



APPLICATION ACCEPTED: April 16, 2008
BOARD OF ZONING APPEALS: July 15, 2008
TIME: 9:00 a.m.

County of Fairfax, Virginia

July 8, 2008

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SPA 90-M-036-2

MASON DISTRICT

APPLICANT: Trustees Of Crossroads Baptist Church

LOCATION: 3439 Paul Street, 3538 Moncure Avenue
and 5811 Hoffmans Lane

ZONING ORDINANCE PROVISIONS: 3-303

TAX MAP: Tax Map 61-4 ((1)) 112; 61-4 ((30)) 22 and 61-4
((39)) 6

LOT SIZE: 1.74 acres

F.A.R.: 0.12

ZONING: R-3 and HC

PLAN MAP: Residential 2-3 du/ac

SP PROPOSAL: To amend SP 90-M-036 previously approved for church with child care center and private school of general education to permit increase in land area, building addition, site modifications and an increase in enrollment.

STAFF RECOMMENDATION:

Staff recommends denial of SPA 90-M-036-2.

O:\gchase\Church's\Weslyan Church\Weslyan Church staff report.doc

Gregory Chase

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

An approval of this application would 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.**

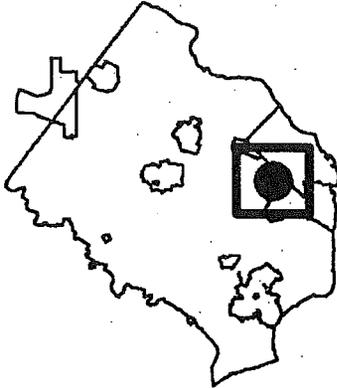


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

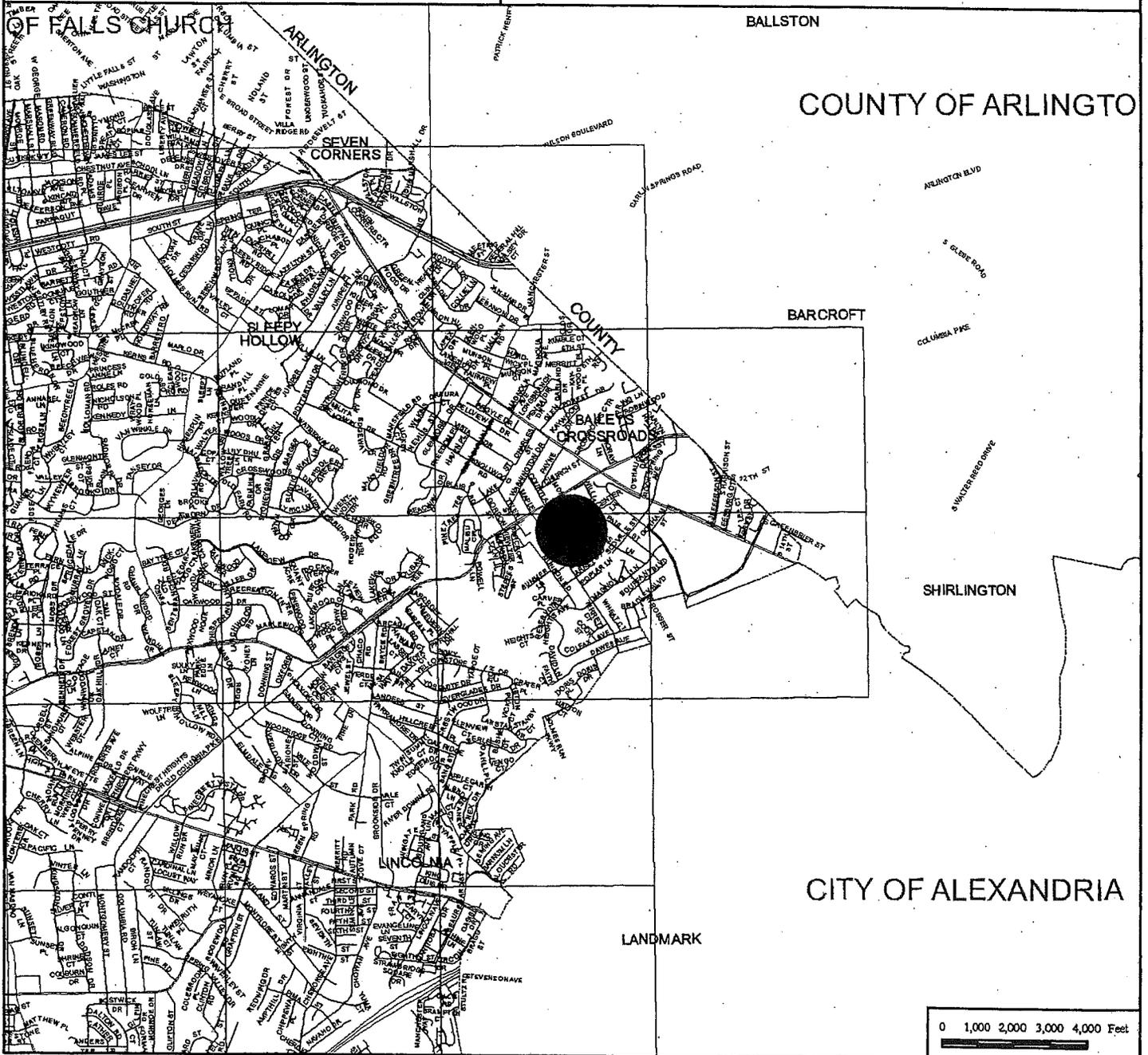
Special Permit Amendment

SPA 90-M-036-02

Applicant: TRUST OF CROSSROADS BAPTIST CHURCH
Accepted: 04/16/2008
Proposed: AMEND SP 90-M-036 PREVIOUSLY APPROVED FOR CHURCH WITH CHILD CARE CENTER, NURSERY SCHOOL AND PRIVATE SCHOOL OF GENERAL EDUCATION TO PERMIT INCREASE IN LAND AREA, BUILDING ADDITION SITE MODIFICATIONS AND AN INCREASE IN ENROLLMENT

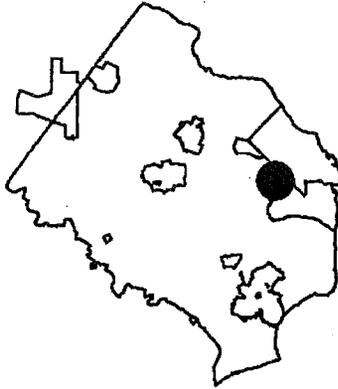


Area: 1.74 AC OF LAND; DISTRICT - MASON
Zoning Dist Sect: 03-0303
Art 8 Group and Use: 3-10
Located: 5811 HOFFMANS LANE AND 3538 MONCURE AVENUE AND 3493 PAUL STREET
Zoning: R-3
Overlay Dist: HC
Map Ref Num: 061-4 /01/ /0112 /30/ /0022 /39/ /0006



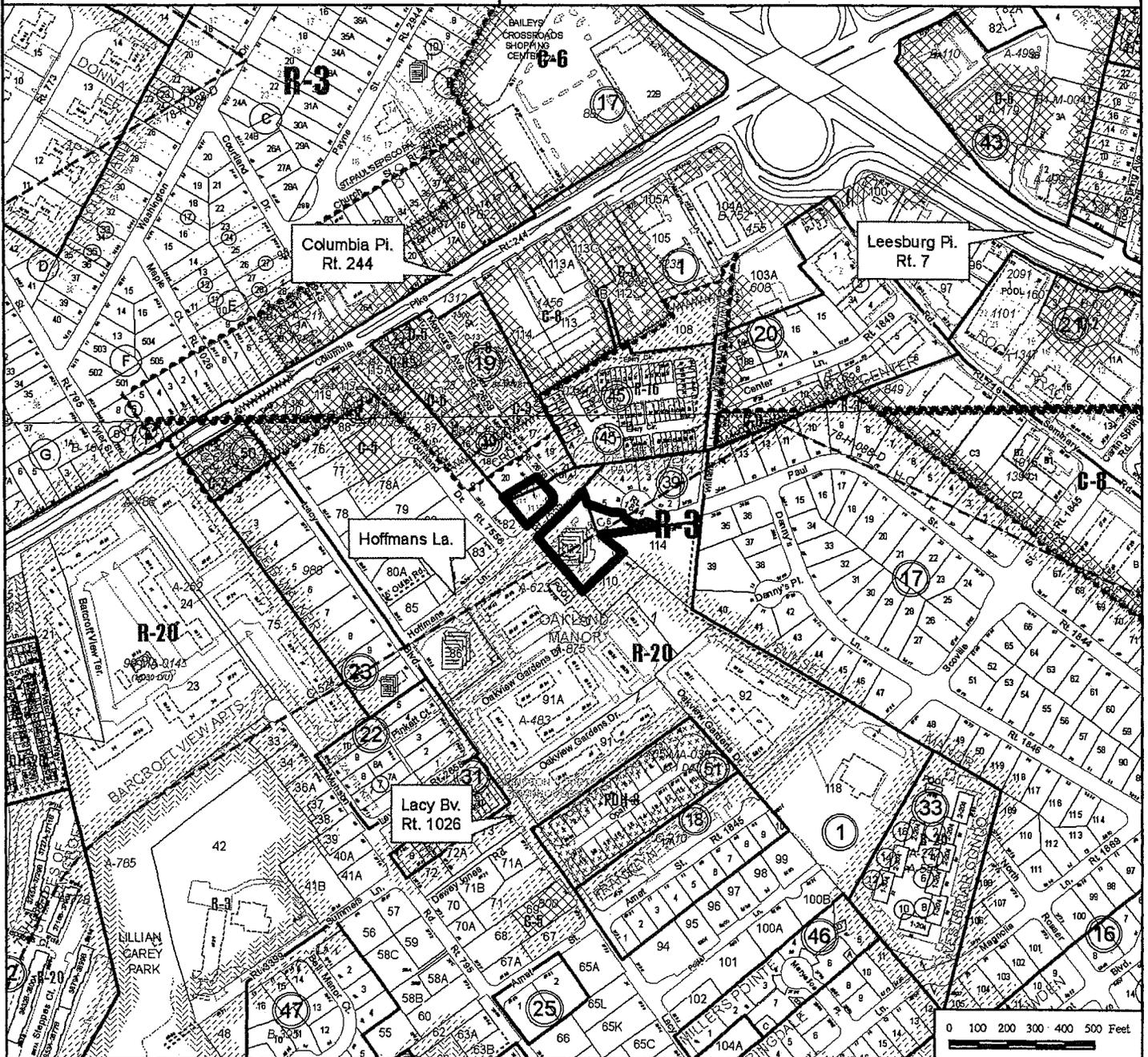
Special Permit Amendment

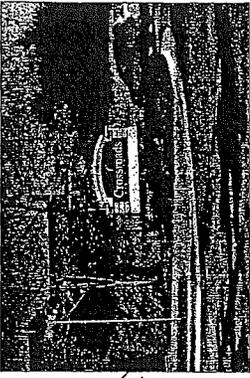
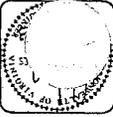
SPA 90-M-036-02



