



County of Fairfax, Virginia

December 29, 2010

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2009-SU-066

SULLY DISTRICT

APPLICANT/OWNER: Harvest Chinese Christian Church

STREET ADDRESS: 15201 Lee Highway and 6612 Cedar Spring Road

TAX MAP REFERENCE: 64-2 ((2)) 5 and 6

LOT SIZE: 4.05 acres

F.A.R.: 0.06

ZONING DISTRICT: R-C, WS

ZONING ORDINANCE PROVISIONS: 3-C03

PLAN MAP: Residential, .1 - .2 du/ac

SPECIAL PERMIT PROPOSAL: To permit a place of worship with child care center.

STAFF RECOMMENDATION: Staff recommends approval of SP 2009-SU-066, only with adoption of the proposed development conditions listed 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.

O:\SMCKNASP\HARVEST CHINESE CHRISTIAN CHURCH- SP 2009-SU-066\STAFF REPORT- Harvest Chinese\Staff Report.doc

Shelby Johnson

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

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

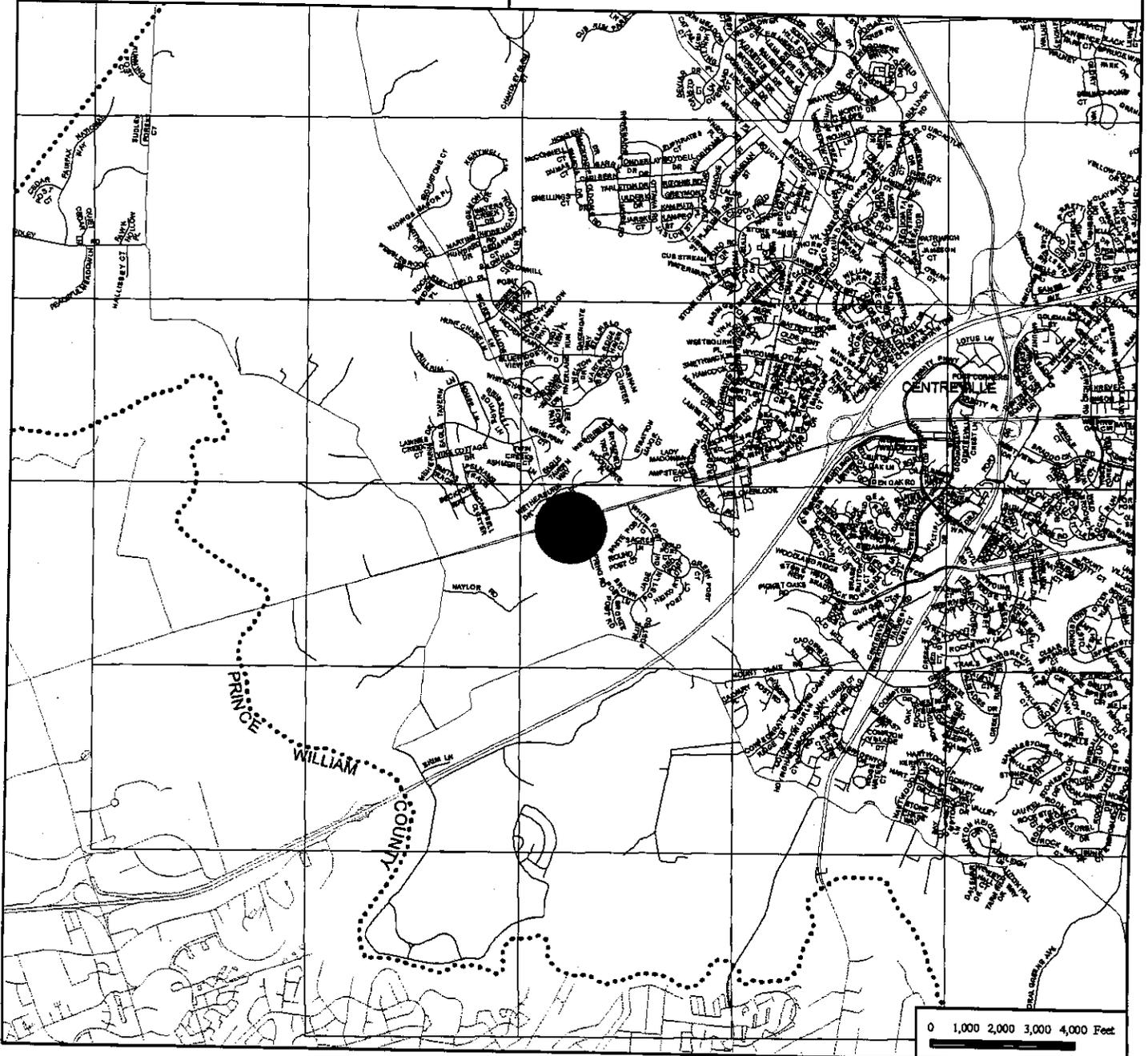
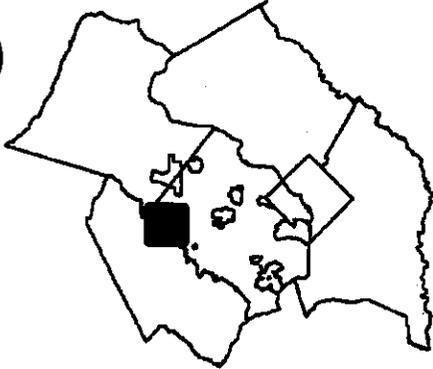
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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



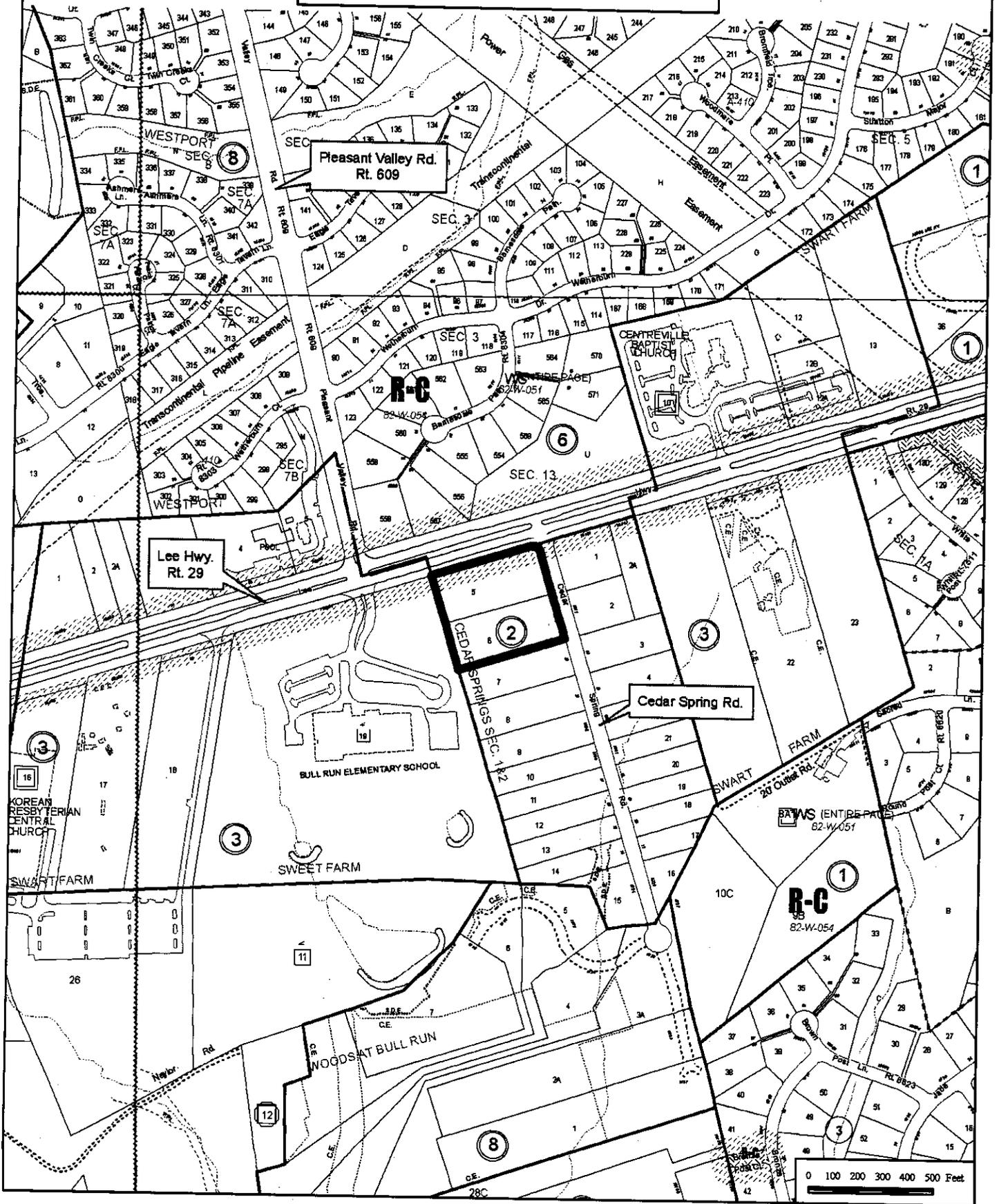
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2009-SU-066



Special Permit SP 2009-SU-066



SPECIAL PERMIT PLAT

SP 2009-SU-066

6612 CEDAR SPRING ROAD & 15201 LEE HIGHWAY
CENTREVILLE, VA 20121

TM# 064-2-02-005 & 064-2-02-006

AND WATER SUPPLY PROTECTION OVERLAY DISTRICT

UTILITY CONTACT INFORMATION:

TELEPHONE

VERIZON
2960 FAIRVIEW PARK DRIVE
8TH FLOOR
FALLS CHURCH, VA 22042
CONTACT: MIKE SHOOVER
(703) 204-5121

ELECTRIC

NORVEC
10432 BALLS FORD ROAD
SUITE 220
MANASSAS, VA 20109
(703) 335-0500 X6750

GAS

WASHINGTON GAS
6601 INDUSTRIAL ROAD
SPRINGFIELD, VA 22151
CONTACT: HEATH KALMANSON
(703) 750-4850

SEWER

FAIRFAX COUNTY DPWES
12055 GOVERNMENT CENTER PKWY
SUITE 358
FAIRFAX, VA 22035
CONTACT: ROBERT CARTER
(703) 324-5015 X 45016

WATER

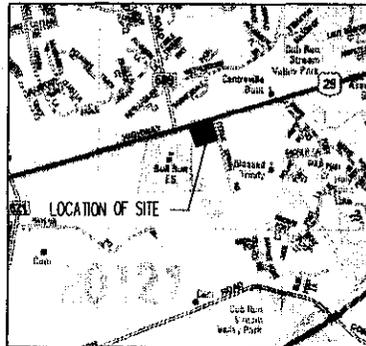
FAIRFAX COUNTY WATER AUTHORITY
8560 ARLINGTON BOULEVARD
NEARFIELD, VA 22116
CONTACT: MIKE JENKINS
(703) 289-6358

DRAINAGE & STORMWATER

FAIRFAX COUNTY DPWES
12055 GOVERNMENT CENTER PKWY
SUITE 358
FAIRFAX, VA 22035

OWNER / APPLICANT:

HARVEST CHINESE CHRISTIAN CHURCH
10523 MAIN STREET
SUITE 35
FAIRFAX, VA 22030
TEL: 703 218-4840 FAX: 202 580 8787



VICINITY MAP

NTS

PREPARED BY:

CANAAN HOMES, LLC
12407 KAHNS ROAD
MANASSAS, VA 20112
TEL: 703 794-7633 FAX: 703 794-7661

LEGEND

EXISTING INTERMEDIATE CONTOUR	---	FLOW LINE	---
EXISTING INDEX CONTOUR	---25---	FENCING LINE	--- --- ---
PROPOSED CONTOUR	---26---	EXISTING UTILITY POLE	--- --- ---
EXISTING EDGE OF PAVEMENT	---E.E.P.---	PROPOSED UTILITY POLE	--- --- ---
PROPOSED EDGE OF PAVEMENT	---E.E.P.---	EXISTING WATERLINE W/ TEE	--- --- ---
EXISTING CURB AND GUTTER	---E.C.G.---	PROPOSED WATERLINE W/ TEE	--- --- ---
PROPOSED CURB AND GUTTER	---E.C.G.---	EXISTING FIRE HYDRANT	--- --- ---
TRANSITION FROM CG-6 TO CG-4R	---CG-6 to CG-4R---	PROPOSED FIRE HYDRANT	--- --- ---
EXISTING TELEPHONE LINE	---T---	EXISTING WATER VALVE	--- --- ---
PROPOSED TELEPHONE LINE	---T---	PROPOSED WATER VALVE	--- --- ---
EXISTING STORM SEWER	---S.S.---	PROPOSED WATER METER	--- --- ---
PROPOSED STORM SEWER	---S.S.---	EXISTING REFRIGER	--- --- ---
EXISTING SANITARY SEWER	---S.S.---	PROPOSED REFRIGER	--- --- ---
PROPOSED SANITARY SEWER	---S.S.---	STOP SIGN	--- --- ---
EXISTING ELECTRIC SERVICE	---E---	HANDICAP RAMP (CG-12)	--- --- ---
PROPOSED ELECTRIC SERVICE	---E---	INDICATES LOCATION OF THE RAMP	--- --- ---
EXISTING GAS LINE	---G---	INDICATES THE NUMBER OF TYPICAL PARKING SPACES	--- --- ---
PROPOSED GAS LINE	---G---	TEST PIT LOCATION	--- --- ---
PROPERTY LINE	---P.L.---	CRITICAL SLOPE	--- --- ---
CENTERLINE	---C.L.---	INDICATES THE NUMBER OF TYPICAL PARKING SPACES	--- --- ---
LINE OF CLEARING AND GRADING	---L.C.G.---	VEHICLES PER HOUR COUNT	--- --- ---
EXISTING SPOT ELEVATION	12.6	PROPOSED BUILDING ENTRANCE	--- --- ---
PROPOSED SPOT ELEVATION	12.6	EXISTING STREET LIGHT	--- --- ---
EXISTING TREE DRIP LINE	---T.D.L.---	PROPOSED STREET LIGHT	--- --- ---
EXISTING TREE	---T---	PROPOSED STREET NAME SIGN	--- --- ---
PROPOSED TREE	---T---	PROPOSED SANITARY LATERAL CLEAMOLT	--- --- ---
		SANITARY MANHOLE IDENTIFIER	--- --- ---
		STORM DRAIN STRUCTURE IDENTIFIER	--- --- ---

SHEET INDEX

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SP-8	UNDISTURBED AREA ANALYSIS

CANAAN HOMES
12407 KAHNS RD MANASSAS, VA 20112
PH: 703 794-7633 FAX: 703 794-7661

COVER SHEET (SP 2009-SU-066)
HARVEST CHINESE CHRISTIAN CHURCH

NO.	DATE	BY	CHKD BY	REVISION

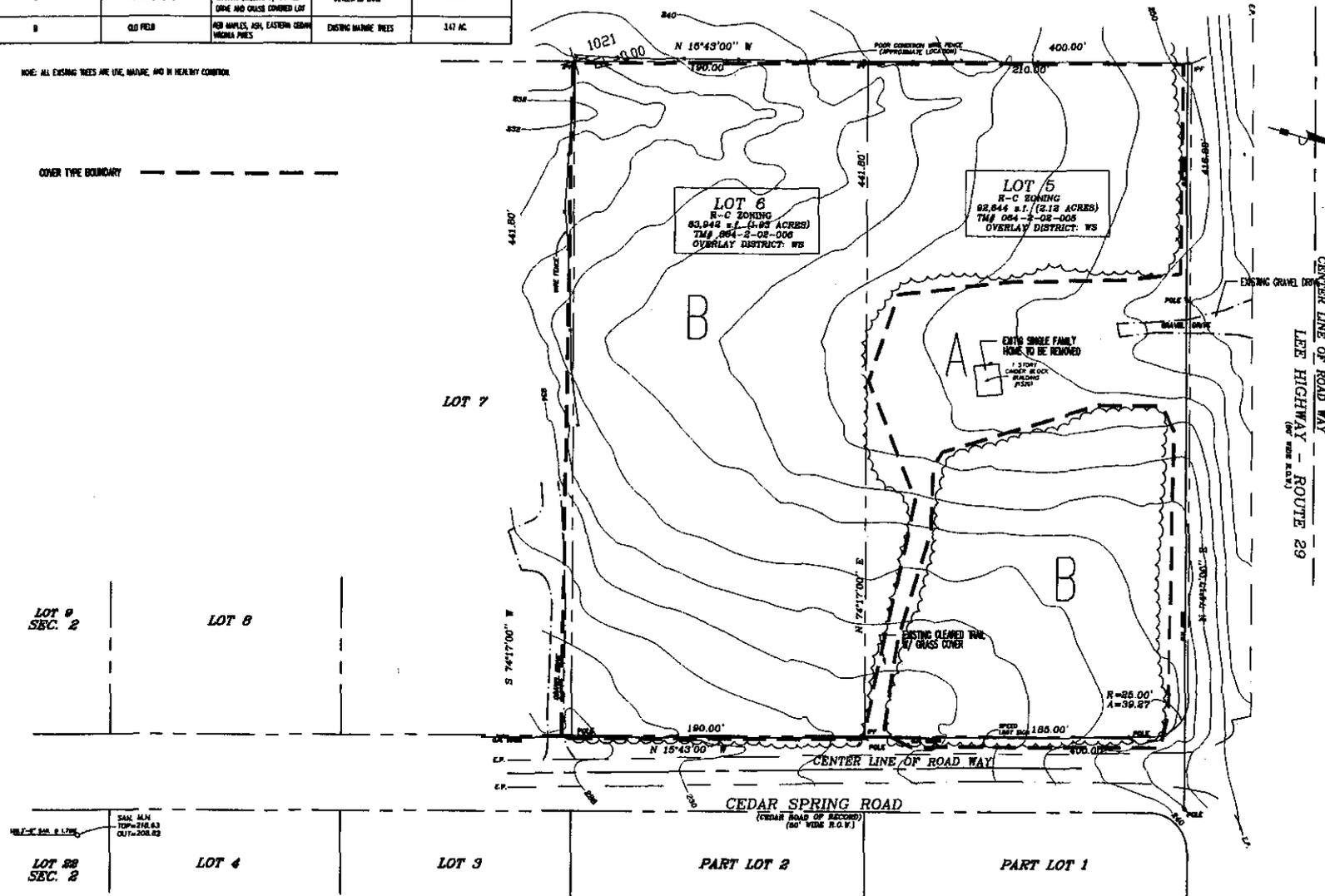
SP-1

COVER TYPE SUMMARY TABLE				
AREA DESIGNATION	COVER TYPE	PRIMARY SPECIES	SEASONAL STAGE	ACREAGE
A	DEVELOPED LAND	EXISTING BUILDING BY GRASS, ORCH AND GRASS COVERED LOT	DEVELOPED LAND	0.51 AC.
B	OLD FIELD	400 MAPLES, ASH, EASTERN CEDAR, WIGNON PINES	EXISTING MATURE TREES	1.17 AC.

NOTE: ALL EXISTING TREES ARE LIVE, MATURE, AND IN NEARBY CONDITION.

COVER TYPE BOUNDARY

SCHOOL BOARD OF FAIRFAX COUNTY



EXISTING CONDITION PLAN/ AND VEGETATION MAP

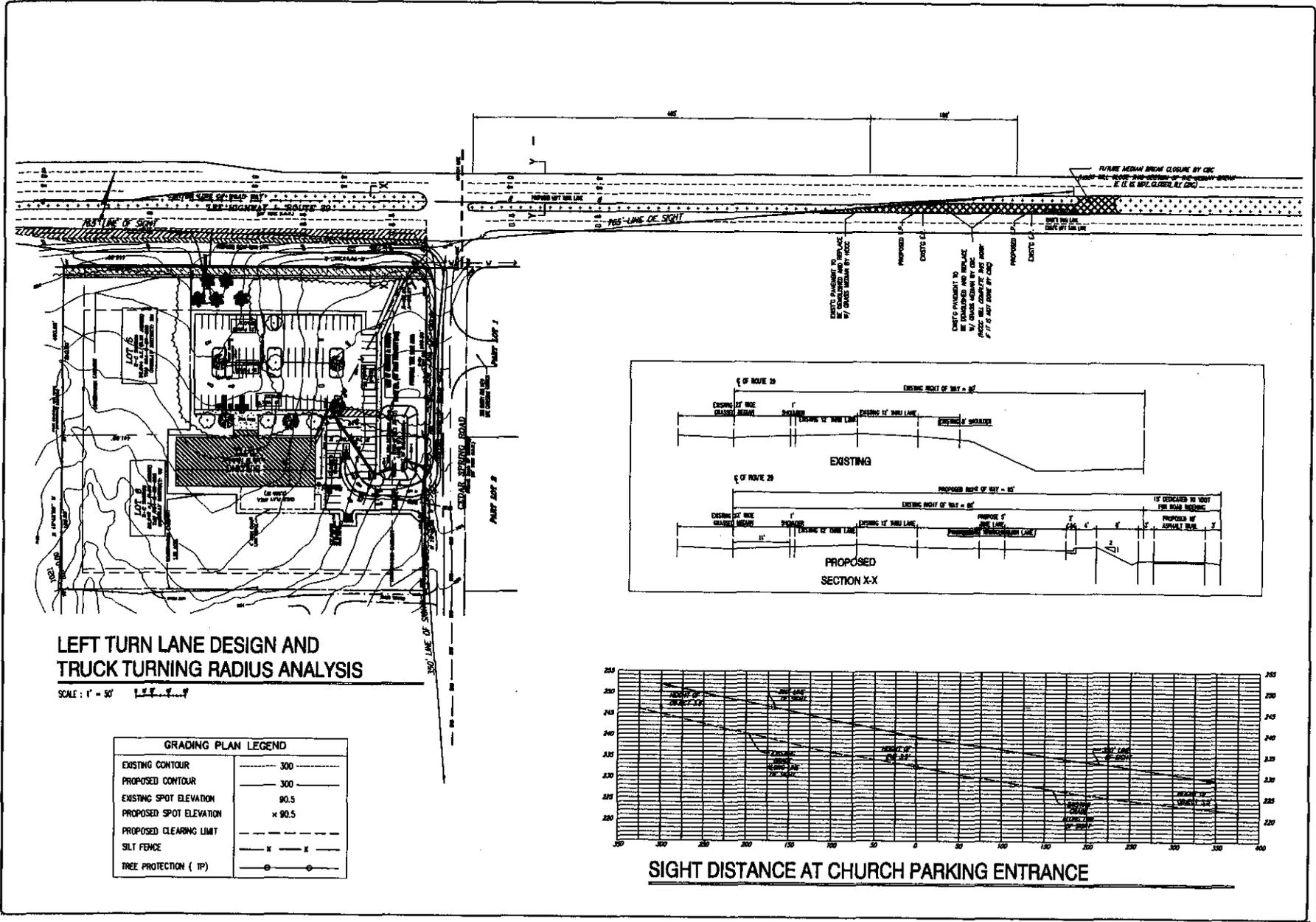
SCALE: 1" = 30'

CANAAN HOMES
12407 WALKERS RD MANASSAS, VA 20112
TEL: 703 794-7653 FAX: 703 794-7661

EXISTING COND. PLAN & VEGETATION MAP
HARVEST-CHINESE CHRISTIAN CHURCH

NO.	DATE	BY	REVISION

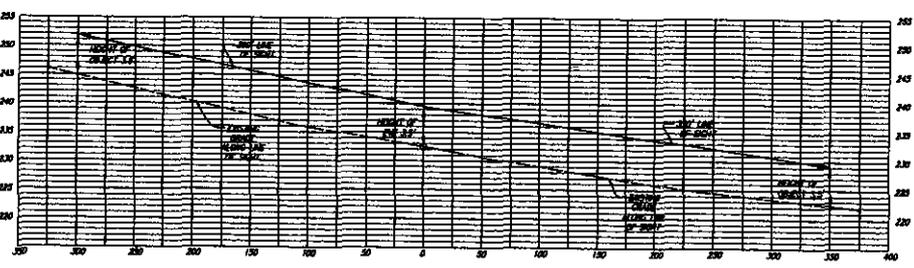
DATE: 11/11/11
SHEET NUMBER: SP-2



LEFT TURN LANE DESIGN AND TRUCK TURNING RADIUS ANALYSIS

SCALE: 1" = 50'

GRADING PLAN LEGEND	
EXISTING CONTOUR	----- 300 -----
PROPOSED CONTOUR	----- 300 -----
EXISTING SPOT ELEVATION	90.5
PROPOSED SPOT ELEVATION	x 90.5
PROPOSED CLEARING LIMIT	-----
SILT FENCE	---x---x---
TREE PROTECTION (1P)	○-----○



SIGHT DISTANCE AT CHURCH PARKING ENTRANCE

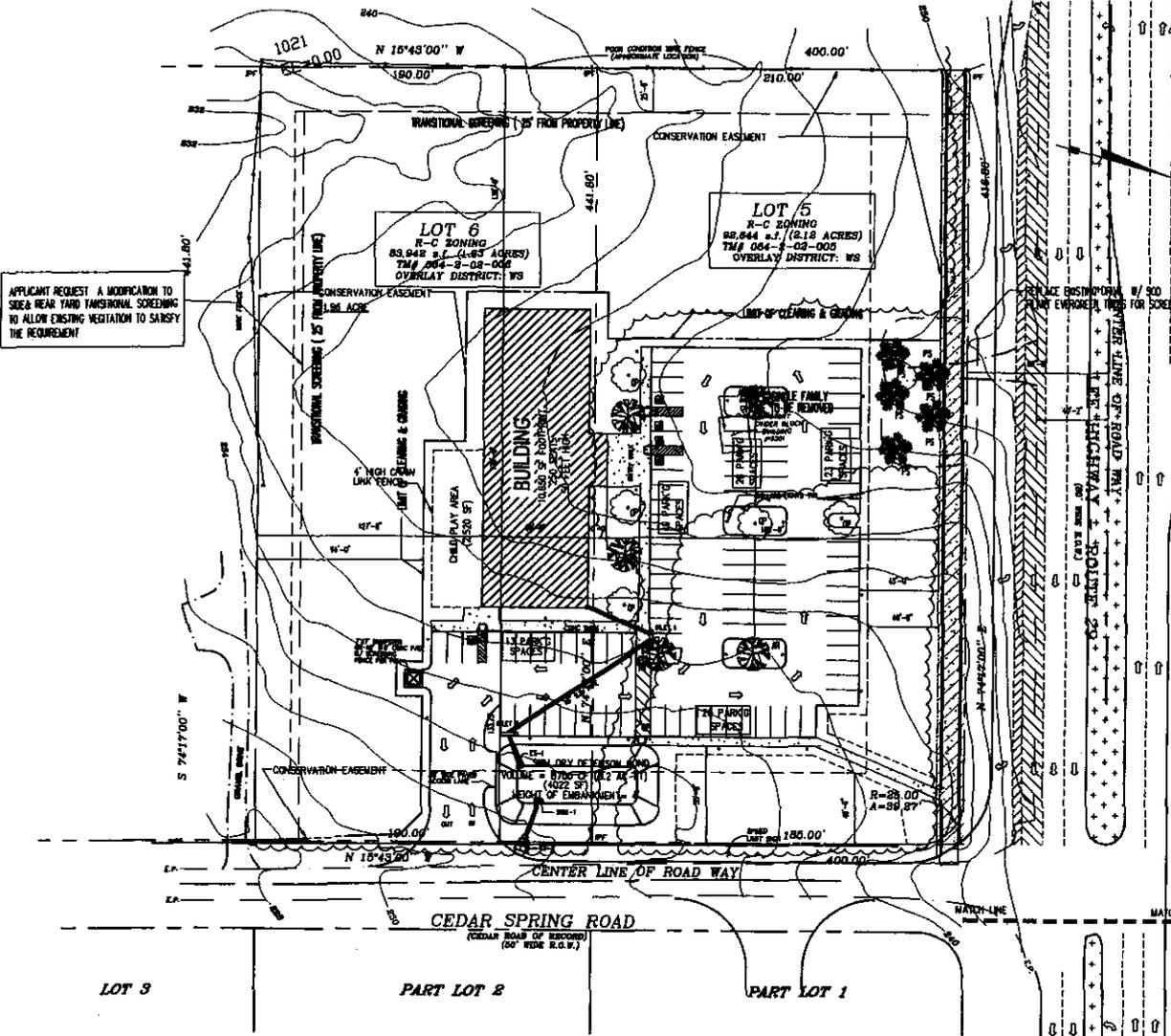
CANAAN HOMES
 12447 KINGS RD MANASSAS, VA 20112
 PR:703 794-7655 FX:703 764-7661

LEFT TURN LANE AND TURNING RADIUS ANALYSIS
 FOR
HARVEST CHINESE CHRISTIAN CHURCH

DATE:	10/1/2010
BY:	SP-3A
CHECKED BY:	
DATE:	
BY:	
CHECKED BY:	
DATE:	
BY:	
CHECKED BY:	
DATE:	

SP-3A

SCHOOL BOARD OF FAIRFAX COUNTY



APPLICANT REQUESTS A MODIFICATION TO SPEC. REAR YARD TRANSITIONAL SCREENING TO ALLOW EXISTING VEGETATION TO SATISFY THE REQUIREMENT

INTERIOR PARKING LOT LANDSCAPING CALCULATIONS

KEY	QTY.	BOTANICAL/COMMON NAME	SIZE	ROOT	10 YEAR TREE COVER	TREE COVER SUBTOTAL
AR	3	ACER RUBRA/RED MAPLE	2"	Ball & Shagtop	200 SF	600 SF
OP	2	QUERCUS PHELLO/YELLOW OAK	2"	Ball & Shagtop	200 SF	400 SF
LANDSCAPING					DESIGNS	DESIGNS
					20	1.28
AREA OF PARKING 1.28 = TOTAL REQUIRED						
22.84 SF x 0.05 = 1.14 SF						
AREA PROVIDED = 1.14 SF						

PLANT SCHEDULE (PFM TABLE 12.5)

KEY	QTY.	BOTANICAL/COMMON NAME	SIZE	ROOT	10 YEAR TREE COVER	TREE COVER SUBTOTAL
AR	3	ACER RUBRA/RED MAPLE	2"	Ball & Shagtop	200 SF	600 SF
OP	2	QUERCUS PHELLO/YELLOW OAK	2"	Ball & Shagtop	200 SF	400 SF
PS	3	YUCCA STENOBIATA/WHITE PINE	2"	Ball & Shagtop	200 SF	600 SF

- AR - RED MAPLE
- OP - YELLOW OAK
- PS - WHITE PINE

LANDSCAPING PLAN
SCALE: 1" = 30'

CANAAN HOMES
12417 KARRIS RD MANASSAS, VA 20108
PREP/OS 704-7655 EXT/OS 704-7661

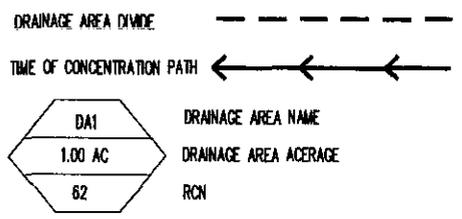
LANDSCAPING PLAN
HARVEST CHINESE CHRISTIAN CHURCH

REVISIONS

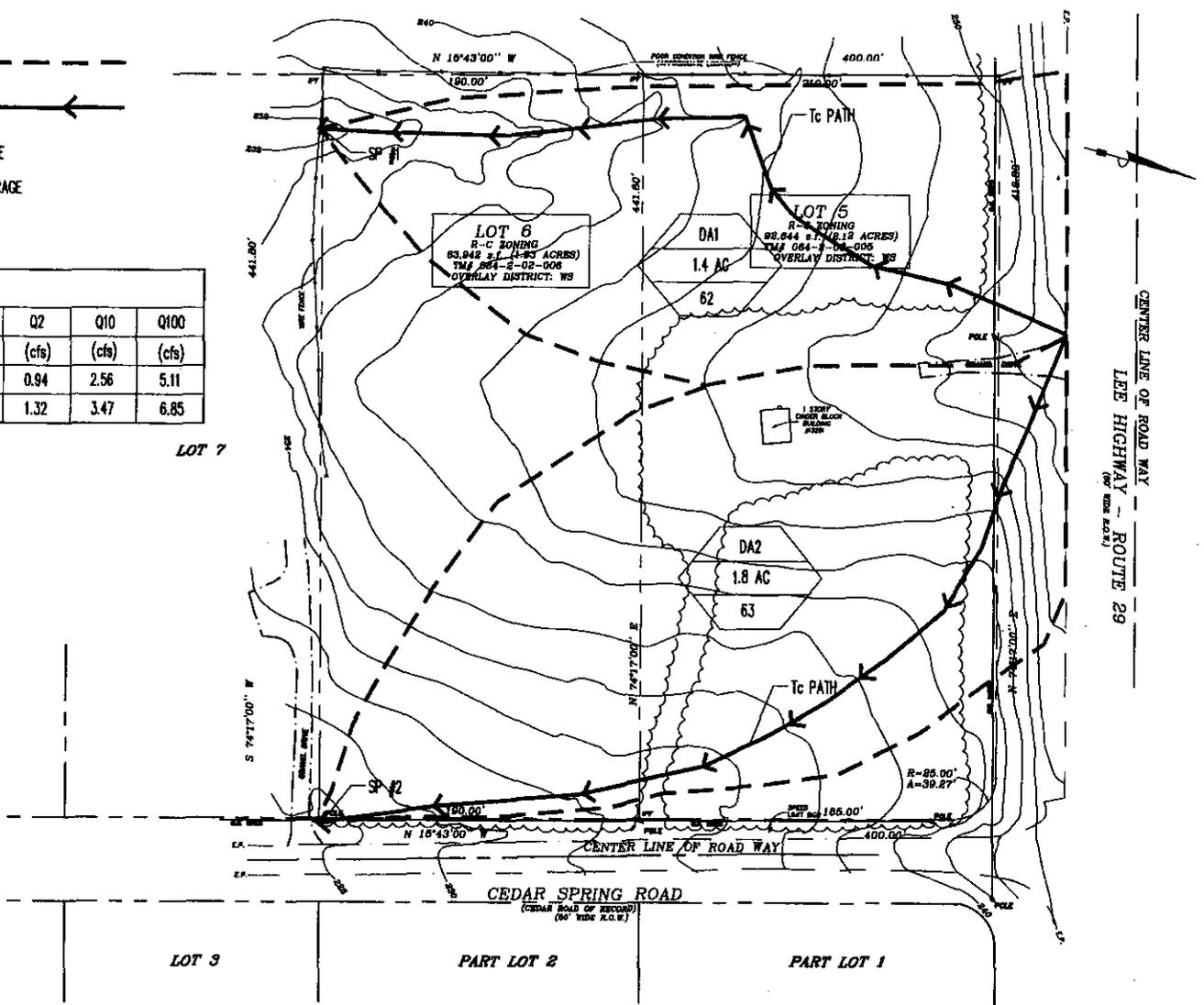
NO.	DATE	DESCRIPTION

PROJECT NUMBER
SP-1

SCHOOL BOARD OF FAIRFAX COUNTY



PRE-DEVELOPMENT							
DA#	DA	Tc	RCN	Q1	Q2	Q10	Q100
	(Acres)	(Hour)		(cfs)	(cfs)	(cfs)	(cfs)
1	1.40	0.17	62	0.26	0.94	2.56	5.11
2	1.80	0.17	63	0.41	1.32	3.47	6.85



PRELIMINARY STORM WATER MANAGE PLAN - PRE-DEVELOPMENT CONDITION

SCALE: 1" = 30'

