical issues, the applicant should provide greater detail about its purpose, function and appearance on the subject site.

Green Building: The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. The revised development plan indicates that the existing 1.5 story building may be demolished and replaced by a two story residential building. The applicant should consider constructing the possible new residence as an Energy Star Qualified Home. During the renovation and construction of improvements on the site, the applicants have indicated that they will incorporate “green building practices” which will include use of low impact development techniques, such as infiltration for the proposed stormwater management facilities.

COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan does not depict any trails immediately adjacent to the subject property.

PGN: MAW



County of Fairfax, Virginia

MEMORANDUM

DATE: June 14, 2010

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

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

FILE: 3-5 (SE 2010-HM-004)

SUBJECT: Transportation Impact

REFERENCE: SE 2010-HM-004 Sailini Magapu Lohia & Sandeep Lohia
Traffic Zone: 1622
Land Identification Map: 28-1 ((1)) 13

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated December 23, 2009, and revised through June 3, 2010. The applicant proposes to amend the previously approved private school of general education to permit an increase in enrollment, building additions, site modifications and the addition of a nursery school and child care center. The applicant is reserving 45 feet from the centerline of Beulah Road along the site frontage for future right-of-way dedication to be made upon request by either VDOT or Fairfax County. At such time as the right-of-way is dedicated the parking spaces closest to the road will be eliminated.

The applicant has not yet submitted the left and right turn lane studies and the site distances at the existing and proposed entrances. This information must be submitted and approved by VDOT before the application can be approved.

AKR/LAH/lah



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
ACTING COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)
April 26, 2010

To: Ms. Regina Coyle
Director, Zoning Evaluation Division

From: Noreen H. Maloney
Virginia Department of Transportation – Land Development Section

Subject: SE 2010-HM-004
Property of Sailini Magapu-Lohia & Sandeep Lohia
Tax Map# 028-1- /01/ /00013

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

This office has reviewed the subject application and the following comment is offered:

- The applicant should address the need to construct a right and left turn lane at the entrance along Beulah Road.



County of Fairfax, Virginia

MEMORANDUM

May 26, 2010

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh C. Whitehead, Urban Forester II *HCW*
Forest Conservation Branch, DPWES

SUBJECT: Sailini Magapu Lohia and Sandeep Lohia, SE 2010-HM-004

I have reviewed the above referenced Special Exception Plat, stamped as received by the Zoning Evaluation Division (ZED) on May 18, 2009. The following comments and recommendations are based on this review and a site visit conducted on May 7, 2010.

1. **Comment:** The Special Exception proposes that the Zoning Ordinance requirements for transitional screening 1 be met by existing vegetation along the property boundaries, with supplemental planting along the northern boundary in the vicinity of the entrance and driveway at the front and at the front of the site at Beulah Road.
 - Proposed clearing will remove much of the existing woods along the western boundary and the northwest corner for additional proposed parking, leaving only a 25-foot wide area for screening. It is unclear if tree cover in this area is provided by trees with trunks located in the designated screening yard or in areas that will be cleared.
 - A larger wooded area is proposed for preservation in the northern and eastern portions of the site, but only a 25-foot wide area is designated transitional screening. The wooded areas proposed to remain do not appear dense enough to meet the requirement for transitional screening.
 - The transitional screening yard along the southern boundary is shown offset from the property boundary by 30 feet to avoid a conflict with an ingress-egress and utility easement. It is unclear how the transitional screening requirement is being met here, as large portions of the area lack tree cover and are not proposed to be planted. In addition, invasive species make up much of the existing vegetation.

Recommendation: Require the following changes to help ensure that the requirements for transitional screening are met along all property boundaries.

- Provide the following notes:
 - a. WHERE EXISTING VEGETATION TO BE RETAINED DOES NOT PROVIDE ADEQUATE SCREENING, AS DETERMINED BY THE URBAN FOREST MANAGEMENT DIVISION, SUPPLEMENTAL PLANTING SHALL BE PROVIDED TO MEET THE INTENT OF TRANSITIONAL SCREENING 1 FOR ALL REQUIRED SCREENING YARDS.