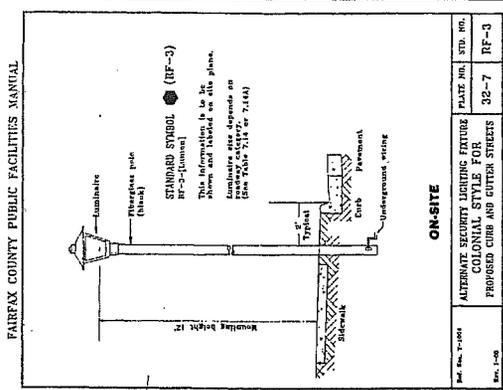
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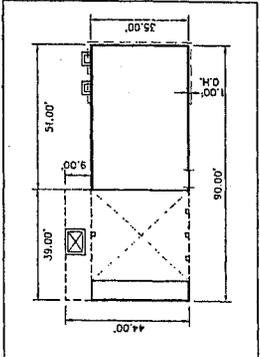
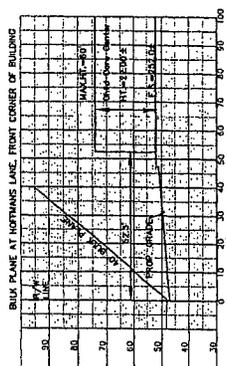
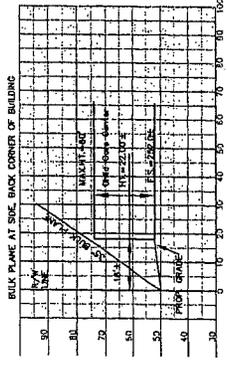
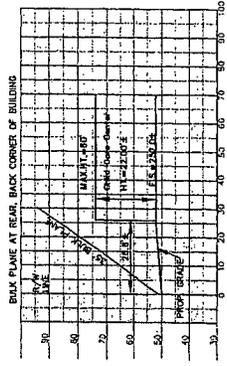
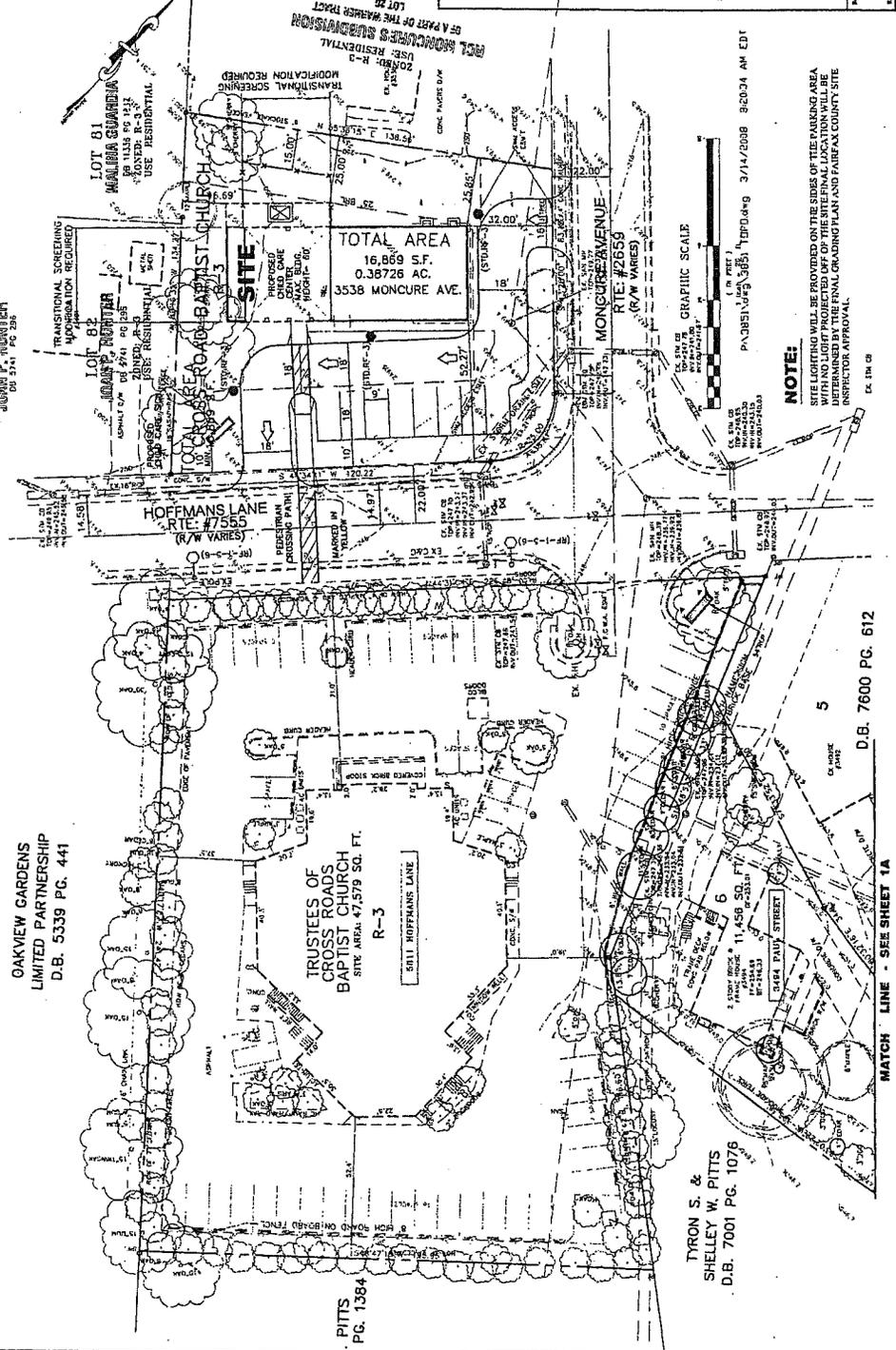


EXISTING CHURCH SIGN
 (SIMILAR SIGN WILL BE PROVIDED FOR THE CHILD CARE FACILITY)



ON-SITE

DATE: 10-30-2007	PLATE NO. 32-7	RF-3
ALTERNATE SECURITY LIGHTING FEATURE		
COLONIAL STYLE FOR PROPOSED CURB AND CUTTER STRIPS		



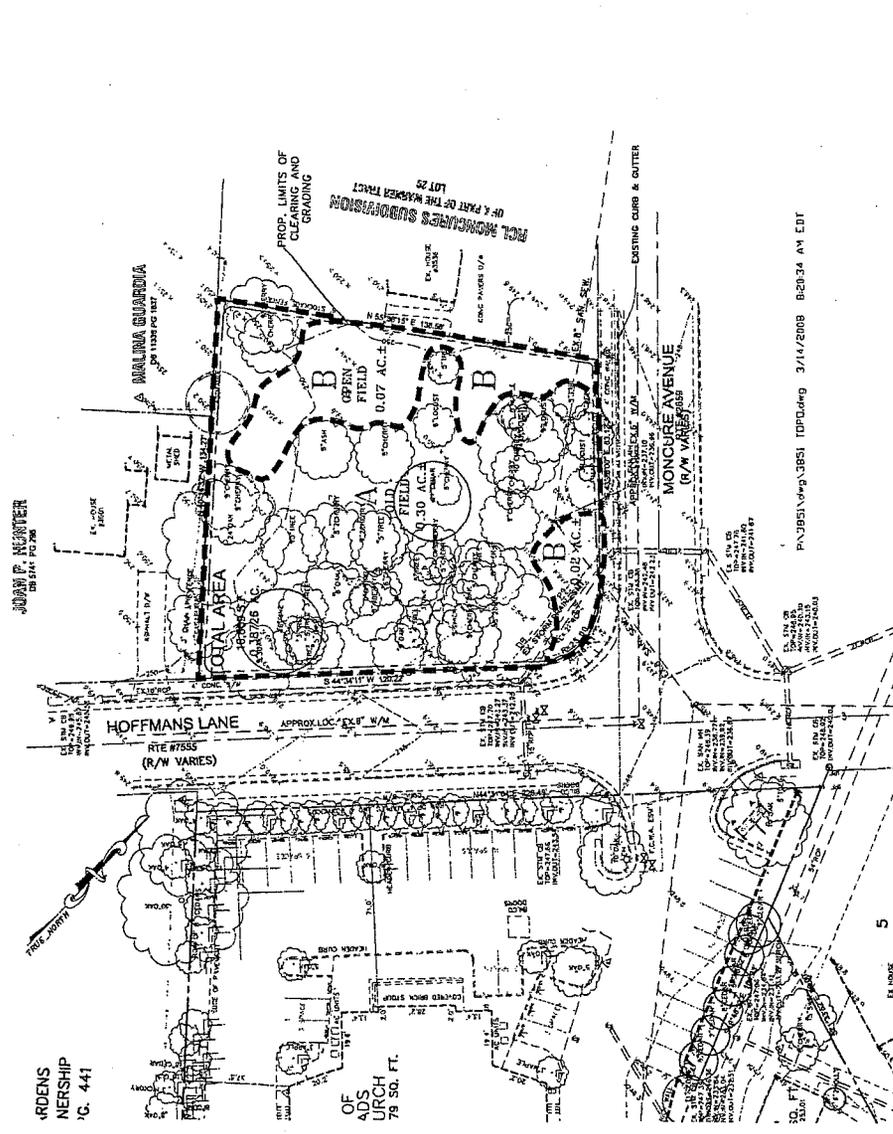
ANGLE OF BULK PLANE
 (SCALE: 1" = 20')