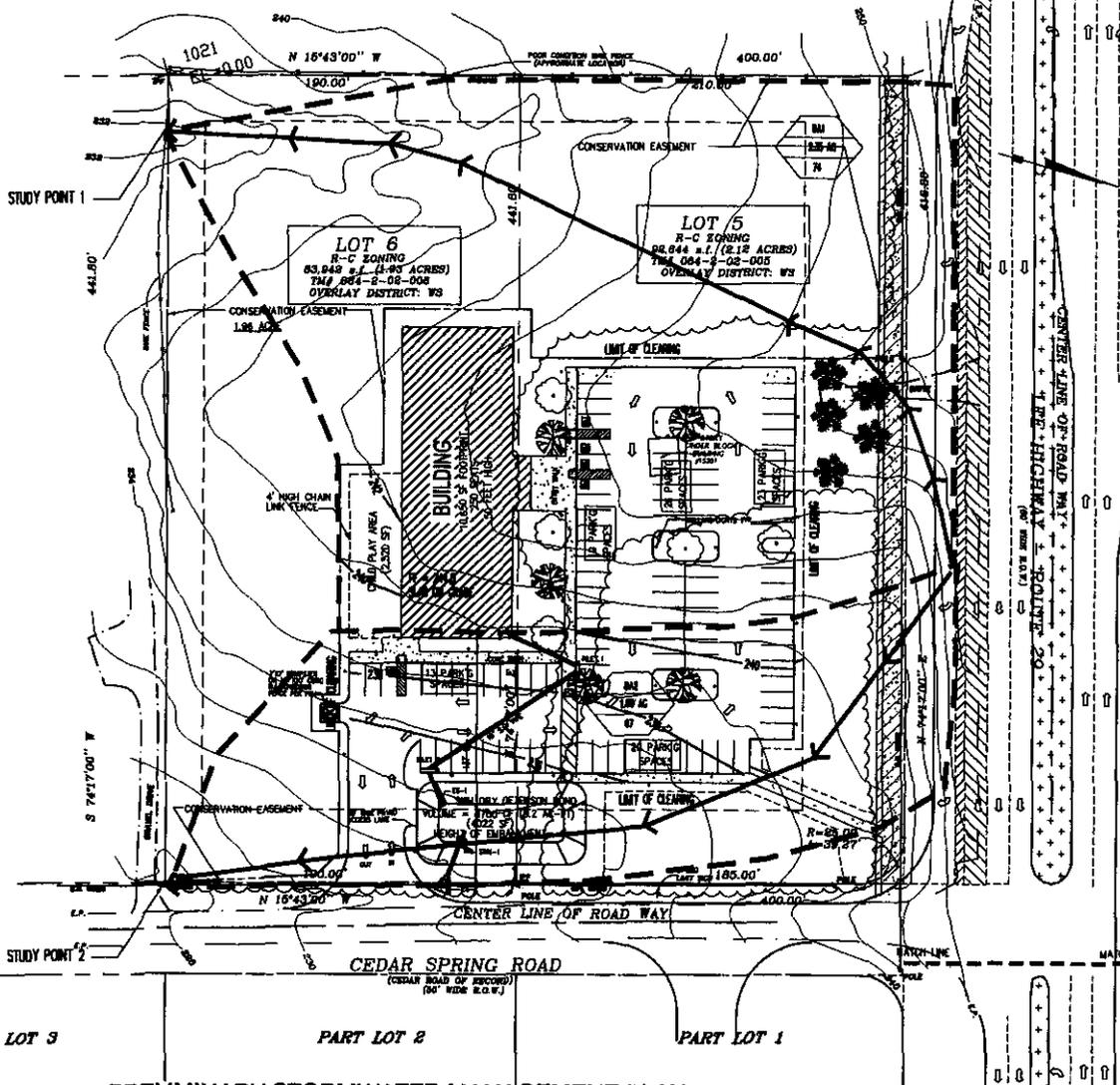
CANAAN HOMES
12407 FAIRFAX DR. MANASSAS, VA 20112
PRE:703 794-7653 FLS:703 794-7661

PRELIMINARY SWM PRE-DEVELOPMENT COND
HARVEST CHINESE CHRISTIAN CHURCH

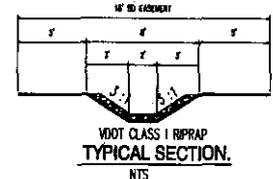
REV	DATE	DESCRIPTION
1	10/20/17	ISSUED FOR PERMIT
2	10/20/17	ISSUED FOR PERMIT
3	10/20/17	ISSUED FOR PERMIT
4	10/20/17	ISSUED FOR PERMIT
5	10/20/17	ISSUED FOR PERMIT

SP-5

SCHOOL BOARD OF FAIRFAX COUNTY

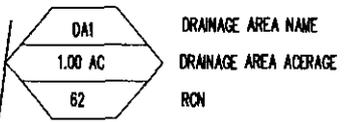


POST-DEVELOPMENT							
DA#	DA	Tc	RCN	Q1	Q2	Q10	Q100
	(Acres)	(Hour)		(cfs)	(cfs)	(cfs)	(cfs)
1	2.35	0.17	74	1.87	3.64	7.46	12.9
2	1.60	0.17	67	0.91	1.78	3.65	6.31



IMPERVIOUS AREA
 DA1 = 30,492 SF = 0.70 AC.
 DA2 = 22,593 SF = 0.52 AC.
TOTAL = 53,085 SF = 1.22AC

DRAINAGE AREA DIVIDE



PRELIMINARY STORMWATER MANAGEMENT NARRATIVE

In this development, only less than 50% of the entire site will be disturbed, conservation easement will be delineated from undisturbed area. The quality control credit will be granted due to conservation easement. Two drainage areas, DA#1 and DA#2 are delineated for this development.

For DA#1, RCN changed from 62 to 74 and drainage area increased from 1.40 to 2.35 acres. One detention dry pond is used to take care 2 and 10-year quantity control. The location, size and other information for the dry pond and undisturbed conservation easement will be shown on the preliminary SWM Plan. In this development, sheet flow will be generated for the on-site drainage.

For DA#2, RCN changed from 44 to 67 and drainage area increased from 1.30 to 1.60 acres. Stormwater from the new parking lot and driveway will sheet flow into conservation easement and then drain into the existing side ditch along the west side of the Cedar Spring Road.

BMIP NARRATIVE
 One dry pond is proposed for quantity control for entire development taking care 2 and 10-year storm. Quality requirement will be taken care by conservation easement credits.

ADEQUATE OUTFALL NARRATIVE

- Study Point #1:** It is located at the southwest corner of the property. The existing natural swale drains into Study Point #1. The existing swale is stabilized. 18" RCP outfall pipe from the proposed dry pond will drain into the existing swale. From outfall pipe to the property corner will be stabilized using 1200 class I rip-rap.
- Study Point #2:** It is located at the existing side ditch right next to the property corner. It is stabilized with dense grass.
- Study Point #3:** It is located at approximately 2600' downstream of the site. The total drainage area to Study Point #3 is 430 acres that is approximately 105 times of our site. Study Points #1 and #2 will continue to drain downstream and merge into the Study Point #3. After Study Point #1 leave the site, it continues with the concentrated flow along the existing stabilized swales. Study point #2 leave the site, it continues with the concentrated flow along existing stabilized side ditches.

Both flows merge together and continue drain in the existing swales at the way down to study point #3. When flow go through driveways, the man-made culverts are constructed for passing the flows. The study point #3 is located at downstream side of an existing 34" x 22" CMP culvert under the Compton Road with stabilized stream bed.

**PRELIMINARY STORMWATER MANAGEMENT PLAN
 POST-DEVELOPMENT CONDITION**

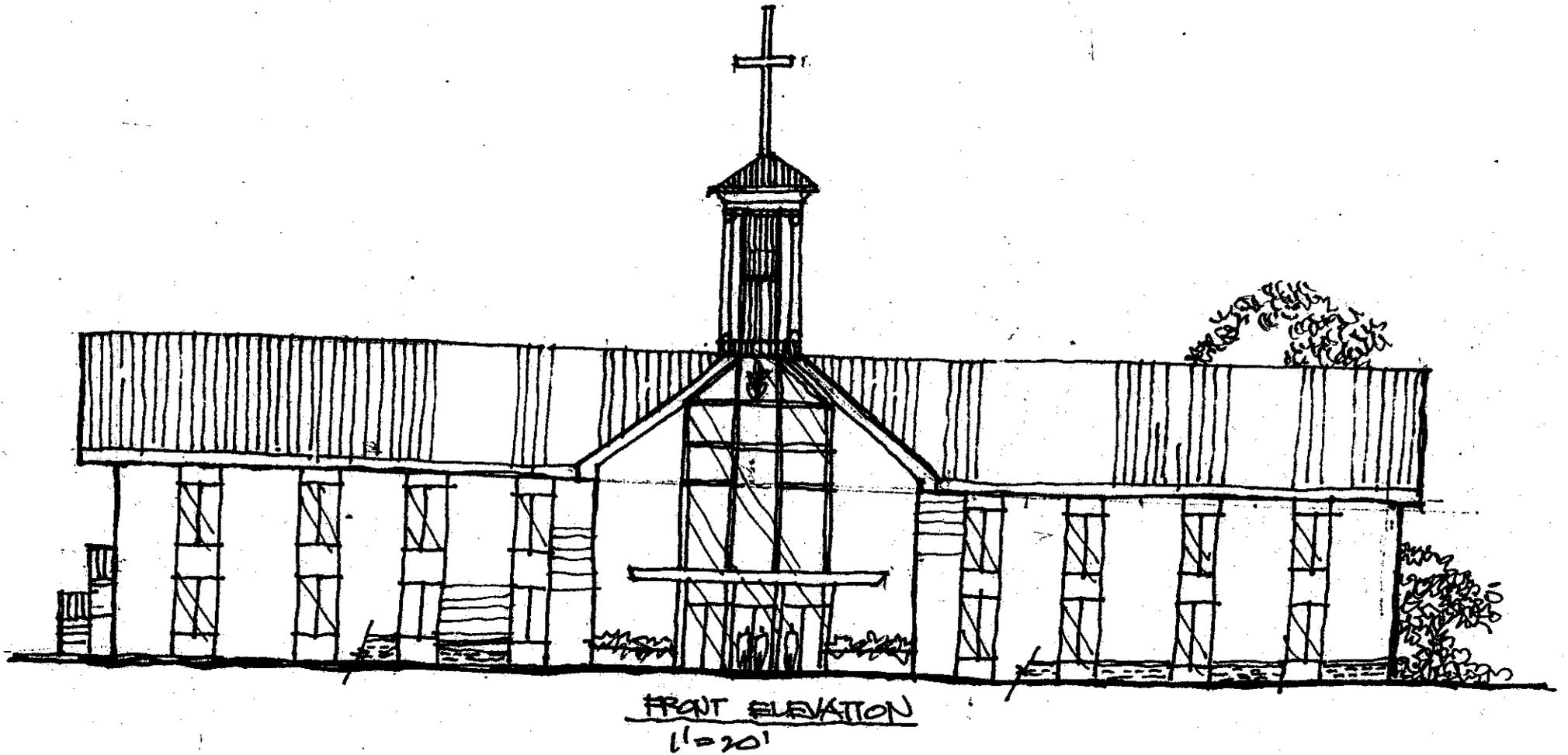
SCALE: 1" = 30'

CANAAN HOMES
 12407 KARRIS RD MANASSAS VA 20112
 PH:703 794-7633 FX:703 794-7981

PRELIMINARY SWM POST-DEVELOPMENT COND
HARVEST CHINESE CHRISTIAN CHURCH

NO.	DATE	BY	REVISION

SP-6



RECEIVED
Department of Planning & Zoning

SEP 02 2010

Zoning Evaluation Division

BRICK WAINSCOTT W/
SIDING,
10,650 SF
Total ~~17,300~~ SF. SLAB ON GRADE
2-STORY, NO BASEMENT

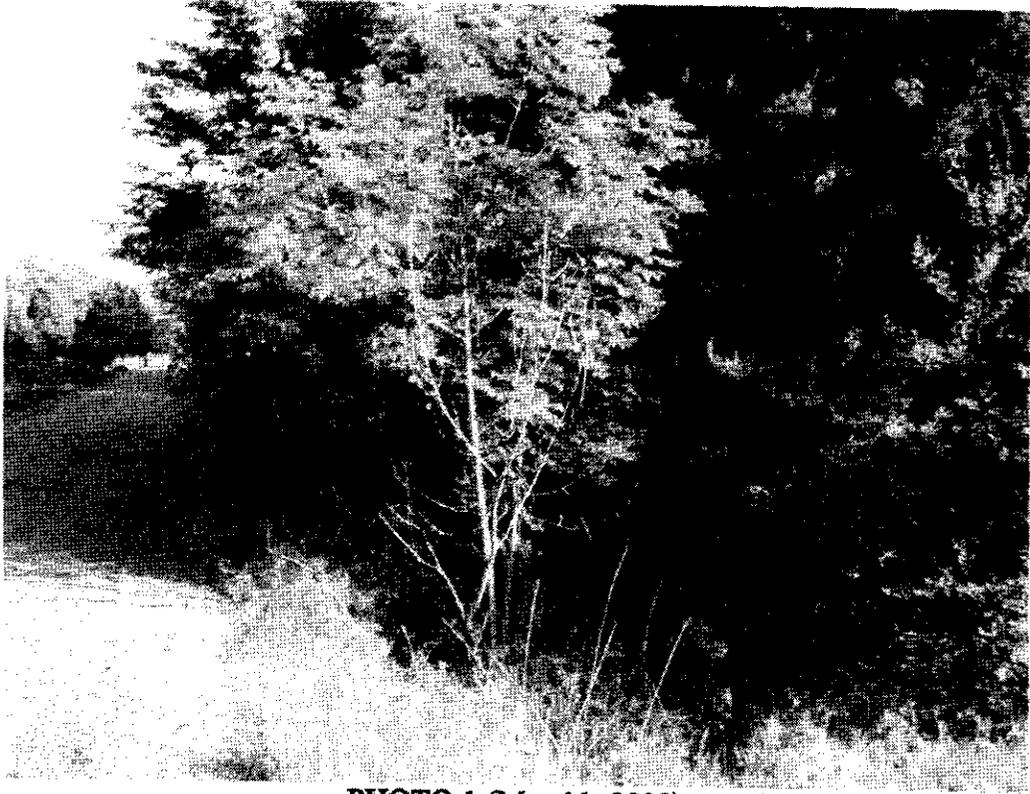


PHOTO 1 (May 11, 2009)

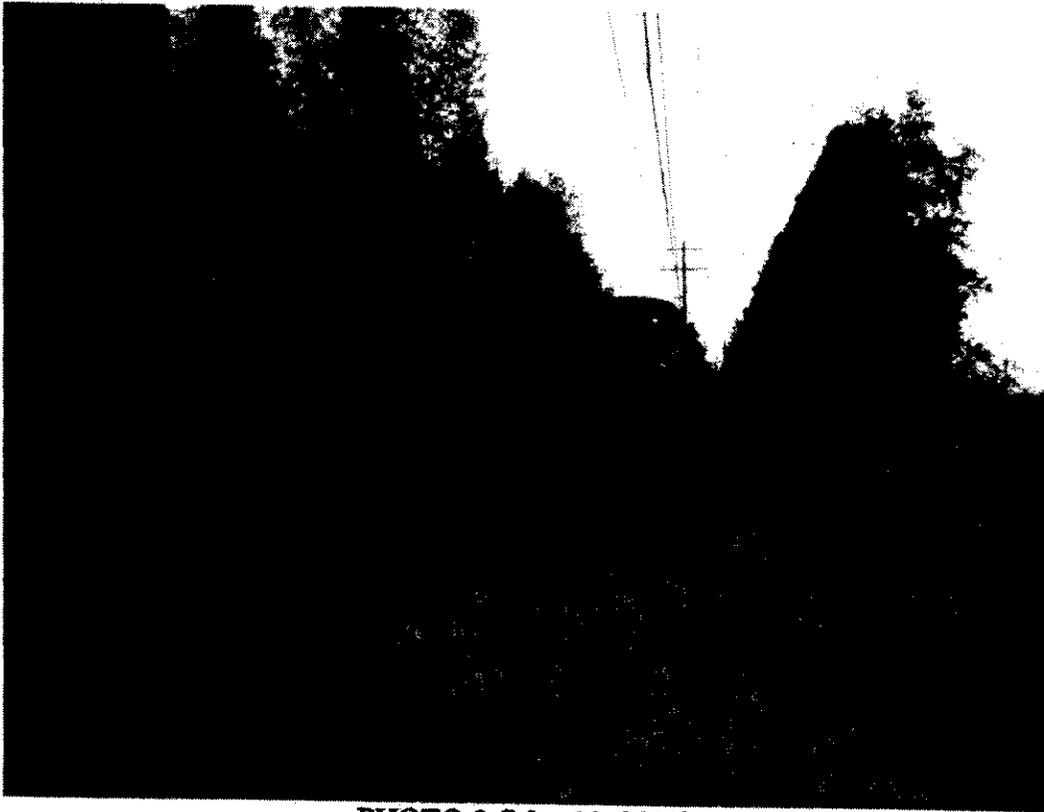


PHOTO 2 (May 11, 2009)

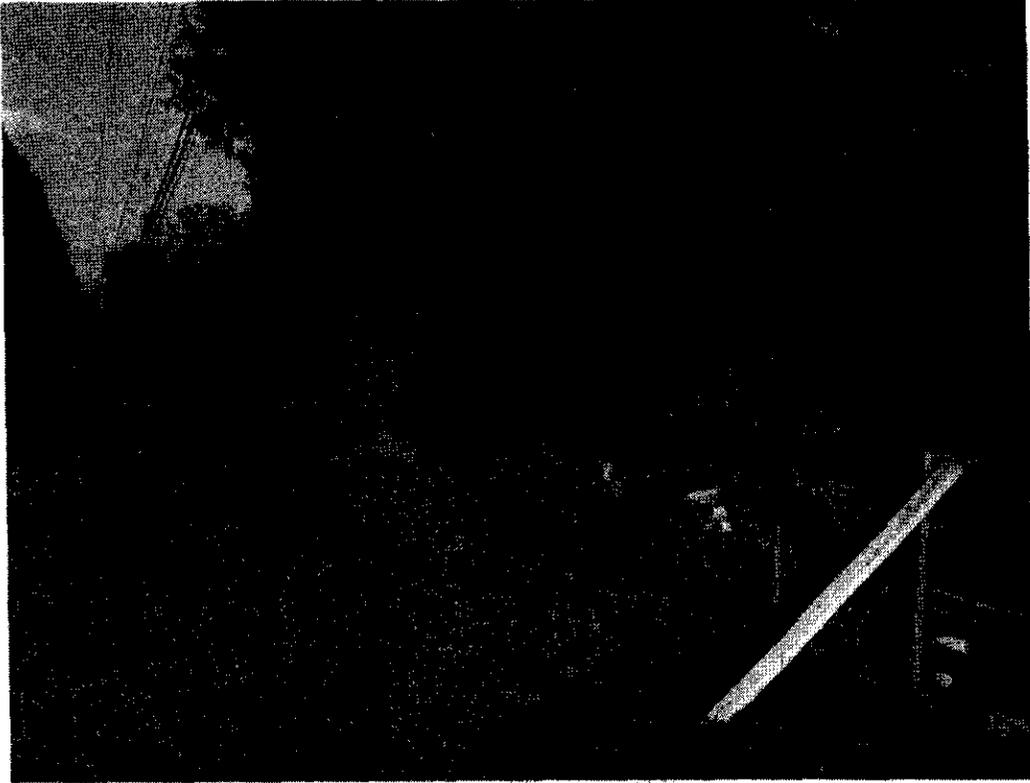


PHOTO 3 (May 11, 2009)



PHOTO 4 (May 11, 2009)



PHOTO 5 (May 11, 2009)



PHOTO 6 (May 11, 2009)



PHOTO 7 (May 11, 2009)

