



# County of Fairfax, Virginia

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

January 25, 2012

Gregory A. Riegler  
McGuire Woods LLP  
1750 Tysons Blvd., Ste. 1800  
Tysons Corner, VA 22102

RE: Special Exception Amendment Application SEA 00-D-006-04  
(Concurrent with Proffered Condition Amendment Application PCA 2004-DR-023-03)

Dear Mr. Riegler:

At a regular meeting of the Board of Supervisors held on January 24, 2012, the Board approved Special Exception Amendment Application SEA 00-D-006-04 in the name of Trinity Group LLC. The subject property is located at 850 Balls Hill Road on approximately 5.43 acres of land zoned R-1 in the Dranesville District [Tax Map 21-3 ((1)) 56A pt.]. The Board's action amends Special Exception Application SE 00-D-006 previously approved for a private school of general education with accessory uses including a containment structure to permit a place of worship in addition to the existing private school of general education with total enrollment of 300 students, a reduction in land area and associated modifications to site design and development conditions pursuant to Section 3-104 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions; conditions carried forward unchanged from previous approvals are marked with an asterisk (\*):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. A copy of this Special Exception Amendment and the Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

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4. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director of the Department of Public Works and Environmental Services (DPWES). The use of the site shall be in substantial conformance with the approved Special Exception Plat entitled "Trinity Group LLC.", prepared by VIKA, dated April 28, 2011 and as revised through October 18, 2011, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

#### **CAPACITY**

5. The maximum daily enrollment of the School shall be limited to 300 students.
6. The maximum number of seats in the main area of worship for the Church shall be limited to 800 if a parking reduction or other similar shared parking agreement is approved by the Board of Supervisors. Should the parking reduction or other similar shared parking agreement be denied by the Board of Supervisors, the maximum number of seats shall be limited to 400.

#### **HOURS OF OPERATION**

7. Normal hours of operation for the School shall be limited to 7:00 a.m. until 5:00 p.m., Monday through Friday. Class hours shall be limited to approximately 7:50 a.m. until 3:00 p.m., Monday through Friday. Evening hours of operation for parent-teacher conferences and similar activities shall be limited to until 11:00 p.m. Monday through Friday. Normal extracurricular activities and other school-only activities shall end by 6:00 p.m., daily. Other school activities, such as fundraising events, school plays, musicals and concerts, shall end by 11:00pm, Sunday through Thursday and by 12:00am on Friday and Saturday.

#### **SUMMER ACTIVITIES**

8. Any on-site summer camp and summer school activities shall be subject to the following restrictions:
  - a) No more than one session of summer camp and summer school activities may take place on-site per day.
  - b) The total maximum daily enrollment in summer camp and summer school activities shall not exceed 300 participants.
  - c) Summer camp and summer school activities may begin one week after the official end of the school year for the School and must terminate no later than two weeks before the official start of the school year for the School.
  - d) The hours of operation of the summer camp and summer school activities shall be limited to 8:00 a.m. until 5:00 p.m., Monday through Friday.

- e) In order to address possible noise issues, outside activities shall be limited to no more than 50 people at any one time and shall only be permitted between the hours of 8:00 a.m. and 4:00 p.m.
- f) The starting and ending times of summer camp and summer school activities shall be coordinated by the School to the maximum extent possible in order to stagger the arrival and departure time of traffic.

#### **NOTIFICATION/OUTREACH**

- 9. The applicant shall assign a staff member to act as a communications representative for the Church and School. The name, phone number, and other appropriate contact information of this representative shall be provided to a neighborhood liaison, if identified, and the Dranesville District Supervisor's office. The applicant shall update this contact information annually or as necessary.
- 10. Prior to August 1 of each year, the communications representative shall contact the Dranesville District Supervisor's office and a neighborhood liaison if designated by the Dranesville District Supervisor to offer to establish a meeting schedule for the school year. The purpose of the meetings shall be for neighborhood residents to discuss and address neighborhood concerns with the operation of the School and/or Church. If a meeting schedule is established, a copy of the schedule shall be sent to the Dranesville District Supervisor's office.

#### **LEASING**

- 11. Site facilities may be leased to community organizations not affiliated with or sponsored by the School or Church subject to the following restrictions:
  - The leasing of facilities shall not be permitted during normal School hours of operation (7:00 a.m. to 6:00 p.m., Monday through Friday) or worship services.
  - The facility may be leased a maximum of eight times per month; however, no more than four of these events per month shall have more than 50 people in attendance at any one time and the remaining four events shall have no more than 400 people in attendance at any one time. Notwithstanding the maximum number of events per month, the facility may be leased up to ten times per year for events where maximum attendance shall be no more than 800 people at any one time.
  - Special events associated with the leasing activity described above shall terminate by 11:00 p.m.