Hundley, Nyce & Associates, Ltd.
 CIVIL ENGINEERING - LAND PLANNING
 COUNTY OFFICE
 1400 HERRINGTON AVENUE, SUITE 100
 CHARLOTTE, VIRGINIA 28211
 TEL: 703-521-7199 FAX: 703-521-7199
 www.hnand.com



CROSS ROAD CHILD CARE CENTER
 LOT 22
 MASON DISTRICT, FAIRFAX COUNTY, VIRGINIA
 PL PERMIT AMENDMENT - EXISTING CONDITIONS

SCALE: 1" = 20'
 DATE: 10-30-2007
 REVISIONS:
 SHEET: 3 OF 10
 CASE: PL-3851



EXISTING VEGETATION MAP CHART

COVER TYPE	PRIMARY SPECIES	SUCCESSIONAL STAGE	CONDITION	ACREAGE	COMMENTS
A OLD FIELD	CHERRY, MAPLE, LOCUST, OAK, A SH	C-MAX	GOOD	0.39 AC.	
B OPEN FIELD	LAWN AREA	N/A	GOOD	0.09 AC.	
TOTAL ACREAGE				0.39 AC.	

LEGEND

TITLE	SYMBOL
WATER PILE	○
CENTER LINE	—
EXHIBIT	▲
WALKWAY	—
PARKING SPACE	□
EXISTING DRIVE	—
EXISTING CONTOUR	—
EX. BUILDING	—
EX. LOT BOUNDARY	—
EX. LOT DEEP	—
PROPERTY LINE	—
TREE LINE	—
UTILIZING RESTRICTION	—
S.L. CLEAR CUT	—
WATER VALVE	—
SEWER VALVE	—
UTILITY MARKERS	—
UTILITY	—
PIPE RESTRICTION	—

REQUIREMENTS PER SEC. 8-011 PAR. 1, 2 & 3 FAIRFAX COUNTY ZONING ORDINANCE

Stephen A. Croner
 #116 Arlington Boulevard, #130
 Falls Church, VA 22042
 Telephone: 703-524-9977
 Fax: 703-521-7195

Soil Evaluation for Construction of
 Addition to an Unimproved Soil Area

Requested by: Hundley, Nyce, and Associates
 Location: 1314 Moncure Avenue, Falls Church, VA
 Evaluation By: Stephen A. Croner, VA CPSS #2401-000094
 Date: 10/25/07

Soil Map

Soils 1-1007

SOIL MAP SYMBOL	SOIL SERIES NAME	SLOPE RANGE	PROBLEM CLASS	ESTIMATED % OF SUBSTRATE
1	Stauffer	0-15%	A, B, or C	25%
2	Stauffer	15-25%	C	75%
TOTAL: 100%				

EDUCATIONAL SOIL PROBLEMS

PROBLEM	YES	NO	SOIL USED
Marginal to Low Bearing Capacity		NO	
High Seasonal Water Table		NO	
High Shrink-Swell Clays		NO	
Fast Surface Drainage		NO	
Shallow Depth to Bedrock		NO	
High Eroisibility	YES		S4
Flood Plain (Alluvial)		NO	
Poor Septic Field Potential		NO	
Hydric Soils Potential		NO	

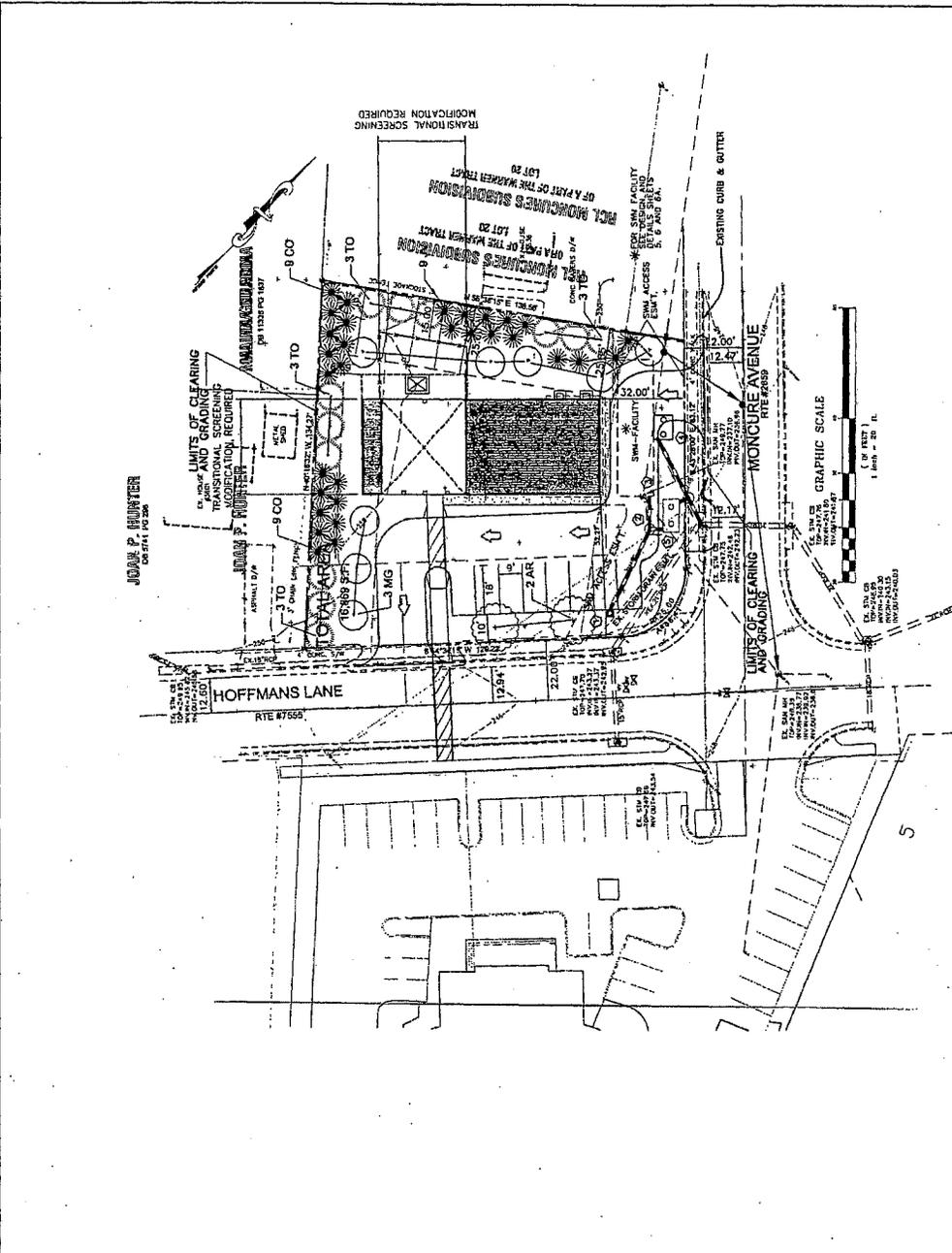
DISCUSSION OF SOIL CHARACTERISTICS

(S4) Stauffer
 This soil occurs on rolling and steeply sloping to steeply sloping terrain. The upper few feet consists of predominantly sandy and silty clay loam material. Depth to bedrock is greater than 10 feet. This soil is suitable for most urban and residential uses.

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NOTE:
 The soil map and the accompanying soil map are based on a site investigation of the property. Soil Characteristics, descriptions, and potential problems are based on the site conditions at the time of the investigation. Any disturbance that materially alters the original site conditions may affect the interpretations of this report.



TRANSITIONAL SCREENING
 NORTHWEST SIDE TRANSITIONAL SCREENING TYPE I REQUIRED
 (APPROX. LENGTH OF TRANSITIONAL SCREEN 130 LF)
 ONE LARGE EVERGREEN/10 LINEAR FEET
 ONE MEDIUM EVERGREEN/5 LINEAR FEET
 REQUIRED:
 13 LARGE EVERGREENS
 26 MEDIUM EVERGREENS

PROVIDED:
 18 LARGE EVERGREENS
 11 MEDIUM EVERGREENS

NORTHEAST SIDE TRANSITIONAL SCREENING TYPE I REQUIRED
 (APPROX. LENGTH OF TRANSITIONAL SCREEN 110 LF)
 ONE LARGE EVERGREEN/10 LINEAR FEET
 ONE MEDIUM EVERGREEN/5 LINEAR FEET
 REQUIRED:
 11 LARGE EVERGREENS
 22 MEDIUM EVERGREENS

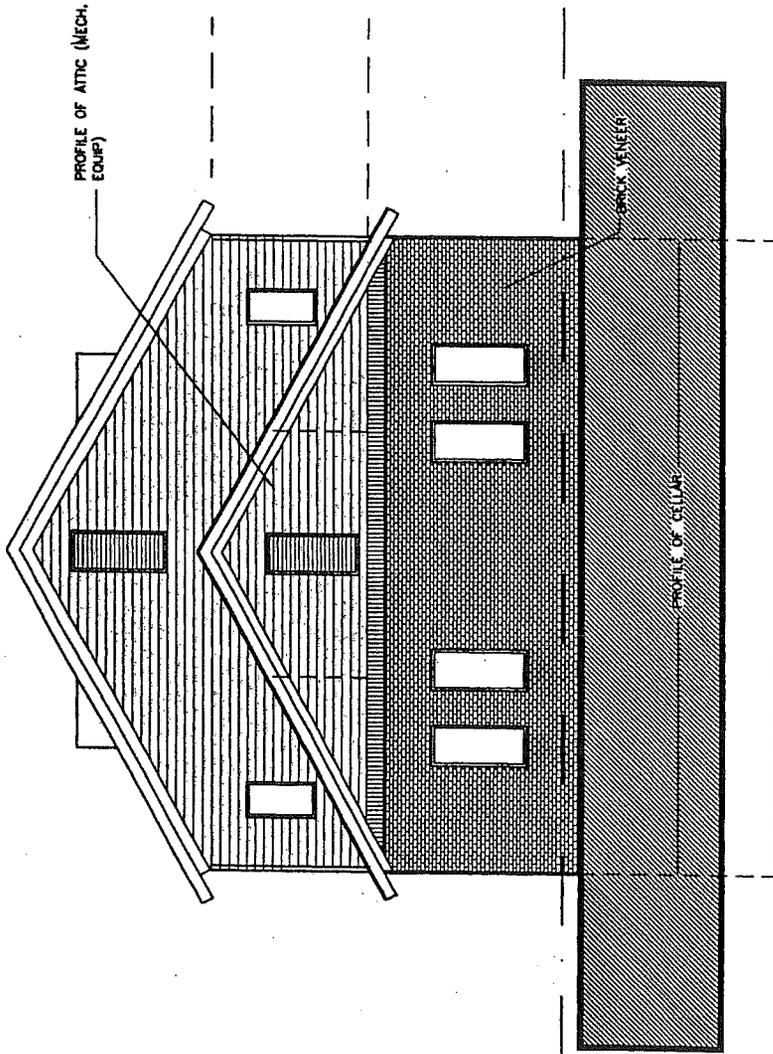
PROVIDED:
 13 LARGE EVERGREENS
 9 MEDIUM EVERGREENS

BARBER REQUIREMENTS ARE TO BE MET WITH A 6" HIGH BOARD ON BOARD FENCE FOR THE NW AND NE SIDES

TREE COVER CALCULATIONS
 ZONING CATEGORY: R-3
 GROSS SITE AREA.....0.38726 AC. OR 16,659 SF
 BUILDING FOOTPRINT.....3,157 SF
 ADJUSTED SITE AREA.....13,712 SF
 MULTIPLY PERCENT REQUIRED.....20%
 EQUALS REQUIRED TREE COVER.....2,742 SF
 PROVIDED.....3,750 SF
 PERCENTAGE OF TREE COVER PROVIDED.....27%

LANDSCAPE SCHEDULE

KEY	QUANTITY	% OF SPECIES	BOTANICAL NAME	COMMON NAME	REMARKS	CREDIT	SIZE	TOTAL CREDIT
CANOPY								
AR	2	47	Acer rubrum	Red Maple	B & B	250 SF	3" CAL.	500 SF
EVERGREEN								
CO	18	34%	Chamaecyparis obtusa 'Drelichii'	Slender Japanese Cypress	B & B	50 SF	6'-8" HT.	1,550 SF
JV	13	25%	Juniperus virginiana	Eastern Red Cedar	B & B	50 SF	6'-8" HT.	1,550 SF
MG	8	15%	Magnolia grandiflora	Magnolia 'Little Gem'	B & B	100 SF	6'-8" HT.	800 SF
TO	12	23%	Thuja occidentalis 'Strya'	American Arborvitae	B & B	75 SF	6'-8" HT.	800 SF
TOTAL	53	100%				3,750 SF		3,750 SF



PRESCHOOL

DESCRIPTION OF THE APPLICATION**Special Permit Request:**

This request is to amend SP 90-M-036 previously approved for a church with child care center, nursery school and private school of general education to permit increase in land area, a building addition, site modifications and an increase in enrollment for the child care center. The existing church building which is 11,316 sq. ft. in size and has 232 seats will not increase in size. The church building and associated parking are located on Parcel 112. The applicant proposes to add Lot 6 which contains a dwelling (2,700 sq. ft. in size) located at 3493 Paul Street, adjacent to the existing church property, as a parsonage and church office for the associate pastor. Additionally, the applicant proposes the construction of a new building for the child care center to be constructed on Lot 22 across Hoffmans Lane from the existing church. The applicant proposes to enlarge the enrollment of the child care center and school to a total of 150, 125 for child care on the new site and 25 for the school on the present church site, increase the employees, increase the land area to include the new properties and modify the development conditions.

	<u>Existing</u>	<u>Proposed</u>
Size of property:	1.09 acres	1.74 acres
Parking:	61 spaces	73 spaces
Total Gross Floor Area:	11,316 square feet	18,233 square feet
FAR:	0.25	0.2402
Number of Seats:	232 seats	232 seats
Enrollment		
Child Care Center	74	125
School of General Education	25	25
Employees:		
Church:	5	5
Child Care Center	9	16
School of General Education	3	3

Hours of Operation (Existing; no Change Proposed):**Church**

Sunday services: 10:00 a.m., and 6:00 p.m.

Administrative Offices and Church Building
(Monday through Friday): 8:30 a.m. to 5:30 p.m.

Child Care Center

Monday through Friday: 7:00 a.m. to 6:00 p.m.

School of General Education

Monday through Friday: 8:30 a.m. to 3:30 p.m.

Waiver and Modifications Requested:

The applicant requests that a modification of the transitional screening along all lot lines and a waiver of the barrier requirements along the northern, western and a portion of the southern lot lines.

LOCATION AND CHARACTER**Existing Site Description:**

Crossroads Baptist Church is located at 5611 Hoffmans Lane at its intersection with Moncure Avenue. The existing church on Lot 112 is bounded on the east, west and north by properties zoned R-3. To the north are single family detached dwellings, one of which is on Lot 6, which is the proposed location of the parsonage/pastor's offices and is accessed from Paul Street. To the east the property is vacant and to the west is Lot 22, which is proposed to contain the new child care center. An apartment development zoned R-20 is adjacent to the property to the south. The existing church is located in the central portion of the church site. The church structure contains a total of 11,316 square feet of gross floor area. The parking lot with 61 spaces is surrounding the church building. The FAR of the existing church property is 0.25. The site is accessed by a curb cut onto Hoffmans Lane which aligns with Moncure Avenue. The existing church property is landscaped with existing deciduous and evergreen vegetation along the periphery of the property. Lot 22, the location of proposed child care facility, is vacant and wooded, and Lot 6 contains a single family detached dwelling.

BACKGROUND**Site History:**

Application	Date	Use	BZA Action
SP-90-M-036	10/30/90	Church and related facilities	Approved
SPA-90-M-036	12/28/1993	SP-90-M-036 for church and related facilities to permit a child care center and school of general education	Approved with a term limit of 5 years for the child care center/school.

A copy of the resolution and plat approved in conjunction with SPA-90-M-036 is attached at Appendix 4.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Single family detached dwellings	R-3	Residential, 4-5 du/ac
West	Single family detached dwellings	R-3	Residential, 4-5 du/ac
East	Single family detached dwellings and vacant	R-3	Residential, 4-5 du/ac
South	Multi-Family Residential Dwellings	R-20	Residential, 16-20 du/ac
	Single family detached dwellings	R-3	Residential, 4-5 du/ac

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Baileys Planning District, Area I
Planning Sector: Glasgow Community Planning Sector

Plan Map: Residential 4-5 du/ac

ANALYSIS

Special Permit Plat (Copy at front of staff report)

Title of SP Plat: Crossroad Child Care Center, Lot 22
Mason District, Fairfax County, Virginia
Special Permit Amendment Plan SPA 2007-0420

Prepared By: Huntley, Nyce and Associates, Ltd.

Dated: October 30, 2007, revised through February 28, 2008

Proposed Use:

The applicant requests approval of an amendment to SP 90-M-036 for an existing church with a child care center and private school of general education to permit the addition of land area, Lots 6 and 22, the addition of a parsonage/pastor offices, the addition of a new building for the child care center and an increase in enrollment for the child care center from 74 to 125 students. Sheet 4 of the special permit amendment plat depicts the existing church which is located in the central portion of Lot 112. This lot is 1.09 acre in size and is developed with the existing church structure which contains a total of 11,316 square feet of gross floor area. A parking lot with 61 spaces surrounds the church building. The FAR of the existing church is 0.25. The site is accessed by a curb cut onto Hoffmans Lane which aligns with Moncure Avenue. The number of seats in the sanctuary will remain at 232. The existing church property is landscaped with existing deciduous and evergreen vegetation along the periphery of the property with transitional screening modified from 25 feet to 8 feet and a barrier along the eastern and a portion of the southern lot lines.

The child care center and school are presently located at the church and were approved for 74 children in the child care center (CCC) and 25 children in the school. Because of limited outdoor play space (the play area is located in the church parking lot) the CCC and school were approved for a five year term. Though the term has expired, the applicant indicates that the uses are still operating. The CCC is now requesting an increase in enrollment to 125 students, with the school enrollment remaining at 25 students. The child care center will operate from 7 a.m. to 6 p.m. Monday through Friday, with the private school of general education operating from 8:30 a.m. to 3:30 p.m., with a study hall until 5:00 p.m.

As shown on sheet 1 of the special permit amendment plat, to house the expanded child care center, the applicant proposes construction of a two story, 4,217 square foot building to be located on lot 22, which is 16,689 square foot in size. The applicant indicates that the architecture for the new facility will be designed in a residential character. The proposed height of the building is 22 feet, which will be two stories with a cellar. There is a new play area proposed, approximately 1,890 square feet in size. The play area is proposed to be built partially under cover of the building. On the architectural plans, this area is indicated by the open archways. A portion of second floor will provide cover over

a section of the play area. This entire play area will be fenced. The exterior materials of the new building will consist of brick, vinyl and stucco, with an asphalt shingle roof.

Access to the CCC on Lot 22 will be provided by a curb on Moncure Avenue which will provide access for the drop off of children. A curb cut onto Hoffmans Lane will provide an exit from the site. Parking for 8 vehicles is provided on the proposed child care center site. A pedestrian crossing path, marked in yellow, provides access from the child care center across Hoffmans Lane to the existing church. The remaining required parking will be provided on the existing church site on Lot 112.

Modification of the transitional screening is requested along all lot lines and a waiver of the barrier requirement is requested except for that existing along the eastern and a portion of the southern lot lines of the existing church site.

