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. Riegle
McGuire Woods LLP
1750 Tysons Blvd., Ste. 1800
Tysons Corner, VA 22102

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

Dear Mr. Riegle:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on January 24, 2012, approving Proffered Condition Amendment Application PCA 2004-DR-023-03 in the name of Trinity Group LLC. The Board's action amends the proffers for Rezoning Application RZ 2004-DR-023, previously approved for private school of general education to permit modification of approved proffers associated with an overall Floor Area Ratio (FAR) of 0.11. The subject property is located in the N.W. quadrant of the intersection of Georgetown Pike and Balls Hill Road on approximately 5.46 acres of land, zoned R-1, Tax Map 21-3 ((1)) 56A], in the Dranesville District and is subject to the proffers dated January 19, 2012.

Sincerely,

Catherine A. Chianese

Catherine Chianese
Clerk to the Board of Supervisors

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
http://www.fairfaxcounty.gov/bosclerk

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 24th day of January, 2012, the following ordinance was adopted.

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT APPLICATION PCA 2004-DR-023-03
(Concurrent with Special Exception Amendment Application SEA 00-D-006-04)

WHEREAS, the Board of Supervisors, filed in the proper form an application to amend the proffers for RZ 2004-DR-023 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Dranesville District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 24th day of January, 2012.

Catherine A. Chianese

Catherine A. Chianese
Clerk to the Board of Supervisors

PROFFERS
PCA 2004-DR-023-03
August 26, 2011
Revised October 5, 2011
Revised October 18, 2011
Revised October 25, 2011
Revised December 5, 2011
Revised December 8, 2011
Revised January 19, 2012

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned for themselves, their successors, and assigns in PCA 2004-DR-023-03, proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 21-3 ((1)) 56A (hereinafter referred to as the "Property") shall be in accordance with the following conditions (the "Proffered Conditions"), if and only if, said PCA request is granted. In the event said PCA request is denied, these Proffered Conditions shall be null and void. The Owner and Applicant, for themselves, their successors and assigns hereby agree that these Proffered Conditions shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. These Proffered Conditions supersede those adopted in conjunction with the approval PCA 2004-DR-023-02. The Proffered Conditions are:

1. Development of the Application Property shall be in substantial conformance with the SEA Plat/GDP, which was prepared by VIKA dated March 11, 2011 as revised through October 18, 2011, entitled "Trinity Group LLC" and containing two sheets.

2 The Applicant shall maintain materials on the modular buildings with the following characteristics to achieve a maximum interior noise level of 45 of BA Ldn:

   a. Exterior walls shall have a laboratory STC rating of at least 39.

   b. Doors and windows shall have a laboratory STC rating of at least 28. If windows constitute more than 20% of any façade, they should have the same laboratory STC as walls.

3. To ensure the general adequacy of on-site parking and to further ensure that parking impacts are confined to the subject property, parking marshal(s) shall measure and record parking lot usage in a manner approved by FCDOT. Records of this monitoring shall be made available upon request to the Dranesville District Supervisor's office and a neighborhood representative, if one is identified. Once parking lot usage exceeds 95% of the total spaces on site for any individual service for four consecutive weeks, commencing from the issuance of a Non-Rup for the church, then within 30 days, the Applicant shall have in place a traffic marshal to direct and control traffic on Balls Hill Road at either of the site's entrances, to be determined by the traffic marshal, for a 30 minute period before and after church

Oakcrest School
a District of Columbia corporation
Title Owner of 21-3((1))56A

By: Ellen M. Cavanagh (seal)
Name: Ellen M. Cavanagh
Title: Head of Oakcrest School

TRINITY GROUP LLC.

DRANESVILLE DISTRICT
FAIRFAX COUNTY, VA

SPECIAL EXCEPTION/PROFFERED CONDITIONS AMENDMENT PLAT

PCA 2004-DR-023-03
SEA 00-D-006-04
OCTOBER 18, 2011

APPLICANT / PERMIT HOLDER

TRINITY GROUP LLC.
1001 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. MCLEAN, VIRGINIA 20004
CONTACT: GLENN A. YOUNGKIN,
DEREK G. RUST
(202) 420-8683