## **CARPOOLING**

12. All loading and unloading of students shall occur on site. Cars which are waiting to load or unload students may not back up offsite on to Balls Hill Road, Holyrood Drive, or Country Meadow Court. The School shall establish a carpool coordinator to encourage carpooling, busing or vanpooling. Information detailing the arrival/dismissal procedures for the school, including a circulation map of the site, shall be distributed to the parents/guardians of students at the beginning of each school year to ensure that all loading and unloading of students occurs on site and that traffic does not back up onto Balls Hill Road.
13. At such time as enrollment reaches 250 students for the School, during the times of day when loading and unloading of students is occurring, a staff member of the School shall be present to ensure that the arrival/dismissal procedures are followed. As an alternative to using a separate staff member, the traffic marshal, as described in Development Condition 14c, may perform the duties of this staff member in addition to those listed in Development Condition 14c.

## **TRANSPORTATION**

14. A traffic marshal shall be provided on site by the applicant to direct and control traffic at the site's primary entrance at the intersection of Balls Hill Road and Country Meadow Court during the following time periods:
  - a) At such time as the daily enrollment for summer camp and/or summer school activities exceeds 100 students, for two 30-minute periods per day, defined as the one-half hour before the beginning of summer camp and summer school activities and one-half hour after the end of summer camp and summer school activities. The purpose of the traffic marshal is to ensure that motorists using Balls Hill Road, Holyrood Drive, Country Meadow Court and all surrounding streets can easily access and navigate the road without being impeded by the loading and unloading of students.
  - b) For special events which have more than 100 people in attendance, for two 30-minute periods, defined as the one-half hour before the scheduled start of the event and the one-half hour after the scheduled end of the event. The purpose of the traffic marshal is to ensure that motorists using Balls Hill Road, Holyrood Drive, Country Meadow Court and all surrounding streets can easily access and navigate the road without being impeded by the arrival and departure of special event attendees.
  - c) At such time as enrollment reaches 250 students for the School, for two 30-minute periods per school day, defined as the one-half hour before the beginning of classes and the one-half hour after the end of classes, Monday through Friday, on school days during the regular school year and anytime attendance on the site is expected to equal or exceed that which occurs

during the regular school day as a result of students, staff, and visitors. The purpose of the traffic marshal is to ensure that motorists using Balls Hill Road, Holyrood Drive, Country Meadow Court and all surrounding streets can easily access and navigate the road without being impeded by the loading and unloading of students.

15. The applicant shall ensure that faculty, staff, students, parents, employees, church members, visitors, community organizations and facility users of any kind shall not park on surrounding residential streets. The applicant shall also ensure that nearby residential streets shall not be used to access Georgetown Pike upon leaving the site. Notice stating this condition shall be placed in a School newsletter, in the Church's weekly bulletin, or other similar publications. The notice shall state that if the conditions associated with this Special Exception are violated, the ability of the Church and School to use the site could be jeopardized.
16. At least one hour prior to worship services, signs shall be posted on the property as well as at the entrances to Holyrood Drive and Country Meadow Court which state that parking by worship service attendees on local residential streets and using these streets to access Georgetown Pike through the neighborhood are prohibited per the conditions of this Special Exception. These signs shall be removed within one hour after the last scheduled service. Renderings of signs to be posted at the entrance to Holyrood Drive and Country Meadow Court shall be submitted for review and approved by the Dranesville District Supervisor or his/her designee within 90 days of the issuance of a Non-Residential Use Permit.
17. A minimum of 45 minutes shall be provided between the completion of one worship service and the commencement of the next worship service.

## **PARKING**

18. All vehicle parking shall be provided on site. However, the applicant may utilize appropriate off-site parking facilities, as determined by the Director of the Department of Public Works and Environmental Services (DPWES,) from which participants shall be transported by shuttle bus. Shuttle bus traffic shall not use local residential streets, which include, but are not limited to, Holyrood Drive, Benjamin Street and Lawton Street, to reach off-site parking locations. Information detailing the location of off-site parking areas and shuttle bus details shall be included in all advertisements and notices for on-site activities. The applicant shall provide adequate traffic controls for overflow parking.
19. The applicant shall take all reasonable actions to prevent on-site parking by commuters or other parking not related directly to the operation of the School or Church.

