



APPLICATION ACCEPTED: December 20, 2011  
BOARD OF ZONING APPEALS: March 14, 2012  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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March 7, 2012

## STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2011-PR-108

### PROVIDENCE DISTRICT

**APPLICANT:** The Vine United Methodist Church and Board of Trustees of the Arlington District of the Virginia Annual Conference of the United Methodist Church

**STREET ADDRESS:** 2501 Gallows Road, Dunn Loring, 22027

**TAX MAP REFERENCE:** 39-4 ((1)) 31

**LOT SIZE:** 4.24 acres

**FAR:** 0.05

**ZONING DISTRICT:** R-3

**ZONING ORDINANCE PROVISIONS:** 8-308

**SPECIAL PERMIT PROPOSAL:** To permit an existing church to add a nursery school

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2011-PR-108 subject to 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 applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

O:\dhedri\Special Permits\3-14) SP 2011-PR-108 Vine Methodist\SP 2011-PR-108 Vine staff report.doc

Deborah Hedrick

Excellence \* Innovation \* Stewardship  
Integrity \* Teamwork \* Public Service

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



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. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

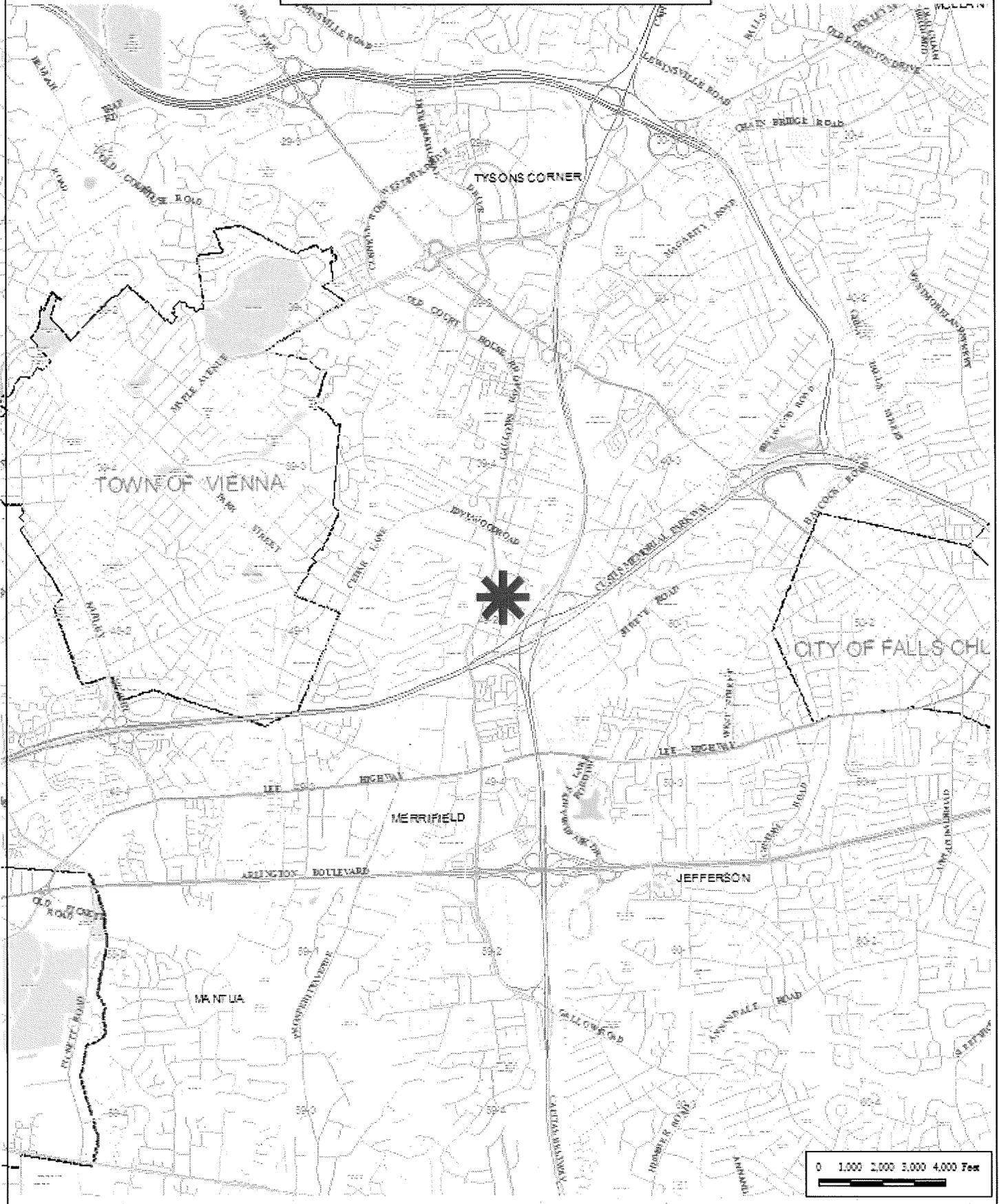
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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.**

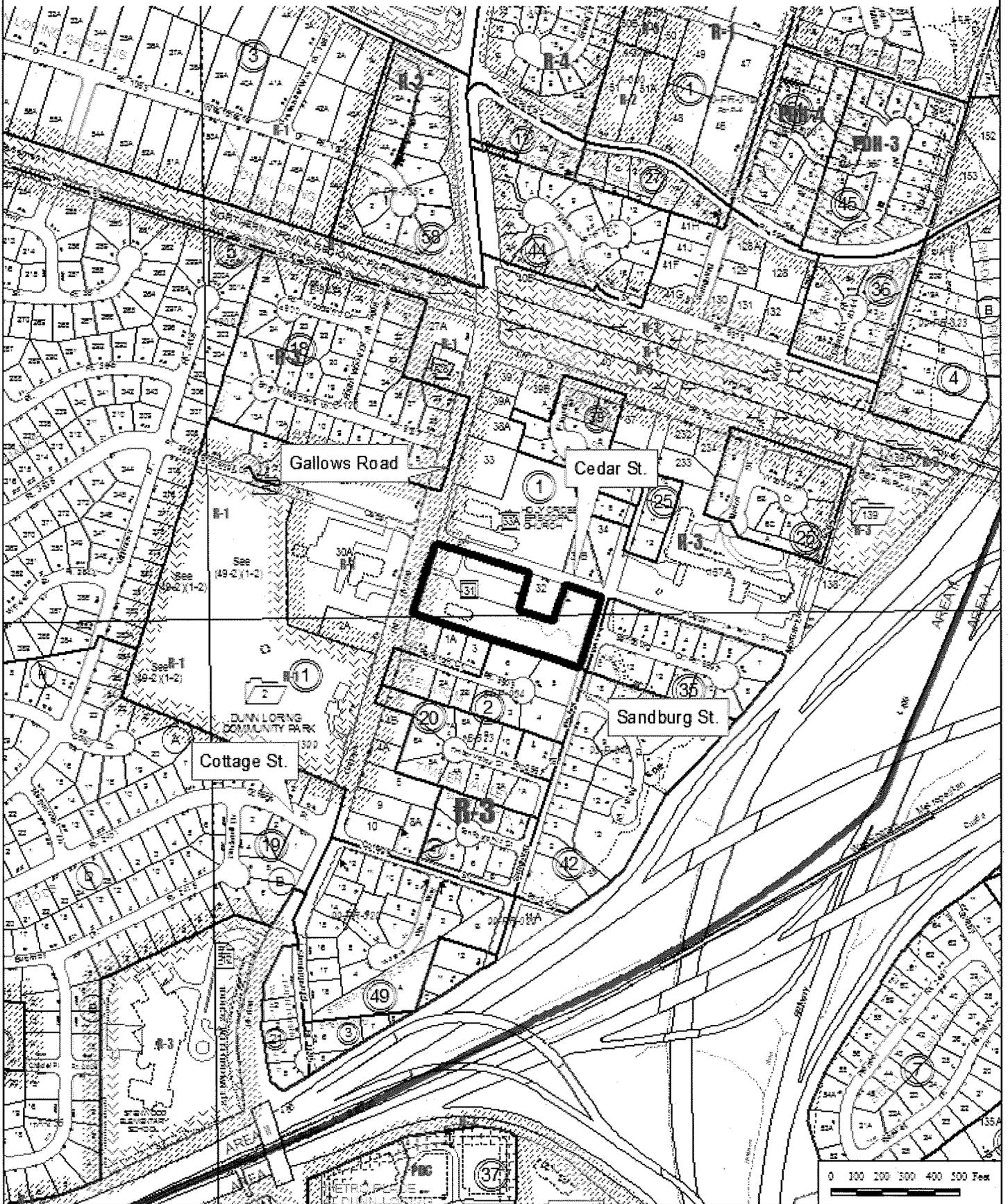


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**Special Permit**  
**SP 2011-PR-108**  
**THE VINE UNITED METHODIST CHURCH**



**Special Permit**  
**SP 2011-PR-108**  
**THE VINE UNITED METHODIST CHURCH**



333 North Fulford Street  
Alexandria, Virginia 22314  
Tel. 703 884-6994  
Fax. 703 648-0976

Contract

DATE OF EXISTING STRUCTURE = 1966

ZONE = R3

FAK (TOTAL GAR [2042 SQ. FT.] / TOTAL LOT AREA [4.24 ACRES]) = 0.05 (MAX ALLOWED 0.25)

BUILDING HEIGHT = 35'-2"

PARKING SPACE TABULATION:

REQUIRED SPACES FOR CHURCH @ 1 PER 4 SEATS (260) 65

PROVIDED 65

REQUIRED SPACES FOR NURSERY SCHOOL @ 19 x 60 12

PROVIDED 12

TOTAL SPACES 77

77

HANDICAPPED SPACES (INCLUDED IN PARKING TOTALS ABOVE):

REQUIRED HANDICAPPED SPACES - CHURCH 3

PROVIDED 3

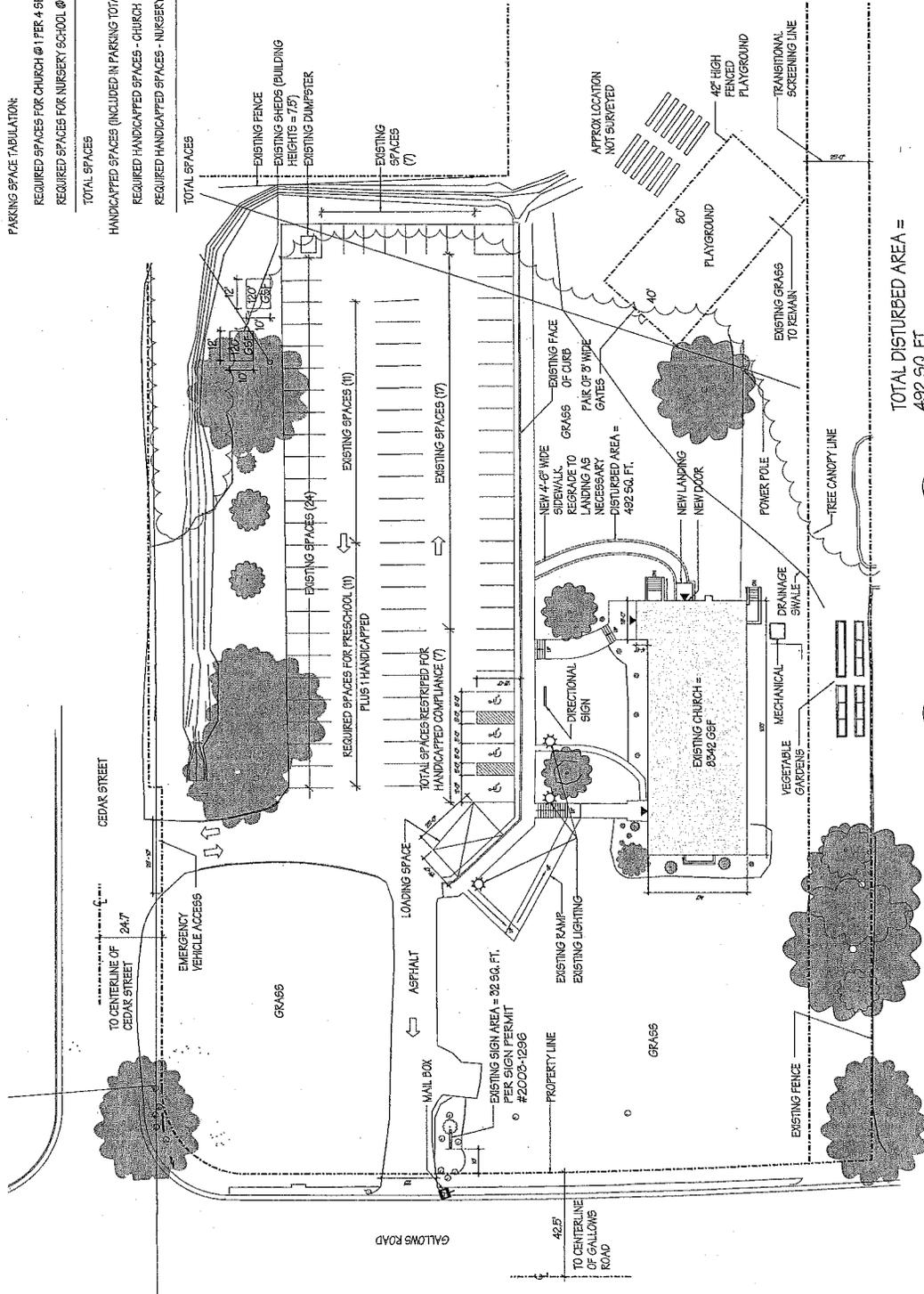
REQUIRED HANDICAPPED SPACES - NURSERY SCHOOL 1

PROVIDED 1

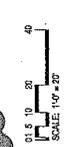
TOTAL SPACES 4

4

THE VINE CHURCH



TOTAL DISTURBED AREA = 492 SQ. FT.  
TOTAL PLAY AREA = 3200 SQFT



EXISTING SIGN AREA = 22 SQ. FT. PER SIGN PERMIT #2003-1296

MAIL BOX

LOADING SPACE

ASPHALT

GRASS

EXISTING RAMP

EXISTING LIGHTING

PROPERTY LINE

GRASS

EXISTING FENCE

VEGETABLE GARDENS

MECHANICAL DRAINAGE SWALE

POWER POLE

EXISTING GRASS TO REMAIN

TRANSITIONAL SCREENING LINE

42\"/>

TO CENTERLINE OF GALLOWNS ROAD

425'

EXISTING SPACES (7)

APPROX LOCATION NOT SURVEYED

42\"/>

PLAYGROUND

80'

EXISTING FACE OF CURB

GRASS REGRADE TO LANDING AS NECESSARY

PAIR OF 3\"/>

NEW 4\"/>

NEW LANDING NEW DOOR

482 SQ. FT.

DISTURBED AREA =

40'

NEW 4\"/>

GRASS OF CURB

EXISTING SPACES (24)

EXISTING SPACES (1)

EXISTING SPACES (1)

PLUS HANDICAPPED

REQUIRED SPACES FOR PRESCHOOL (1)

EXISTING SPACES (7)

2801 Galloway Rd  
Dumfries, VA

DATE



Map No.