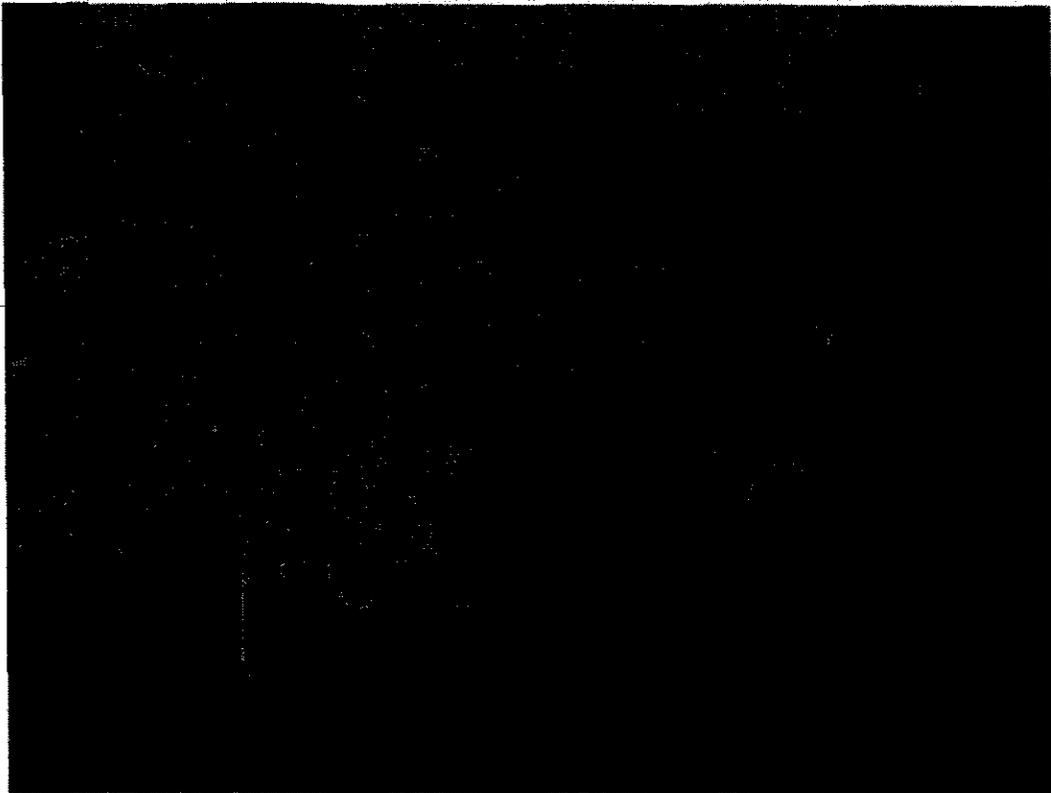


PHOTO 8 (May 11, 2009)

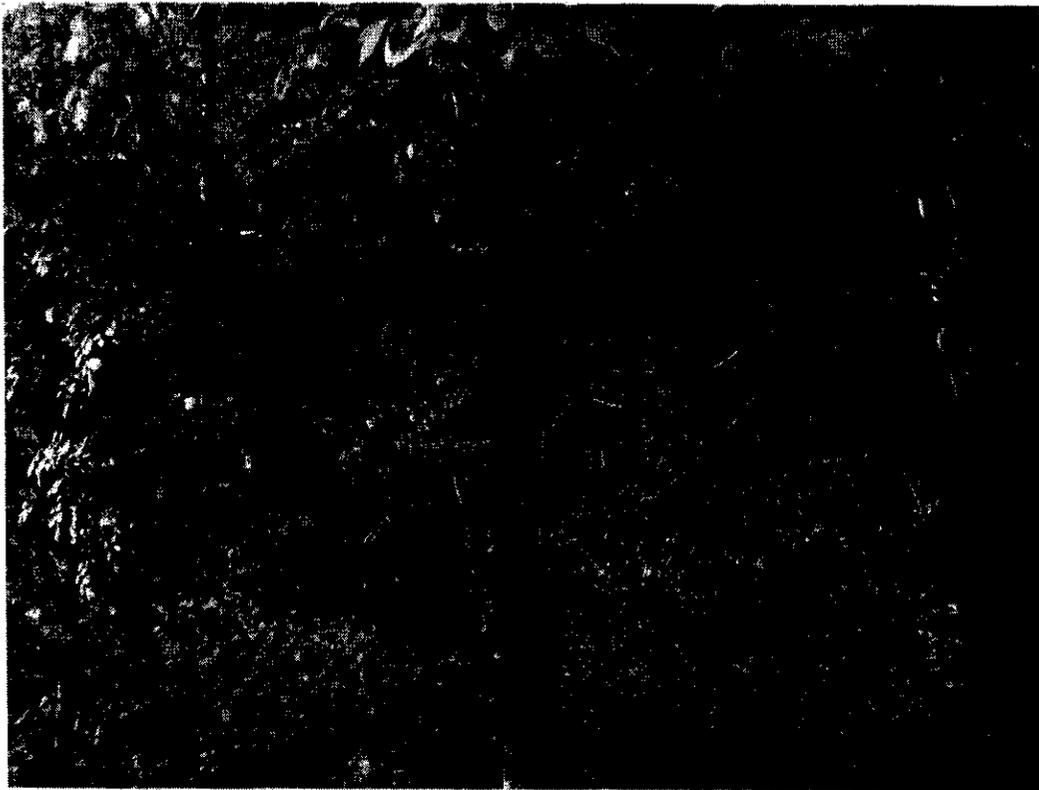


PHOTO 9 (May 11, 2009)



PHOTO 10 (May 11, 2009)



PHOTO 11 (May 11, 2009)

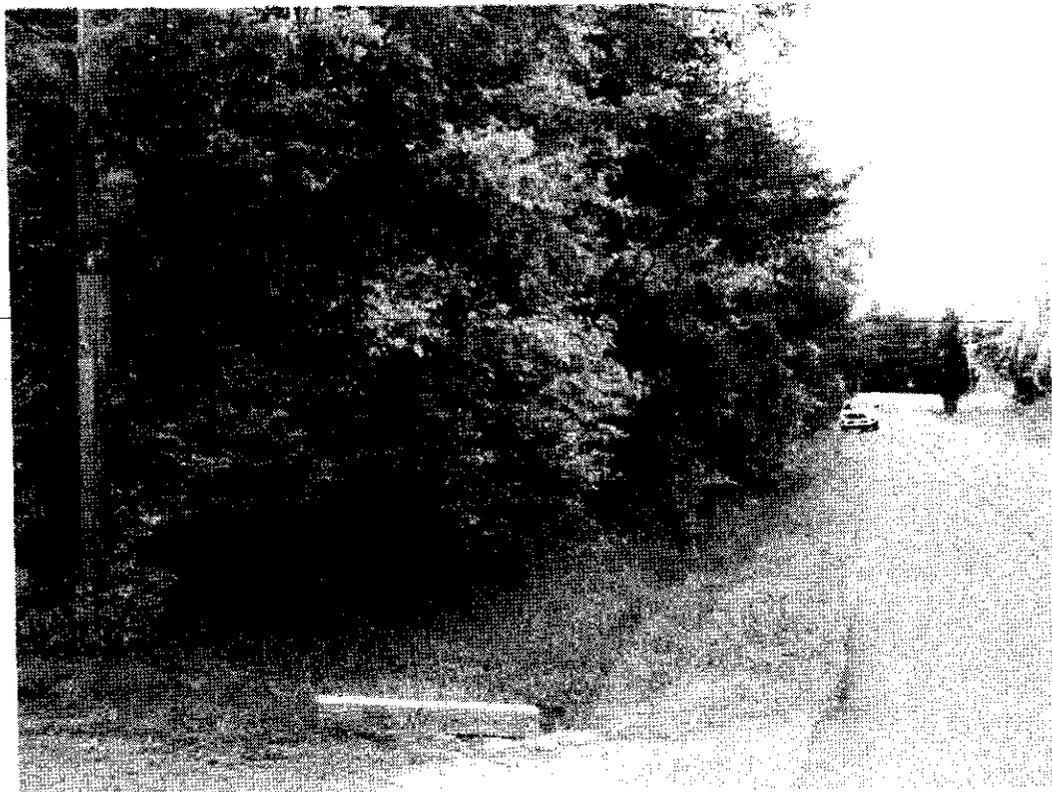


PHOTO 12 (May 11, 2009)



PHOTO 13 (May 11, 2009)

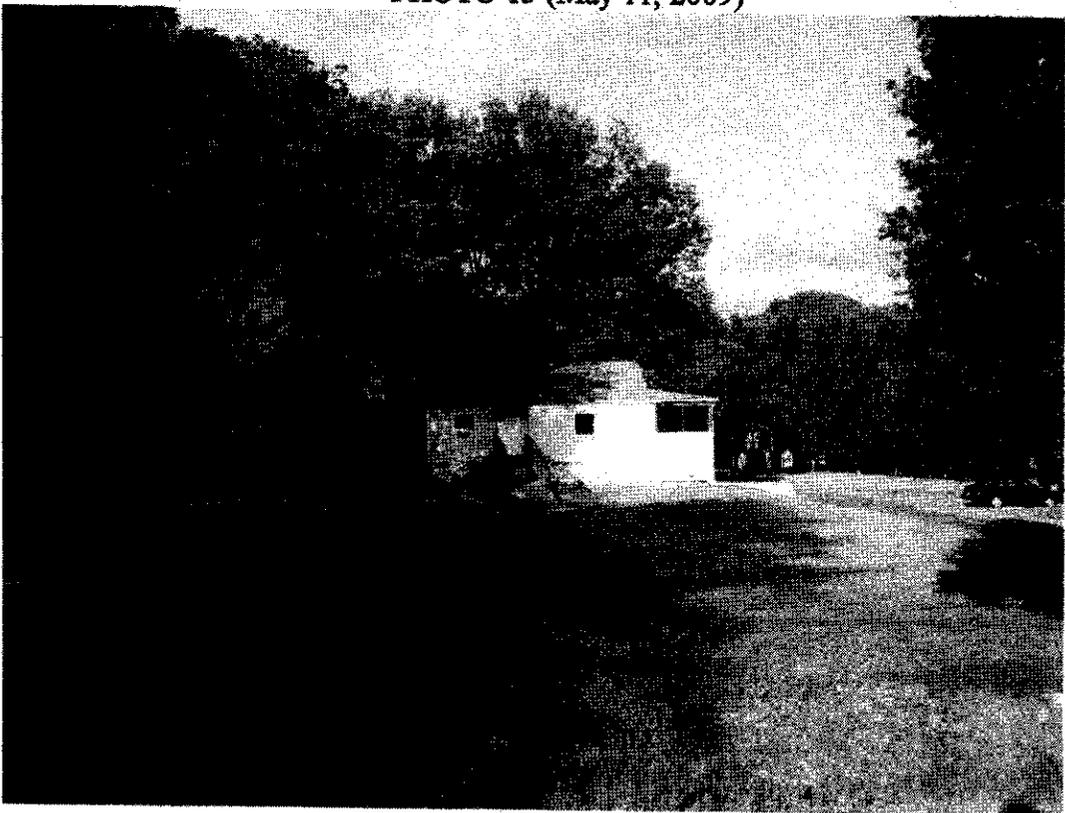


PHOTO 14 (May 11, 2009)

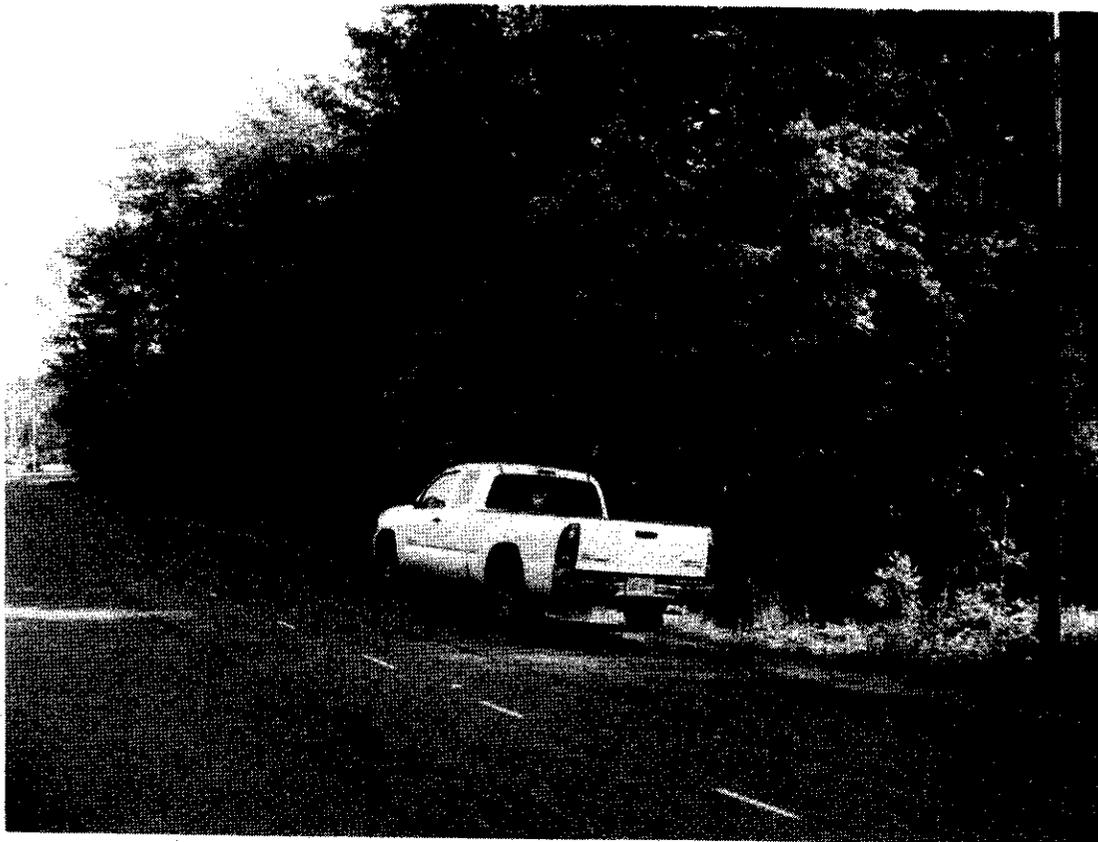


PHOTO 15 (May 11, 2009)

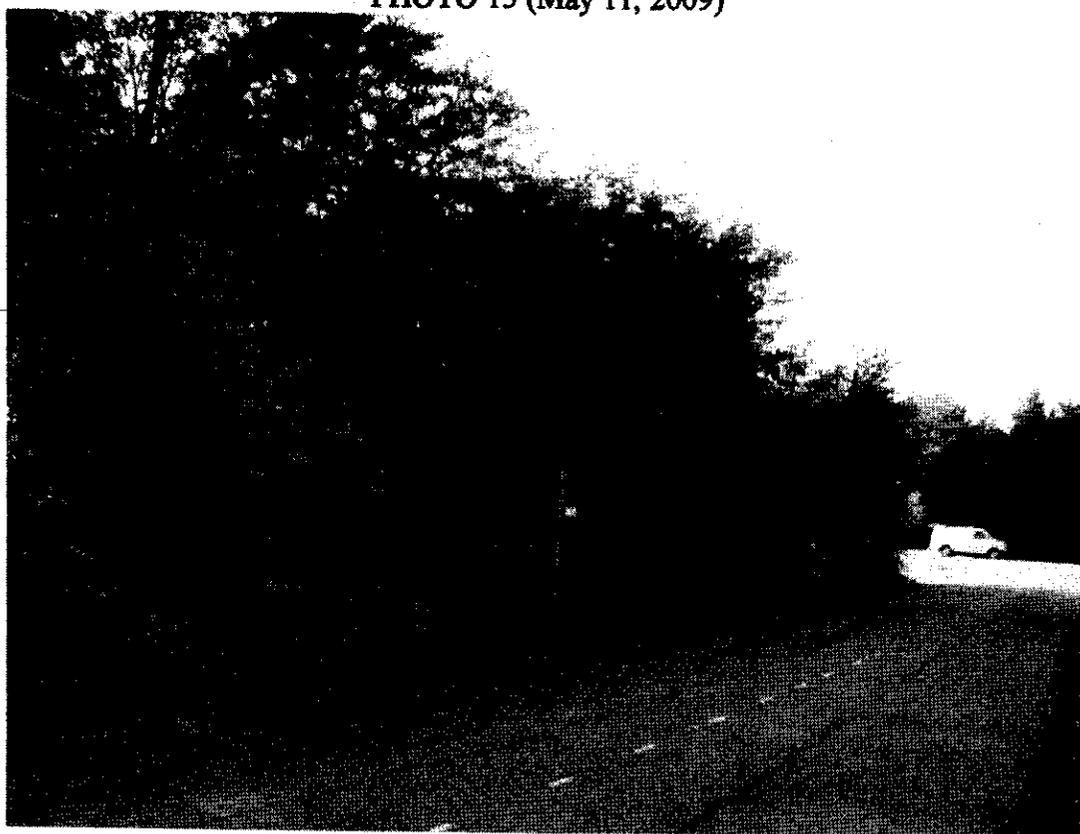


PHOTO 16 (May 11, 2009)



PHOTO 17 (May 11, 2009)



PHOTO 18 (May 11, 2009)

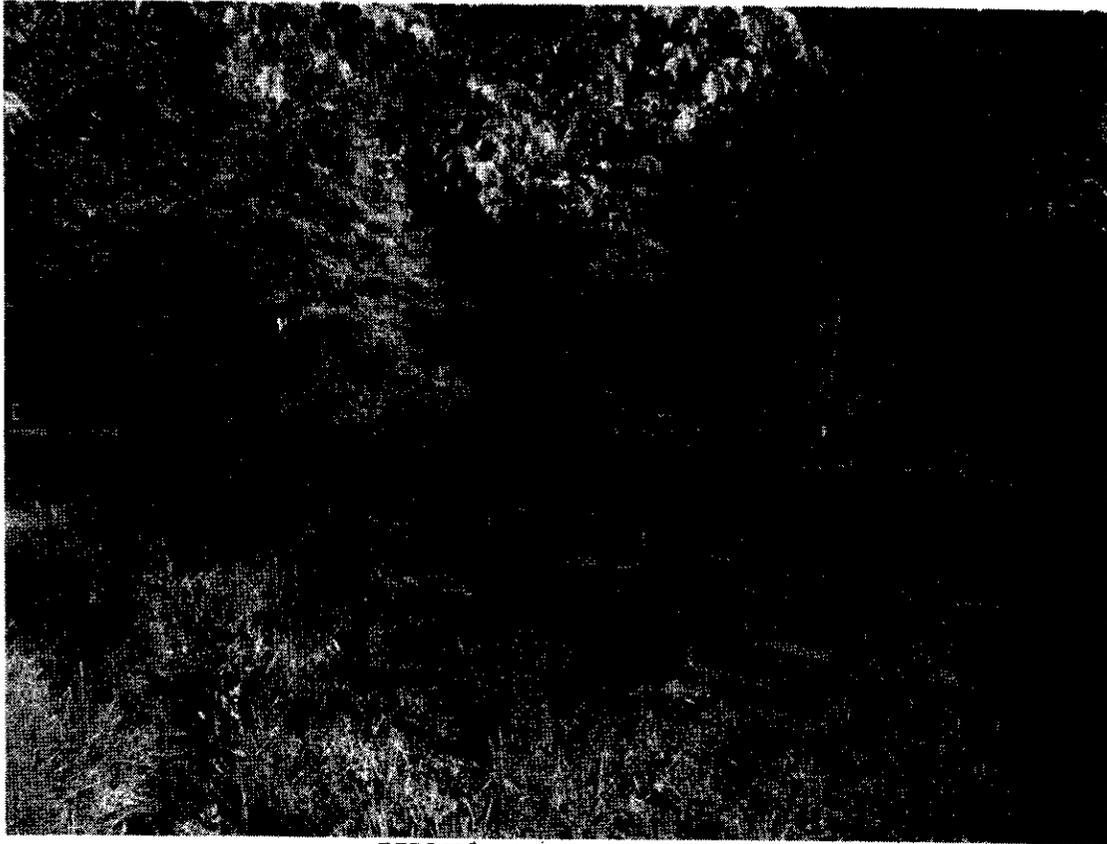
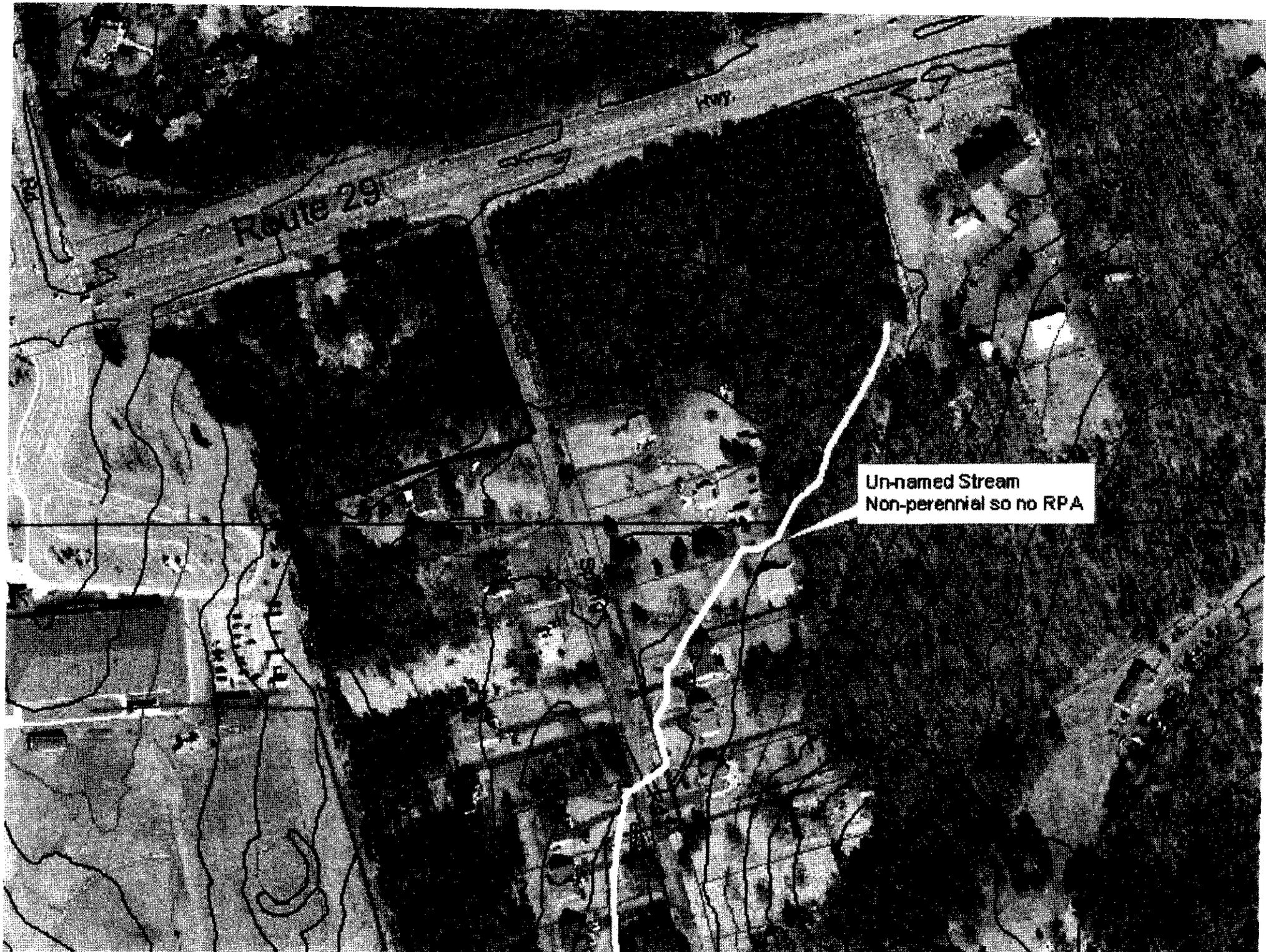


PHOTO 19 (May 11, 2009)



Route 29

Un-named Stream
Non-perennial so no RPA

DESCRIPTION OF THE APPLICATION

Special Permit Request:

The applicant seeks to construct a place of worship consisting of a 10,650 square-foot church building at a height of 50 feet with 250 seats, multi-purpose sanctuary and classroom space. The applicant also requests the approval of a child care center with a maximum daily enrollment of 50 children to be located within the church facility.

Hours of Operation:

Sunday Services:

8:00 a.m. to 1:00 p.m.

Church Office:

9:00 a.m. to 6:00 p.m., Tuesday through Saturday

Child Care Center:

6:45 a.m. to 6:45 p.m., Monday through Friday

Employees:

Church:

(3) Employees on site at any one time

Child Care Center:

(7) Employees on site at any one time

LOCATION AND CHARACTER

Existing Site Description:

The 4.05-acre application property is in the southwest quadrant of the intersection of Lee Highway and Cedar Spring Road, approximately two miles west of Interstate 66 (I-66). The application site consists of two lots: Lot 5 and Lot 6. Lot 5 has frontage on Lee Highway, while Lot 6 fronts Cedar Spring Road. Lot 5 is developed with a dilapidated, one-story, single-family dwelling which records show was constructed in 1950. This structure is proposed to be removed. Lot 6 is vacant and is characterized by a mixture of deciduous and evergreen vegetation. Combined, the two lots create a square-shape lot with the topography gently sloping from north to south. The subject property is located within the Cub Run Creek Watershed and the Water Supply Protection Overlay District (WSPOD). There are no Resource Protection Areas (RPAs) or regulated floodplains on the property. Properties located north, south, east and west of the application site are zoned Residential Conservation (R-C) and developed with single-family detached dwellings, except the western property immediately adjacent to the application site is developed with a Fairfax County elementary school. Lots 1 and 2 across Cedar Spring Road to the east have been approved for a place of worship which has not yet been constructed.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single Family Detached Dwellings; Centreville Baptist Church	R-C, WS	Residential; .1 – .2 du/ac
South	Single Family Detached Dwellings	R-C, WS	Residential; .1 – .2 du/ac
East	New Life Christian Church (not yet constructed); Single Family Detached Dwellings	R-C, WS	Residential; .1 – .2 du/ac
West	Bull Run Elementary School	R-C, WS	Residential; .1 – .2 du/ac

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area III, Bull Run Planning District

Planning Sector: BR 5 Stone Bridge Community Planning Sector

Plan Map: Residential: .1 – .2 du/ac

ANALYSIS

Special Permit Plat (Copy at front of staff report)

Title of SP Plat: Special Permit Plat SP 2009-SU-066

Prepared By: Chi-Wen Kevin Liang, P.E.

Dated: May 18, 2009, as revised through December 6, 2010 and signed December 9, 2010

Discussion of Proposal:

The applicant proposes to construct a 10,650 square-foot place of worship (as shown on page SP-3 of the special permit plat) consisting of a multi-purpose sanctuary with 250 seats and classrooms for a child care center at an FAR of 0.06. A maximum daily enrollment of 50 children is proposed for the child care center use. The child care center will operate from 6:45 am to 6:45 pm, Monday through Friday. A church office will have hours of 9:00 am to 6:00 pm, Tuesday through Saturday. The two-story, 50-foot high building is proposed to be constructed primarily on Lot 6, with the front of the building oriented to face Lee Highway. The building is to be constructed of brick wainscot with siding on a slab foundation; no basement is proposed. Vehicular access to the site is proposed from Cedar Spring Road, approximately 270 feet south of the Lee Highway intersection. A surface parking lot with 101 parking spaces is proposed to be located north and east of the church building with a seat to parking space ratio of 1:2.48; the Zoning Ordinance requires 63 parking spaces for 250 seats and 10 spaces for the child care center use for a total requirement of 73 parking spaces. A dumpster with screening is proposed at the southern end of the parking lot. Pedestrian access to the site is proposed via a 10-foot wide paved trail adjacent to Lee Highway that is proposed to connect to a 5-foot wide concrete sidewalk that extends from the northeast corner of the lot to the perimeter of the parking lot area. Additional 5-foot wide concrete sidewalks are proposed along the building's frontage, adjacent to the parking lot area and are to extend along the east side of the proposed church building. The applicant proposes to enclose an outdoor play area with a 4-foot high chain link fence (though a development condition has been included requiring a board on board fence or brick wall for sound reduction). The play area is to be located south, at the rear, of the church building and is to measure 2,520 square feet in area.

The Special Permit (SP) Plat shows 53.9% (95,117.6 square feet) of undisturbed open space consisting of existing vegetation to the south and west of the proposed church building shown as Tree Save Area 1 (sheet SP-8). Another area of undisturbed open space is depicted as Tree Save Area 3 to the north. Some reforestation and supplemental planting of the existing driveway area to the north will provide the remaining open space. Potentially, Tree Save Area 2 will remain undisturbed provided that the proposed Stormwater Management (SWM) dry detention pond does not need to be expanded. The SWM requirements are proposed to be met via a dry detention pond, measuring 4,022 square feet in area, located northeast of the proposed site entrance. Best Management Practices (BMPs) are proposed to be met primarily via a conservation easement placed over the undisturbed open space areas, Tree Save Areas 1 and 3.

The applicant proposes road improvements to include constructing a third eastbound thru-lane which will serve as an eastbound right-turn lane onto Cedar Spring Road from Lee Highway, an eastbound 5-foot wide on-road bike lane and a 10-foot wide paved trail along the site's Lee Highway frontage. Other road improvements include providing a raised median between eastbound and westbound Lee Highway traffic lanes, a westbound left-turn lane and corresponding taper on Lee Highway and closure of the existing median break east of the proposed left-turn lane. To accommodate these improvements, the applicant proposes to dedicate 15 feet of right-of-way (ROW) along the property's Lee Highway frontage.

Transportation Analyses (Appendix 4 and Appendix 5)**Road Improvements:**

In accordance with the Fairfax County Comprehensive, the Route 29 (Lee Highway) Feasibility Study and the Virginia Department of Transportation (VDOT) standards, the applicant was required to provide a significant number of road improvements along Lee Highway as the property fronts both Lee Highway and Cedar Spring Road. The proposed road improvements include, but are not limited to, constructing a third eastbound thru-lane which will serve as an eastbound right-turn lane onto Cedar Spring Road from Lee Highway, an eastbound 5-foot wide on-road bike lane and a 10-foot wide paved trail along the site's Lee Highway frontage. Other road improvements include providing a raised median between eastbound and westbound Route 29 traffic lanes, a westbound left-turn lane and corresponding taper and closure of the existing median break east of the proposed left-turn lane. The applicant received approval from VDOT to modify the right-turn lane taper length shown in Appendix 8 of the staff report. The applicant has agreed to provide the required road improvements and staff has proposed a development condition to ensure that these commitments are fulfilled.

Land Use Analysis and Environmental Analyses (Appendix 6)

The Fairfax County Comprehensive Plan, 2007 Edition, Area III, Bull Run Planning District as amended through March 9, 2010, BR5 Stone Bridge Community Planning Sector, page 72, recommends residential development at a density of .1-.2 dwelling units per acre and public park land in this planning sector. The very low density development which presently characterizes this area should remain intact to protect its natural wildlife and water quality. Non-residential uses requiring special exception or special permit approval should be rigorously reviewed. In general, these uses should be located at the boundary of Low Density Residential Areas and Suburban Neighborhoods or where their impact on existing residences is minimal. These uses should be granted only if access for the use is oriented to an arterial; the use is of a size and scale that will not adversely impact the character of the area in which it is located; and the use is designed to mitigate impacts on the water quality of the Occoquan Reservoir.

Issue: Compatibility/Intensity

The intensity of the proposed use is not anticipated to result in significant impacts on adjacent residential parcels. However, staff was originally concerned that the proposed parking would not meet the needs of the congregation and that the low number of parking spaces as originally proposed could result in undesirable impacts to the surrounding residential properties along Cedar Spring Road. Noise and visual impacts of the parking lot and building mass were mitigated through internal siting of the development and limited building height. Provisions for screening, buffers and barriers meet or exceed what is typically required for institutional uses in the R-C District. The lighting is depicted as Bollard-style fixtures and lighting will meet current Zoning Ordinance standards. Staff requested that the parking to seat ratio be decreased to be sure that all parking could be accommodated on the application property.

Resolution:

Over the course of the review of the application, the applicant reduced the building square footage down from a high of 17,300 square feet to the presently proposed 10,650 square feet and the number of seats down from 400 seats to 250, which improves the seats to parking ratio to 1:2.48. These changes have reduced the intensity of the proposed use considerably and provided more parking in relationship to the number of seats in the sanctuary. Therefore, staff believes that this issue is resolved.

Issue: Open Space

The applicant has identified the amount of undisturbed open space on the special permit plat as 53.9% at the completion of the proposed development. However, this seems to include area along the Lee Highway frontage of the property which includes a connection to the proposed trail for pedestrian access. It has always been the intent that any undisturbed open space be contiguous. The establishment of a pedestrian connection at this point would create an undesirable break from the larger undisturbed open space area on the property. The plat also shows another break in the area from the corner of the property at Lee Highway and Cedar Spring Road. Staff believes that combining the two breaks into a single break for utilities and pedestrian access to the site at this corner location is more desirable. If the 50% undisturbed open space is achieved, staff would conclude that the proposed development is in harmony with the land use recommendations of the Comprehensive Plan.

Resolution:

The applicant proposes to connect the proposed trail along Lee Highway to a pedestrian connection into the site at the corner of the property at Lee Highway and Cedar Spring Road which eliminates the undesirable break from the larger undisturbed open space area along the northern property line. By eliminating the sidewalk to the north, reforesting the existing driveway area and providing supplemental planting, staff believes that this issue is resolved.

Issue: Water Quality/Occoquan Watershed

The subject property falls within the Fairfax County Cameron Run Watershed. Staff has consistently recommended that at least 50% of a site be retained in undisturbed open space when considering special exception and special permit uses in the R-C District. Stormwater management ponds, outfall, sidewalks and cleared easements may not be included as part this undisturbed open space. However, it appears that 50% contiguous undisturbed open space can be delineated for the proposed development with relatively minor modifications to the current plans.

Resolution:

Staff believes that the applicant has made a substantial effort to achieve this policy goal. In order to ensure that the applicant will ultimately maintain the undisturbed open

space, staff has proposed a development condition which will require, if necessary, the applicant to either submit a special permit amendment request or modify the site design in a manner which will achieve 50% undisturbed open space at the development build-out. With the implementation of this development condition, staff believes that this issue is resolved.

Stormwater Management (SWM)/ Best Management Practices (BMP) Analysis
(Appendix 7)

The applicant proposes to meet Stormwater Management (SWM) requirements via a dry detention pond, measuring 4,022 square feet in area, located northeast of the proposed site entrance. An outfall pipe from the proposed dry pond will drain into an existing swale adjacent to Cedar Spring Road. Best Management Practices (BMPs) are proposed to be met primarily via a conservation easement placed over the undisturbed open space areas, Tree Save Areas 1 and 3.

Urban Forest Management Analysis (Appendix 8)

Issue: Transitional Screening

Although approximately 90 feet of undisturbed forested land is proposed between the church entrance drive and the adjoining residential property to the south, this forested area is sparse and contains mostly deciduous trees and undergrowth. Headlights from vehicles leaving the church property would sweep almost the entirety of the residential property through the thin vegetation, especially in winter.

Resolution:

Staff has proposed a development condition requiring the applicant to provide supplemental evergreen tree plantings within areas where the application property abuts residential lots to provide viable, year-round vegetative screening as determined by Urban Forest Management Division (UFMD). With adoption of the proposed development conditions in Appendix 1, staff believes this issue will be addressed.

ZONING ORDINANCE PROVISIONS

Bulk Standards for R-C (Residential – Conservation) District		
Standard	Required	Proposed
Lot Size	5 acres (minimum)	4.05 acres (Predates downzoning to R-C District)
Lot Width	200 feet (minimum – corner lot)	400 feet
Building Height	60 feet (maximum)	50 feet

Bulk Standards for R-C (Residential – Conservation) District		
Standard	Required	Proposed
Front Yard	50° ABP but not less than 40 feet	North (Lee Hwy) – 188 ft. East (Cedar Spring Rd) – 133.75'
Side Yard	45° ABP but not less than 20 feet	127 feet
Rear Yard	45° ABP but not less than 25 feet	138 feet
Outdoor Recreation Area (Child Care Center)	100 sq ft/child (5,000 sq ft)	2,520 sq ft (limited to 25 children at any one time)
FAR	0.10 (maximum)	0.06
Parking Spaces	TOTAL: 73 Spaces Church (250 seats): 63 spaces (1 space/ 4 seats) Child Care: 10 (0.19/child, <100)	101 spaces (seats to parking ratio 1:2.48)
Interior Parking Lot Landscaping (32,684* 5% = 1,634 sq ft)	5% (1,634 sq ft)	5.3 % (1,744 sq ft)
Transitional Screening (north, south and east)	TS 1, minimum width of 25 feet	Existing vegetation for natural screening.
Barrier Requirements (north, south and east)	Barrier D, E or F	Waiver Requested

* TS1 consists of Min. 25 feet in width planted with evergreen trees or a mixture of evergreen and deciduous trees

** Barrier D shall consist of a 42-48 inch chain link fence; Barrier E shall consist of a 6-foot wall, brick or architectural block; Barrier F shall consist of a 6 foot high solid wood or otherwise architecturally solid fence.

