

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA, AND HIS SUCCESSORS IN OFFICE (ST. LOUIS CATHOLIC CHURCH AND SCHOOL), SPA 82-V-059-03 Appl. under Sect(s). 3-203 of the Zoning Ordinance to amend SP 82-V-059 previously approved for a place of worship and private school of general education to permit the addition of a nursery school. Located at 2901 Popkins La., Alexandria, 22306, on approx. 15.63 ac. of land zoned R-2 and HC. Mt. Vernon District. Tax Map 93-1 ((1)) 6. (Admin. moved from 4/25/12 at appl. req.) Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

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

WHEREAS, following proper notice to the public, a public hearing was held by the Board on April 18, 2012; and

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

1. The applicant is the owner of the property.
2. The present zoning is R-2 and H-C.
3. The area of the lot is 15.63 acres.
4. The staff recommends approval.
5. The applicant agrees with the development conditions.
6. The Board supports the staff's recommendations and adopts its rationale.

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

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

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

1. This approval is granted to the applicant only (The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office) (St. Louis Catholic Church and School) and is not transferable without further action of this Board, and is for the location indicated on the application, 2901 Popkins Lane, Alexandria, 22306 (15.63 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 special permit plat prepared by BC Consulting, dated December,

2011, as signed and sealed on December 22, 2011 and approved with this application, as qualified by these development conditions.

3. A copy of this special permit and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special 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 maximum number of seats in the sanctuary shall be limited to one thousand (1,000).
6. The maximum number of employees for the private school of general education and nursery school shall be limited to 43.
7. The maximum daily enrollment of the private school of general education shall be limited to 434 students.
8. The maximum daily enrollment of the nursery school shall be limited to 80 students.
9. The maximum hours of operation of the private school of general education shall be limited to 8:00 a.m. until 5:00 p.m., Monday through Friday.
10. The maximum hours of operation for the nursery school shall be limited to 8:15 a.m. to 3:00 p.m., Monday through Friday.
11. The applicant shall designate a carpool coordinator to administer and encourage participation in a carpool program designed to reduce the number of vehicle trips to and from the school during peak hours as a mechanism to minimize daily vehicular trips. The name of the carpool coordinator shall be provided to Fairfax County Department of Transportation (FCDOT) within 30 days after the approval of this application and at any such time as the coordinator changes. A carpool program shall be submitted to FCDOT within 90 days after the approval of this application. An annual report shall be submitted to FCDOT in October of each year that shows how the number of vehicle trips to and from the school have been reduced. After the first three years of annual reports, these reports may be provided every two or three years, or not at all if mutually agreed to by the applicant and FCDOT.

12. Ringing of the bell on site shall be limited to 9:00 a.m. Monday through Friday; 9:00 a.m. and 5:30 p.m. on Saturday; and 9:00 a.m., 10:30 a.m., 12:00 p.m., and 5:00 p.m. on Sunday.
13. Parking shall be provided as shown on the special permit plat. All parking shall be on site.
14. Any new lighting on the site shall be in accordance with the performance standards for outdoor lighting contained in Part 9 of Article 14 of the Zoning Ordinance except that the maximum height of the light poles shall be 12.0 feet.
15. Transitional screening shall be modified as shown on the special permit plat. The barrier requirement shall be waived along all lot lines.
16. 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.
17. The applicant shall provide onsite storm water detention and best management practices in accordance with the requirements of the Public Facilities Manual unless waived or modified by DPWES. Notwithstanding what is shown on the plat, the applicant may meet the requirements through the provision of Low Impact Development (LID) techniques as determined appropriate by DPWES.
18. Right-of-way of 68 feet from the centerline of Richmond Highway and ancillary easements of 15 feet in width, or to top of slope, whichever is greater, shall be dedicated to the Board of Supervisors, in fee simple, along the entire Richmond Highway frontage of the site within sixty (60) days upon demand by the Fairfax County and/or the Virginia Department of Transportation (VDOT).

These conditions incorporate and supersede all previous conditions.

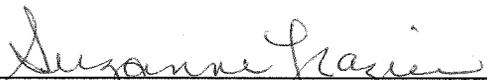
This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures,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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional

time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Hammack seconded the motion, which carried by a vote of 5-0. Ms. Gibb and Mr. Smith were absent from the meeting.

A Copy Teste:



Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals