



# County of Fairfax, Virginia

*To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County*

May 15, 2013

Lynne J. Strobel  
Walsh, Colucci, Lubeley, Emrich & Walsh, PC  
2200 Clarendon Boulevard, 13th Floor  
Arlington, Virginia 22201

RE: Special Exception Amendment Application SEA 2006-MA-031

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on May 14, 2013, the Board approved Special Exception Amendment Application SEA 2006-MA-031 in the name of The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington Virginia and His Successors in Office. The subject property is located at 4601 Ravensworth Road, on approximately 45.24 acres of land zoned R-4 in the Mason District [Tax Map 71-1 ((9)) 7A]. The Board's action amends Special Exception Application SE 2006-MA-031 previously approved for a for a place of worship, private school of general education and congregate living facility to permit a nursery school, child care associated with the private school and nursery school, and associated modifications to site design and development conditions, pursuant to Sections 3-404 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions. Those conditions carried forward from the previous approval are marked with an asterisk.\*

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.\*
3. This Special Exception 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 exception shall be in substantial conformance with the approved Special Exception Plat entitled "Special Exception Amendment Plat, Saint Michael's Parish," prepared by Land Development Consultants, Inc. and dated October 17, 2012, and revised through March 12, 2013, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

Office of the Clerk to the Board of Supervisors  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

4. The congregate living facility shall only be utilized for residential purposes by retired and current priests, staff, and persons properly authorized by the Bishop of the Catholic Diocese of Arlington, with a maximum of 21 permanent residents at any one time.\*
5. The maximum number of church seats in the main area of worship shall be limited to 1,254. Parking shall be provided onsite as shown on the SE plat.\*
6. All replacement or new lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. There shall be no uplighting on site, including any sign or building. The height of any fixture shall be measured from grade to the top of the fixture.\*
7. Parking lot landscaping shall be provided in accordance with Article 13 of the Zoning Ordinance.\*
8. The Applicant shall submit a tree preservation plan as part of all site plans. The tree preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and shall be subject to the review and approval of Urban Forest Management ("UFM"). The Applicant shall provide a copy of the Tree Preservation Plan to FCPA for review and comment, upon submission of such plan to DPWES. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 12 inches in diameter and greater, located on the Application Property that are located up to 25 feet to either side of the limits of clearing and grading shown on the SE Plat. At a minimum, the tree preservation plan shall provide for the preservation of those areas shown for tree preservation on the SE Plat. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.\*
  - a. All tree preservation-related work occurring in or adjacent to tree preservation areas shall be accomplished in a manner that minimizes damage to vegetation to be preserved, including any woody, herbaceous or vine plant species that occurs in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. Removal of any vegetation, if any, or soil disturbance in tree preservation areas, including the removal of plant species that may be perceived as noxious or invasive, such as poison ivy, greenbrier, multi-floral rose, etc. shall be subject to the review and approval of UFM. The use of equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaw, wheel barrows, rake and shovels.

Any work that requires the use of equipment, such as skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by UFM.\*

- b. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading in the areas of tree preservation marked with a continuous line of flagging prior to the walk-through meeting with the UFM to be held prior to any clearing and grading. During the tree preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk such limits of clearing and grading with an UFM representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented; provided, however, that no adjustment shall be required that would affect the location and/or design of priests' retirement home, including a requirement for additional retaining walls in excess of two feet in height. Trees within the preservation areas that are identified specifically by UFM in writing as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.\*
- c. The Applicant shall conform strictly to the limits of clearing and grading as shown on the SE plat, subject to allowances specified in these proffered conditions and for the installation of fences, utilities and/or trails as determined necessary by the Director of DPWES. If it is determined necessary to install fences, utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SE plat, they shall be located in the least disruptive manner necessary as determined by UFM. A replanting plan shall be developed and implemented, subject to approval by UFM for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.\*
- d. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees, shall be erected at the limits of clearing and grading adjacent to the tree preservation areas as shown on the phase I & II erosion and sediment control sheets, as may be modified by Par. f below. All tree protection fencing shall be installed after the tree preservation walkthrough meeting described in Par. c above, but prior to any clearing and grading activities. The installation of all tree protection fencing shall be performed under the supervision of a certified

arborist and UFM, and accomplished in a manner that does not harm existing vegetation that is to be preserved. At least ten (10) days prior to the commencement of any clearing or grading activities adjacent to the tree preservation areas, but subsequent to the installation of the tree protection devices, the UFM, DPWES and the Mason District Supervisor shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.\*

