



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
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Fairfax, Virginia 22035-0072

BP2

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February 3, 1999

William M. Baskin, Jr., Esquire
Baskin, Jackson and Hansbarger
301 Park Avenue
Falls Church, Virginia 22046-3399

RE: Special Exception Amendment
Number SEA 78-D-098-2

Dear Mr. Baskin:

At a regular meeting of the Board of Supervisors held on January 11, 1999, the Board approved Special Exception Amendment Number SEA 78-D-098-2 in the name of McLean Bible Church, located at Tax Map 28-2 ((1)) 10, 11 and 18 to amend a public benefit association with a recycling center to add church uses with a child care center with an enrollment of more than 100 children daily and a youth recreation center with a maximum daily attendance of 300 children pursuant to Section 3-104 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions.

(NOTE: On November 23, 1998, the Board held the public hearing on Special Exception Amendment Application SEA 78-D-098-2, but deferred decision to December 7, 1998. On December 7, 1998, the Board deferred decision to January 11, 1999.)

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions.
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans as may be determined by the Director, Department of Public Works and Environmental Services (DPW&ES). Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the Special Exception Amendment

Plat entitled McLean Bible Church prepared by Wiles Mensch Corporation and Helbing Lipp Ltd., which was last revised December 2, 1998, and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. Development of the site shall occur in two phases, as outlined below. The church shall be limited to a maximum of 2,400 audience seats in the sanctuary with Phase II. The maximum daily enrollment in the child care center shall be 150 children. The maximum daily attendance in the Youth Recreation Center shall be 300 children.

Phase I shall be an interim phase during which the 49,600 square foot building addition for a total of a 279,000 square foot facility shall be under construction. 492 parking spaces shall be available in Phase I. Construction to expand the existing parking lot shall not commence until January 1, 2000. The maximum building height, as defined in Article 20 of the Ordinance, shall be 60 feet. During Phase I, The National Wildlife Federation shall be limited to a maximum of 102,387 square feet of office space and a maximum of 56,123 square feet of warehouse use. During Phase I, there shall be no weekday activities conducted by the church prior to 7:30 PM. No weekend activities shall be conducted which will generate a parking demand per Article 11 of the Zoning Ordinance in excess of the parking spaces provided. There shall be no use of the site for the Youth Recreation Center during Phase I.

Phase II shall include church activities and the County recycling center only and a maximum gross floor area of 279,000 square feet, which may include a multi-purpose room. Cellar space which has not been included in the gross floor area on the Special Exception Amendment Plat shall be utilized for storage only and shall not be used for any other church activities. It is understood that the Youth Recreation Center and special needs center are in the lower level of the building but the areas utilized for these programs have been included in the gross floor area of 279,000 square feet. The total maximum number of surface parking spaces shall be 1,250 spaces, including accessible spaces required to meet ADA requirements, as shown on the Special Exception Amendment Plat. However, additional parking may be provided in a one level parking structure built over the proposed 1,250 space parking lot without an amendment to this Special Exception Amendment. The church shall obtain site plan approval prior to construction of the parking deck. The church shall notify adjoining property owners and the Wolf Trap Woods Homeowners Association at least thirty (30) days prior to

submission of the site plan for the parking deck. The National Wildlife Federation shall vacate the premises prior to the issuance of a Non-RUP for Phase II. Phase II shall not commence until all site improvements depicted on the Special Exception Amendment Plat, or required by these development conditions, have been completed, including all transportation improvements.

OPERATIONAL

5. During Phase I the hours of operation of the National Wildlife Federation shall be 7:00 AM to 5:00 PM, Monday through Saturday, with the exception of trail activities conducted by the NWF Naturalist and scheduled community meetings.
6. The church services may be held on Saturdays from 6:30 PM to 8:00 PM and on Sundays and religious holidays from 8:00 AM to 9:00 PM. On Sundays and religious holidays there shall be a maximum of five (5) services.

Regular church services shall be held in the sanctuary only.

The child care facility shall be limited to the hours of 6:30 AM and 6:00 PM, Monday through Friday.

The Youth Recreation Center shall be limited to the hours of 2:30 PM to 9:00 PM, Sunday through Thursday during the school year. On Friday and Saturday during the school year, the Youth Recreation Center may operate between the hours of 8:00 AM and 9:30 PM. During summer months, when the Fairfax County public schools are in summer recess and on holidays when Fairfax County schools are closed, the Youth Recreation Center may operate from 8:00 AM to the same closing hours as during the school year as described above. Youth Recreation Center participants shall clear the parking lot no later than thirty (30) minutes after closing. The Youth Recreation Center shall not be open during the times of church services. The Youth Recreation Center may be used for overnight events provided that the participants remain indoors from 9:30 PM through 8:00 AM.

The Youth Recreation Center shall be operated by the church for the purpose of providing church youth and church invitees a place to gather in a drug-free, alcohol-free, and smoke-free environment, and to participate in collegial recreational activities conducted under adult supervision.

7. Evening outdoor activities on the site shall not extend beyond 10:00 PM. The use of outdoor public address speaker systems, music amplification systems, or bull horns shall be prohibited at all times. Sound from within the building shall not be audible off-site.
8. All parking lot lighting shall be downward directed and shall meet all glare standards of the Ordinance, as determined by DPW&ES. Except for necessary security lighting, site lighting shall be lowered in intensity or turned off when the facility is closed. The roof of the building shall not be lighted. Any necessary security lighting will be consistent in nature with the lighting presently in use on the property.
9. Indoor recreation space shall be provided for each child enrolled in the child care center in accordance with the provisions of Chapter 30 of the Fairfax County Code. At the time of site plan approval, the applicant shall demonstrate to the satisfaction of DPW&ES that usable outdoor recreation space has been provided for the child care center in accordance with Section 9-309 of the Zoning Ordinance. The outdoor playground for the child care center shall be completely enclosed with fencing, as approved by DPW&ES.
10. Church facilities shall only be made available for use by groups or activities which are sponsored by the church and consistent with its ministry objectives. Large events or festivals which generate more vehicles than the parking lot can accommodate shall not be held on the site. No playing fields or athletic facilities not shown on the Special Exception Amendment Plat shall be permitted. With the exception of Christmas or Easter seasonal events, the church shall hold no more than three (3) major events in the sanctuary per month. For any events, tickets may be sold for crowd control and to defray expenses, but not for profit. For the purpose of this condition, a major event shall be defined as an event at which more than 2000 people will attend. These major events cannot begin nor end between 7:00 AM and 9:00 AM or between 5:00 PM and 7:00 PM on weekdays, excluding holidays. The church will attempt to avoid scheduling the start of major events at times that will conflict with scheduled performance events at the Wolftrap Center for the Performing Arts.
11. Trash dumpsters shall be screened with wooden or masonry enclosures with gates and shall be located only in areas not readily visible from adjacent residential neighborhoods. Dumpsters shall be closed and secured when not in use. Trash pick up shall not occur before 7:00 AM weekdays or before 8 AM on Saturday. Trash pick up shall not be scheduled for Sunday.

Small
events

ENVIRONMENTAL

12. Supplemental landscaping, consisting primarily of evergreen trees, shall be provided around the site periphery, as determined necessary by the Urban Forester, in order to provide a dense, year round screen between the subject site and adjacent residential neighborhoods. Supplemental plantings, including evergreen trees, shall also be provided along the travel aisle located on the southern side of the building to screen car lights from the adjacent residences located on Laurel Hill Road, as determined necessary by the Urban Forester. Along Route 7, as determined by the Urban Forester, supplemental landscaping consisting of evergreen and deciduous plantings shall be provided to the maximum extent feasible to screen the parking lot and the proposed building addition from Route 7. Within one year of the approval of this Special Exception Amendment, the applicant shall plant transitional screening along the northern and western property lines, between the surface parking lot and the property boundary, in order to screen the parking lot and the contemplated parking deck. At a minimum, this area shall be planted in accordance with Transitional Screening 3, as provided in Paragraph 3C of Section 13-302 of the Fairfax County Zoning Ordinance, as determined necessary by the Urban Forester.
13. The areas identified on the Special Exception Amendment Plat outside the limits of clearing and grading, including the EQC and RPA, shall remain undisturbed open space. No structures, and no clearing and grading shall be permitted within these areas, except to remove dead/dying vegetation or to provide trail maintenance, as may be permitted by the Urban Forester.
14. The area shown as a conservation easement on the Special Exception Amendment Plat shall remain as permanent open space which, with the exception of the removal of dead and/or dying vegetation, trail maintenance, the installation of necessary utilities and stormwater management, and the planting of supplemental vegetation, shall remain as an undisturbed buffer for a minimum of twenty (20) years or for as long as the church occupies the property, whichever is longer.
15. Stormwater management and Best Management Practices (BMPs) shall be provided for the entire site, as approved by DPW&ES. In the event that the conservation easement depicted on the Special Exception Amendment Plat is not adequate to provide stormwater management and BMPs, no stormwater management pond(s) or other facility shall be permitted which require additional clearing of vegetation on the site. If such facilities are required but cannot be provided in substantial conformance with the Special Exception Amendment Plat and these conditions, an amendment to this Special Exception Amendment may be required.