WAIVERS/MODIFICATIONS REQUESTED

Basis: Par. 3 of Sect. 13-304 states that transitional screening and barrier requirements may be waived or modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through the combination of architectural and landscaping techniques. The applicant is seeking a waiver of the barrier requirement along the northern, a portion of the eastern and the southern lot lines since the church building will be located a minimum of 127 feet from adjoining residential lots. The applicant also requests a modification of the transitional screening requirements along the northern, a portion of

the eastern and the southern lot lines to use the existing vegetation to meet screening requirements.

Staff does not object to modifications of the transitional screening and/or modifications and a waiver of the barrier requirements to allow existing vegetation, except that additional vegetation should be provided along the property lines adjacent to residential lots as determined by UFMD. Staff has proposed a development condition to address this issue.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (Appendix 10)

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

Summary of Zoning Ordinance Provisions

General Standard 1 requires that the proposed uses be in harmony with the adopted comprehensive plan. Staff believes that the proposed land use is in harmony with the Comprehensive Plan and does satisfy General Standard 1 of the Zoning Ordinance

General Standard 4 requires that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. Both Fairfax County Department of Transportation (FCDOT) and the Virginia Department of Transportation (VDOT) have no further objections to this development, therefore, staff believes that this standard has been met.

CONCLUSIONS

Subject to the proposed development conditions contained in Appendix 1 of the staff report, staff concludes that the proposed application for a place of worship with 250 seats, a 10,650 square-foot church building and a child care center with a maximum daily enrollment of 50 children satisfies all applicable standards and is in harmony with the Comprehensive Plan and the applicable Zoning Ordinance Provisions.

RECOMMENDATIONS

Staff recommends approval of SP 2009-SU-066, only subject to the adoption of the proposed development conditions contained in Appendix 1.

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

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

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. FCDOT Transportation Analysis
5. VDOT Transportation Analyses
6. Land Use and Environmental Analyses
7. Stormwater Management/ BMP Analysis
8. Urban Forest Management Analysis
9. Waiver for the Length of the Right-Turn Lane Taper
10. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**December 29, 2010**

If it is the intent of the Board of Zoning Appeals to approve SP 2009-SU-066 located on property described as Tax Map 64-2 ((2)) 5 and 6 to permit a place of worship with child care center pursuant to Section 3-C03 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, Harvest Chinese Christian Church and is not transferable without further action of this Board, and is for the location indicated on the application, 15201 and 6612 Cedar Spring Road Lee Highway, and is not transferable to other land.
2. This Special Permit (SP) is granted only for the purposes, structures and/or uses indicated on the Special Permit Plat prepared by Chi-Wen Kevin Liang, P.E., dated May 18, 2009, as revised through December 6, 2010 and signed December 9, 2010.
3. A copy of this special permit amendment and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted uses.
4. This Special Permit is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this Special Permit, shall be in substantial conformance with these conditions. Minor modifications to the approved special permit amendment may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The seating capacity in the main area of worship shall be a maximum of 250 seats.
6. The design of the buildings shall be in substantial conformance with the architectural renderings included as Attachment 1 to these development conditions.
7. The building height shall not exceed 50 feet for the proposed structure shown on the SP Plat per the height definition in the Zoning Ordinance, except that steeples shall not exceed 60 feet in absolute height.
8. The maximum daily enrollment for the child care center shall be 50 children.
9. The maximum hours of operation for the child care center shall be from 6:45 a.m. to 6:45 p.m., Monday through Friday.

10. An outdoor play area, a minimum of 2,520 square feet in size, shall be provided as noted on the SP Plat. No more than (25) children from the child care center shall occupy the outdoor recreation area at any one time. The play area shall be fenced with a 6 foot high board on board fence or brick wall.
11. A minimum of 50% of the site shall be preserved as undisturbed open space as depicted on the SP Plat.
12. Parking shall be provided in the areas shown on the SP Plat and shall be a minimum of 101 spaces. All parking for the church shall be on site.
13. Tree Save Areas shall be preserved as depicted on the special permit plat.

Existing vegetation shall be used to meet the required transitional screening requirements along the southern and northern lot lines. In addition to the trees preserved in Tree Save Area 1 along the southern lot line, supplemental vegetation shall be planted generally between the south side of the church building and the Tree Save Area. If determined necessary by staff from the Urban Forest Management Division (UFMD), DPWES to further supplement existing vegetation, vegetation may be planted in the Tree Save Areas, but only the species and in the numbers and locations as determined by UFMD.

14. The barrier requirement shall be waived along all lot lines in favor of existing conditions and proposed vegetation.
15. Prior to any land disturbing activities, a pre-construction conference shall be held on-site between DPWES, including the Urban Forester, and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, tree protection measures, and the erosion and sedimentation control plan to be implemented during construction. The limits of clearing and grading shall be clearly marked for this meeting and during all phases of construction. No construction equipment or supplies shall be located within any Tree Save Areas.
16. The applicant shall conform strictly to the limits of clearing and grading subject to allowances for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. For each phase of development, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements planned for that phase shall be submitted to DPWES, including the Urban Forest Management Division (UFMD), for review and approval. The extent of clearing and grading for each phase of construction shall be the minimum amount feasible as determined by DPWES. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SP Plat, they shall be located in the least disruptive manner necessary as determined by UFMD, DPWES. A replanting plan shall be developed and implemented,

subject to approval by UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

17. The applicant shall submit a Tree Preservation Plan as part of the first and all subsequent Site Plan submissions or grading plan submissions, whichever occurs first. This plan shall designate the limits of clearing and grading as determined in the previous development condition and require that the areas outside of the limits of clearing and grading be preserved and labeled as "perpetually undisturbed open space." There shall be no mowing of grass or structures located in the perpetually undisturbed open space. This plan shall be prepared by a professional with experience in the preparation of tree preservation, such as a certified arborist or landscape architect, and shall be subject to the review and approval of the UFMD, DPWES. The tree preservation plan shall be prepared in conformance with the requirements of the Public Facilities Manual (PFM) and shall be submitted for review by UFMD. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.
18. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four-(4) foot high, fourteen (14) gauge welded wire attached to six -(6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart. Tree protection fencing shall be erected along the limits of clearing and grading wherever construction activities are proposed adjacent to areas to remain undisturbed. Super silt fence may be approved by UFMD to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees. All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved.

Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFMD, DPWES.

19. The applicant shall root prune and mulch, as needed to comply with the tree preservation requirements of these conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include,

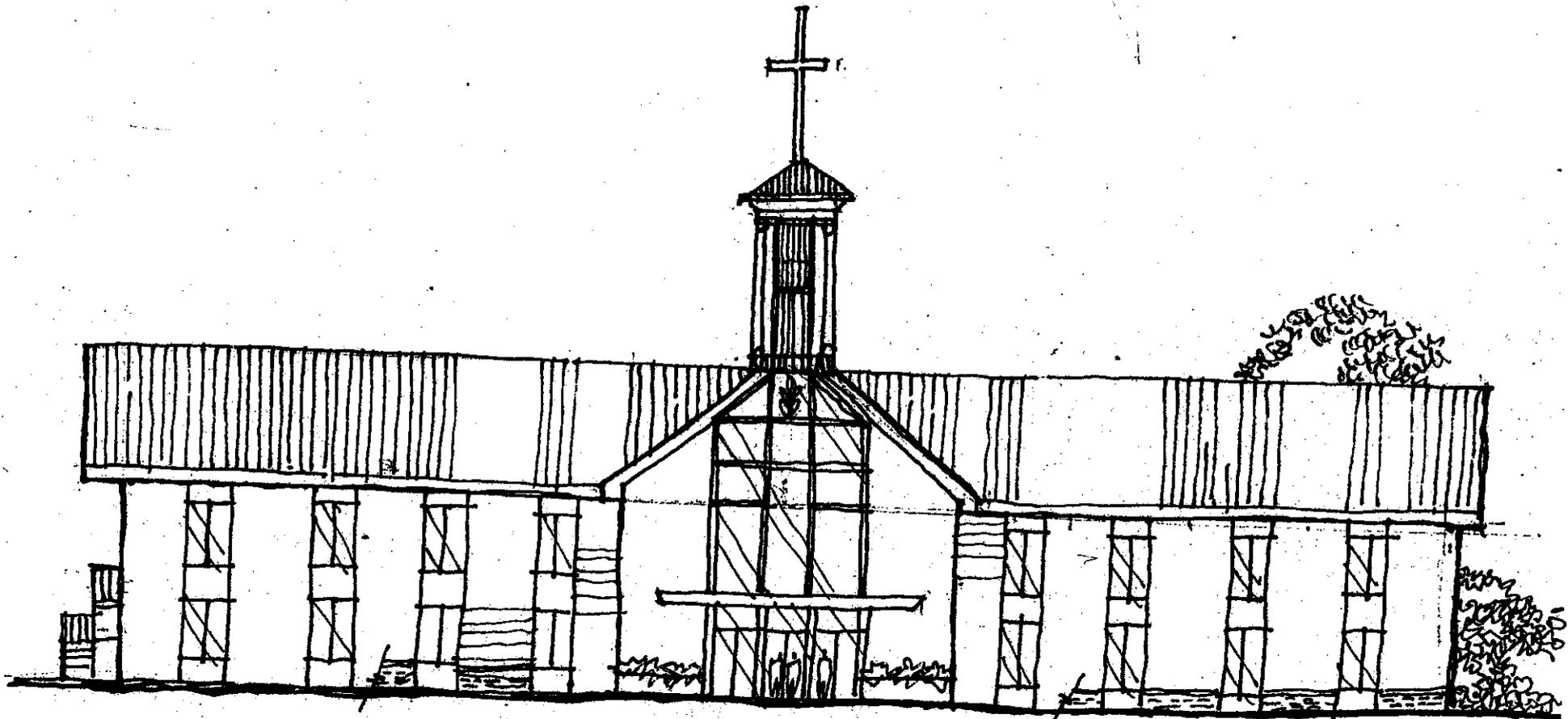
but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - Root pruning shall take place prior to any clearing and grading, or demolition of structures.
 - Root pruning shall be conducted with the supervision of a certified arborist.
 - Immediately after the Phase II erosion and settlement (E&S) control activities are complete, mulch shall be applied at a depth of three (3) inches within designated areas without the use of motorized equipment.
 - Mulch shall consist of wood chips, shredded hardwood and/or pine bark mulch. Hay or straw mulch shall not be used within tree preservation areas.
 - An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.
20. The applicant shall retain the services of a certified arborist or landscape architect to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation conditions, and UFMD, DPWES approvals. The applicant shall actively monitor the site to ensure that inappropriate activities such as the storage of construction materials, dumping of construction debris and traffic by construction equipment and personnel do not occur within the designated tree save areas. During any clearing of tree/vegetation/structure removal on the applicant property, a representative of the applicant shall be present to monitor the process and ensure that the activities are conducted in conformance with these conditions and as approved by UFMD, DPWES. The applicant shall restore understory plant materials, leaf litter and soil conditions to the satisfaction of UFMD, DPWES if these are found to be damaged, removed or altered in any manner not allowed in writing by UFMD, DPWES. The monitoring schedule shall include weekly inspections during demolition activities and once monthly inspections during construction activities. This schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by UFMD, DPWES.
21. The applicant shall meet the requirements of the Tree Conservation Ordinance pursuant to County Code, Chapter 122.
22. Prior to issuance of a Non-RUP, the applicant shall construct all road improvements to include, but not limited to, constructing a third eastbound thru-lane, an eastbound right-turn lane onto Cedar Spring Road from Lee Highway, an eastbound 5-foot wide on-road bike lane and a 10-foot wide paved trail along the site's Lee Highway frontage. Other road improvements include constructing a raised median between eastbound and westbound Route 29 traffic lanes, a westbound left-turn lane and corresponding taper and closure of the existing median break east of the proposed left-turn lane in consultation with the Fairfax County Department of Transportation (FCDOT), and as approved by the Virginia Department of Transportation (VDOT). The applicant shall provide all ancillary easements as determined by FCDOT and VDOT.

23. Adequate outfall shall be demonstrated in accordance with the Public Facilities Manual (PFM), as determined by DPWES, at the time of site plan review.
24. Stormwater Management (SWM) measures may be provided via a dry detention pond as shown on the SP Plat as determined by DPWES. The majority of Best Management Practices (BMPs) shall be met through a conservation easement placed over the Tree Save Areas (to be known as perpetually undisturbed open space) shown as Tree Save Area 1 and Tree Save Area 3. The remainder of required BMP will be met through natural or structural systems. If a modification of the PFM to permit the proposed stormwater management/best management practices as shown on the SP Plat is not granted by DPWES and SWM/BMP facilities in substantial conformance with the SP Plat cannot be provided, then a special permit amendment (SPA) shall be filed to provide water quantity and quality control measures in accordance with the PFM as determined by DPWES.
25. All proposed lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. All lighting shall be full cut-off luminaries, shall be controlled by timers and shall be cut off when the site is not in use, except for security lighting. Lighting shall not be installed in landscape islands and all parking lot lighting shall be bollard-style with a maximum height from ground to top of luminary of 4 feet. No uplighting of landscaping, signage or architecture shall be provided.
26. The applicant shall obtain a sign permit for any proposed sign in accordance with the provisions of Article 12 of the Zoning Ordinance.
27. The use of loudspeakers shall not be permitted outside the building.

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

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



FRONT ELEVATION
11-201

RECEIVED
Department of Planning & Zoning
SEP 02 2010
Zoning Evaluation Division

BRICK WAINSCOTT w/
SIDING,
10,650 SF
Total ~~17,300~~ SF. SLAB ON GRADE
2-STORY, NO BASEMENT

ATTACHMENT 1

Application No.(s): SP 2009-SU-066
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 5, 2009
 (enter date affidavit is notarized)

I, Wei Lu, 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 104721a

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Harvest Chinese christian church	10523 Main Street Suite 35 Fairfax, VA 22030	Applicant/Title owner.
Wei Lu, aka David Wei Lu	12407 Kahns Road Manassas, VA 20112	Agent for Applicant

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

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

Application No.(s): SP 2009-SU-066
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 5, 2009
(enter date affidavit is notarized)

104721 a

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

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

CORPORATION INFORMATION

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

Harvest Chinese Christian Church
10523 Main Street, Ste. 35, Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

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

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

This is a not-for-profit, non-stock incorporated church.

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

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

Application No(s): SP 2009-SU-066
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 5, 2009
(enter date affidavit is notarized)

104721a

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

PARTNERSHIP INFORMATION

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

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

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

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

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

Application No.(s): SP 2009-SU-064
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 5, 2009
(enter date affidavit is notarized)

1047219

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

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

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

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

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

NONE

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

Application No.(s): SP 2009-SU-066
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: June 5, 2009
(enter date affidavit is notarized)

104721a

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

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

NONE

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

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

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

WITNESS the following signature:



(check one)

[] Applicant

Applicant's Authorized Agent

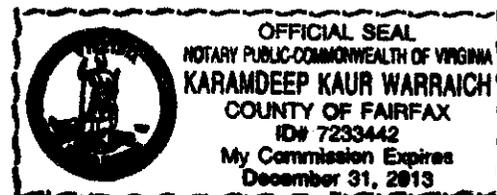
Wei Lu

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

Subscribed and sworn to before me this 5th day of June 2009, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

Karamdeep Warrach
Notary Public

My commission expires: December 31, 2013





12407 KAHNS ROAD MANASSAS VA 20112
 PHONE (703) 794-7633 FAX (703) 794-7661
 WWW.CANAAN-HOMES.COM

STATEMENT OF JUSTIFICATION

RE: Special Permit Applications for Harvest Chinese Christian Church with a Child Care Center at 6612 Cedar Spring Road, Centreville, VA (Tax Map # 064-2-02-006) (Lot 6) and 15201 Lee Highway Centreville, VA (Tax Map # 064-2-02-005)(Lot 5) in Water Supply Protection Overlay District

Special Permit Request:	To permit construction of a church with a child care center, having an enrollment not to exceed 50 children
Size:	4.05 acres site 10,500 square foot building for church and child care center
FAR:	0.059
Number of Seats for Church:	250 seats total
Parking required for Church	63 spaces
Total Parking provided for church:	101 spaces
Hours of Church:	Tuesday through Saturday (office) 9:00 am to 6:00 pm Sunday Services: 8:00 am to 1:00 pm
Number of Employees for Church	3
Hours of Child Care Center	Monday through Friday 6:45 am to 6:45 pm
Number of Children	50
Number of Employees for Child Care Center:	4
Parking Required for Child Care Center	10
Parking provided for Child care center	90 (to share with church for parking from Monday through Friday)
Vicinity of Areas to Be Served	Fairfax, Centreville, Clifton, Herndon, and Vienna of Fairfax County
Description of Building Façade:	Building is IIB construction type. The shell of the building is framed by prefabricated steel members. The exterior façade contains siding, brick, and large windows.

To our best knowledge and belief, there is no hazardous or toxic substance as set forth in Title 40 Code of Federal Regulations Parts 116.4, 302.4, 355 on site.

To our best knowledge and belief, there is no hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations on site.

To our best knowledge and belief, there is no petroleum products as defined in Title 40, code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and contents of any existing or proposed storage tanks or containers on site.

RECEIVED
 Department of Planning & Zoning

NOV 01 2010

Zoning Evaluation Division



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Waiver and Modifications:

A modification of the transitional screening and a waiver of the barrier requirement are requested along all lot lines to permit existing vegetation; in areas depicted on the Special Permit Plat, to satisfy the requirements.

Locations and character:

Existing Site Description: The subject property is located at southwest corner of Lee Highway and Cedar Spring Road. The subject property consists of two lots. Lot 5 has frontage on Lee Highway. Lot 6 is located south of Lot 5. Both lots have frontage on Cedar Spring Road. Together the two lots create a square shape. The site is characterized by a mixture of deciduous and evergreen vegetation. The property slopes gently from the north towards the south.

Surrounding properties on the south side of the property are primarily small homes on large lots. The eastern side of the property cross the Cedar Spring Road is the proposed site of New Life Christian Church. The Centreville Baptist Church and private open space is located on the northern side of Lee Highway. The Bull Run Elementary School is on the western side of the property.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Church, private open space and single-family detached residential	R-C	.1-.2 du/ac
South	Single-family detached residential	R-C	.1-.2 du/ac
East	Proposed Church site for New Life Church	R-C	.1-.2 du/ac
West	County Elementary School	R-C	.1-.2 du/ac

Comprehensive Plan Provisions

Plan Area: Area III
Planning Sector: Bull Run Planning District
 Stone Bridge Community Planning Sector (BR5)

ANALYSIS

Title of SP Plat: Harvest Chinese Christian Church
Prepared By: Canaan Homes

Proposed Use:

The applicant requests approval for a church and a child care center to be constructed. The building would provide 10,500 square feet space consisting of multi-purpose sanctuary, which can provide seating of 250 and classrooms for the childcare center of 50 children. The building would be located centrally between two lots, facing Lee Highway. One entrance to the parking lot would be provided on the Cedar Spring Road



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approximately 270 feet south of Lee Highway and Cedar Spring Road intersection. 101 parking spaces are provided for the church site.