Special Permit Plat

Revision

No.

Special Permit Comments

Date

28 NOV 2011

Project No.

11005

Date

03/29/2011

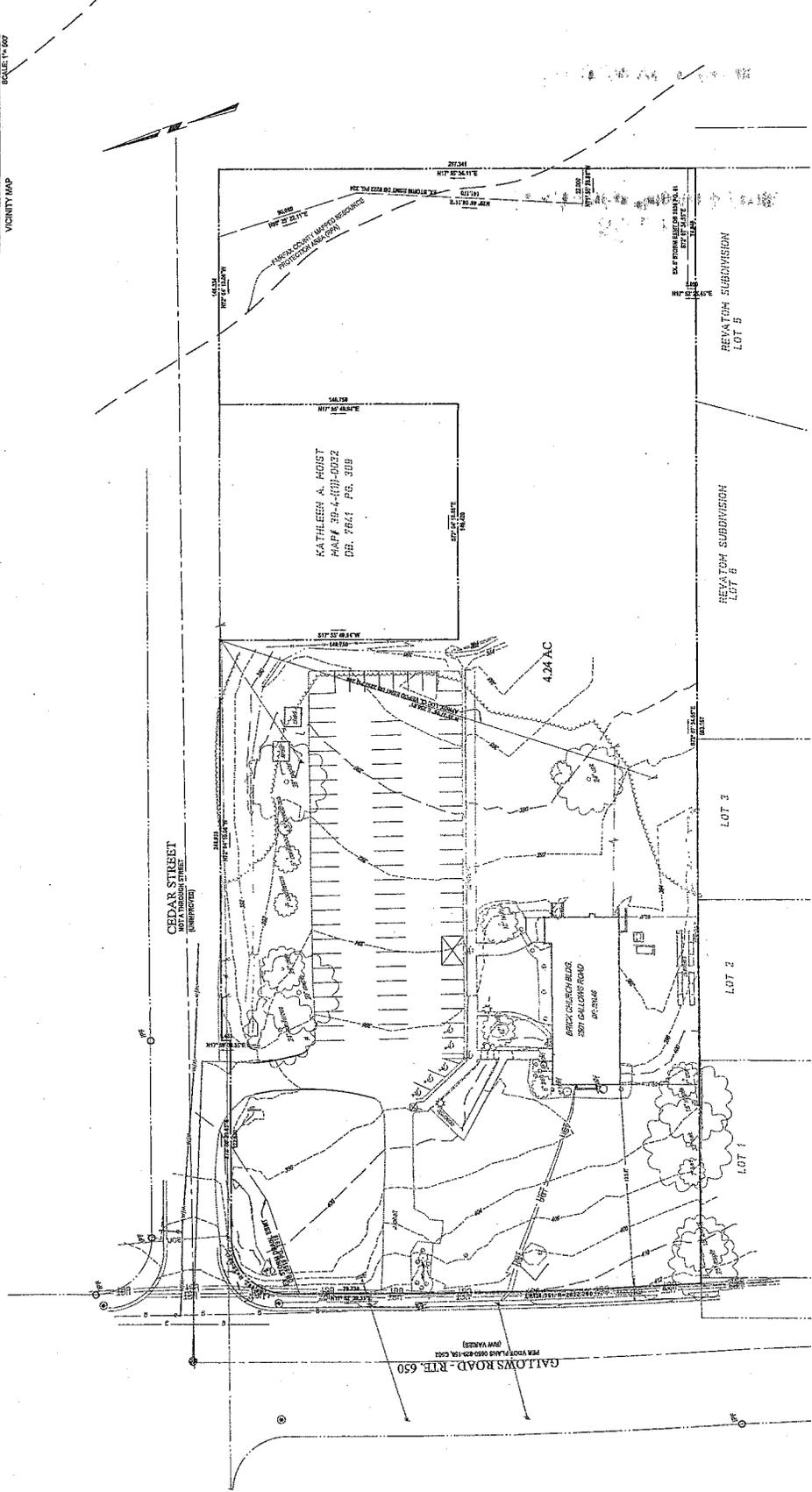
Project No.

11005

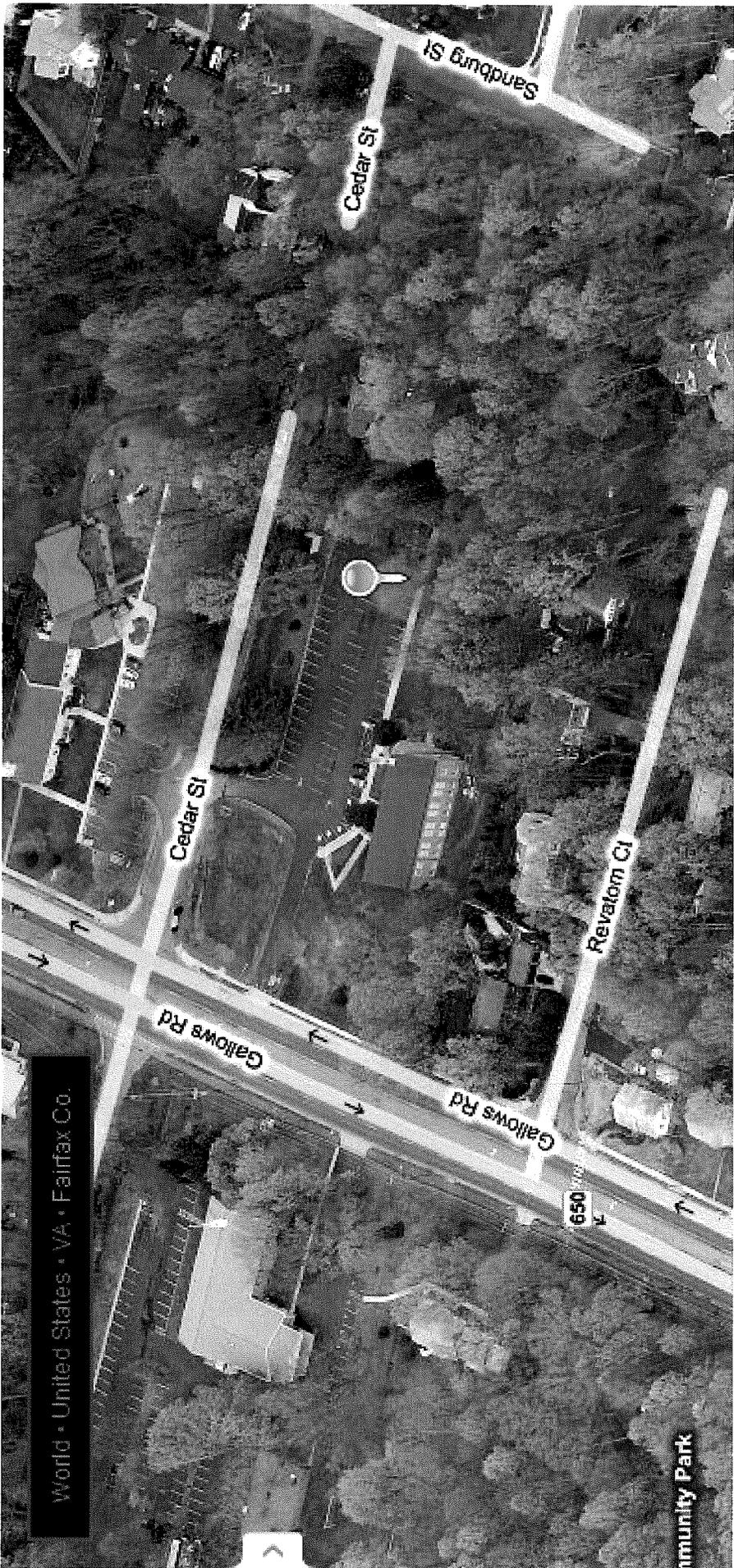
Sheet No.

SPP0.01

C O L E & D E N N Y



NOTES:  
1- THE PROPERTY IS LOCATED AT 2001 GALLOWAY ROAD, DUNN LORING, VA 22027, FARMING COUNTY TAX MAP 54-4(10)-14  
2- ALL UTILITIES SHOWN ARE BASED ON RECORD PLANS AND FIELD SURVEY. ALL UTILITIES ARE SHOWN AT AN INTERVAL OF 8 FEET.  
3- PUBLIC WATER AND SEWER CURRENTLY SERVES THE PROPERTY.  
4- THERE ARE NO KNOWN GRAVE SITES OR BURIAL MARKERS ON THE PROPERTY.



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Community Park

Photography Submittal for Special Permit Application

## The Vine Church

2501 Gallows Road, Dunn Loring, VA

### Addendum



View of Properties across the street on Gallows Road.  
Picture taken from the property line at the  
corner of Cedar and Gallows Rd.

RECEIVED  
Department of Planning & Zoning

DEC 15 2011

Zoning Evaluation Division

Photography Submittal for Special Permit Application

## The Vine Church

2501 Gallows Road, Dunn Loring, VA

### Addendum of Surrounding Properties



View of Episcopal Church property directly across Cedar Street.  
Picture taken from the property line at the  
corner of Gallows Road and Cedar Street.

RECEIVED  
Department of Planning & Zoning

DEC 15 2011

Zoning Evaluation Division

Photography Submittal for Special Permit Application

## The Vine Church

2501 Gallows Road, Dunn Loring, VA

### Addendum



View of neighbor's home at the end of Cedar Street  
taken from the back of the church's parking lot.

RECEIVED  
Department of Planning & Zoning

DEC 15 2011

Zoning Evaluation Division

Photography Submission for Special Permit Application

## The Vine Church

2501 Gallows Road, Dunn Loring, VA

### Addendum



View of neighbor's home at the end of Cedar Street  
taken from the outdoor sanctuary.

RECEIVED  
Department of Planning & Zoning

DEC 15 2011

Zoning Evaluation Division

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2501 Gallows Road, Dunn Loring, VA

### Addendum



View of surrounding neighbors along the South property line.

RECEIVED  
Department of Planning & Zoning  
DEC 15 2011  
Zoning Evaluation Division

Photography Submittal for Special Permit Application

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2501 Gallows Road, Dunn Loring, VA

### Addendum



Another view of surrounding neighbors along  
the South property line.

RECEIVED  
Department of Planning & Zoning

DEC 15 2011

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### Addendum



View of Church of God property directly across the street on Gallows Road. Picture taken from the property line at the Gallows Road entrance.