16. A landscape plan shall be submitted as part of the site plan(s) and shall be coordinated and approved by the Urban Forester. The plan shall provide for at a minimum:
- (a) landscaping of the parking lot and other disturbed areas that is in substantial conformance with that shown on the Special Exception Amendment Plat with the exception that the interior parking lot landscaping be provided in staggered tree islands, instead of in rows, as shown on the Special Exception Amendment Plat. Tree islands shall meet minimum PFM requirements for planting area per tree.
 - (b) the preservation of trees within the tree save areas outside the limits of clearing and grading shown on the Special Exception Amendment Plat
 - (c) supplemental plantings as described in Condition #12 above.
 - (d) a representative each from the Lewinsville Coalition and the 22182 Council of Homeowner Associations shall receive the plan prior to its submission to the Urban Forester.
17. Existing nature trails depicted in the open space areas on the site shall remain open to the public during daylight hours and shall be subject to reasonable restrictions established by the church and shall be placed in a public access easement, as approved by DPW&ES, for a minimum of twenty (20) years or for as long as the church occupies the property, whichever is longer. Trail maintenance shall be the responsibility of the church. The NWF Naturalist shall be permitted to conduct tours on the trails until the NWF has vacated the property.

TRANSPORTATION

18. All parking shall be on site in the areas shown on the Special Exception Amendment Plat. There shall be no overflow parking permitted along the service drive or the adjacent subdivision streets. The church shall make all members aware of this restriction. In addition, the church will encourage car pooling among its members and will designate a person within the church administration to act as a citizen contact for neighbors with traffic concerns.

There shall be no construction traffic of any kind allowed on Lewinsville and Brook Roads, or through the residential neighborhoods north of Route 7.

19. The following transportation improvements shall be provided by the applicant prior to the issuance of a Non-RUP for Phase II and shall be subject to approval by VDOT and DPW&ES:
- construct the church ingress to accommodate two inbound lanes
 - construct the church egress to accommodate a separate right turn lane, a separate thru lane, and a separate left turn lane
 - construct the Lewinsville Road approach to accommodate a separate right turn lane, a separate thru lane, and a separate left turn lane
 - construct an additional left turn lane on westbound Route 7
 - improve the on-site circulation, especially near the site entrance
 - provide all signal modifications as may be needed for the Route 7/Lewinsville Road intersection based on the above improvements
 - extend the service drive to Laurel Hill Road
 - provision of the ultimate right-turn lane at the site entrance at such time as Route 7 has been improved to three eastbound lanes.

OTHER

20. Signage shall be provided in accordance with Article 12 of the Zoning Ordinance. No freestanding, pole-mounted signs shall be permitted. The church agrees not to place flags larger than 6 feet X 9 feet in any location visible from Route 7.
21. The County recycling center shall be retained in its current location.
22. The proposed building addition shall be constructed with materials and architectural style consistent with those in the existing building. Architectural elevations shall be returned to the Planning Commission for review and approval prior to site plan approval.
23. An eight (8) foot wide trail shall be provided along the site's Route 7 frontage.

24. There shall be no repair or maintenance of vehicles on the subject property.
25. There shall not be any chapel on the property without the approval of another amendment to this Special Exception Amendment.
26. The church shall, within 30 days of site plan approval, record a restrictive covenant in accordance with the agreement with the Wolftrap Woods Homes Association Board of Directors.

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

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The use shall be established when Phase I has been implemented as evidenced by the issuance of a Non-RUP for Phase I. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception Amendment. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

- **Accepted the Planning Commission's recommendations as required by Section 9009 ((3)) of the Zoning Ordinance;**
- **Modified the transitional screening requirements according to development conditions; and**
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- **Waived the barrier requirements.**

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

FEB 4 1999

ZONING EVALUATION DIVISION

SEA 78-D-098-2
February 3, 1999

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If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Frank Jones, Assistant Chief, PPRB, DPZ
Audrey Clark, Chief, Inspection Svcs., BPRB, DPW&ES
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Robert Moore, Trnsprt'n. Planning Div., Office of Transportation
Ellen Gallagher, Project Planning Section, Office of Transportation
Michelle Brickner, Deputy Director, Plan Review, DPW&ES
DPW&ES - Bonds & Agreements
Department of Highways, VDOT
Land Acq. & Planning Div., Park Authority