20. Parking spaces shall not be used for any purpose which interferes with their parking use by School faculty, staff, students and employees, or Church members, visitors and employees. Any buses or vans which park on site overnight shall park on the side of the building adjacent to the I-495 noise wall. Only buses serving the School or Church shall be parked on the property.
21. A parking marshal shall be provided beginning 45 minutes prior to each worship service to ensure that worship service attendees adhere to Development Conditions 14-21. The parking marshal's duties shall be to: 1) monitor whether parking is occurring on the adjacent local residential streets and encourage worship service attendees to relocate their vehicle to an on-site parking space; and, 2) remind worship service attendees to not use the adjacent local residential streets in travelling to and from the site as outlined in Development Condition 15.

## LANDSCAPING

22. Transitional screening requirements along Balls Hill Road shall be modified to permit the existing landscaping to satisfy the screening requirement with the following conditions:
  - A. Evergreen trees shall be provided in front of all of the parking spaces between the main parking lot and the stormwater management pond to provide continuous year-round full screening of the parked vehicles and headlight glare, subject to UFM approval.
  - The parking lot located north of the existing building shall be screened with evergreen trees or shrubs to the extent feasible given the narrow width of the planting strip between the parking spaces and the road, subject to UFM approval.
  - All diseased and/or dying plant material shall be replaced as necessary to maintain a continuous year-round screen, particularly between the parking areas and the residential neighborhood, as approved by UFM. The grass shall be mowed on a weekly basis unless conditions warrant otherwise, such as drought or nongrowing seasons.

## LIGHTING

23. Any new outdoor lighting shall be in conformance with the Performance Standards for Outdoor Lighting contained in Part 9 of Article 14 of the Zoning Ordinance. The maximum height of the light standards and fixtures shall not exceed twelve (12) feet. Except for emergency safety lights, parking lot lighting shall be extinguished no later than 10:00 p.m. daily with the exception of special events subject to Development Conditions 7 and 11 above. Except for emergency safety lights, all interior lights shall be extinguished no later than

11:00 p.m. daily with the exception of special events subject to Development Conditions 7 and 11 above.

#### **NOISE**

24. \*Except for emergencies, the use of outdoor loudspeakers shall be prohibited. There shall be no exterior bells or buzzers. The lawns shall not be mowed on weekends.

#### **TRASH REMOVAL**

25. \*The trash dumpster shall be fully screened from view by a masonry wall which has been designed to be compatible with the building materials, as determined by DPWES. Trash removal shall not occur before 7:00 a.m. On the days of trash pick-up, the subject site shall be patrolled by employees to pick up any trash on-site and to ensure that the doors to the dumpster enclosure are fully closed and in good working condition.

#### **STORMWATER MANAGEMENT**

26. \*Stormwater management, including BMPs, shall be provided for as determined by DPWES.

#### **MODULAR CLASSROOMS**

27. The two existing modular classrooms shall be permitted on the subject site as shown on the Special Exception Amendment Plat until August 2, 2015. In addition, a row of shrubs shall be maintained in front of the proposed modular classrooms and wood deck sitting area to provide additional screening from Balls Hill Road. Within 90 days of the removal of the modular classrooms, the applicant shall scarify any asphalt existing or other hard surface material and convert the former footprint of the modular classrooms to landscaped open space which may be used as overflow parking during special events.

#### **OUTDOOR STORAGE**

28. \*The storage shed shall be no taller than 8 ½ feet.

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced

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and been diligently prosecuted as evidenced by the issuance of a Non-Residential Use Permit for either the private school of general education or the place of worship. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**The Board also:**

- Reaffirmed the previous approval to permit the modular classrooms to remain located 30 feet from Interstate 495 as shown on the Generalized Development Plan/Special Exception Amendment (GDP/SEA) Plat, until their removal no later than August 2, 2015.
- Reaffirmed the previous approval of a modification of the transitional screening requirement along the eastern and southern property lines to the existing landscaping as depicted on the GDP/SEA Plat.
- Reaffirmed the previous approval of a waiver of the barrier requirement along the eastern and southern property lines.

Sincerely,



Catherine A. Chianese  
Clerk to the Board of Supervisors

Cc: Chairman Sharon Bulova  
Supervisor John Foust, Dranesville District  
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration  
Regina Coyle, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
District Planning Commissioner  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation