

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

LA IGLESIA DE SANTA MARIA EPISCOPAL CHURCH AND NEW BUILDING BLOCKS PRE-SCHOOL, LLC, AND DIALOGUE RUSSIAN CENTER FOR CULTURAL DEVELOPMENT(DIALOGUE RCCD, LLC,) D/B/A METAPHOR RUSSIAN LANGUAGE SCHOOL, SPA 76-S-109-02 Appl. under Sect(s). 3-403 of the Zoning Ordinance to amend SP 76 S-109 previously approved for church with child care center to permit the addition of a nursery school and school of special education and increase in land area. Located at 6928 and 7000 Arlington Blvd., Falls Church, 22042, on approx. 3.98 ac. of land zoned R-4. Providence District. Tax Map 50-4 ((16)) 127, 128, 129, 182, 182A, 183, 184 and 50-3 ((6)) 185. (Admin. moved from 3/14/12, 3/28/12, and 4/25/12 at appl. req.) Mr. Smith 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 June 27, 2012; and

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

1. The applicant is the owner of the land.
2. The present zoning is R-4.
3. The area of the lot is 3.98 acres
4. Staff has recommended approval.
5. The Board agrees with the analysis in the staff report and incorporates that.
6. There have not been complaints about the existing child care center use.
7. Additional property has been added, going from 3.47 acres up to 3.98 acres, to accommodate the additional nursery school and school of special education.
8. The big issue right now seems really to be parking.
9. Certainly the parking study that was done, as confirmed by staff and the Transportation Department, seems to indicate that there is adequate parking on site.
10. The real issue seems to be whether there is going to be compliance with the Development Condition 14 that was added that all parking will be on the site. That is the critical issue.
11. The testimony from the applicant about notifying the parents, actually having them sign something so that there is a contract with them that they will be dropping off their children utilizing the existing parking on the site and impressing upon them the safety issues associated with that, that is important, and there is an enforceable development condition.

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

LA IGLESIA DE SANTA MARIA EPISCOPAL
CHURCH AND NEW BUILDING BLOCKS PRE-
SCHOOL, LLC, AND DIALOGUE RUSSIAN
CENTER FOR CULTURAL DEVELOPMENT
(DIALOGUE RCCD, LLC,) D/B/A METAPHOR RUSSIAN
LANGUAGE SCHOOL, SPA 76-S-109-02

Page 2

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, La Iglesia de Santa Maria, New Building Blocks Preschool, LLC, and Dialogue Russian Center for Cultural Development (Dialogue RCCD), LLC d/b/a Metaphor Russian Language School, and is not transferable without further action of this Board, and is for the location indicated on the application, 6928 and 7000 Arlington Boulevard, consisting of 3.98 acres, and is not transferable to other land.
2. This special permit amendment is granted only for the purposes, structures and/or uses indicated on the plat prepared by George B. Korte, Land Surveyor, dated January 11, 1984, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit amendment and the Non-Residential Use 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 maximum number of seats in the main area of worship shall be two hundred seventy six (276).
6. The total maximum daily enrollment shall not exceed 80 children for the child care center.
7. The maximum hours of operation of the child care center shall be limited to Monday through Friday, 7:00 a.m. to 6:00 p.m.
8. The maximum number of employees on site at any one time for the child care

center shall be limited to 15.

9. Upon issuance of a new non-RUP, the total combined maximum daily enrollment shall not exceed 72 students for the nursery school and school of special education.
10. The maximum hours of operation of the nursery school and school of special education shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 9:00 a.m. to 4:00 p.m.
11. The maximum number of employees on site at any one time for the nursery school and school of special education shall be limited to 10.
12. A play area shall be provided which meets the standards set forth by Section 9-310 of the Zoning Ordinance. The play area shall be located outside the minimum required front yards, transitional screening areas, and parking lot.
13. A minimum of two (2) play sessions shall be required for the nursery school and school of special education if there are more than 45 children at any one time.
14. All parking shall be on site, as depicted on the special permit amendment plat. The applicant shall obtain approval of a parking reduction through DPWES as required by Sect. 11-106.3 of the Zoning Ordinance prior to the issuance of a new Non-RUP for the church, child care center, nursery school and school of special education to permit the shared use of the church parking lot for all of the approved uses. If approval of a parking reduction is not obtained, the number of seats in the worship area and/or the number of children in the child care center, nursery school and/or the school of special education respectively shall be reduced to meet the parking requirements as determined by DPWES, prior to issuance of a non-RUP for the nursery school and school of special education, which must be obtained within 6 months of approval of this special permit amendment application.
15. The four parking spaces along Westcott Street shall be dedicated for the use of the church only.
16. Pick up and drop off for the nursery school and school of special education shall be conducted on site in the parking lot off Arlington Boulevard. The applicant shall have parents sign an acknowledgment in the application form and/or contract that parents will park in the church parking lot to pick-up and drop-off of children. There shall be no curbside pick-up and drop off of children.

17. Traffic control devices and/or directional signage shall be arranged on site to direct any traffic for the child care center, nursery school and school of special education to the entrances and parking areas of the different uses.
18. All signage shall be in conformance with Article 12 of the Zoning Ordinance.
19. Transitional screening and barrier requirements on all boundaries shall be modified or waived to that shown on the special permit amendment plat. The transitional screening shall be maintained, and dead, dying or hazardous materials shall be replaced.

These development conditions incorporate and supersede all previous development 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.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six (6) 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.

Ms. Gibb seconded the motion, which carried by a vote of 7-0

A Copy Teste:



John W. Cooper, Deputy Clerk
Board of Zoning Appeals