Land Use Analysis:

The proposed use is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions. Church construction is allowed in R-C residential district under the Special Permit Uses in accordance with 8-308 and Part C, 3-C03 of Zoning Ordinance.

R-C District Regulations	Required	Provided
Lot Size	5 acres	4.05 acres (existing condition)
Lot width	200 feet	400 feet
Building Height	60 feet	50 feet
Front Yard	Controlled by a 50° angle of bulk plane, but not less than 40 feet	203 feet from property line fronting Lee Highway 133.75 feet from proper line fronting Cedar Spring Road
Side Yard	Controlled by a 45° angle of bulk plane, but not less than 20 feet	127 feet
Rear Yard	Controlled by a 45° angle of bulk plane, but not less than 25 feet	138 feet
FAR	0.10	0.059
Parking Space	250 seats: 63 parking spaces	101 spaces

Transitional Screening	Required	Provided
North (Lee Highway; residential)	T/S 1 – 25 feet in width planted with evergreen trees or a mixture of evergreen and deciduous trees	Approximate 400 feet long and 40 feet wide area of existing vegetation
East (New Life Christian Church)	None	Approximate 400 feet long and 50 feet wide area of existing vegetation
West (Bull Run Elementary School)	T/S 1	Approximate 400 feet long and 128 feet wide area of existing vegetation
South (Single Family Residential)	T/S 1	Approximate 400 feet long and 94 feet wide area of existing vegetation
Barrier		
North (Lee Highway; residential)	Barrier D, E, or F	None
East (New Life Christian Church)	None	None
West (Bull Run Elementary School)	Barrier D, E, or F	None
South (Single Family Residential)	Barrier D, E, or F	None



12407 KAHNS ROAD MANASSAS VA 20112
PHONE (703) 794-7633 FAX (703) 794-7661
WWW.CANAAN-HOMES.COM

Waiver/Modifications Requested

Waiver/Modification: A modification of the transitional screening and a waiver of the barrier requirement are requested along all lot lines to permit existing vegetation as depicted on the Special Permit Plat to satisfy the requirements.

Basis: Item 3 of Par. 3 of Sect 13-305 of Zoning Ordinance states that transitional screening and barrier requirements may be waived or modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through the combination of architectural and landscaping techniques. The applicant proposed to retain existing dense natural vegetation along the boundaries of the site. The width of existing vegetation along the boundary of site all exceeds the minimum 25 feet width of transitional screening requirement. On northern boundary where the existing driveway will be replaced, the area will be re-vegetated with evergreen trees (See drawing SP-4).



MEMORANDUM

DATE: January 13, 2010

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

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

FILE: 3-6 (SP 2009-SU-066)

SUBJECT: Transportation Impact

REFERENCE: SP 2009-SU-066; Harvest Chinese Christian Church
Traffic Zone: 1664
Land Identification May: 64-2 ((2)) 5 & 6

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plats made available to this office dated May 18, 2009, and revised through December 1, 2009. The applicant proposes to construct a 300 seat church with a child care center for 50 children at the SW corner of Route 29, Lee Highway, and Cedar Spring Road with access from Cedar Spring Road. The applicant's plat shows the third through lane on Route 29, a right turn lane, and bike lane on Route 29.

- The 3rd through lane and the right turn lane on Route 29 should be extended to the site's property line with the school and the taper should extend within existing right-of-way.
- Route 29 is an NHS Highway with a 50 mph speed limit and the right and left turn lanes will not be to current standards; therefore, a design waiver for the length of the turn lanes should be applied for from VDOT. This should be applied for now.
- If the frontage on Route 29 and Cedar Spring Road are not to be constructed by the applicant, frontage waivers will be required.
- A service drive waiver is needed for Route 29.
- The fire lane at the end of the parking lot should be narrowed into the site.

AKR/LAH/lah



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
COMMISSIONER

4675 Alliance Drive
Fairfax, VA 22030

November 23, 2010

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

Re: Harvest Chinese Christian Church
SP 2009-SU-066
Tax Map No: 064-2((02)) 005, 006

Dear Ms. Coyle:

We have reviewed the referenced SP Plat as requested and we have no objection to its approval.

If you have any questions, please call me at (703) 383-2043.

Sincerely,

Hiren C. Joshi, P.E.
Transportation Engineer

cc: Ms. Angela Rodeheaver



COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

August 13, 2009

DEPARTMENT OF TRANSPORTATION

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

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

Re: Harvest Chinese Christian Church
SP 2009-SU-066
Tax Map No: 064-2((02)) 005, 006

Dear Ms. Coyle:

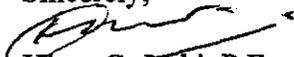
We have reviewed the referenced SP Plat as requested and offer the following comments:

1. Provide Right of Way dedication and construct the improvements on Route 29 according to Route 29 Feasibility Study (Fairfax County, May, 1992).
2. According to the Fairfax County Comprehensive plan, a third through lane eastbound along Route 29 and right turn lane to Cedar Spring Road should be provided along the site's frontage.
3. Left turn lane with required taper should be provided along Rte. 29 for the site.
4. Adequate Right of Way for 10' Trail should be provided along site's frontage.
5. A separation with a raised median between EB and WB Rte. 29 is necessary as per Fairfax County Comprehensive plan.
6. The applicant should submit an Access Management Design Exception for the proposed substandard spacing of the entrance from Rte. 29/Cedar Spring Road intersection.
7. Rte. 29 traffic volume and trip generations from the site should be noted on the plat.

8. Coordination of this site is required with Fairfax County Site Plan # 1768-SP-001-3 (New Life Christian Church).
9. Proposed entrance across Cedar Spring Road and all design details from the above mentioned site plan should be shown on this plat.
10. Interparcel connection to the adjacent school site should be checked. If such a connection is provided by the school, the applicant should complete it in order to gain an access to the Pleasant Valley Road signal.

If you have any questions, please call me at (703) 383-2043.

Sincerely,



Hiren C. Joshi, P.E.
Transportation Engineer

cc: Ms. Angela Rodeheaver

RECEIVED
DEPARTMENT OF PLANNING
AND ZONING

AUG 17 2009

SPECIAL PERMIT &
VARIANCE BRANCH



MEMORANDUM

DATE: October 6, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: **Land Use Analysis & Environmental Assessment:** SP 2009-SU-066
Harvest Chinese Christian Church

The memorandum, prepared by John Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the special permit plat dated May 18, 2009 revised through September 1, 2010. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, Harvest Chinese Christian Church, is requesting special permit approval to allow the development of a church and related facilities. The subject property contains approximately 4 acres. The property is currently developed with a single-family dwelling. The use would also include a child care facility with proposed hours of 6:45 a.m to 6:45 p.m. for up to 50 children Monday through Friday. The church would have 3 employees and the child care center would have 4 employees. Undisturbed open space is noted as 55% for the entire site area. The applicant is proposing 102 parking spaces for a sanctuary with 300 seats. An FAR of 0.10 is permitted for such uses under the Zoning Ordinance standards. The applicant is proposing an FAR of 0.10.

LOCATION AND CHARACTER OF THE AREA

The property is located on the south side of Lee Highway (Route 29), approximately two miles west of I-66. Properties located immediately north, south, east and west of the subject property are zoned R-C and developed with single-family dwellings with the exception of the property to the west, which is developed with a Fairfax County Elementary School.

COMPREHENSIVE PLAN CITATIONS:

Land Use

Fairfax County Comprehensive Plan, 2007 Edition, Area III, Bull Run Planning District as amended through March 9, 2010, BR5 Stone Bridge Community Planning Sector, page 72:

- “1. The land on the southwest perimeter of the County, adjacent to Loudoun County and Prince William County, lying generally along Bull Run and the public parkland associated with Bull Run has remained for the most part open and undeveloped and has a rural character. It is planned for residential development at .1-.2 dwelling unit per acre and public parkland. This is in conformance with the findings of the Occoquan Basin Study. The present very low density development which characterizes this area should remain intact to protect its natural wildlife and water quality.

2. Non-residential uses requiring special exception or special permit approval should be rigorously reviewed. In general, these uses should be located at the boundary of Low Density Residential Areas and Suburban Neighborhoods or where their impact on existing residences is minimal. These uses should be granted only if the following conditions are met:
 - Access for the use is oriented to an arterial;
 - The use is of a size and scale that will not adversely impact the character of the area in which it is located; and
 - The use is designed to mitigate impacts on the water quality of the Occoquan Reservoir.”

Environment

Fairfax County Comprehensive Plan, 2007 Edition, Area III, Overview, as amended through January 26, 2009, page 16:

“Protection of the Occoquan Basin and the Public Water Supply

The Occoquan Reservoir is an 8.5 billion gallon impoundment that forms the southern boundary of Fairfax County It is owned by the Fairfax County Water Authority and is a principal source of the drinking water supply for 1.2 million Northern Virginians. In 1982, in recognition of the impacts of nonpoint source pollution on the Occoquan Reservoir, the Board of Supervisors implemented the recommendations of the Occoquan Basin Study in order to protect the public water supply. A water quality goal of no further increase in nonpoint source pollution from the Fairfax County portion of the Occoquan Watershed was adopted. To meet this goal and to ensure compatible infill development in the watershed area, 40,000 acres of land south and southwest of

Fairfax City and west of Cub Run were planned and zoned to allow residential densities not to exceed an average of one dwelling unit per five acres. . . .”

Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through July 27, 2010, page 7 through 18:

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

- Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .
- Policy j. Regulate land use activities to protect surface and groundwater resources.
- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques.

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations. . . .

Programs to improve water quality in the Potomac River/Estuary, and Chesapeake Bay will continue to have significant impacts on planning and development in Fairfax County. There is abundant evidence that water quality and the marine environment in the Bay are deteriorating, and that this deterioration is the result of land use activities throughout the watershed. In order to protect the Chesapeake Bay and other waters of Virginia from degradation resulting from runoff pollution, the Commonwealth has enacted regulations requiring localities within Tidewater Virginia (including Fairfax County) to designate “Chesapeake Bay Preservation Areas”. Within which land uses are either restricted or water quality measures must be provided. Fairfax County has adopted a Chesapeake Bay Preservation Ordinance pursuant to these regulations. . . .

Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

- Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

COMPREHENSIVE PLAN MAP: Residential use at .1 to .2 dwelling unit per acre (10 to 5-acre lots)

LAND USE ANALYSIS

The applicant is proposing to develop a new church with a child care center on the subject property within an area predominantly planned for very low residential use (10 to 5 acre lots) and zoned Residential Conservation (R-C) District. The proposed use at this location may have some impacts on the surrounding properties due to the relatively low number of parking spaces provided. In order to ensure that the proposed use does not result in undesirable impacts to the surrounding properties it may be necessary to secure additional parking for the use as proposed or reduce the proposed seating within the sanctuary in order to ensure that parking is adequate.

Compatibility

The intensity of the proposed use is not anticipated to result in significant impacts on adjacent residential parcels. However, staff remains concerned that the proposed parking may not fully meet the needs of the proposed use as previously noted. Noise and visual impacts of the proposed parking lot and building mass appear to be adequately mitigated through internal siting of the development and limiting building height. In addition, provisions for screening, buffers, and barriers meet or exceed what is typically required for institutional uses in the R-C District. While the church and childcare uses have parking provided, there is additional space within the proposed structure for which no specific use(s) have been designated. Staff is concerned that any use of this space might result in parking issues for the proposed church and related uses. Bollard-style parking lot lighting is proposed for the parking area and all other lighting will meet current Zoning Ordinance standards. It appears that the proposed location for stormwater management facilities could reduce required screening in this area. The applicants should correct this area of concern.

Open Space

The applicant has identified the amount of undisturbed open space on the special permit plat as 55% undisturbed open space at the completion of the proposed development. However, this area seems to include area along the Lee Highway frontage of the property which includes a connection to the proposed trail for pedestrian access. It has always been the intent that any undisturbed open space be contiguous. The establishment of a pedestrian connection at this point would create an undesirable break from the larger undisturbed open space area on the property. The plat also shows another break in the area from the corner of the property at Lee Highway and Cedar Spring Road. Staff feels that combining the two breaks into a single break

for utilities and pedestrian access to the site at this corner location is more desirable. Eliminating the perpendicular pedestrian access to the Lee Highway trail and restoring this area is recommended. In an effort to address the purpose and intent of the R-C District and water quality goals associated with development within the Occoquan Reservoir and in keeping with the existing and planned very low density residential character of the area, staff has consistently recommended that at least 50% of a site be retained in undisturbed open space when considering Special Permit and Special Exception uses.

The one remaining concern is that should some element of the proposed development be changed during final site plan design it could result in a reduction in the undisturbed open space to less than the 50% which is currently proposed. Any modification to the right-of-way dedication, turning lanes, trails, stormwater management facilities, and limits of clearing and grading could result in a reduction of the undisturbed open space. If the 50% undisturbed open space is achieved, staff would conclude that the proposed development is in harmony with the land use recommendations of the Comprehensive Plan.

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

Water Quality/Occoquan Watershed

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

In 1982, the Board of Supervisors rezoned roughly 40,000 acres of land within the Occoquan Watershed including the subject property to the R-C (Residential Conservation) District. This district allows no more than one dwelling unit per five acres of land. The rezoning action was taken, pursuant to the recommendations of the Occoquan Basin Study, in recognition of the potential impacts of nonpoint source pollution on the Occoquan Reservoir and the relationship between land use and nonpoint source pollution. The intent of the rezoning was to establish a low land use density as the primary water quality protection mechanism within a large portion of the watershed. In other portions of the watershed, structural water quality protection techniques (best management practices, or BMPs) would be needed in order to meet water quality objectives.

The Occoquan rezonings survived a legal challenge in Circuit Court in 1985. In upholding the actions of the Board the judge concluded: "The Defendant's evidence . . . shows that large lot zoning is considered to be a method of controlling non-point pollution along with the use of structural methods. The Board's position, and one borne out by the evidence, is that there were

two paths which could have been followed, and the Board chose the alternative of large lot zoning in conjunction with structural BMP's on more densely developed areas. When confronted with more than one reasonable alternative, the legislature may choose among them."

Despite the fact that the above-mentioned rezoning established lesser intense land use and lower density in the Occoquan Watershed, the Zoning Ordinance does provide for special permit and special exception uses that involve more land coverage than would a residential community of five acre lots. With respect to the subject property, the Comprehensive Plan recommends that such uses "be rigorously reviewed" and states that these uses should be approved only if certain conditions are met. Included as a condition is: "the use is designed to mitigate impacts on the water quality of the Occoquan Reservoir." Because the aforementioned rezoning was pursued to protect water quality through low density/intensity development, it would be appropriate for special permit and special exception uses proposed in the R-C District to be able to achieve water quality goals through the preservation of undisturbed open space as opposed to structural techniques. This generally can be accomplished through the preservation of at least 50% of the area of the subject property as perpetually undisturbed open space.

The applicant seeks to develop the subject property with a place of worship and related facilities. While the current special permit plat depicts the ultimate development of the proposed uses with 55% undisturbed open space, the slightest modification to any of several elements of the proposed development could result in less than 50% undisturbed open space on this site.

Staff has consistently recommended that at least 50% of a site be retained in undisturbed open space when considering special exception and special permit uses in the R-C District. Stormwater management ponds, outfall, sidewalks and cleared easements may not be included as part this undisturbed open space. While staff feels that the applicant has made a substantial effort to achieve this goal there are still some reservations regarding the ability of the applicant to clearly provide 50% undisturbed open space at the development build-out. In order to ensure a greater level of certainty that the applicant will ultimately meet this, staff recommends a development condition which will require, if necessary, the applicant to either submit a special permit amendment request or modify the site design in a manner which will achieve 50% undisturbed open space at the development build-out. However, it appears that 50% contiguous undisturbed open space can be delineated for the proposed development with relatively minor modifications to the current plans.

PGN: JRB



MEMORANDUM

DATE: September 15, 2010

TO: Shelby Johnson, 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 Permit Application #SP 2009-SU-066, Harvest Chinese Christian Church, Special Permit Plat dated August 31, 2010, LDS Project #1182-001-5, Tax Map #64-2-02-0005 & -0006, Sully 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 within the Water Supply Protection Overlay District (PFM 6-0401.2A). A conservation easement has been located on the plat to provide the controls. A dry pond has also been proposed.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

A dry pond has been proposed to provide stormwater detention for this project; it has been located on the plat. The majority of the runoff from the building and the parking lot should be able to flow to the pond; the post-development drainage will not shift (ZO 8-011.2.J(1)(b)). The access easement to the pond must be 20 feet wide (ZO 8-011.2.J(1)(d), PFM 6-1606.2G). While the location of the pond's outlet pipe is shown, any inlet pipe and the preliminary layout of the rest of the on-site drainage system are not shown (ZO 8-011.2.J(1)(c)). As shown, the channel improvements necessary for the emergency spillway would likely impact the conservation easement. The time of concentration on this property is less than 0.17 hours (PFM Plate 4-6).



Shelby Johnson, Staff Coordinator
Special Permit Application #SP 2009-SU-066, Harvest Chinese Christian Church
September 15, 2010
Page 2 of 2

Site Outfall

The adequate outfall narrative provides a description of the outfall to about 75 times the site area. The Zoning Ordinance requires the outfall description to 100 times the site area for Special Permit applications (ZO 8-011.2.J(1)(c)).

Stormwater Planning

The Cub Run Watershed Plan identifies a project to restore the stream banks downstream from this project. The project, #CU9202, is primarily on private property.

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

BF/

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



MEMORANDUM

December 8, 2010

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

FROM: Phyllis Wilson, Urban Forester III
Forest Conservation Branch, DPWES

SUBJECT: Harvest Chinese Christian Church, SP 2009-SU-066

A review of the proposed plan for the subject Special Permit and site, dated as received by the Department of Planning and Zoning on November 1, 2010, has been completed and the following recommendation is submitted.

Issue: Although approximately 90 feet of undisturbed forested land is proposed between the church entrance drive and the adjoining residential property, this forested area is sparse and contains mostly deciduous trees and undergrowth. Headlights from vehicles entering the church property would sweep almost the entirety of the residential property through the thin vegetation, especially in winter.

Recommendation: A development condition should be added to read similar to the following:

“Prior to issuance of a Non-Residential Use Permit, the Fairfax County Urban Forester shall require field location of new evergreen tree plantings within areas where the church property adjoins residential property such that viable year-round vegetative screening is achieved for the residential property, to the satisfaction of the Urban Forester.”