RECEIVED  
Department of Planning & Zoning

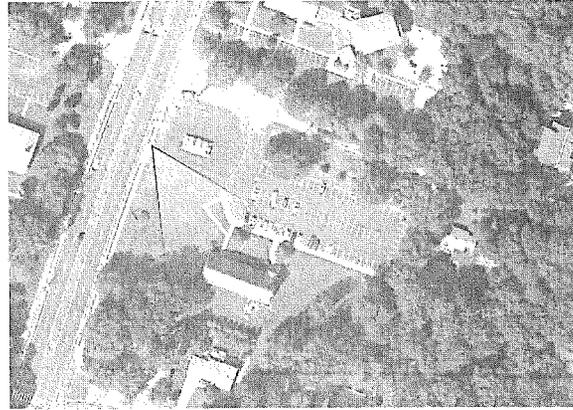
DEC 15 2011

Zoning Evaluation Division

Photography Submittal for Special Permit Application

# The Vine Church

2501 Gallows Road, Dunn Loring, VA



Location Key

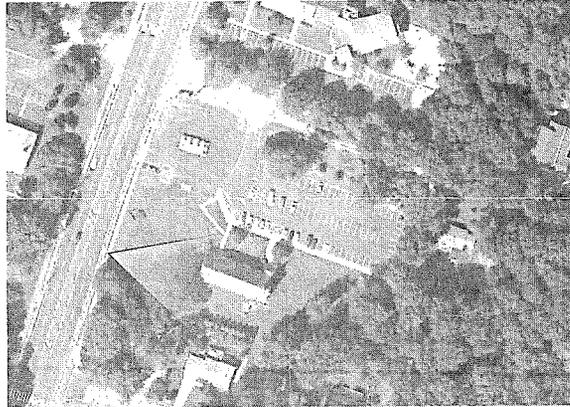


View of Church from Gallows Rd Entrance looking South East

Photography Submittal for Special Permit Application

# The Vine Church

2501 Gallows Road, Dunn Loring, VA



Location Key



View of Church from Gallows Rd looking East

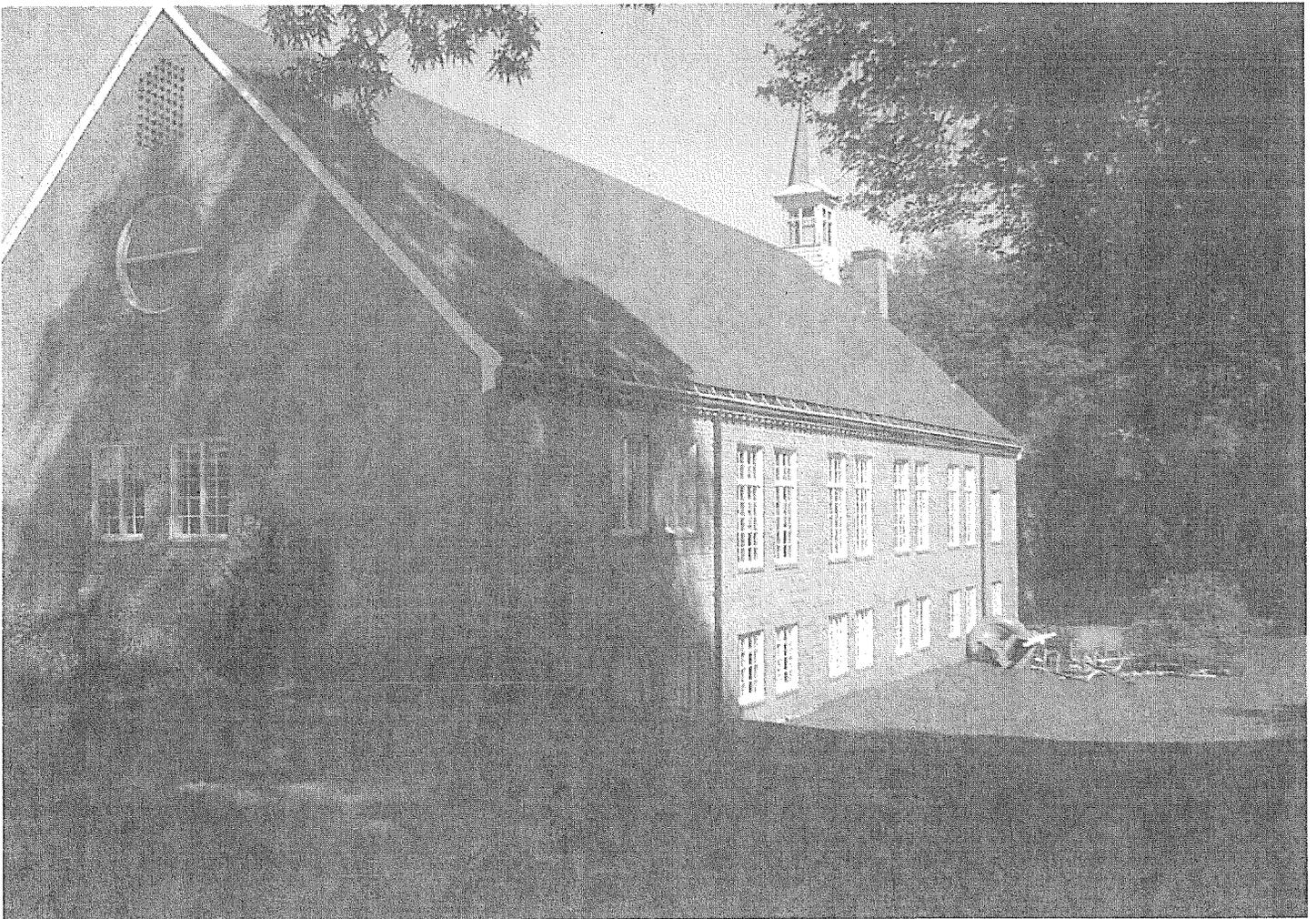
Photography Submittal for Special Permit Application

## The Vine Church

2501 Gallows Road, Dunn Loring, VA



Location Key



View of Church from Gallows Rd looking East

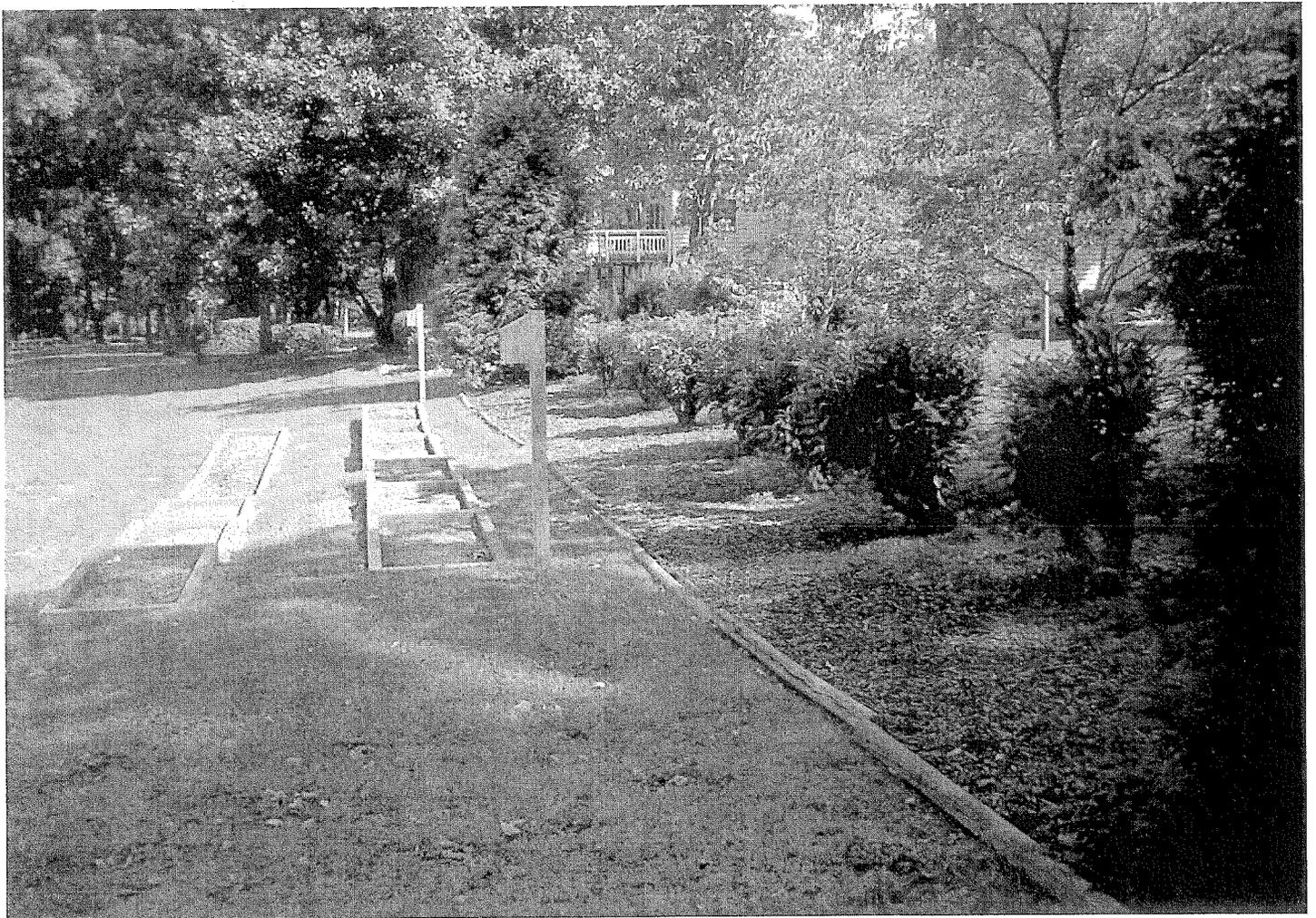
Photography Submittal for Special Permit Application

**The Vine Church**

2501 Gallows Road, Dunn Loring, VA



Location Key

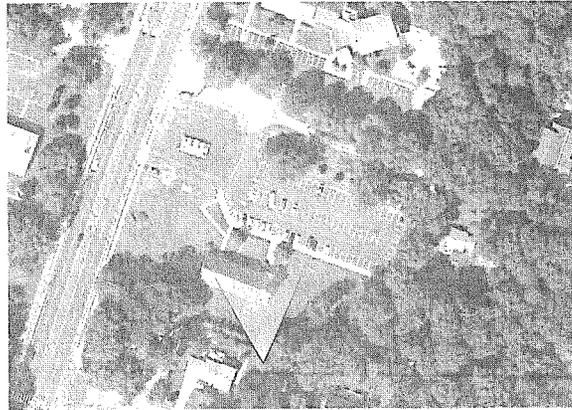


View of South Property Line looking East

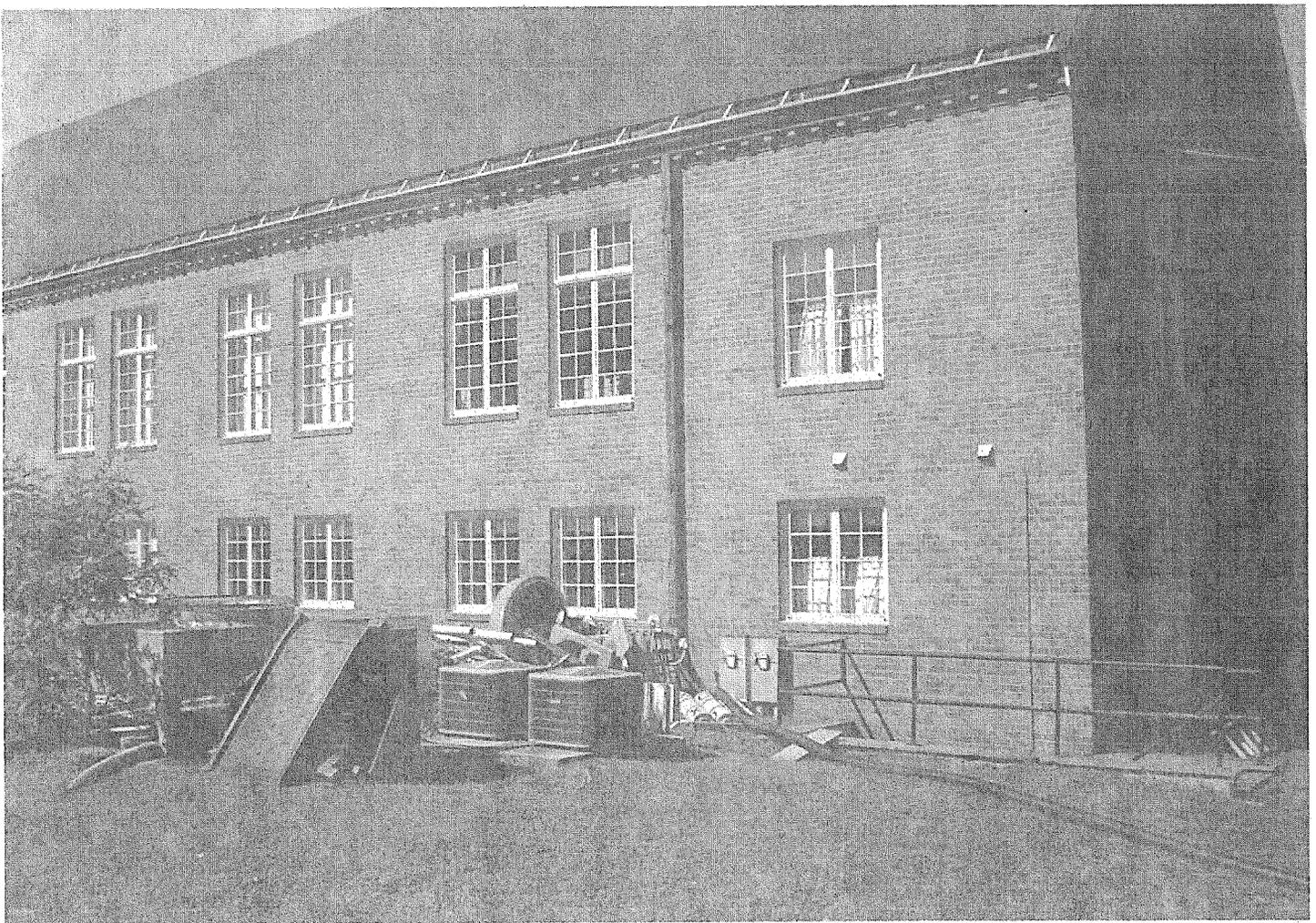
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Location Key