The applicant also proposes adding Lot 6, an 11,456 square foot property on Paul Street which contains a 2,700 square foot single family detached dwelling to be used as a parsonage and church office for the associate pastor. This lot has parking for 4 vehicles including 2 garage spaces and obtains access from Paul Street.

The additions will increase the size of the existing buildings from 11,316 square feet to 18,233 square feet, with an FAR of 0.2402. A maximum FAR of 0.25 is permitted.

Land Use Analysis

Specific language for the subject parcels in the Comprehensive Plan states the following, "The tract west of Williams Lane and south of the Leesburg Pike/Columbia Pike interchange, comprised of Parcels 61-2((1))107, 108, 109, 110 and 113B, 61-4((1))110, 111A, 112, 114, 115, 61-4((30))17, 19, 21, and 61-4((39))1, 2, 3, 4, 5 and 6 is planned for residential use at 4-5 dwelling units per acre, well-buffered from existing development. In any residential redevelopment proposal, substantial and logical parcel consolidation is encouraged; access oriented to Hoffmans Lane is desirable".

The subject property is located in the Glasgow sector, outside of the Baileys Crossroads Community Business Center. Of this area, the Comprehensive Plan states that it is "largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity and in accordance with the guidance provided by the Policy Plan in Land Use Objectives 8 and 14."

Objective 8: Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods.

Policy a. Protect and enhance existing neighborhoods by ensuring that infill development is of compatible use, and density/intensity, and that adverse impacts on public facility and transportation systems, the environment and the surrounding community will not occur.

Policy b. Discourage commercial development within residential communities unless the commercial uses are of a local serving nature and the intensity and scale is compatible with surrounding residential uses.

Objective 14: Fairfax County should seek to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental and other impacts created by potentially incompatible uses.

Policy b. Encourage infill development in established areas that is compatible with existing and/or planned land use and that is at a compatible scale with the surrounding area and that can be supported by adequate public facilities and transportation systems.

Policy c. Achieve compatible transitions between adjoining land uses through the control of height and the use of appropriate buffering and screening.

The application proposes the addition of a 4,217 square foot child care center building to be located on lot 22, which is 16,689 square foot in size. This parcel is across Hoffmans Lane from the existing church site. The proposed child care center site is surrounded to the north, south and west by single family detached residential development zoned R-3.

The maximum number of children in the child care center would increase from 74 to 125. Twenty (20) parking spaces are required for the child care center while only eight (8) are provided on Lot 22 of the child care center. Eighty-eight (88) parking spaces are required to accommodate all of the proposed uses on the application property. The total parking provided for the entire site is 73 spaces including the eight (8) spaces on Lot 22.

After the construction of the proposed child care center on Lot 22 there is only enough area remaining on the site to provide just eight parking spaces. The rest of the parking required for the child care center will need to be provided across Hoffmans Lane on the existing church parking lot. Additionally, because of the size of the building on the relatively small lot, full transitional screening cannot be provided, resulting in the applicant requesting modification of the minimum transitional screening requirements of 25 feet to 15 feet to the west and north and 10 feet to the east of the proposed child care center.

The comprehensive plan language states that infill development in this area "should be of a compatible use, type and intensity and in accordance with the guidance provided by the Policy Plan." The Policy Plan states that "Fairfax County should encourage a land use pattern that protects, enhances and/or maintains stability in established residential neighborhoods.

A child care center at the proposed intensity of 125 students, directly adjacent to single family detached dwellings should have full screening provided, required parking provided on-site and some sound attenuation, which this application does not propose. By locating the child care center on this lot, it intrudes into the existing neighborhood in an area where

at least one new house has been constructed. Additionally, the Environmental and Urban Forrest Management Analyses state that there is desirable mature vegetation that should be preserved on the site. Under the current layout there is no opportunity to do so. Any preserved vegetation could help to meet screening requirements and serve to help the use better integrate into the existing single family neighborhood.

This level of expansion is too intense and cannot be accommodated on site, as proposed and is not in conformance with the specific plan language for this area or with the policy plan as stated above. Staff requested that the applicant either reduce the size of the proposed building to reduce the intensity of the use and provide full transitional screening to adjacent properties or consolidate adjacent parcels to provide a more suitable land area to accommodate a development of this size. A more suitable and logical location for this expansion is parcel 110 and/or Parcel 114, which are located adjacent to the church to the east and northeast. The applicant has indicated that they have sought in the past to acquire parcel 110 but have been unsuccessful in doing so. In addition the church use has minimal parking provided on site currently only meeting zoning ordinance requirements. The additional use and intensity will make parking an increasing problem in the neighborhood.

Environmental and Urban Forest Management Analysis

Both the Environmental Analysis (Appendix 5) and the Urban Forest Management Analysis (Appendix 6) found several deficiencies with the SPA plat regarding existing and proposed vegetation. The site (Lot 22) of the new child care center is currently vacant and is heavily vegetated with a mix of various deciduous tree species and grassy areas. However, the proposed landscaping plan does not show any preservation of the existing vegetation as part of the landscape plan for this site. A comprehensive landscape plan which proposes preservation and/or restoration of existing vegetation, as well as plantings of new native trees, shrubs and groundcover should be provided.

Stormwater Analysis (Appendix 7)

The stormwater analysis noted that since the applicant proposes to use underground stormwater detention that such facilities have to be maintained by the owners and that the applicant will be required to enter into a Stormwater Maintenance Agreement.

Transportation Analysis (Appendix 8)

Issue:

The transportation analysis indicates that the mid-block pedestrian crossing should be relocated to the intersection of Moncure Avenue and Hoffmans Lane with sidewalks/striped walkways connecting the church to the relocated crosswalk.

Resolution:

A proposed development condition in Appendix 1 requires that the mid-block pedestrian crossing be relocated as noted above.

Issue:

Because there is inadequate parking on site, there should be no Sunday usage of the proposed child care building. All parking should be available on Sundays for use by church attendees.

Resolution:

A proposed development condition in Appendix 1 prohibits Sunday usage of the proposed child care building.

Issue:

The car pool program for transportation of children to /from the child care and school should continue to be very strongly encouraged.

Resolution:

A proposed development condition in Appendix 1 requires car pool program for transportation of children to and from the child care and school.

ZONING ORDINANCE PROVISIONS

DISTRICT REGULATIONS	REQUIRED	PROVIDED
Bulk Regulations R-3		
Lot Size	11,500 square feet	1.74 acres
Lot Width	105 feet	105 ft.
Building Height Church CCC	60 feet 60 feet	60 feet 22 ft.
Front Yard	Controlled by 40° Angle of Bulk	32.51 ft.

DISTRICT REGULATIONS	REQUIRED	PROVIDED
	Plane (ABP), but not less than 30 feet	
Side Yard	Controlled by 35°ABP, but not less than 10 feet	12 ft.
Rear Yard	Controlled by 35°ABP, but not less than 25 feet	25 ft.
FAR	0.25	0.2402
Parking*		
Church	58 spaces	61 spaces (included with church)
School	6 spaces	8 spaces
Child Care	20 spaces	4 spaces
<u>Parsonage</u>	<u>4 spaces</u>	<u>4 spaces</u>
Total	88 spaces	73 spaces

*The Zoning Ordinance requires Child Care Centers to provide 0.16 of a parking space per child, the private schools of General Education to provide one (1) parking space per full-time teacher and staff members plus four (4) parking spaces for visitors and requires churches to provide 1 parking space for every 4 seats in the principal place of worship. The existing parking lot only provides 61 spaces. A Parking Reduction Plan was submitted to and approved by DPVVEs on May 4, 1999, which showed the number of spaces being used by the school and child care center. Approval of a new parking reduction by DPWES will be required if this application is approved.

Standard	Required	Provided
Transitional Screening		
North (single family attached dwellings)	Transitional Screening (T/S) 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	8 ft. to 10 ft. wide area of scattered trees and shrubs. *

Standard	Required	Provided
East (single family attached dwelling)	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	8 ft. wide area of scattered trees and shrubs. *
West (single family detached dwellings)	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	8 ft. wide area of scattered trees and shrubs. *
South (multi-family detached dwellings and single family detached dwellings)	T/S 1 - 25 feet in width adjacent to single family detached. Planted with evergreen trees or a mixture of evergreen and deciduous trees	16 ft. wide area with 1-2 rows of trees. (between proposed CCC and SFDD) *

Barrier		
North (single family attached dwellings)	Barrier D, E or F	None.
East (single family attached dwelling)	Barrier D, E or F	8 ft. board on board fence.
West (single family detached dwellings)	Barrier D, E or F	None
South (multi-family detached dwellings and single family detached)	Barrier H and DE or F adjacent to SFDD	6 ft. board on board fence 45 ft. in length adjacent to multi-family.

* Waiver or modification requested

WAIVERS/MODIFICATIONS REQUESTED

Waivers and Modifications Requested

Transitional Screening 1 and Barrier D, E, or F are required adjacent to all property lines except to the south facing the multi-family dwellings. The applicant requests that the transitional screening requirements be modified and waived, respectively, in favor of the existing on site vegetation and proposed additional vegetation as shown on the SP Plat.

Basis: Sect. 13-304 provides that transitional screening may be modified where the land between the buildings and the property lines has been designed to minimize adverse impact through a combination of architectural and landscaping techniques.

The relatively large size of the child care center on a small parcel results in the retention of little of the existing landscaping and provides minimal supplemental plantings to buffer the adjacent single family dwellings to minimize the adverse visual and noise impact of this non-residential use. The previous application modified the transitional screening and barrier requirements for the church. The applicant is proposing to add additional uses to the site and is requesting additional modifications to the transitional screening to the area adjacent to the proposed child care center to its north, south and west. Also the proposed use of the parsonage for office use could support providing transitional screening associated with that use which, the applicant has not proposed. Because of the intense use proposed, staff does not support the modification of the transitional as depicted on the SP Plat, and believes that full transitional screening should be provided adjacent to the child care center and at least a modified screening should be provided on the parsonage/office use site adjacent to other single family homes.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 9)

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sect. 8-303)
- Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship with a Child Care Center, Nursery School or Private School (Sect. 8-308)

Summary of Zoning Ordinance Provisions

The Zoning Ordinance provides that a 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 their value. Additionally, Plan language for this Planning District states that infill development in the neighborhood should be of a compatible use, type and intensity and in accordance with the Policy Plan.