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



- b. WHERE VEGETATION RETAINED TO MEET TRANSITIONAL SCREENING REQUIREMENTS INCLUDES INVASIVE SPECIES, AS DETERMINED BY URBAN FOREST MANAGEMENT, AN INVASIVE SPECIES CONTROL PLAN SHALL BE SUBMITTED WITH THE FIRST AND ALL SUBSEQUENT SUBMISSIONS OF THE SITE PLAN FOR REVIEW AND APPROVAL BY URBAN FOREST MANAGEMENT.
- Show additional trees to be planted in the open areas of the transitional screening yard between the 30-foot ingress/egress and utility easement and the existing building and septic fields to satisfy the requirement for transitional screening 1.

2. **Comment:** Infiltration facilities for SWM are proposed in an existing wooded area east of the site of the possible 2-story residential building. Natural wooded areas typically provide good infiltration in addition to valuable tree cover.

Recommendation: Revise the proposed limits of clearing and grading to preserve this area as wooded, and establish a conservation easement in the natural wooded area for BMP credit.

3. **Comment:** An infiltration facility is proposed within the transition screening yard for the southern boundary of the site.

Recommendation: Require that this facility be shown in a location which will not displace required screening.

4. It appears that significant clearing is proposed for the installation of the nature trail. Clearing is not always needed for features such as a nature trail which can be constructed with minimal impacts to existing vegetation and, it seems, would provide access to greater diversity if portions of the trail were routed through wooded areas.

Recommendation: Revise the limits of clearing and grading to include only those areas where clearing/grading is necessary for proposed construction on the site. Provide the following note pertaining to the nature trail: THE LOCATION OF THE PROPOSED NATURE TRAIL, AS SHOWN ON THE SPECIAL EXCEPTION PLAT, IS APPROXIMATE. THE ULTIMATE LAYOUT FOR THE TRAIL SHALL BE FIELD LOCATED AT THE TIME OF SITE PLAN SUBMISSION TO MINIMIZE IMPACTS THE EXISTING VEGETATION.

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

HCW/
UFMID #: 149103

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: May 26, 2010

TO: St. Clair Williams, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

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

SUBJECT: Special Exception Application #SE 2010-HM-004, Lohia Property, Special Exception Plat dated May 17, 2010, LDS Project #9227-ZONA-001-2, Tax Map #28-1-01-0013, Hunter Mill District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. Water quality controls are required for this development (PFM 6-0401.2A) despite the claim in Sheet 8's BMP note. The location of 6 infiltration trenches are shown on the plat. The narrative also mentions that Stormfilters, sand filters, or a conservation easement may provide some of the required controls.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Detention is required if not waived (PFM 6-0301.3). The location of 6 infiltration trenches are shown on the plat. Two of these trenches are within 50 feet of a septic field; trenches should be at least 50 feet from septic fields. Another trench is downhill from a septic field; locations uphill of septic fields are preferred (LTI 07-04). The drainage area boundary shown does not correlate with the proposed trenches or existing grading (ZO 9-011.2J(1)(b)). Asphalt has been identified as the type of surface of the maintenance access roads to the trenches, however, the location of the access roads is not depicted (ZO 9-011.2.J(1)(d), PFM 6-1306.3F). One of the trenches does seem as if it can be accessed from a parking area.

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



St. Clair Williams, Staff Coordinator

Special Exception Application #SE 2010-HM-004, Lohia Property

May 26, 2010

Page 2 of 2

Site Outfall

An outfall narrative with photos has been provided, however, the description of the adequacy and stability of the outfall is not a part of the statement (ZO 9-011.2.J(2)(c)). The applicant intends to use the Detention Method to meet the PFM's outfall requirements. In the site plan submittal, it must be demonstrated that the entire site's runoff will be reduced proportionally (PFM 6-0203.4C). The calculations on Sheet 9 show a flow reduction from 1/3 of the site.