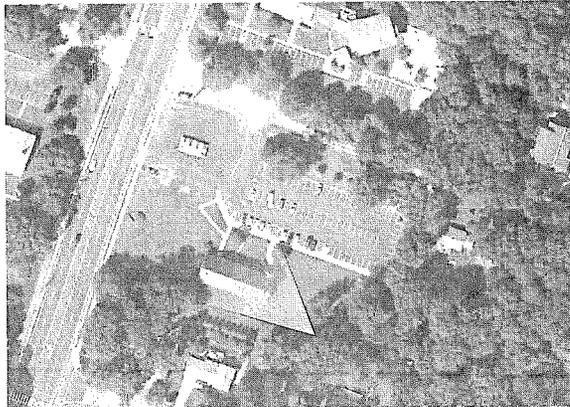


View of Church from South Property Line looking North

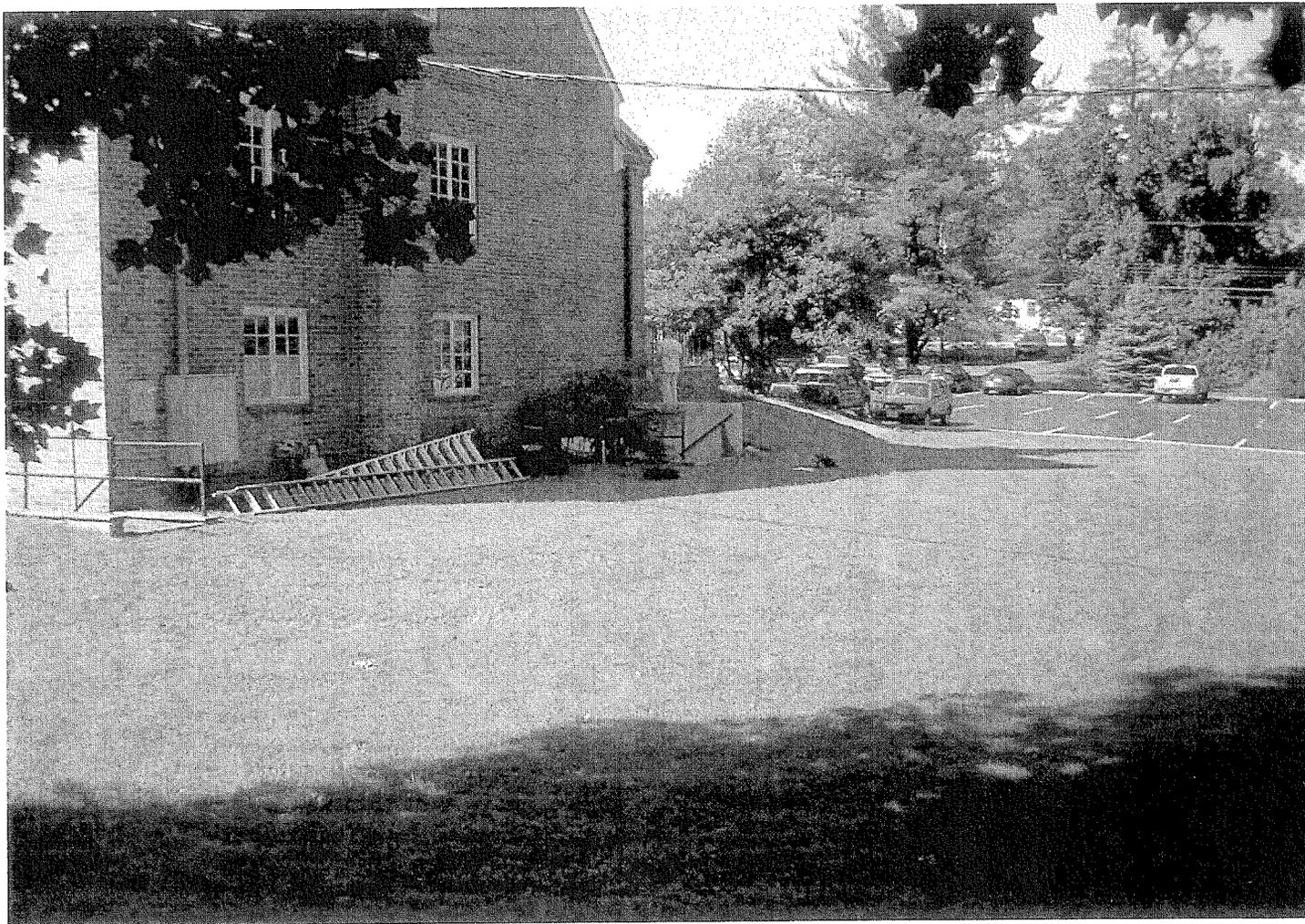
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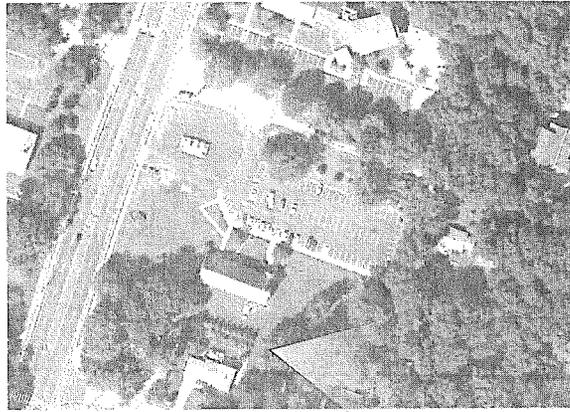


View of Church from South Property Line looking North West

Photography Submittal for Special Permit Application

## **The Vine Church**

2501 Gallows Road, Dunn Loring, VA



Location Key

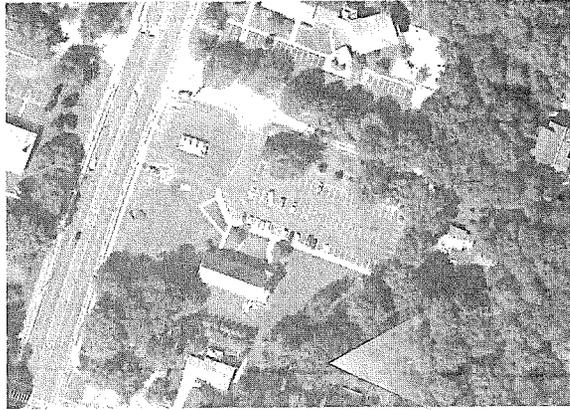


View of South Property Line looking East

Photography Submittal for Special Permit Application

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Location Key

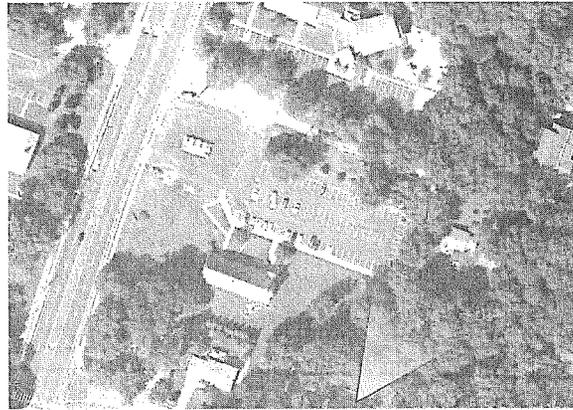


View of Wooded Area looking East

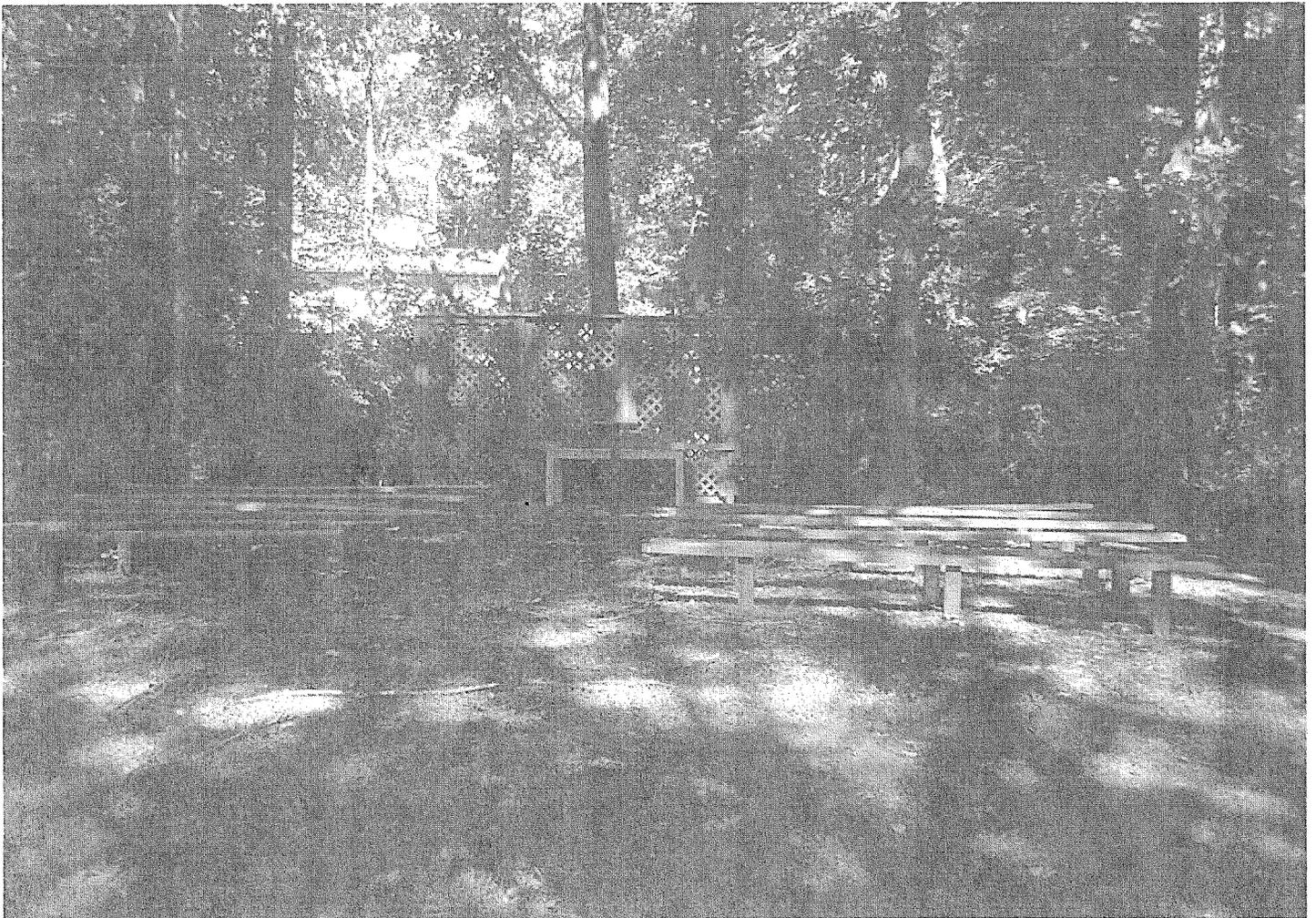
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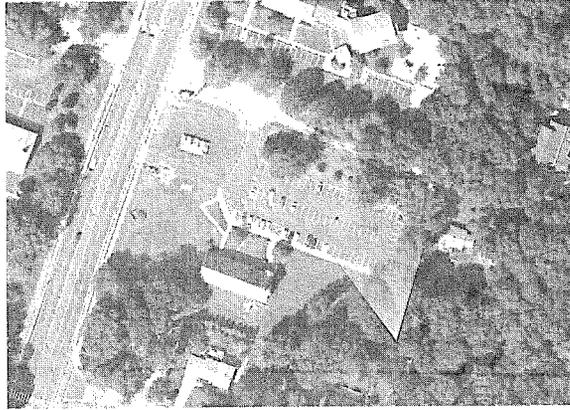


View of Outdoor Sanctuary looking North East

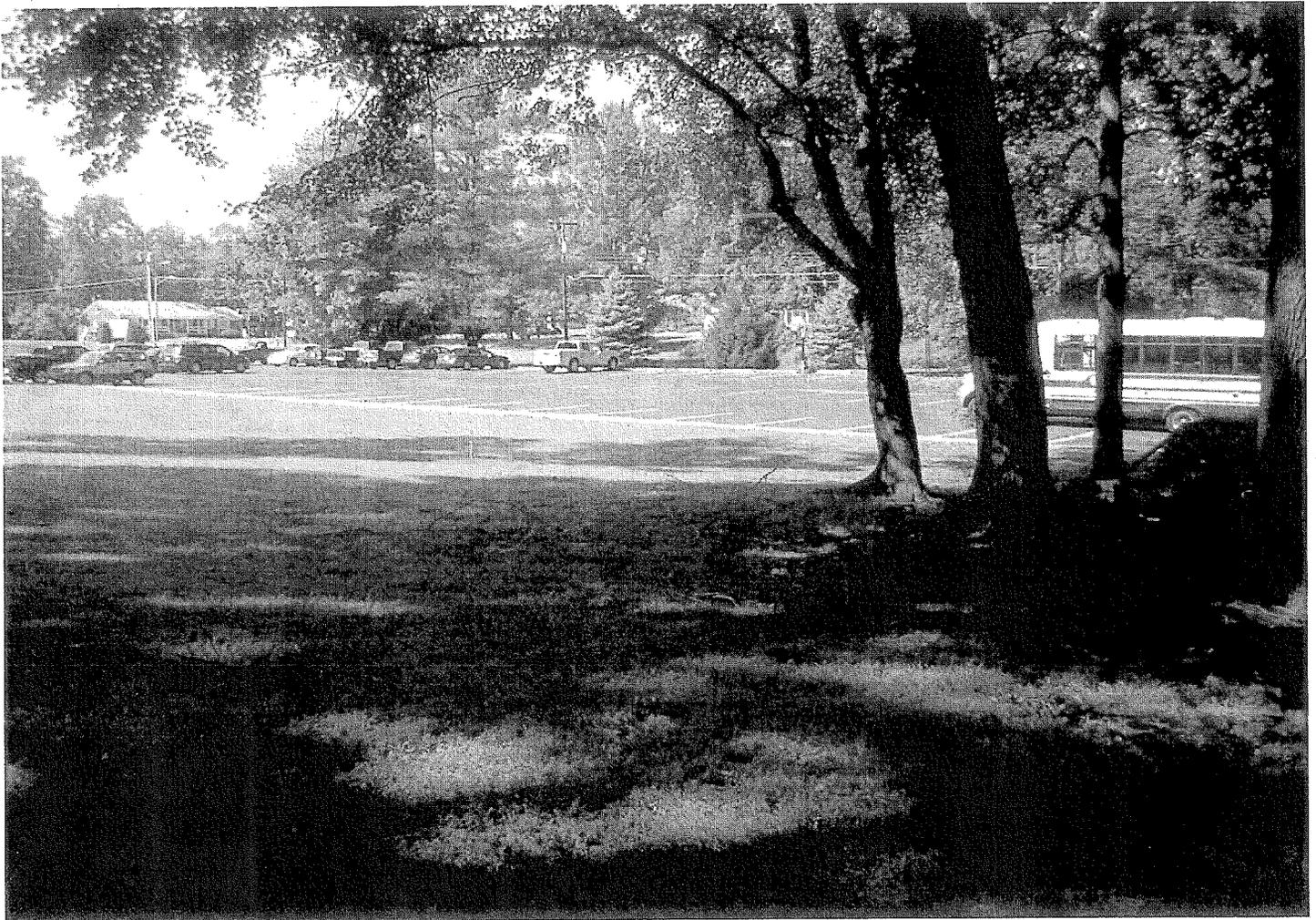
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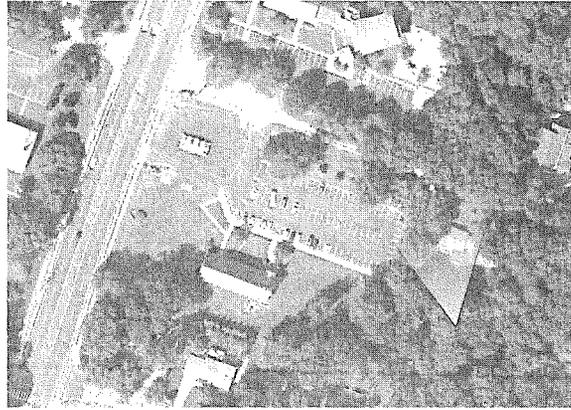


View of Parking Area from Outdoor Sanctuary looking North

Photography Submittal for Special Permit Application

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Location Key

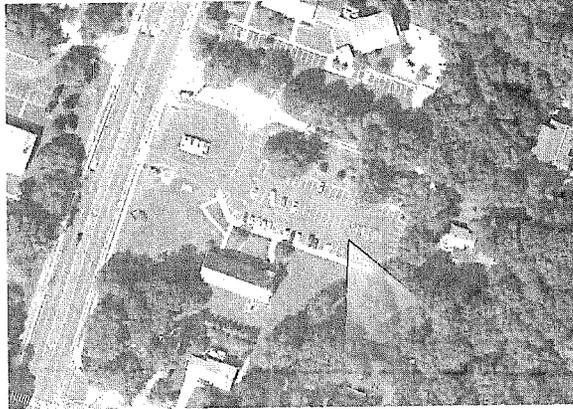


View of Adjacent Home from Woods looking North

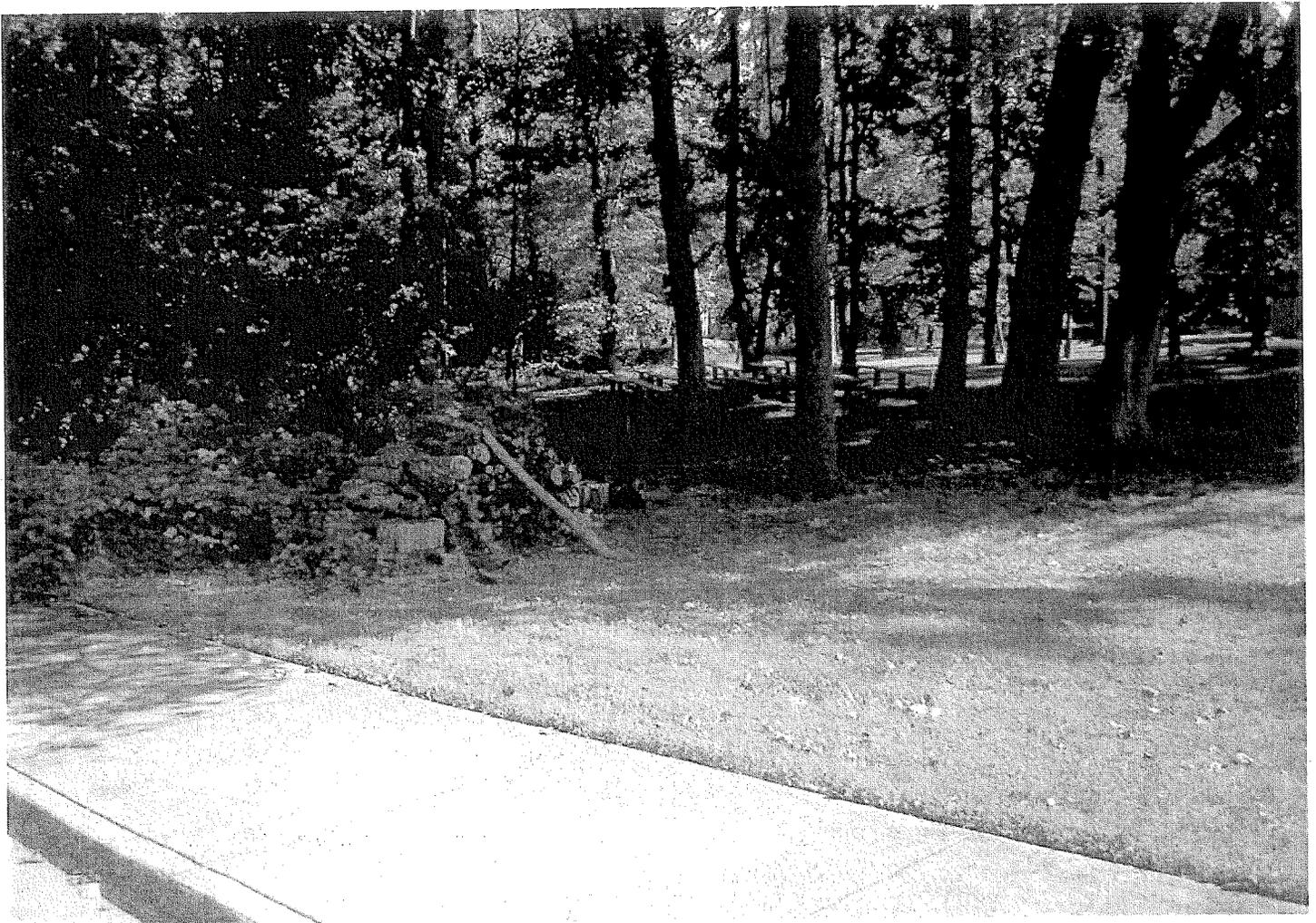
Photography Submittal for Special Permit Application

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Location Key

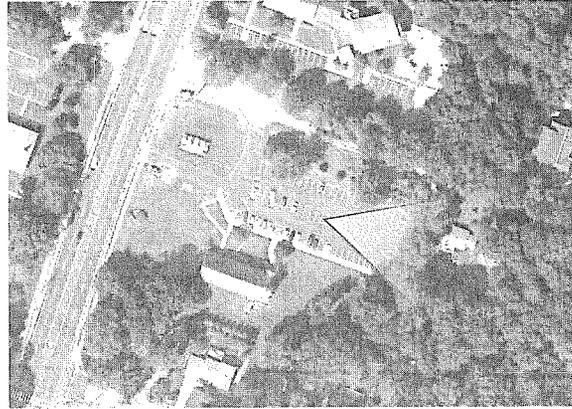


View of Outdoor Sanctuary from Parking Area looking South East

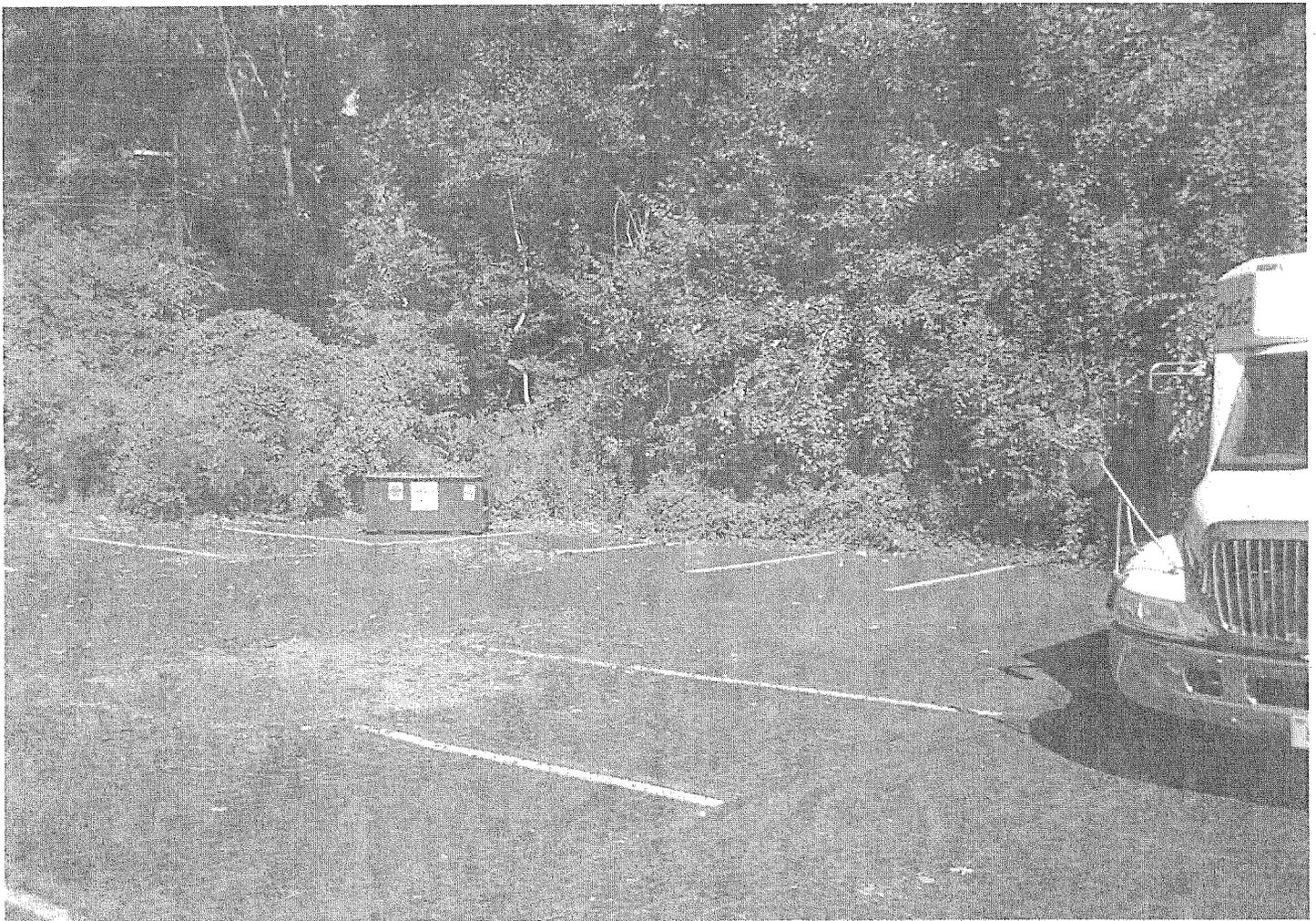
Photography Submittal for Special Permit Application

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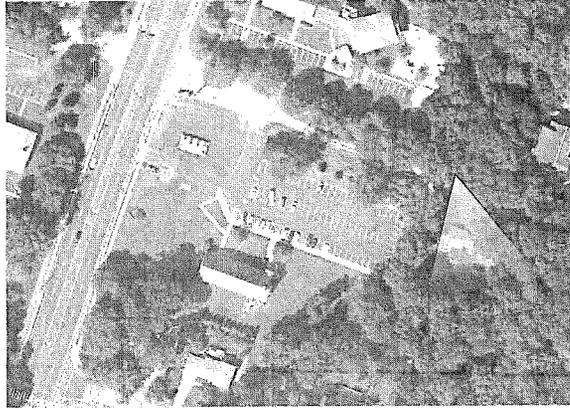


View of Wooded Buffer from Parking Area looking East

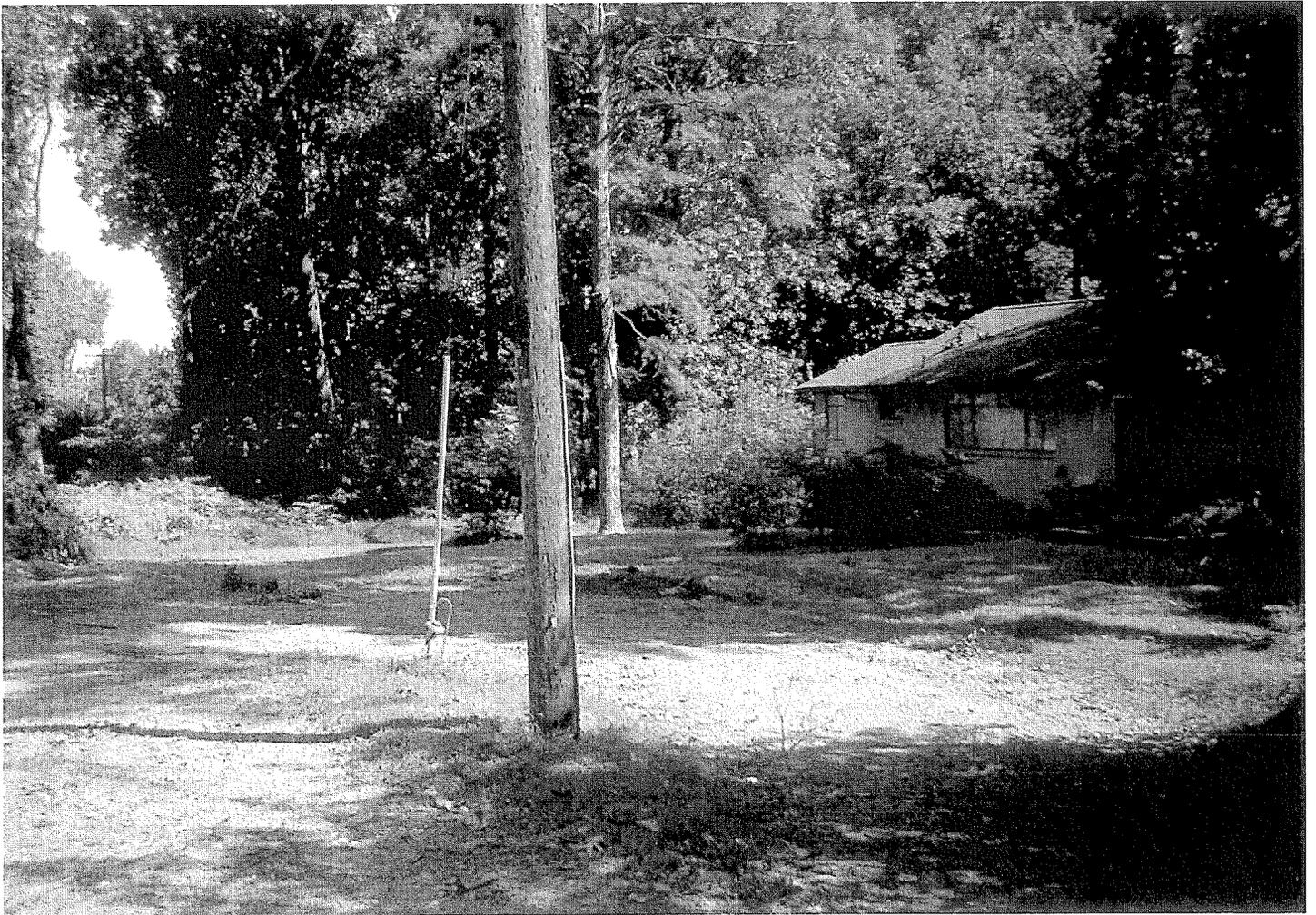
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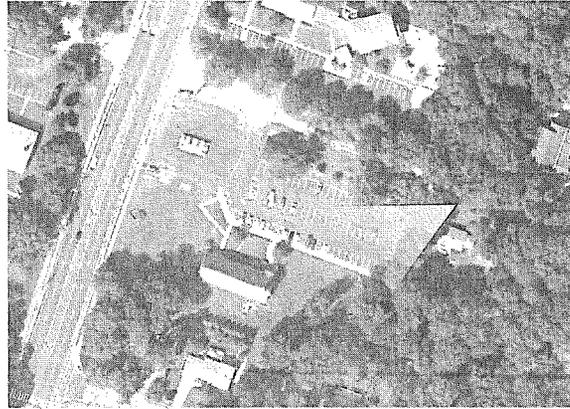