It is staffs opinion that the proposed expansion of the child care center with additional children and a new building on Lot 22 does not meet all the General Standards, specifically Standards 1, 2 3, 5 and 7 as outlined previously in the staff report.

As previously noted the level of expansion proposed is too intense and cannot be accommodated on site as evidenced by the lack of full transitional screening and barriers. Additionally, full parking cannot be accommodated on site, either on the existing church site or the proposed child care center site. Without full screening and barriers and the play area only 15 feet from an adjacent single family dwelling, this infill development is not compatible with the surrounding single family uses and will impact their uses, particularly related to noise, views and parking if it cannot be accommodated on site. The applicant should consider either the reduction in size of the proposed child care center building to reduce the intensity of the use and to provide full transitional screening to adjacent properties or the consolidation of adjacent parcels to provide a more suitable land area to accommodate a development of this size.

A more suitable and logical location for this expansion is parcel 110 and/or Parcel 114, which are located adjacent to the church to the east and northeast. Previously staff encouraged and the applicant indicated that they sought to acquire parcel 110 but have been unsuccessful in doing so. Both lot 110 and 114 are contiguous to the existing site and adjacent to higher density residential uses and would provide more opportunity to screen the proposed child care use from adjacent single family detached residential dwellings. In addition the church use has minimal parking provided on site currently only meeting zoning ordinance requirements for the church use, not the child center and school use. The additional use and intensity will make parking an increasing problem in the neighborhood.

CONCLUSIONS

Staff concludes that the subject application is not in harmony with the Comprehensive Plan and is not in conformance with the applicable Zoning Ordinance requirements.

RECOMMENDATIONS

Staff recommends denial of the subject special permit application.

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.

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.

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. Resolution and Plat Approved for SPA 90-M-036
5. Environmental Analysis
6. Urban Forest Management Analysis
7. DPWES Stormwater Analysis
8. Transportation Analysis
9. Applicable Zoning Ordinance Provisions Checklist

PROPOSED DEVELOPMENT CONDITIONS**July 8, 2008****SPA 90-M-036-2**

If it is the intent of the Board of Zoning Appeals to approve SPA 90-M-036-2 located at Tax Map 61-4 ((1)) 112; 61-4 ((30)) 22 and 61-4 ((39)) 6 for a church with child care center and private school of general education to permit increase in land area, building addition, site modifications and an increase in enrollment pursuant to Section 3-303 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit are marked with an asterisk. Minor edits have been made to these conditions to conform to current terminology. Edits have been underlined.

1. This approval is granted to the applicants only, Crossroads Baptist Church, and is not transferable without further action of this Board, and is for the locations, 3439 Paul Street, 3538 Moncure Avenue and 5811 Hoffmans Lane, indicated on the application and is not transferable to other land.*
2. This Special Permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by Huntley, Nyce and Associates, Ltd. dated October 30, 2007 revised through February 28, 2008 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. Upon obtaining a Non-RUP for the Child Care Center building on Lot 22, the total maximum daily enrollment for the child care center and private school of general education shall be 99-150 children, 25 of which will be students of the private school of general education, as qualified by Condition Number 7.
6. The maximum number of seats in the church shall not exceed 232, as qualified by Condition 7.*

7. If a shared parking agreement or parking reduction is approved by the Department of Public Works and Environmental Services (DPWES) the number of parking spaces provided shall be ~~64~~ 73. All parking shall be on site as shown on the special permit plat. If a shared parking agreement or parking reduction is not approved by DPWES, the number of seats in the sanctuary and or the number of students in the child care center/school must be reduced to correspond to a number that can be supported by the parking spaces provided on site as determined by DPWES. No buses shall be parked or stored on the site.*
8. ~~Upon issuance of a Non-Residential Use Permit,~~ The hours of operation for the child care center shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday. The hours of operation for the private school of general education shall be limited to 8:30 a.m. to 3:30 p.m., Monday through Friday.*
9. Until such time as a Non-RUP for the new child care center on Lot 22 is issued, the maximum number of children permitted in the outdoor recreational area at anyone time shall be thirty (30). The outdoor recreational area of 9,000 square feet as shown on the special permit plat shall be provided. This area shall be enclosed with a six (6) foot high solid board on board fence on the southeastern side of the playground. The portable fence with a minimum of three (3) feet high shall be utilized any time children are present in the play area. This fence shall not block any accessible parking spaces or ramps. In addition to the play area outlined above, the applicant shall use the additional play areas as outlined in their statement of justification. These play areas shall consist of the three (3) playgrounds located on the Oakview Garden Apartment property and the Bailey's Crossroads Recreation Center. If the play areas at the Oakview Garden Apartments and/or the Recreation Center are not available, than the child care center and school use shall be null and void.

Following issuance of a Non-RUP for the child care center on Lot 22, the only recreation area in use shall be the first floor level recreation space as shown on the approved special permit amendment plat.
10. All existing vegetation around the periphery of the site of the existing church on Lot 112, shall be maintained and supplemented as deemed necessary by the Urban Forest Management Branch to provide screening to adjacent residential properties. This landscaping shall be deemed to satisfy the transitional screening requirements along the property lines on Lot 112. Dead or dying plant material shall be replaced to maintain the transitional screening. The foundation plantings around the structure which are designed to soften the visual appearance of the structure shall be maintained and any dead or dying planting shall be replaced with Dogwoods, Silverbells, Magnolias and Crab apple to the satisfaction of the Urban Forest Management Branch.*
11. Barrier F (brick wall) shall be provided along a portion of the northern lot line and a board-on-board fence shall be provided along a portion of the northern lot line, the eastern lot line and a portion of the southern lot line as depicted on

the plat. The barrier requirement shall be waived along the rest of the lot lines of the existing church on Lot 112.*

12. All outdoor lighting fixtures used to illuminate the parking area shall not exceed 12 feet in height and shall be of such design and so located and oriented as not to produce glare or cause illumination in excess of 0.5 foot candles on the adjacent existing residential uses. No outdoor area shall be lighted at any time other than when necessary due to evening functions or other special events. Any new proposed lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. Any new outdoor lighting fixtures shall not exceed twelve (12) feet in height, measured from the ground to the highest point of the fixture, shall be of low intensity design and shall utilize full cut-off fixtures which focus directly on the subject property.*
13. All signs on the property shall be provided in accordance with the requirements of Article 12, Signs, of the Zoning Ordinance.*
14. Stormwater detention shall be provided as determined as necessary by the Department of Public Works and Environmental Services (DPWES). If underground detention is used, the tanks shall be locked and secured such that children in the area are unable to enter the detention facility.*
15. Prior to site plan approval, detailed plant schedule with specifications for all landscape plantings shall be provided to the satisfaction of Urban Forest Management Branch, DPWES. In order to contribute to maintaining water quality and providing native plant material for wildlife, native shrubs and groundcover shall be provided around the buildings and along portions of the parking lot as determined by DPWES.
16. Additional plantings/transitional screening shall be provided if determined necessary by the Urban Forest Management Branch, DPWES.
17. Interior Parking lot landscaping shall be provided and maintained in accordance with Article 13.
18. Prior to site plan approval, it shall be demonstrated to the satisfaction of DPWES that adequate outfall can and shall be provided in accordance with the PFM.
19. The mid-block pedestrian crossing shall be relocated to the intersection of Moncure Avenue and Hoffmans Lane with sidewalks/striped walkways connecting the church to the relocated crosswalk.
20. There shall be no use of the child care center on Sundays or concurrent with any other church services are held.
21. Prior to site plan approval, a car pool plan for transportation of children to/from the child care and school shall be submit to and approved by the Department of Transportation.

These conditions 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 construction has commenced and been diligently prosecuted. 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): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: November 21, 2007
(enter date affidavit is notarized)

98254

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)

Robson Group Architects, Inc.
14900 Bogle Drive, Suite 203
Chantilly, Virginia 20151

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)

William M. Robson

(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): _____
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(b)

DATE: November 21, 2007
(enter date affidavit is notarized)

98254

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Huntley, Nyce & Associates, LTD
14428 Albemarle Point Place, Suite 120
Chantilly, Virginia 20152

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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Charles J. Huntley
Robert L. Sproles
ESOP

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Arlene Lyles Pripeton, P.C.
10195 Main Street, Suite B
Fairfax, Virginia 22031

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 THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Arlene L. Pripeton

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: November 21, 2007
(enter date affidavit is notarized)

98254

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)

None

(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): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: November 21, 2007
(enter date affidavit is notarized)

98254

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): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 11/21/07
(enter date affidavit is notarized)

98254

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:

Arlene L. Pripeton

(check one)

[] Applicant

[X] Applicant's Authorized Agent

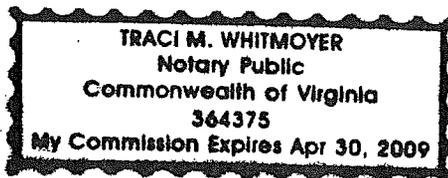
Arlene L. Pripeton, Attorney/Agent

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

Subscribed and sworn to before me this 21st day of November 2007, in the State/Comm. of Virginia, County/City of Fairfax.

Traci M. Whitmoyer
Notary Public

My commission expires: _____



SPECIAL PERMIT STATEMENT

THIS APPLICATION for an amendment to their special permit SP 90-M-035 is made by Crossroads Baptist Church, by its Attorney and Agent, Arlene L. Pripeton, to extent permanently the approval of the Child Care and Private School of General Education at the present location, include the new properties the church has purchased for the construction of the Crossroads Child Care Center and for use as a parsonage, enlarge the enrollment of the child care center and school to a total of 150, 125 for child care on the new site and 25 for the school on the present church site, increase the employees, increase the land area to include the new properties and modify the development conditions. The church presently and for the past 24 years has resided in the Bailey's Crossroads community. Since September 1995, the Church has in good faith operated a child-care facility, including before and after school care, as part of its approved "related church activities." Approval was granted for the present location on November 16, 1999, for a child care of up to 99 children, of which 25 will be students of the private school of general education. The child care facility has operated as a religious exempt facility for ages infant to 12 years. The center has consistently since 1995 met all Fairfax County fire and health department requirements as evidenced by its current operating permits. Accordingly, the Applicant, Crossroads Baptist Church

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is requesting permanent approval of its child care center, and private school of general education for grades K through 8. The total enrollment between the child-care facility and the school shall not exceed 150 children. The school is requesting approval for 25 children, with the child-care facility being limited to 125 children. The child care facility will operate from 7 a.m. to 6 p.m. Monday through Friday, with the private school of general education shall operate from 8:30 a.m. to 3:30 p.m., with a study hall until 5:00 p.m.