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

BF/

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



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: April 16, 2010

SUBJECT: SE 2010-HM-004, Lohia Property
Tax Map Number: 28-1 ((1)) 13

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: Gayle Hooper
DPZ Coordinator: St. Clair Williams

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



County of Fairfax, Virginia

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

March 15, 2010

Sandeep Lohia
Sailini Lohia
1629 Beulah Road
Vienna, VA 22182

RE: Sewage Disposal System Expansion for the Enterprise School located at 1629 Beulah Road, Vienna, Virginia. Map Reference: 0281 01 0013

Dear Owners:

Site and soils evaluations on the above referenced lot were satisfactory with a rate of 15 minutes per inch at a depth of 42 inches after grade cuts in the active area and with a rate of 15 minutes per inch at a depth of 45 inches after grade cuts in the reserve area. Issuance of a Sewage Disposal System Construction Permit is subject to the following requirements:

1. Sufficient area must be available within the approved footprint for the required individual sewage disposal system. A reserve area equal to 100% of the initial system must be provided.
2. A complete set of Architectural Plans, to include all existing and proposed structures, must be submitted to the Health Department during review of the site/grading plans. If a Fairfax County approved set is not available, the set submitted to the Health Department must have an owner signed and dated notice as part of the Architectural Plans stating that the structures represented will be those built.
3. A dimensional site/grading plan showing all structure locations and all required information must be submitted to the Health Department for review.
4. The Health Department must review and approve the building permit applications.
5. The available area for expansion appears adequate for 1400 gallons per day maximum. This represents a day school with a maximum enrollment of 99 students and a maximum of 11 staff. The school must not have shower facilities. It may have a cafeteria. It also represents the establishment of a (2) two bedroom maximum headmaster's quarters (to include 1 kitchen and 1 laundry). The sewage disposal system must utilize absorption trenches and a flow equalization time-dosing pump design. The sewage disposal system design selected for use must have general approval through the *Virginia Department of Health*.
6. Each of the existing five 54 foot trenches must be expanded to 66 feet in length. Five additional trenches will be required; each 2 feet wide, 66 feet long, and 42 inches deep, and added to the existing four 66 foot trenches for a total of 14 trenches. The existing flow diversion valve must be removed and the distribution boxes reconfigured to equally distribute the effluent to all 14 trenches. The capacity of the septic tank must be increased to a minimum of 4200 gallons.

Fairfax County Health Department
Division of Environmental Health
Technical Review and Information Resources
10777 Main Street, Suite 102, Fairfax, VA 22030
Phone: 703-246-2510 TTY: 711 Fax: 703-278-8157
www.fairfaxcounty.gov/hd



Sandeep Lohia
Sailini Lohia
March 15, 2010
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7. The underground electrical line shown on the boundary and topographic survey must be abandoned. All underground utilities must be a minimum of 10 feet from any portion of the sewage disposal system.
8. The available reserve area appears adequate for a maximum of 1400 gallons per day utilizing absorption trenches. The sewage disposal system design selected for use must have general approval through the *Virginia Department of Health*.
9. Due to the variations in soil, in some instances it may be necessary to reappraise a particular lot.
10. Where public water is not available, approval is subject to proper location of a well in accordance with applicable State and County Regulations.

If you require further information concerning this matter, please contact our office at (703) 246-2201 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

Sincerely,



Lynn Jones; MSCE, REHS
Environmental Health Specialist III

Reviewed by:



Kevin R. Wastler
Environmental Health Supervisor

Encl: Copy of Plat

cc: Department Of Tax Administration
ECS Mid-Atlantic, LLC

Special Exception Requirements and Other Zoning Ordinance Requirements

9-006 General Standards

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

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

9-304 Standards for all Category 3 Uses

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

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

9-309 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		