View of Neighboring Home from Cedar St looking South East

Photography Submittal for Special Permit Application

## The Vine Church

2501 Gallows Road, Dunn Loring, VA



Location Key

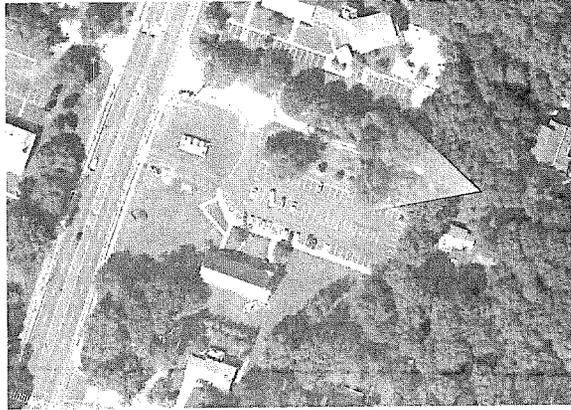


View of Church from Cedar St looking South West

Photography Submittal for Special Permit Application

**The Vine Church**

2501 Gallows Road, Dunn Loring, VA



Location Key



View of North Property Line from Cedar St looking North West

Photography Submittal for Special Permit Application

## The Vine Church

2501 Gallows Road, Dunn Loring, VA



Location Key

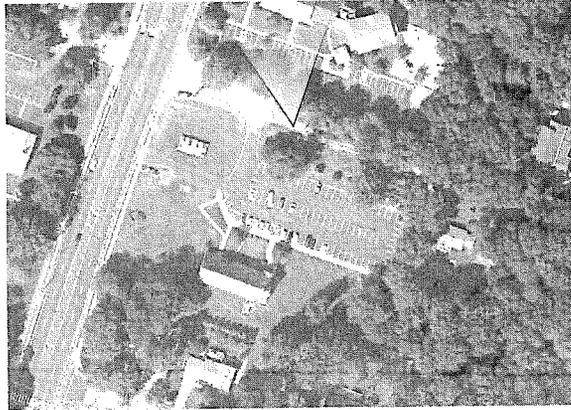


View of Church from Cedar St looking South West

Photography Submittal for Special Permit Application

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Location Key

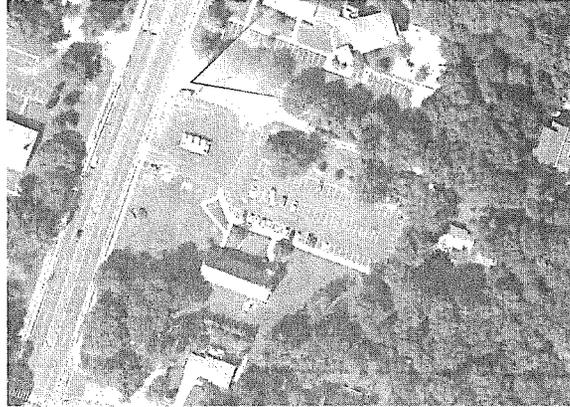


View of Holly Brook Montessori School from Cedar St looking North

Photography Submittal for Special Permit Application

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Location Key

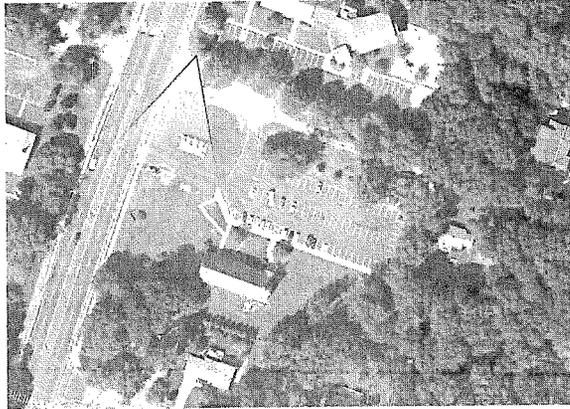


View of Holly Brook Montessori School from Cedar St looking East

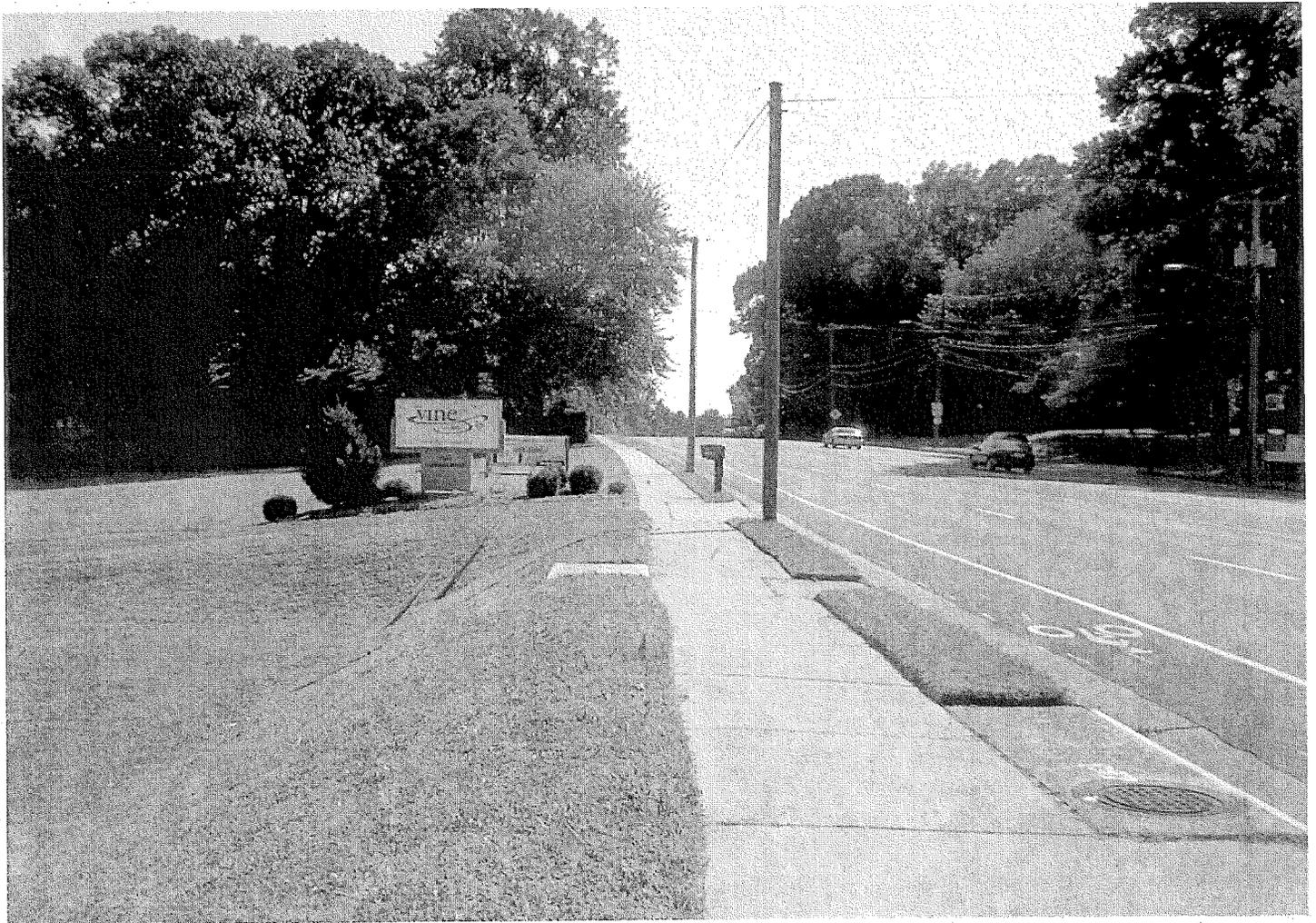
Photography Submittal for Special Permit Application

**The Vine Church**

2501 Gallows Road, Dunn Loring, VA



Location Key



View of West Property Line along Gallows Rd looking South



## DESCRIPTION OF THE APPLICATION

**Special Permit Request:** To permit an existing church to add a nursery school use. No building additions are proposed with this application.

**Lot Size:** 4.24 acres

**Existing Building Size:** 8,342 square feet

**FAR:** 0.05

**Number of Seats:** 260 seats

**Parking:** 77 spaces

**Hours of Operation:** *Worship Services*  
Sundays – 9:30 a.m. and 12:00 p.m. noon

*Nursery School*  
Monday through Friday – 8:45 a.m. – 4:00 p.m.  
(includes drop off and pick up times)

**Enrollment:** 60 students daily – 28 in a morning shift and 32 in an afternoon shift

<b>Number of Employees/Staff:</b>	<i>Church</i>	<i>Nursery School</i>
	4 employees	12 total employees in 2 shifts

## LOCATION AND CHARACTER OF THE AREA

### Existing Site Description

The 4.24 acre subject site is located at 2501 Gallows Road at its intersection with Cedar Street. The site is developed with an existing two-story church, which measures 8,342 square feet in area. The church was built in 1967 and is constructed of brick. The site is not currently under special permit or special exception. An asphalt parking lot is located on the site which accommodates 77 parking spaces with two access drives, one from Gallows Road and one from Cedar Street. Two accessory storage structures and a trash dumpster are located in the northeastern portion of the parking lot. There are two large grassed areas located along Gallows Road and immediately to the east of the church building. A small outdoor seating area is also provided to the east of the church building which consists of approximately six low lying wood open benches, which were constructed by a local Boy Scout Troop. The area is used by the church as an outdoor sanctuary. A majority of the eastern portion of the property is undeveloped and contains a large amount of existing mature vegetation. Cedar Street is unimproved and is not a through street and only provides access to the Vine Church, An adjacent church and school and a residential dwelling.

### Surrounding Area Description

The subject property is surrounded by residential dwellings along its southern lot line, an Episcopal Church with a private school of general education directly across Cedar Street to the north, which is permitted under an approved special permit and residentially zoned parcels across Gallows Road to the west. A small 0.5 acre portion in the center of the application property on Cedar Street is developed with a single family residential dwelling not affiliated with the church. Beyond the application property to the east along Sandburg Street the area is developed with residential dwellings and a nursing home.

Direction	Use	Zoning
North	Church of the Holy Cross	R-3
South	Single Family Detached Residential Dwellings	R-3
East	Single Family Detached Residential Dwellings and the Iliff Nursing Home	R-3
West	Property owned by the Community Church of God	R-1

### BACKGROUND

The applicant has operated the church use since March 2010 and will also operate the proposed nursery school within the existing church building on the site.

### ANALYSIS

#### Special Permit Plat (Copy at front of staff report)

**Title of SP Plat:** Vine Church Special Permit Plat

**Prepared By:** Cole & Denny Incorporated

**Dated:** October 20, 2011 as revised through November 29, 2011

#### Proposed Use:

The applicant proposes to bring an existing church with 260 seats under special permit and add a nursery school with a maximum enrollment of 60 students daily. The church building has existed on the site since 1967 and has not been the subject of a special permit until this application. The proposed nursery school will operate in two shifts, a morning (a.m.) and an afternoon (p.m.) shift. The hours proposed are from 9:00 a.m. to 3:30 p.m., Monday through Friday, with each shift consisting of three hours of

instructional classroom time. The morning shift will consist of a maximum of 28 students with a drop off time of 8:45 a.m. to 9:15 a.m., with classes starting at 9:00 a.m. and a pick up time of 11:45 a.m. to 12:15 p.m., with classes ending at 12:00 p.m. The afternoon shift will consist of a maximum of 32 students with a drop off time of 12:15 p.m. to 12:45 p.m., with classes starting at 12:30 p.m. and a pick up time of 3:30 p.m. to 4:00 p.m., with classes ending at 3:30 p.m. These times are proposed to have some flexibility for parents to drop off and pick up their children. The age range of the nursery school students will be 30 months to 5 years old. The Zoning Ordinance permits a nursery school with children two to four years of age who do not attend in excess of four hours per day and children five years of age who do not attend in excess of six and one-half hours per day. Twelve employees will work on site for the proposed nursery school use, with six proposed for each shift.

The applicant requests some flexibility in the proposed schedule as the afternoon shift is contingent upon what the market will dictate once the use is established at the time of enrollment. As outlined in the statement of justification, if parents are not interested in a p.m. session, then the applicant would like the ability to extend the morning session up to the maximum time permitted under the Zoning Ordinance and allowed by the licensing board, which is up to four hours of instructional time. Therefore, it's possible that instead of both a morning and afternoon shift, there could just be one shift with daily hours of operation of 8:45 a.m. to 1:15 p.m., which includes drop off and pick up times. A development condition has been included to address this potential scenario without the need to amend this application.

The proposed nursery school use will utilize the lower level space inside the existing church building. The lower level space is currently used for Bible studies and other church related activities and will continue to be used by the church and the community outside of the proposed nursery school hours of operation. Interior renovations are proposed, to include the removal of interior walls between smaller classrooms to create two larger classroom spaces. The applicant has indicated that in the future an existing window, as shown in the images on the following page, located on the eastern side of the church building, will be replaced with a doorway and a small four to six foot wide sidewalk/walkway built to provide accessibility from the front sidewalk of the building into the lower level of the church building where the classroom space will be located. The proposed sidewalk construction will disturb less than 500 square feet in area.

The only other exterior modifications include the addition of a 3,200 square foot play area to be located in an existing open grassed area directly to the east of the church building. A 42" high fence is proposed around the perimeter of the 40 x 80 play area.



*Interior location of the existing window for a proposed future doorway*



*Exterior location of the existing window for a proposed future doorway and sidewalk*

The existing church, which has a seating capacity of 260, will continue on the site. Other activities are held at this site most days of the week, typically in the evening hours, including Bible study, AA, a Boy Scout Troop and the Dunn Loring Civic Association. There are four employees affiliated with the church and they will be on site during the week.

### **Fairfax County Department of Transportation (FCDOT) and the Virginia Department of Transportation (VDOT) Analyses (Appendix 4)**

In a memorandum dated February 9, 2012, and an updated addendum dated February 17, 2012, from the FCDOT and a memorandum dated January 12, 2012, from VDOT the following comments were made:

- The Gallows Road entrance should be removed.
- The queue at the Gallows Road/Cedar Street intersection should be evaluated.
- The applicant has elected not to provide any analysis for the queuing and level-of-service at the site's adjacent access at Cedar Street and Gallows Road. Therefore, FCDOT staff with concerns for traffic safety will perform the traffic analysis.
- Frontage improvements of curb and gutter with sidewalk should be provided along Cedar Street.
- An additional entrance (on Cedar Street) further from the Gallows Road intersection should be provided.
- Gallows Road is on the Comprehensive plan for a six-lane divide facility. Therefore, the applicant should provide dedication of right-of-way along Gallows Road at 68-feet from centerline. An additional 10-foot of ancillary easements are also needed as the elevation at the roadway edge is substantial.
- Per the Public Facilities Manual (PFM) the sidewalk to and from the school should be continuous. Therefore, the applicant should provide the missing link of sidewalk from Cedar Street to the front of the site building.
- The applicant should provide a 10 foot wide trail along the site on Gallows Road per the Comprehensive Plan.
- The applicant should repair Cedar Street so it is free of potholes.
- The applicant should provide bike racks on site. It is desirable for the bike racks to be sheltered.