OWNER

OAKCREST SCHOOL
850 BALLS HILL RD.
MCLEAN, VIRGINIA, 22101
CONTACT: ELLEN M. CAVANAGH
(703) 790-5450 x.116

ATTORNEY

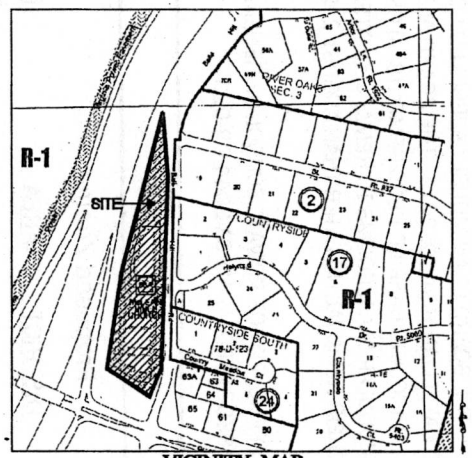
MCGUIRE WOODS LLP
1750 TYSONS BLVD.
SUITE 1800
MCLEAN, VIRGINIA, 22102
CONTACT: LORI R. GREENLIEF & GREG RIEGLE
(703) 712-5433

ENGINEER/LANDSCAPE ARCHITECT

VIKA INC.
8180 GREENSBORO DRIVE, SUITE 200
MCLEAN, VIRGINIA 22102
CONTACT: BRYNE RILEY, ASLA & JOHN AMATETTI, PE.
(703) 442-7800

TRANSPORTATION PLANNER

M.J. WELLS & ASSOCIATES, INC.
1420 SPRING HILL RD.
SUITE 600
MCLEAN, VIRGINIA 22102
CONTACT: JAMI L. MILANOVICH.
(703) 917-6620



VICINITY MAP
SCALE 1"=300'

TM NO. 21 - 3 ((1)) 56A

SHEET INDEX

1. COVER SHEET
2. SPECIAL EXCEPTION PLAT/CERTIFIED ZONING PLAT & EXISTING CONDITIONS PLAN

SOURCE NOTES:

1. THE SUBJECT PROPERTY SHOWN HEREON IS IDENTIFIED ON FAIRFAX COUNTY TAX MAP AS TMS 21-3-((1))-[illegible]A AND IS ZONED R-1.
2. THE SUBJECT PROPERTY IS OWNED BY OAKCREST SCHOOL (D.B. [illegible] PG. [illegible]) APPLICANT IS TRINITY GROUP LLC.
3. THE PURPOSE OF THIS SPECIAL EXCEPTION AMENDMENT PLAT IS TO INCORPORATE A PLACE OF WORSHIP USE TOGETHER WITH THE EXISTING/APPROVED PRIVATE SCHOOL OF GENERAL EDUCATION USE
4. THE HORIZONTAL DATUM SHOWN HEREON IS TRUE NORTH AS SHOWN ON A CALDWELL, SIKES, AND ASSOCIATES AS-BUILT PLAN DATED FEB. [illegible], [illegible].
5. THE BOUNDARY INFORMATION SHOWN HEREON IS FROM A [illegible] VIKA INC. FIELD SURVEY.
6. THE TOPOGRAPHIC INFORMATION SHOWN HEREON WAS OBTAINED FROM A CALDWELL, SIKES, AND ASSOCIATES AS-BUILT PLAN DATED FEB. [illegible], [illegible]. THE CONTOUR INTERVAL IS TWO (2) FEET.
7. THIS SITE CURRENTLY CONTAINS THREE EXISTING BUILDINGS, A COMBINED CHAPEL ([illegible]) AND SCHOOL ([illegible]), AND TWO MODULAR TRAILERS/CLASSROOMS ([illegible]), WITH IMPROVEMENTS.
8. PUBLIC WATER AND SANITARY SEWER ARE AVAILABLE AND SHOWN HEREON.
10. THE ENTIRETY OF THE SUBJECT PROPERTY IS LOCATED WITHIN AN RMA ZONE. NO FLOODPLAIN, R.P.A., OR ENVIRONMENTAL QUALITY CORRIDOR CURRENTLY EXISTS ON THIS PROPERTY.
11. THERE IS AN EXISTING SIDEWALK ALONG THE SUBJECT PROPERTY'S FRONTAGE WITH BALLS HILL ROAD AND AN EXISTING TRAIL ALONG THE SOUTH SIDE OF BALLS HILL ROAD.
12. THERE ARE NO KNOWN UTILITY EASEMENTS HAVING A WIDTH OF 25' OR MORE ON THE SUBJECT PROPERTY.
13. TO THE BEST OF OUR KNOWLEDGE, NO GRAVE SITES OR STRUCTURES MARKING A BURIAL SITE ARE PRESENT ON THE SUBJECT PROPERTY.
14. TO THE BEST OF OUR KNOWLEDGE, NO HAZARDOUS OR TOXIC SUBSTANCES ARE KNOWN TO EXIST ON THE SUBJECT PROPERTY.