Such a child care facility is greatly needed in the Bailey's Crossroads area. The number of housing units and work facilities in the area has increased over the year and the number of child care facilities has not increased in proportion. This facility will fulfill a great need in this area for child care for both residents and people who work in the area. To our knowledge, there are no other privately-run child care facilities nearby.

The church uses the facilities for church services on Sunday mornings and evenings and church activities on weekday evenings. Occasionally, there is a social activity for the church on weekday evenings. The present sanctuary provides seating for 232 persons. There is presently one morning and one evening service on Sundays. There are approximately 232 adults present in the morning and 150 adults present in the evening. The church has been operating since 1993, with

construction having started in 1991.

There will be an addition of approximately seven (7) child care workers due to the increased enrollment. There will be no additions to the present ministerial or administrative staff due to this use. The church presently has a pastor, one associate pastor, one youth pastor, a secretary and a facilities manager. The child care staff consists of nine child-care workers, one of which is the director, and this total number will increase to sixteen. The school of general education staff consists of two additional full-time teachers and a helper, and this number will not change. The previous development conditions did not specifically limit the number of teachers, ministerial or administrative staff. However, the original application had four church staff members, the child care center had seven employees (administrator and six staff and aides), and the school had two full-time teachers. Since then there is an additional facilities manager at the church which will increase the church staff to five, the child care center staff will increase by nine for a total of sixteen, and the school staff will increase by one aide.

The property on Paul Street will be used as a parsonage and church office for the associate pastor.

The church is an autonomous Baptist Church in continuous operation for over twenty six years. It has a good reputation in the community both spiritually

and financially with a reputation for reaching Christ and sharing the gospel through its ministries and mission projects.

There should be little change in impact on transportation, as the center is presently located at the church and is operating with approval for 99 children. The new location for the child care will be directly across the street from the present church location. There is a staggered drop off of the children between 7 a.m. and 9 a.m. each morning and a staggered pick up of the children between 3 p.m. and 6 p.m. in the afternoon so there are usually no more than four parents picking up their children at any one time. All of the children are brought to school and picked up by their parents or car pools. Car pools are strongly encouraged. The children of all of the staff members and teachers also attend the day care or school, which reduces the number of parents dropping their children off at the facility. For Sunday morning and evening activities, private vehicles and church operated vehicles and school type buses will bring and return members, but the transportation issue has been addressed previously and been approved by the Board. There are presently 61 parking spaces provided on the church property and an additional 8 parking spaces proposed on the child care center property. Site lighting will be provided on the sides of the parking area with no light projected off of the site. The school of general education requires 3 teacher spaces, 4 visitor spaces and 7.5 spaces for

students (25 x 0.3 spaces) for a total of 14.5 spaces. The child care will require 16 spaces for day care staff employees, 5 church staff and 20 spaces for the 125 children (125 x 0.16 spaces) for a total of 41 spaces. Therefore, the total required spaces between the school and day care is 55.50 spaces during the week and 58 spaces on Sunday for the church services (232 seats/4). A shared parking arrangement was previously approved by DPWES. A crosswalk will be painted on Hoffman Avenue from the present church site to the new daycare site. A teacher or staff will always cross with the children when they go between the two facilities.

There will be an exterior recreational area at the new location of approximately 1,890 square feet. It is built partially on finish grade and over a ground-level cellar roof. A portion of second floor will provide cover over a section of the space. This entire area will be fenced. 100 square feet of play area is required for each of the 125 child care children on the play area at any one time. Separate groups of children (childcare and the school of general education) will use the outdoor recreation area at prearranged recess times. The time periods will be staggered so that there is never more than the allowable number on the play area at any one time.

The church will be requesting modification of the screening requirements for a small portion of the front, right side and back of the new location, as shown on

the plats. The storm water facility will be constructed under the drive through parking area, as well as the existing facility on the church property. The church is requesting that the modifications, variances and waivers that were previously granted to the church be continued.

Many of the congregation are residents of Mason and Springfield Districts with some members from other parts of Fairfax county and the metropolitan Washington area. The children in the day care facility are from families that live or work in the Bailey's Crossroads area.

There will be a new child care facility constructed on the property located on Lot 22 as shown on the attached plats. The architecture for the new facility will consist of a two-story (with cellar) building designed in a residential character. The exterior materials shall consist of brick, vinyl and stucco, with an asphalt shingle roof. Refer to attached concept.

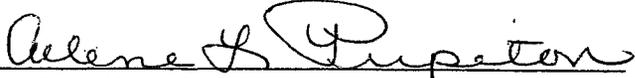
To our knowledge, there are no graves existing on the location.

To our knowledge, there are no hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355, or hazardous waste as set forth in Commonwealth of Virginia/Department of Waste Management VR 672-10-1, Virginia Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280;

that will be generated, utilized, stored, treated and/or disposed of on site and there are no existing or proposed storage tanks or containers.

The proposed use conforms to the provisions of all applicable ordinances, regulations, and adopted standards and the only modifications or waivers that are being sought by the applicant is that the use for the child care and school become permanent, the size of the child care facility be increased and relocated to the new location and that there be a modification of the transitional screening as shown of the attached plats, and the previous modifications, variances and waivers for the church be continued.

The church trustees, Sherrod C. Tibbs, Rodney B. Ray and Ronnie E. Hartwell own the property on behalf of the applicant, Crossroads Baptist Church.


Arlene L. Pripeton, Attorney/Agent for
Crossroads Baptist Church

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES OF CROSSROADS BAPTIST CHURCH, SPA 90-M-036 Appl. under Sect(s). 3-303 of the Zoning Ordinance to amend SP 90-M-036 for church and related facilities to permit child care center and private school of general education with an enrollment of less than 100 students. Located at 5811 Hoffmans Ln. on approx. 1.09 ac. of land zoned R-3 and HC. Mason District. Tax Map 61-4 ((1)) 112. (Continued from 8/10/99). Ms. Gibb 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 November 16, 1999; and

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

1. The applicant is the owner of the land.
2. The applicant presented testimony indicating compliance with the required standards.
3. A child care center has existed on site for 4 years.
4. Staff reviewed the Comprehensive Plan, traffic analysis, and environmental analysis and determined the application should be approved.

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 Sect(s). 3-303 of 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, and is not transferable without further action of this Board, and is for the location indicated on the application, 5811 Hoffmans Lane (1.09 acres) and is not transferable to other land.
2. This Special Permit is granted only for the church and related facilities, child care center and school of general education indicated on the special permit plat prepared by Charles J. Huntley, dated April 30, 1999, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use Permit 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 the approved Special Permit plat and these development 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 total maximum daily enrollment for the child care center and private school of general education shall be limited to 99 children; 25 of which will be students of the private school of general education, as qualified by Condition 7.
6. The maximum number of seats in the church shall not exceed 232, as qualified by Condition 7.
7. If a shared parking agreement or parking reduction is approved by the Department of Public Works and Environmental Services (DPWES) the number of parking spaces provided shall be 61. All parking shall be on site as shown on the special permit plat. If a shared parking agreement or parking reduction is not approved by DPWES, the number of seats in the sanctuary and/or the number of students in the child care center/school must be reduced to correspond to a number that can be supported by the parking spaces provided on site as determined by DPWES. No buses shall be parked or stored on the site.
- ~~8. Upon issuance of a Non-Residential Use Permit, the hours of operation for the child care center shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday. The hours of operation for the private school of general education shall be limited to 8:30 a.m. to 3:30 p.m., Monday through Friday.~~
9. The maximum number of children permitted in the outdoor recreational area at any one time shall be thirty (30). The outdoor recreational area of 9,000 square feet as shown on the special permit plat shall be provided. This area shall be enclosed with a six (6) foot high solid board on board fence on the southeastern side of the playground. The portable fence with a minimum of three (3) feet high shall be utilized any time children are present in the play area. This fence shall not block any accessible parking spaces or ramps.

In addition to the play area outlined above, the applicant shall use the additional play areas as outlined in their statement of justification. These play areas shall consist of the three (3) playgrounds located on the Oakview Garden Apartment property and the Bailey's Crossroads Recreation Center. If the play areas at the Oakview Garden Apartments and/or the Recreation Center are not available, then the child care center and school use shall be null and void.
10. All existing vegetation around the periphery of the site shall be maintained and supplemented as deemed necessary by the Urban Forester to provide screening to adjacent residential properties. This landscaping shall be deemed to satisfy the transitional screening

requirements along the property lines. Dead or dying plant material shall be replaced to maintain the transitional screening.

The foundation plantings around the structure which are designed to soften the visual appearance of the structure shall be maintained and any dead or dying planting shall be replaced with Dogwoods, Silverbells, Magnolias and Crab apple to the satisfaction of the Urban Forester.

11. Barrier F (brick wall) shall be provided along a portion of the northern lot line and a board-on-board fence shall be provided along a portion of the northern lot line, the eastern lot line and a portion of the southern lot line as depicted on the plat. The barrier requirement shall be waived along the rest of the lot lines.
12. All outdoor lighting fixtures used to illuminate the parking area shall not exceed 12 feet in height and shall be of such design and so located and oriented as not to produce glare or cause illumination in excess of 0.5 foot candles on the adjacent existing residential uses. No outdoor area shall be lighted at any time other than when necessary due to evening functions or special occasions.
13. All signs on the property shall be provided in accordance with the requirements of Article 12, Signs, of the Zoning Ordinance.
14. Stormwater detention shall be provided as determined as necessary by the Department of Public Works and Environmental Services (DPWES). If underground detention is used, the tanks shall be locked and secured such that children in the area are unable to enter the detention facility.
15. The Child Care Center and Private School of General Education shall be approved for a time limit of five (5) years from the date of approval of the Non-Residential Use Permit for SPA 90-M-036.
16. The applicant shall provide a written agreement signed by the owner or authorized agent of the owner of the Oakview Garden Apartment property authorizing use of its playground by the applicant.

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. 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.

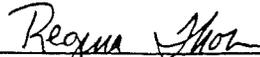
Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six (6) months after the date of approval* unless the use has been established. Issuance of a Non-Residential Use Permit pursuant to SPA 90-M-036 shall establish the use as approved pursuant to this special permit. 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. Dively seconded the motion which carried by a vote of 6-1. Mr. Hammack voted against the motion.

*This decision was officially filed in the office of the Board of Zoning Appeals and became final on December 1, 1999. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:



Regina Thorn, Clerk
Board of Zoning Appeals



County of Fairfax, Virginia

MEMORANDUM

June 12, 2008

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief
Environment and Development Review Branch, DPZ

SUBJECT: Environmental Assessment: SPA 90-M-036-02
Crossroads Baptist Church

This memorandum, prepared by Mary Ann Welton, AICP, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the subject special exception application for this property and the special permit amendment plat, dated October 30, 2007. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on pages 7-9, the Plan states:

- “Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.**
- Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .
- Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques. . . .
- Minimize the amount of impervious surface created.
 - Where feasible, convey drainage from impervious areas into pervious areas. . . .

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
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- Encourage the preservation of wooded areas. . . .
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.
- Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements. . . .
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. . . .
- Where feasible and appropriate, encourage the use of pervious parking surfaces in low-use parking areas.
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations.”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on page 10, the Plan states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Environment, as amended through February 25, 2008, on page 16, the Plan states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices. . . .

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.”

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

The application was originally approved for a church, child care center and school of general education at 5911 Hoffman Lane. The current application amendment proposes to increase the land area to include properties at 3494 Paul Street and 3538 Moncure Avenue. Existing and new properties total 1.74 acres of land. The current application proposes, among other things, construction of a new 4,217 square foot child care center on the Moncure Avenue property. The existing single family dwelling on Paul Street is proposed to be used as a parsonage.

Water Quality Protection/Stormwater Management Best Management Practices (BMP): The subject property is located in the Cameron Run Watershed and the County's Chesapeake Bay Watershed. The increase in stormwater runoff resulting from new impervious surface associated with the new child care center is proposed to be addressed by water quality and water quantity control measures through the utilization of a storm filter (located east of the proposed child care center) and an underground detention system. The applicant is encouraged to supplement these stormwater management/best management practice measures with low impact development techniques such as landscaped strips within the parking lots. Such measures will not only provide additional infiltration but will soften the visual impact of the development, and will help to reduce the heat island effect of the development and enhance air quality on the site through the reduction of evaporation from the pavement. Staff notes that on the development plan a portion of the roof of the proposed child care center is labeled as a "green roof." The applicant should clarify that this green roof is a commitment to a vegetated roof, which is a low impact development technique.

Adequate Outfall: The outfall narrative indicates that stormwater runoff associated with the new child care center and related parking will drain into the proposed underground detention system and will then be collected by the existing storm sewer system which is located along Hoffmans Lane. The engineer for the applicant states that the existing stormwater system is adequate and sufficient to handle the runoff from this site. The adequacy of any proposed SWM/BMP facilities and outfall measures will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

Landscaping and Tree Preservation/Restoration: The site (Lot 22) of the new child care center is currently vacant and is heavily vegetated with a mix of various deciduous tree species and grassy areas. However, the proposed landscaping plan depicted on sheet 5 of the plat does not show any preservation of the existing vegetation as part of the landscape plan for this site. The applicant is encouraged to work with the Urban Forest Management Division of DPWES to develop a comprehensive landscape plan which proposes preservation and/or restoration of existing vegetation, if appropriate, as well as plantings of new native trees, shrubs and groundcover for this application.



COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan does not depict any trails adjacent to the subject property.

PGN: MAW



County Fairfax, Virginia

MEMORANDUM

May 29, 2008

TO: Gregory L. Chase, Planner III
Department of Planning and Zoning, Zoning Evaluation Division

FROM: Ineke Dickman, Urban Forester II *AD*
Forest Conservation Branch, DPWES

SUBJECT: Crossroad Child Care Center Lot 22 (Crossroads Baptist Church), SPA 90-M-036-02, 004317-ZONA-001-1

The following comments are based on a review of the above referenced SPA plan stamped as received by the Department of Planning and Zoning on April 3, 2008 and a site visit on May 28, 2008.

1. **Comment:** Existing vegetation is not shown correctly. Many of the trees that are shown to be present are dead or no longer there.

Recommendation: Show the existing vegetation for the entire site correctly and do not include dead trees. Dead trees in the transitional screening yards should be replaced. Include the replacement trees in the landscaping plan.

2. **Comment:** Sheet 1 of the Special Permit Amendment plan for the new child care center indicates that a green roof will be constructed on part of the new facility. There is no further reference to this green roof nor is a plan for the green roof included.

Recommendation: Provide further information for the proposed green roof.

3. **Comment:** Sheet 1 of the Special Permit Amendment plan shows a sign for the new child care facility. The landscape plan shows a southern magnolia in the same spot.

Recommendation: Avoid conflicts between signs and landscaping.

4. **Comment:** Some of the proposed vegetation is not labeled with species info (5 magnolias and 4 eastern redcedar on the side identified as northeast).

Recommendation: Label all vegetation with species info.

5. **Comment:** A request to modify parts of the required transitional screening yards accompanies this request, but the statement of justification refers to it as "a small



portion of the front, right and back". This is very confusing as it is not clear where the front, right and back are.

Recommendation: The modification request of the required transitional screening 1 (25') and barrier D, E, F to the northeast (across Moncure), northwest (towards the adjacent residence on Moncure) and southwest (towards the residence on Courtland Drive) needs to be expressed in clear language as outlined in 13-300, part 3 of the Zoning Ordinance and a motion brought before the Board, or a transitional screening waiver request needs to be submitted to the Urban Forest Management Division.

6. **Comment:** The required transitional screening yards are not labeled.

Recommendation: Label all required transitional screening yards.

7. **Comment:** Interior parking lot landscaping calculations are mentioned in Note 2 of sheet 4, but no interior parking lot landscaping calculations are shown and it is not clear if they will be met with the addition of the new parking spaces for the child care facility.

Recommendation: Provide interior parking lot landscaping calculations and show that they will be met.

Please call if you have any questions.

AID/
UFMID #: 136601

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: MAY 19 2008

TO: Susan Langdon, Chief
Special Permit and Variance
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Qayyum Khan, Chief Stormwater Engineer *QK*
Stormwater and Geotechnical Section
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Permit Amendment Application, SPA 90-M-036-02, Cross Road Baptist Church, Plan Dated February 28, 2008, LDS Project #4317-ZONA-001-1, Tax Map #061-4-01-0112, 061-4-30-0022 and 061-4-39-0006, Mason District

We have reviewed the subject application and offer the following comments related to Stormwater Management (SWM):

Chesapeake Bay Preservation Ordinance

There is no Resource Protection Area on these lots. Phosphorus removal efficiency of 40% will be required.

Floodplain

There is no floodplain on the property.

SWM

The applicant proposes to provide underground stormwater detention and storm filter for Best Management Practices. The SWM facilities shall be maintained by the owners and they will be required to enter into the Stormwater Maintenance Agreement. The underground detention facility shall be designed in accordance with the Public Facilities Manual Section 6-1306.3H at the site plan preparation stage.

Site Outfall

The applicant needs to provide computational analysis of the existing storm sewer system to ensure the adequacy of the outfall for site plan review.





County of Fairfax, Virginia

MEMORANDUM

DATE: June 4, 2008

TO: Regina Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver *AKR by CAA*
Site Analysis Section
Department of Transportation

FILE: 3-6 (SP 90-M-036)

SUBJECT: Transportation Impact

REFERENCE: SPA 90-M-036-2 Crossroads Baptist Church
Traffic Zone: 1421
Land Identification Map: 61-4 ((1)) 112, 61-4 ((30)) 22, 61-4 ((39)) 6

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat made available to this office dated October 30, 2007, and revised through February 28, 2008. The applicant requests a permit to amend SP 90-M-036 previously approved for Church, Child Care and Private School of General Education to permit increases in child care and private school enrollment, number of employees, and land area plus modification of development conditions, and parcel for parsonage. There will be a new child care facility constructed on the property located on Parcel 22 and the number of children would increase from the present approval for 99 to 125. The property on Paul Street will be used as a parsonage and church office.

- The mid-block pedestrian crossing should be relocated to the intersection of Moncure Avenue and Hoffmans Lane with sidewalks/striped walkways connecting the church to the relocated crosswalk.
- There should be no Sunday usage of the proposed child care building due to the inadequate parking.
- The car pool program for transportation of children to /from the child care and school should continue to be very strongly encouraged.

AKR/LAH

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES

Fairfax County Department of Transportation
12055 Government Center Parkway, Suite 1034
Fairfax, VA 22035-5500
Phone: (703) 324-1100 TTY: (703) 324-1102
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MC

7/15/08



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

DAVID S. EKERN, P.E.
COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

June 2, 2008

Ms. Regina Coyle
Director of Zoning Evaluation
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: SPA 90-M-036-02, Cross Road Child Care Center
Tax Map No.: 061-4- /01/ /0112 /30/ /0022 /39/ /006

Dear Ms. Coyle,

This office has reviewed the special permit plat relative to special permit amendment application 90-M-036-02 and offers the following comments.

The application has been filed for an increase in land area, building addition, site modifications and modification of development conditions.

The entrances to the site should be designed and constructed in accordance with VDOT's *Minimum Standards of Entrances to State Highways*.

For additional information please contact this office.

Sincerely,

Noreen H. Maloney
Transportation Engineer

cc: Ms. A. Rodeheaver

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 which has an enrollment of 100 or more students daily 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.