The applicant has indicated that they do not encourage the use of the Gallows Road entrance into the site and therefore have agreed to close the entrance. The existing asphalt driveway in this location that accesses the parking lot will be retained and will serve to provide pedestrian access into the site from the Gallows Road sidewalk. Until such time as the application property undergoes further expansion (i.e., building additions, increase in seats, etc.) the applicant is permitted to simply gate the entrance to vehicular traffic. The applicant will be required to permanently close this entrance as per the VDOT recommendation in the event that an amendment to this special permit occurs in the future which increases the intensity on site.

Staff discussed the remaining requests with the applicant and noted that FCDOT and VDOT concerns are focused primarily on the safety of the public with regard to vehicular and pedestrian access into and out of the site. FCDOT staff expressed concerns with vehicles leaving the site from Cedar Street and crossing Gallows Road to a flush median to proceed southbound on Gallows Road (left turn out of Cedar Street). This traffic pattern poses safety issues regardless of the number of students proposed or the fact that the hours proposed are outside of peak travel times because there is not enough space in the flush median to get the entire length of a car out of the travel/turn lanes.

Since the applicant did not provide the traffic evaluation requested, FCDOT staff performed a site analysis and provided additional comment in their addendum which indicates that the existing center/left turn lane on Gallows Road at the intersection of Cedar Street is marked with a single-directional left turn arrow (this is the so-called flush median.) Therefore, left turning vehicles from Cedar Street to southbound Gallows Road are using this turn lane on Gallows Road to merge south-bound. Study results show that based on the existing traffic during the anticipated departure times between 3:30 pm and 4:00 pm daily, with left turns from Cedar Street to Gallows Road south, the road is categorized as a "level-of-service F". This level of service will obviously not improve with the addition of the nursery school as an additional 10 left turns will be added. The vehicle queue on Cedar Street is expected to be 50 feet in length. FCDOT staff indicates that there is enough storage on Cedar Street for vehicle stacking of 50 feet and the left turn time for each vehicle from the site is approximately 114 seconds, which fits in the allotted departure window time between 3:30 pm to 4:00 pm. Any future enrollment beyond the 60 students may not allow enough allotted time for left turns from Cedar Street to Gallows Road southbound and thus would further decrease the safety of this turning movement.

Since the request to add a nursery school use to the existing church site is relatively minor in nature, and none of the proposed changes requested with this application will require the need for a site plan submission, the applicant has been informed that any future development requested on this site, such as building additions, increase in seats, etc. will require the remaining issues outlined on the previous page to be addressed at that time. The applicant however has agreed to install a bike rack on the site at this time.

## **WAIVERS/MODIFICATIONS REQUESTED**

### **Waiver/Modification:**

A modification of the transitional screening requirement and corresponding waiver of the barrier requirement are needed.

**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.

Based on existing adjacent uses, a 25 foot transitional screening yard, and barrier D, E, or F is required in accordance with Article 13. There are no major site improvements or building expansion proposed with this application, other than the construction of a playground with a total area of 3200 square feet. The proposed playground has been located outside of the transitional screening yard. The eastern half of the property is heavily wooded, and an existing deciduous and evergreen screen is provided along the parking lot adjacent to the north property line. The applicant requests a modification from the transitional screening and waiver from the barrier requirements to use existing vegetation on site to meet this requirement. The proposed playground is being located more than 25 feet from the property line to meet the transitional screening requirements.

Since the proposal to add the nursery school use does not include any additional construction to the site or exterior modifications, staff supports a modification of the transitional screening requirements and a waiver of the respective barrier requirements to permit the existing vegetation to satisfy these requirements.

## **OTHER ZONING ORDINANCE REQUIREMENTS**

### **Special Permit Requirements (Appendix 5)**

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sects. 8-303)
- Additional Standards for Churches with a Nursery School (Sects. 8-308; 9-309)
- Additional Standards for Child Care Centers (Sects. 8-308; 9-310)

### **Summary of Zoning Ordinance Provisions**

Subject to the proposed development conditions, all applicable standards have been satisfied.

## **CONCLUSIONS**

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the staff report.

## **RECOMMENDATIONS**

Staff recommends approval of SP 2011-PR-108 subject to the Proposed Development Conditions 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.

## **APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Transportation Analysis
5. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2011-PR-108****March 7, 2012**

If it is the intent of the Board of Zoning Appeals to approve SP 2011-PR-108 located at Tax Map 39-4 ((1)) 31 to permit an existing church to add a nursery school under Section 8-308 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, The Vine United Methodist Church and Board of Trustees of the Arlington District of the Virginia Annual Conference of the United Methodist Church, and is not transferable without further action of this Board, and is for the location indicated on the application, 2501 Gallows Road (4.24 acres), and is not transferable to other land.
2. This special permit is granted only for the purposes, structures and/or uses indicated on the plat prepared by Cole & Denny Incorporated, dated October 20, 2011, as revised through November 29, 2011, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit is subject to the provisions of Article 17, Site Plans. 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 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 not exceed 260.
6. The total maximum daily enrollment of students in the nursery school shall not exceed 60.
7. The maximum number of employees on site at any one time for the nursery school shall be limited to 12.
8. The maximum hours of operation for the nursery school shall be limited to 8:45 a.m. to 4:00 p.m. (which includes drop off and pick up), Monday through Friday.

9. The ages of the children shall be limited to between 30 months and 5 years.
10. Prior to the issuance of a Non-Residential Use Permit (Non-RUP) for the nursery school the applicant shall establish a 40 x 80 play area surrounded by a 42" high fence as shown on the special permit plat.
11. Prior to the issuance of a Non-RUP for the nursery school, a permanent gate shall be installed at the entrance on Gallows Road, a minimum distance of 15 to 20 feet from the edge of the roadway.
12. Parking shall be provided as depicted on the special permit plat. All parking shall be on site.
13. All lighting on site shall be in accordance with the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance.
14. The barrier requirement shall be waived along all lot lines.
15. The transitional screening requirement shall be modified along all lot lines to permit existing vegetation on site to meet the requirements of Transitional Screening 1 (TS1). All vegetation shall be maintained in good condition and any dead or dying vegetation shall be replaced as determined necessary by Urban Forest Management Division (UFMD), DPWES.
16. All signs on the property shall be in accordance with the requirements of Article 12 of the Zoning Ordinance.
17. The applicant shall install a minimum of two bicycle racks in a location next to the sidewalk and around the perimeter of the church 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.

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 the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s): SP 2011-PR-108  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: January 9, 2012  
 (enter date affidavit is notarized)

I, Kathy Finigan, 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      **113848**

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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
The Vine United Methodist Church, also known as The Vine Church	2501 Gallows Road, Dunn Loring, VA 22027	Co-Applicant/ <del>Title Owner</del> <i>af</i>
Board of Trustees of the Arlington District of the Virginia Annual Conference of the United Methodist Church	5001 Echols Avenue, Alexandria, VA 22311	Co-Applicant/Title Owner
David G. Poole	2126 N. Hollister Street, Arlington, VA 22205	Agent
Kathy Finigan	8305 Lord Fairfax Court, Vienna, VA 22182	Agent
Rev. Dr. David T. Schlechty	2501 Gallows Road, Dunn Loring, VA 22027	Agent
Rev. Abi Foerster	2501 Gallows Road, Dunn Loring, VA 22027	Agent

(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 2011-PR-108  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: January 9, 2012  
(enter date affidavit is notarized)

113848

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)

**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)

(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 2011-PR-108  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: January 9, 2012  
(enter date affidavit is notarized)

113848

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 2011-PR-18  
(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: January 9, 2012  
(enter date affidavit is notarized)

113848

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 2011-PR-108  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: January 9, 2012  
(enter date affidavit is notarized)

113848

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:

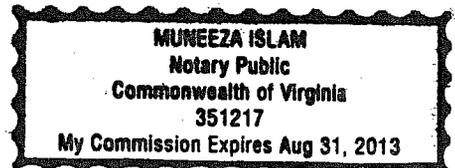
(check one)  Applicant  Applicant's Authorized Agent

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

Subscribed and sworn to before me this 9<sup>th</sup> day of January 2012, in the State/Comm. of Virginia, County/City of Fairfax.

Muneeza Islam  
Notary Public

My commission expires: Aug. 31, 2013



## Statement of Justification

### The Vine United Methodist Church Special Permit Application

**Type of Operations:** The Vine United Methodist Church is a church that is seeking to open a Preschool / Nursery School as part of its ministry to the community. As a church, our primary activities include worship, Bible study, and age-appropriate programming for children and adults throughout the week. We also partner with three community organizations that use our building as a meeting site: an AA group, a Boy Scout Troop, and the Dunn Loring Civic Association.

**Hours of Operation:** The church is open for worship, Bible study, preschool, and its community programs every day of the week; however most activities occur regularly Sunday – Friday as detailed below.

**Sunday:** There are typically 150 participants that attend services on Sunday in the morning between 9:30 am and 12:00 Noon.

**Mon – Friday:** Our hope is to have a MAXIMUM of 60 students enrolled in the preschool, Monday through Friday between the hours of 9:00 am and 3:30 pm. There would be two sessions offered: an AM session (with 28 students) and a PM session (with up to 32 students).

AM Session Drop Off: 8:45 – 9:15 am  
 AM Session Pick Up: 11:45 am – 12:15 pm

PM Session Drop Off: 12:15 – 12:45 pm  
 PM Session Pick Up: 3:30 – 4:00 pm

We would like to request some flexibility in this schedule as the PM session is contingent on what the market will bear at the time of enrollment. In other words, if parents are not interested in a PM session, then we would request the ability to extend the morning session up to the maximum time allotted by the licensing board (i.e. up to 4 hours daily). In this scenario, the daily pick up time would be from 12:45 – 1:15 PM instead of the times noted above.

There are between 4 and 10 staff that would arrive a half hour prior to opening and depart a half hour after closing.

**Saturday:** Currently, no groups use the building on Saturday.

**WEEKLY EVENING HOURS:**

	SUNDAY	MONDAY	TUESDAY	WEDNES.	THURSDAY	FRIDAY	SATURDAY
6:00							
6:30	Bible Study (75)	AA Group (15)	Leaders' Mtg. (10)	Monthly Civic Assn. (25)			
7:00			Boy Scouts (25)				
7:30							
8:00 PM							

**Number of Patrons / Enrollment:** The Vine United Methodist Church officially opened its doors for worship in March 2010 and has been steadily growing ever since. Currently, there is an average worship attendance of 150 people on Sunday mornings, which includes approximately 45 children who participate in Sunday School at the 2<sup>nd</sup> service. On Sunday evenings (September through May), an average of 75 children and adults attend Bible Study.

A maximum of 60 students will attend the Vine Preschool daily – 28 students in the AM session (Monday – Friday), 32 students in the PM session (Tuesday, Wednesday, & Thursday), and 16 students in the PM session (Monday, Friday).

**Number of Employees:** The Vine United Methodist Church currently employs 2 full-time staff and 1 part-time staff. The Vine Preschool plans to employ up to a total of 12 staff; of this total, six will serve during the AM session, and the other six will serve during the PM session.

**Traffic Impact:**

**Mode of Transportation:** *Please note that most patrons arrive by car in the descriptions noted below; however, those who live close by to the church may occasionally walk or ride their bicycle if the weather is nice.*

Sunday:

Between the hours of 8:30 and 9:00 am, 3 staff members arrive to set up for worship. Between 9:00 and 9:45 am, an additional 40 to 45 patrons arrive to attend the 1<sup>st</sup> worship service. Between 10:30 and 11:15 am, 45 patrons leave to go home while an additional 90 to 105 patrons arrive to attend the 2<sup>nd</sup> worship service and Sunday school. Those patrons then leave the property after worship between 12:00 and 12:30 pm.

From 6:00 to 6:30 pm, between 70 and 80 patrons arrive for Bible Study. Between 8:00 and 8:15 pm they leave to go home.

Monday:

Between the hours of 8:30 and 9:15 am, 3 church staff members arrive and 2 proposed preschool staff members arrive to open up their respective offices. Between 11:45 am and 12:15 pm, 4 additional preschool staff will arrive to set up their classroom to receive students. Between 12:15 and 12:30 pm, 16 parents will be dropping off their children for the PM session of preschool classes. These same parents will pick up their children between 3:30 and 3:45 pm. All 6 preschool staff will leave between 4:00 and 4:30 pm.

In the evening, between 6:30 and 7:00 pm, 15 people from the community arrive to attend an AA meeting. Between 8:00 and 8:15 pm, they leave to go home.

Tuesday – Thursday:

Between the hours of 8:30 and 9:00 am, 3 church staff members arrive to open up the office and 6 proposed AM preschool staff members arrive to prepare the preschool classes to receive students. Between the hours of 8:45 am

and 9:15 am, 28 parents will be dropping of their children for the AM session of preschool classes. These same parents will be picking up their children between 12:00 Noon and 12:15 pm. PM session preschool staff will arrive between 11:45 am and 12:15 pm, while AM teaching staff will leave between 12:15 pm and 12:45 pm. 32 parents of PM session students will drop of their children for preschool classes between 12:15 pm and 12:45 pm. These same parents will pick up their children between 3:30 and 3:45 pm. PM session preschool staff will leave between 3:45 pm and 4:15 pm.

On Tuesday evenings between 6:30 and 7:00 pm, 10 patrons arrive on the first Tuesday of each month to attend a leaders meeting. At 7:30 pm weekly, 25 Boy scouts arrive for their troop meeting. At 9:00 pm, both the leaders and Boy scouts leave to go home.

On Wednesday evening once a month between 6:30 and 7:00 pm, approximately 25 neighbors arrive to attend the Dunn Loring Civic Association meeting. At 8:00 pm, the leave to go home.