PAW/
UFMID #: 146805

cc: RA File
DPZ File



DEPARTMENT OF TRANSPORTATION
LOCATION AND DESIGN
DESIGN WAIVER REQUEST

OCT 4 2010

SPECIAL PERMIT &
VARIANCE BRANCH

(See IIM-LD-227 for the definition of Design Waiver)

To: Mr. Steve Bates, PE Date: 06/14/2010
Acting District Location and Design Engineer
From: Ajay K Sharma, PE
Project Designer

State Project Number: N/A Federal Project Number: N/A

County/City: Fairfax District: Sully Funding Source: Private

Project Description
Special Permit for Proposed 300 Seat Harvest Chinese
Christian Church w/ a Child Day Care
6612 Cedar Spring Road, Centreville, VA 20120

Project Limits
From the Intersection of Rt-29/Rt-609 to 425' north of
the intersection of RT-29/ Cedar Spring Rd.

29 300

Functional Classification: Urban Minor Arterial

Min. VDOT Standard: 200' Lane + 200' Taper Min. AASHTO Standard: 485' turn lane + 180' Taper

A Design Waiver is requested for the following:

<u> </u> Clear Zone	<u> </u> Minimum Radius	<u> X </u> Right Turn Lane + Taper Lane
<u> </u> Paved Shoulders Width	<u> </u> Pedestrian Accessibility Compliance(See IIM-LD-55)	<u> </u> Superelevation
<u> </u> Curb and Gutter	<u> </u> Ditch Width	<u> </u> Other <u> </u>

Design Waiver request must address the following:

- Established design criteria versus proposed and existing criteria (including traffic data, design speed and posted speed
- Reason the appropriate design criteria cannot be met:
- Justification for the proposed criteria:
- Any background information which documents, supports or justifies the request :
- Any mitigation that will be provided to further support or justify the request: ENCLOSED
- Safety implications of the request:
- Cost to meet standard versus project cost:

Attach all supporting documentation to this exhibit including crash history (past three years):

TABLE OF CONTENTS

1. **Design Criteria**
2. **Project Background**
3. **Reasons Criteria cannot be met**
4. **Justifications of the proposed criteria**
5. **Accident History for past 3 years**
6. **Mitigation**
7. **Safety Implications**
8. **Cost Considerations**

1. **Design Criteria:**

Current ADT: 17,000 (2008)
Design Speed: 55 mph

Design ADT: 26808 (2031)
Posted Speed: 50

Recommended Turn Lane Length per AASHTO: 485 Feet
Recommended Taper Length per AASHTO: 180 Feet

Minimum Required Turn Lane Length per VDOT: 200 Feet
Minimum Required Taper Lane Length per VDOT: 200 Feet

Provided Right Turn Lane Length: 442 Feet
Provided Right Turn Taper Length: 180 Feet

2. **Project Background:**

Harvest Chinese Christian Church is proposing to build a 300 seat church with a 60 children capacity Child Day Care Center @ 6612 Cedar Spring Road, Centreville, VA 20121. The site is located at the intersection of Rt-29 (Lee Highway) and Cedar Spring Road. The intersection constitutes a T-intersection on Rt-29.

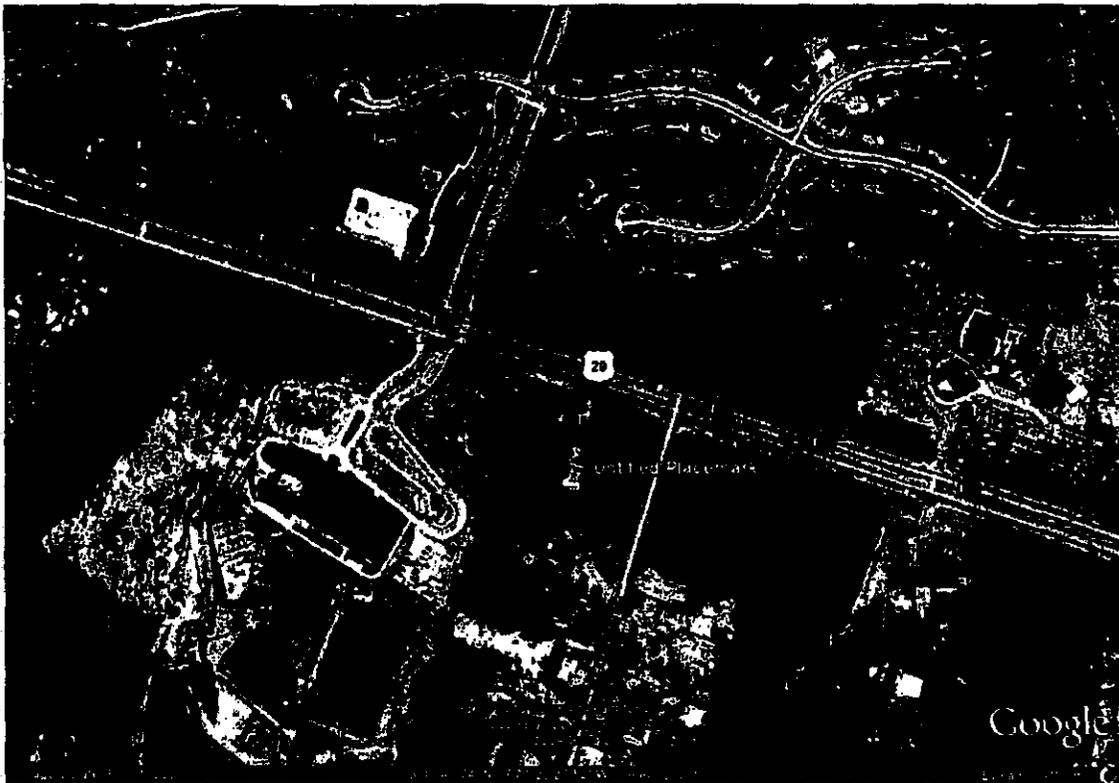
This section of Rte 29 where the project is located is a **4-lane divided** highway with 2 lanes dedicated for each of the north bound traffic and the south bound traffic. Just approximately 650' south of the proposed entrance (Cedar Spring Rd) lies a signalized intersection of Rt-29/Rt-609 (Pleasant Valley Dr) while approximately 775' north of Cedar Spring Lane lies another median opening aligning with the entrance of existing Centreville Baptist Church serving primarily north bound traffic to and from the existing church. The site has an existing entrance having a direct access from Rt-29. This entrance will be closed as a part of the development and new entrance is being proposed on site's frontage along Cedar Spring Road to provide a safer and efficient traffic movement along Rt-29.

Currently, Rt-29 has a gravel shoulder along north-bound lane in the vicinity of the site while the south bound lane in the vicinity is more or less provided with curb and gutter. An approximately 1' wide shoulder also exists along the median edges of the leftmost lanes on both the north-bound and the south-bound lanes. There are no sidewalks built on this section of road. See Exhibit A (Photographs of Rt-29 along the frontage of the site).

The traffic on Rt-29 during peak hours consists mostly of daily commuter traffic travelling in either direction. Based on the traffic data provided by VDOT, it appears that this section of Rt-29 experiences an AADT of 17,000 VPD (See Exhibit B). Cedar Spring Road is a dead end cul-de-sac street serving mostly residential lots. The total number of residential lots being served by this street has been approximated to be 26.

The site is zoned R-C and the proposed development is by Special Permit. This design waiver is for the right turn taper lane for the in-bound traffic accessing the site through Cedar Spring Lane from north-bound Route 29.

Figure 1:



3. Reason Criteria cannot be met:

- 3.1. The development is restricted by existing intersection of Rt-29/Rt-609 and an existing entrance of Bull Run Elementary School along northbound Rt-29. The site cannot accommodate a full 485' of right turn lane + 180' of taper lane as it will interfere with the existing school entrance as well as with the signalized intersection Rt-29/Rt-609.

4. Justifications of the Proposed Criteria

- 4.1 Physical constraints due to existing school entrance and existing intersection of Rt-29/Rt-609 will prohibit providing full 485' of turn lane + 180' of taper.
- 4.2 A warrant analysis (Section 4.5 of this application) for the required right turn lane states that only a taper is required. Providing a right turn lane of 442 feet will adequately address any concerns of deceleration length required for the travelling vehicles.
- 4.3 Providing a full right turn lane with a full taper will extend this lane into the Physical Area of the intersection of Rt-29/Rt-609 which will negatively affect the traffic maneuvering at the intersection. Any benefit obtained by extending the right turn lane will be outweighed by the hazardous condition created inside the intersection.
- 4.4 The patrons visiting the site will mostly be regular members of the church and will know its location well in advance (unlike a shopping center where anyone is expected to visit and abrupt change in driving pattern is likely) and therefore can be expected to adjust vehicle maneuvering well in advance.
- 4.5 The site has provided all it can afford to meet the design standard. Additional means and methods required to meet an extra 43 feet (less than 10% of total turn lane provided) will be beyond all practical means.
- 4.6 Existing right turn lanes on Rt-29 (410'+100' for Centreville Baptist Church; 420' + 100' for Pleasant Valley Dr., 465'+20' for White Post Road) in the vicinity of the site have right turn lanes and tapers which compares with the proposed right turn lane. This fact combined with the traffic accident data (only 1 accident for right turn vehicle in last 3 years) suggests that the proposed design will adequately serve the right turning vehicles to Cedar Spring Road.
- 4.7 The proposed design greatly improves existing condition at the intersection which currently serves 26 lots for right turning vehicles with no existing taper or turn lane.
- 4.8 Warrant Analysis for Required Right Turn and Taper Lane:

Two scenarios have been considered for the right turn warrant analysis. Scenario 1 considers the right turn traffic during weekdays for the proposed Child Care Center combined with peak traffic for existing residential uses along Cedar Spring Road while Scenario 2 considers peak traffic condition from church services on weekend combined with peak traffic condition from existing residential uses along Cedar Spring Road.

Project: Harvest Chinese Christian Church (Fairfax County)
Primary/Secondary Road: Lee Highway (US Rt-29)/Cedar Spring Road
Type of Road: Urban other Principal Arterial
No of Lanes: 4 Lanes divided highway with grass median
Operating Speed: 55 MPH (Posted= 50 MPH) Design Speed: 55

Annual Average Weekdays Daily Traffic (AAWDT): 19,000

(Source: VDOT Estimate for Year 2008 (See exhibit B))

Estimated Project Build out Date: 2011

Design Traffic Year = 2031

Design Traffic Volume generated by Project (Church): 195 VPH (See exhibit C)

Design Traffic Volume generated by Project (Day Care): 49 VPH (See exhibit C)

4.7.1 Scenario 1: Right Turn Warrant Analysis for Weekdays Peak Hour Traffic

Worst case scenario will be generated for the PM peak hour traffic condition when incoming traffic for Child Care Center + incoming traffic for residential uses along Cedar Spring Road will create maximum no. of traffic utilizing right turn lane.

Incoming PM Peak hour Traffic due to Child Care Center = 23 VPH (See Exhibit C)

Incoming PM Peak hour Traffic due to residential uses = $26 * 10/10$
= 26 VPH

Total Incoming Peak Hour Traffic = $23 + 26$
= 49 VPH

Splitting the incoming traffic using right turn lanes and left turn lanes in a ratio of 30:70,

Total Incoming Peak Hour Traffic using right turn lane = $49 * .3$
= 15 VPH

Build out Year: 2011

Design Traffic Year: 2031

Current AAWDT on RTE 29: 19,000 (VDOT 2008)

Growth Rate (GR): 2%

No. of Years (n): 23 (from current traffic data year)

Estimated AAWDT at Build-Out Date: 29962 (Present ADT $[1 + (GR)]^n$)

Design Peak Daily traffic = $29962 * 0.50$ (Dividing in half for each direction)
= 14981 VPD

Design Peak Hourly Volume (PHV) = $0.11 * 14981$
= 1648 PHV

Using the monograph (Fig. 3.24) per VDOT Road Design Manual, Only taper is required.

4.7.2 Scenario 2: Right Turn Warrant Analysis for Weekends Peak Hour Traffic

Incoming Peak hour Traffic due to HCCC = 101 VPH (See Exhibit C)

Incoming Peak hour Traffic due to residential uses = $26 * 10/10$
= 26 VPH

Total Incoming Peak Hour Traffic = $101 + 26$

$$= 127 \text{ VPH}$$

Splitting the incoming traffic using right turn lanes and left turn lanes in a ratio of 30:70,

$$\begin{aligned} \text{Total Incoming Peak Hour Traffic using right turn lane} &= 127 \times .3 \\ &= 39 \text{ VPH} \end{aligned}$$

$$\begin{aligned} \text{Build out Year:} & 2011 \\ \text{Current AADT on RTE 29:} & 17000 \text{ (VDOT 2008)} \\ \text{Current AAWDT on RTE 29:} & 19000 \text{ (VDOT 2008)} \\ \text{Current AADT (Weekend) on RTE 29:} & 12000 \\ \text{Growth Rate (GR):} & 2\% \\ \text{No. of Years (n) - AAWDT Date to Build out Date:} & 2 \\ \text{Estimate AAWDT at Build-Out Date:} & 18922 \text{ (Present ADT } [1 + (\text{GR})]^n) \\ \text{Design Peak Daily Traffic} &= 18922 \times 0.5 \\ &= 9461 \text{ VPD} \\ \text{Design Peak Hourly Volume (PHV)} &= 0.11 \times 9461 \\ &= 1040 \text{ PHV} \end{aligned}$$

Using the monograph (Fig. 3.24) per VDOT Road Design Manual, only a taper is required.

5. Accident History for Past 3 Years:

Between the years of 2006-2009 there were a total of 16 accidents within 1800' stretch of Rt-28 extending 900' each side from the intersection of Rt-29 and Cedar Spring Rd. There accidents reported stood as 5, 5, 4, and 2 for the years 2006, 2007, 2008 & 2009 respectively. The reported accidents involved a total of 11 injuries with no fatalities. None of the accidents were due to road deficiencies.

10 of 16 accidents were due to driver inattention and the rest 6 were cited under miscellaneous category. Collision types were varied. 11 of the accidents were rear ended, 3 were in angle position, and 1 was in sideswipe position while the rest 1 was with a fixed object off the road. None of the accidents were head on. Of a total of 34 vehicles involved in the crash, 30 were passenger car type vehicles (Car, Vans, Pick-up truck, SUVs), with 1 tractor trailer and 3 motorcycles.

13 of the 16 accident occurred during day time, 1 was reported at dawn and rest two accidents were reported in the darkness (lighted). One accident involved a bicycle, and 2 accidents involved emergency vehicle. 15 accidents occurred during dry weather condition while 1 accident was reported in the wet weather. Finally of the 34 vehicles involved in accident during the 3 year period, 16 were going straight, 7 were stopped in the traffic light, 5 were slowing or stopping, 4 were making left turn, 1 was making right turn and 1 ran off the road to the left. This data was taken from VDOT statistics per VDOT accident report, See Exhibit D.

6. Mitigation

- 6.1 The site will have a monument sign at the north-east corner for the proposed church facilitating the patrons to see it ahead of time, providing sufficient time and distance to adjust maneuvering/driving accordingly before reaching the site entrance.
- 6.2 The development proposes a future thorough lane and a 5' future bike lane on Rt-29 along the frontage of the property. The right turn lane will be separated from the thorough lanes by 17' wide striped space.
- 6.3 Not extending the right turn lane into the physical area of Rt-29/Rt609 intersection itself can be considered a Mitigation measure for the hazard it will pose, had it been extended into the physical area of the intersection.

7. Safety Implications

- 7.1 With the stretch of Rt-29 being straight in the subject area and accident data suggesting very low accident rate involving vehicles making right turn (1 of 34 vehicles involved) within 900' stretch on either side of the entrance, Our professional opinion suggests that an entrance with a reduced turn lane and taper will not deteriorate traffic safety for the incoming traffic.
- 7.2 Existing right turn lanes and tapers on Rt-29 in the vicinity of the site have very similar lane configurations as proposed with this design and they all appear to be operating smoothly without any signs of distress for the intended traffic operation.
- 7.3 Providing a full right turn and full a full taper will actually make the traffic condition at the intersection of Rt-29/Rt-620 hazardous due to right turn lane extending inside the physical area of the intersection. Furthermore, a "right only" right turn lane (if extended into the intersection) will create difficulties for left turning vehicles from Pleasant Valley Drive who will unintentionally find themselves in this lane while maneuvering larger radius for the left turn.

8. Cost Considerations:

The cost analysis for this project was prepared using Fairfax County Unit Price List. A summary of this information is listed below.

Project Cost:

Total Construction cost estimate: \$1,300,000

Additional cost to meet standard: \$ 240,000** See table below

COST TO MEET STANDARD:	
CONSTRUCTIONS COST ESTIMATE: (remove CG-6/CG-7, remove ex. Pavement, relocate existing entrance by 45', New pavement & CG-7)	\$150,000.00
Maintenance of Traffic	\$10,000.00
R-O-W acquisition	\$20,000.00
Fees(Design, Attorney, County)	\$50,000.00
Other Soft Cost:	\$10,000.00
TOTAL COST TO MEET STANDARD:	\$240,000.00

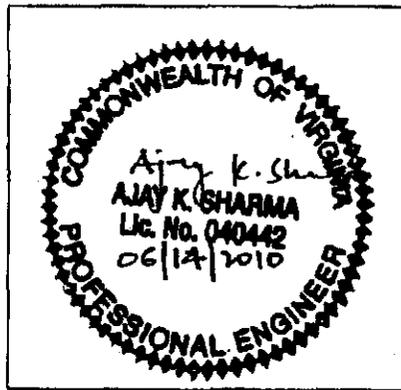
**** Cost includes estimates for items above and beyond those required for providing the right turn and taper as shown on the Special permit Plan.**

LD-448

LD-448

Submitted By:
Ajay K Sharma, P.E
Dominion Engineers, INC.
8565-C Sudley Road, Manassas, VA 20110
Phone: 703-291-1700
Email: asharma@dominionengineers.com

Seal:



Approved By: *Stacy L Bates* 8/30/10

Acting District Location and Design Engineer.

Remarks: TRAFFIC ENGINEERING SUPPORTS
THE PROPOSED DESIGN.

CC: Appropriate Assistant State Location and Design Engineer
Project Manager, QMAC Section Manager

8-006 General Standards

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

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

8-303 Standards for all Group 3 Uses

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

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

8-308 Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship with a Child Care Center, Nursery School or Private School

Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education may be approved as a special permit use in accordance with the provisions of this Part or as a special exception use in accordance with the provisions of Part 3 of Article 9. The choice of whether to file an application for a special permit or special exception shall be at the applicant's discretion. In either event, such use shall be subject to the additional standards set forth in Sections 9-309 and 9-310.

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

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

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

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

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

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