#### Friday

Between the hours of 8:30 and 9:00 am, 3 church staff members arrive to open up the office and 6 proposed AM preschool staff members arrive to prepare the preschool classes to receive students. Between the hours of 8:45 am and 9:15 am, 28 parents will be dropping of their children for the AM session of preschool classes. These same parents will be picking up their children between 12:00 Noon and 12:15 pm. PM session preschool staff will arrive between 11:45 am and 12:15 pm, while AM teaching staff will leave between 12:15 pm and 12:45 pm. 16 parents of PM session students will drop of their children for preschool classes between 12:15 pm and 12:45 pm. These same parents will pick up their children between 3:30 and 3:45 pm. PM session preschool staff will leave between 3:45 pm and 4:15 pm.

#### Saturday

No regularly scheduled activities occur on Saturdays.

#### **Vicinity or General Area served by the Preschool:**

The proposed Child Day Center will help enhance the lives of young children, ages 30 months to 5 years old, living in the Dunn Loring, Vienna, and Merrifield area who are now being under-served through the existing preschools. We believe there are not a sufficient number of preschools in this area because of the development that is occurring along the Gallows Road corridor. We believe the Vine's preschool will help meet this growing need and will better equip the young children of families living in this community to enter kindergarten successfully.

#### **Description of Building Façade and Proposed Architecture**

The existing building is a brick structure and will remain the same, with one window on the south side of the building being converted to a door on the lower level. This will enable the lower level to be handicap accessible and it will enable preschool students to more easily enter the building directly to their classrooms. If funding allows, we intend to have an awning over the door with signage that indicates this door is the preschool entrance.

Other minor modifications will be made to the interior of the building, such as opening up a wall between two classrooms in order to create a larger space for students within their classrooms. The two interior walls that are being modified are made of drywall and do not have any electrical components. Other than this minor modification, only cosmetic changes are currently being planned for existing rooms such as carpet, painting, window treatments, etc.

There are plans for an outdoor playground sized to meet the County requirement of 100 square feet per child, with a maximum capacity of two classes (or 32 students) occupying the space at any one time.

To the best of our knowledge, there are no known hazardous or toxic substances that are currently on the existing site; nor will any be generated, utilized, stored, treated, or disposed of from the proposed use. We are aware that there are asbestos floor tiles in the interior of the building and if disturbed, they will be addressed during remodeling construction. Prior to the application of the building permit, a hazardous materials survey will be conducted.

**How does the proposed use conform to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions?**

The proposed use conforms to the Fairfax County zoning code and regulations, except in the area listed below. In this area, we will be seeking a waiver to the existing codes:

**Transitional Screening & Barrier Waivers:** Based on existing adjacent uses, a 25' transitional screening yard, and barrier D, E, or F is required in accordance with Article 13. There are no major site improvements or building expansion proposed with this application, other than the construction of a playground with a total area of 3200 s.f. In accordance with recommendations provided at the October 18, 2011 pre-application conference with Fairfax County, the proposed playground has been located outside of the transitional screening yard. The eastern half of the property is currently heavily wooded, and an existing deciduous and evergreen screen is provided along the parking lot adjacent to the north property line. The applicant requests a waiver from the transitional screening and barrier requirements to use existing vegetation on site. The proposed playground is being located more than 25' from the property line to meet the transitional screening requirements.

THE BOARD OF TRUSTEES OF THE ARLINGTON DISTRICT OF THE VIRGINIA ANNUAL CONFERENCE  
OF THE UNITED METHODIST CHURCH  
CERTIFICATE OF RESOLUTION

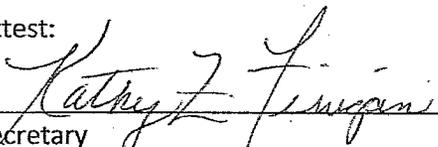
On the 11th day of December, 2011, the Board of Directors of the Board of Trustees of the Arlington District of the Virginia Annual Conference of The United Methodist Church met and passed the following resolution:

It is hereby RESOLVED that the Board of Directors of the Board of Trustees of the Arlington District of the Virginia Annual Conference of the United Methodist Church, as legal owners of the property at 2501 Gallows Road, Dunn Loring, Virginia, do fully support the use of said property by The Vine United Methodist Church for the development and operation of a Christian preschool/nursery school. It is further resolved that David Poole, Chairman of the Board, and Kathy Z Finigan, Secretary of the Board, as officers of this corporation, are duly authorized to sign any applications, contracts, authorizations, or other documents or writings necessary to gain the appropriate permits and approvals for this use of the property. Where a contract would incur a financial obligation for capital improvements to said property it will be brought to the Board for approval. This approval will be done via email where practical, and responses should be received within two business days. These officers are further authorized and empowered to represent the Board of Trustees at any meetings or hearings required by state or local officials, necessary to gain the appropriate permits and approvals for said property use as a preschool/nursery school. Any such officer signature shall fully bind this corporation.

It is hereby also RESOLVED that the Board of Directors of the Board of Trustees of the Arlington District of the Virginia Annual Conference of the United Methodist Church gives full right of use of the property to Dr. D. Todd Schlechty, Pastor of The Vine United Methodist Church, and Rev Abi Foerster, Director of Children's Ministry of The Vine United Methodist Church, who are acknowledged as the principals engaged in the development and operation of the Christian preschool/nursery school on said property.

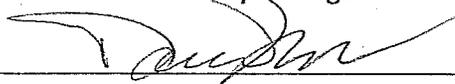
We, the undersigned, certify that the foregoing is an accurate statement of the Resolution of the Board of Directors of the Board of Trustees of the Arlington District of the Virginia Annual Conference of The United Methodist Church, and that the above resolution has not been rescinded or revoked as of this date.

Attest:

  
Secretary 12/13/2011  
Date

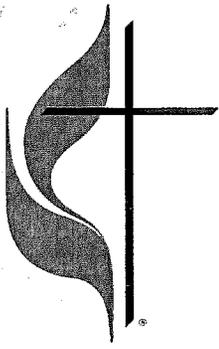
Board of Directors of the Board of Trustees Of the Arlington District of the Virginia Annual Conference of the United Methodist Church

Printed Name: Kathy Z. Finigan

  
Presiding Officer 12/13/11  
Date

Printed name: David Poole

Title: Chairman, Board of Directors of the Board of Trustees Of the Arlington District of the Virginia Annual Conference of the United Methodist Church



The United Methodist Church  
Arlington District - Virginia Annual Conference  
5001 Echols Avenue  
Alexandria, VA 22311  
(703) 820-7200 Fax: (703) 845-8147  
www.novaumc.org  
Rev. Dr. Young Jin Cho, District Superintendent

December 9, 2011

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

To Whom It May Concern:

I am writing to confirm that The Vine United Methodist Church located at 2501 Gallows Road, Dunn Loring, VA 22027, has the full support of the Board of Trustees of the Arlington District of the Virginia Annual Conference of The United Methodist Church to develop and run a Preschool / Nursery School on said property, in accordance with their overall purpose and ministry.

The Board of Trustees of the Arlington District of the Virginia Annual Conference of The United Methodist Church retains legal ownership of the property and has the authority to grant this use per The United Methodist Book of Discipline ¶ 2501 which states:

“All properties of United Methodist local churches and other United Methodist agencies and institutions are held, in trust, for the benefit of the entire denomination, and ownership and usage of church property is subject to the Discipline....In consonance with the legal definition and self-understanding of The United Methodist Church (see ¶ 140), and with particular reference to its lack of capacity to hold title to property, The United Methodist Church is organized as a connectional structure, and titles to all real and personal, tangible and intangible property held at jurisdictional, annual, or district conference levels, or by a local church or charge, or by an agency or institution of the Church, shall be held in trust for The United Methodist Church and subject to the provisions of its Discipline. Titles are not held by The United Methodist Church (see ¶ 807.1) or by the General Conference of The United Methodist Church, but instead by the incorporated conferences, agencies, or organizations of the denomination, or in the case of unincorporated bodies of the denomination, by boards of trustees established for the purpose of holding and administering real and personal, tangible and intangible property.”

Furthermore, the Board of Trustees of the Arlington District of the Virginia Annual Conference of The United Methodist Church gives the following individuals general authority to act as its agents in this matter:

David G. Poole, Chair of the Arlington District Board of Trustees  
Kathy Finigan, Secretary of the Arlington District Board of Trustees  
Rev. Abi Foerster, Preschool Program Director, The Vine United Methodist Church  
Rev. Todd Schlechty, Pastor of The Vine United Methodist Church

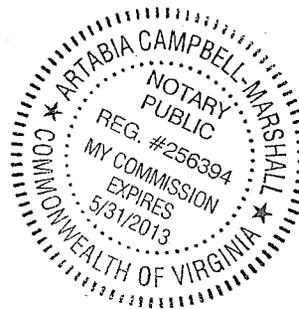
And, more specifically, the Board of Trustees of the Arlington District of the Virginia Annual Conference of The United Methodist Church gives it's secretary, Kathy Finigan, who is also a member of The Vine United Methodist Church, the authority to sign any and all legal documents on behalf of the Board of Trustees of the Arlington District necessary to move forward with this project.

Please do not hesitate to contact me directly by phone, (703) 820-7200, or by email, arlingtonds@novaumc.org, if I can be of any further assistance to you in the special permit application process.

Sincerely,



Rev. Young Jin Cho  
Arlington District Superintendent



STATE OF VIRGINIA,  
CITY/COUNTY OF Stafford, to wit:

The foregoing Consent and Certification was subscribed, sworn to under oath, and acknowledged before me, a Notary Public in and for the aforesaid jurisdiction by Young Jin Cho, the Arlington District Superintendent of the United Methodist Church, this 9th day of December, 2011.

My commission expires: 5/31/13 Artabia Campbell-Marshall  
Notary Public



# County of Fairfax, Virginia

## MEMORANDUM

DATE: February 17, 2012

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division,  
Department of Comprehensive Planning

**FROM:** Angela Kadar Rodeheaver, Chief *MAD* *Gr ALR*  
Site Analysis Section, Department of Transportation

**FILE:** 3-6 (SP 2011-PR-108)

**SUBJECT:** Transportation Impact Addendum

**REFERENCE:** SP 2011-PR-108; The Vine United Methodist Church  
Traffic Zone: 1529; Land Identification Map: 39-4 ((01)) 31

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application.

X All of the transportation comments on our previous memo dated February 9, 2012 have not been fully addressed, except for the traffic analysis which is provided below:

The result of this department's field study is the following:

- The existing center lane on Gallows Road at the intersection of Cedar Street is marked with a single-directional left turn arrow. Therefore, left turning vehicles from Cedar Street to southbound Gallows Road should not use the center lane on Gallows Road. Therefore, the traffic analysis for determining the feasibility for the existing and the proposed day care incorporates passing three lanes on Gallows Road. Study results showed with the existing traffic at the anticipated departure time between 3:30 pm and 4:00 pm daily, the left turns from Cedar Street to Gallows Road south would take on average 74 seconds. This is categorized as a level-of-service F. With the proposed day care an additional 10 left turns would be added and the same left turn movement would take an average of 114 seconds, again with a level-of-service F. The vehicle queue would be an expected length of 50 ft.

In conclusion, there is enough storage on Cedar Street for vehicle stacking of 50-ft. The left turn time for each of the existing and additional 10 vehicles produced by the site is approximately 114 seconds, which fits in the allotted departure window time between 3:30 pm to 4:00 pm. Note: Any future enrollment beyond the 60 students may not allow enough allotted time for left turns from Cedar Street to Gallows Road southbound and thus further decrease the safety of this subject turning movement.

Fairfax County Department of Transportation  
4050 Legato Road, Suite 400  
Fairfax, VA 22033-28980  
Phone: (703) 877-5600 TTY: (703) 877-5602  
Fax: (703) 877-5723  
[www.fairfaxcounty.gov/fcdot](http://www.fairfaxcounty.gov/fcdot)





# County of Fairfax, Virginia

## MEMORANDUM

DATE: February 9, 2012

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division  
Department of Comprehensive Planning

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

**FILE:** 3-6 (SP 2011-PR-108)

**SUBJECT:** Transportation Impact

**REFERENCE:** SP 2011-PR-108; The Vine United Methodist Church  
Traffic Zone: 1529  
Land Identification Map: 39-4 ((01)) 31

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the revised plat dated November 29, 2011.

The special permit is to permit an existing place of worship with 260 seats and add a preschool/ nursery school within the existing church for a total maximum daily enrollment of 60 students.

This department and VDOT provide the following comments:

VDOT comments are the following:

- The Gallows Road entrance should be removed.
- Frontage improvements of curb and gutter with sidewalk should be provided along Cedar Street.
- An additional entrance (on Cedar Street) further from the Gallows Road intersection should be provided.
- The queue at the Gallows Road / Cedar Street intersection should be evaluated.

FCDOT comments:

- The applicant has elected not to provide any analysis for the queuing and level-of-service at the site's adjacent access at Cedar Street and Gallows Road. Therefore, FCDOT staff with concerns for traffic safety will perform the traffic analysis.

- Gallows Road is on the Comprehensive plan for a six-lane divide facility. Therefore, the applicant should provide dedication of right-of-way along Gallows Road at 68-ft. from centerline. An additional 10-ft. of ancillary easements are also needed as the elevation at the roadway edge is substantial.
- FCDOT iterates that the site's direct access to Gallows Road should be closed.
- Per the Public Facilities Manual (PFM) the sidewalk to and from the school should be continuous. Therefore, the applicant should provide the missing link of sidewalk from Cedar Street to the front of the site building.
- The applicant should provide a 10-ft. wide trail along the site on Gallows Road per the Comprehensive Plan.
- The applicant should repair Cedar Street so it is free of potholes.
- The applicant should provide bike racks on site. It is desirable for the bike racks to be sheltered.



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

January 12, 2012

GREGORY A. WHIRLEY  
COMMISSIONER

**To:** Ms. Barbara Berlin  
Director, Zoning Evaluation Division

**From:** Kevin Nelson  
Virginia Department of Transportation – Land Development Section

**Subject:** SP 2011-PR-108 The Vine United Methodist Church  
Tax Map # 39-4((01))0031

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

I have reviewed the above plan submitted on December 15, 2011, and received January 10, 2012. The following comments are offered:

1. The Gallows Road entrance should be removed.
2. Frontage improvements of curb and gutter with a sidewalk should be provided along Cedar Street.
3. An additional entrance further from the Gallows Road intersection should be considered.
4. The queue at the Gallows Road/Cedar Street intersection should be evaluated.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver  
fairfaxspex2011-PR-108sp1VineUnMethCh1-12-12BB

**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.