- e. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the respective public improvement/site plan submission. The details for these treatments shall be reviewed and approved by UFM, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following: ( 1) root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches; (2) root pruning shall take place prior to any clearing and grading; (3) root pruning shall be conducted with the supervision of a certified arborist; and (4) a UFM representative shall be informed when all root pruning and tree protection fence installation is complete.\*
- f. During any clearing or tree/vegetation removal in the areas adjacent to the tree preservation areas, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by UFM. The Applicant shall retain the services of a certified arborist or landscape architect to monitor on-site all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFM approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by UFM. The Mason District Supervisor shall be notified of the name and contact information of the Applicant's representative responsible for site monitoring at the tree preservation walk-through meeting described in Par. c. above.\*
- g. The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 6 inches in diameter or greater located on the Application Property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective public improvement/ site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFM.\*



to construct the improvements shall be submitted to DPWES, including UFM, for review and approval. The extent of clearing and grading of construction shall be the minimum amount feasible as determined by DPWES. Prior to any land disturbing activities for construction, a pre-construction conference shall be held on-site between DPWES, including UFM, and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, tree protection measures, and the erosion and sedimentation control plan to be implemented during construction. In no event shall any area on the site be left denuded for a period longer than 14 days except for that portion of the site in which work will be continuous beyond 14 days.\*

10. Any landscaping proposed on site, including the transitional screening, shall be approved by UFM and shall utilize native shrubs, trees and grasses, to the greatest extent possible, to provide a naturalized landscape environment.\*
11. Stormwater Management (SWM)/Best Management Practices (BMP) shall be provided as depicted on the SE Plat, as determined by DPWES.\*
12. The existing "St. Michael's Catholic Church" sign located in the northeast quadrant of the intersection of Saint Michael's Lane and Ravensworth Road may remain. The applicant shall obtain a sign permit for any proposed new sign in accordance with the provisions of Article 12 of the Zoning Ordinance. Any illumination of the sign(s) shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.\*
13. The total maximum daily enrollment in the private school of general education, nursery school, and child care center shall not exceed 370 students.
14. The private school of general education, nursery school, and child care center's maximum hours of operation shall be 7:30 a.m. to 7:00 p.m., Monday through Friday.
15. Prior to the issuance of the Non-RUP for priests' retirement home, the applicant shall construct the entrance off of Ravensworth Road into the site to align with the adjacent cross street as shown on the SE plat.\*
16. The trail within the proposed tree save area shall be constructed as generally shown on the SE Plat with the final location being approved by UFM to minimize impacts to existing vegetation.\*
17. The applicant shall designate a carpool coordinator to administer and encourage participation in a carpool program designed to reduce the number of vehicle trips to and from the school during peak hours as a mechanism to minimize daily vehicular trips. The name of the carpool coordinator shall be provided to the Fairfax County Department of Transportation (FCDOT) within 30 days after the approval of this application and at any such time as the coordinator changes. A carpool program shall be submitted to FCDOT within 90 days after the approval of this application. An

May 15, 2013

annual report shall be submitted to FCDOT in October of each year that demonstrates through surveys or other means of data collection how the number of vehicle trips to and from the school have been reduced. After the first three years of annual reports, these reports may be provided every two or three years, or not at all if mutually agreed to by the applicant and FCDOT.

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

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

**The Board also:**

- Reaffirmed the previous modification to the transitional screening requirement along the north, east, and south property lines in favor of the existing vegetation as shown on the Special Exception Amendment plat.

Sincerely,



Catherine A. Chianese  
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova  
Supervisor Penelope Gross, Mason District  
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration  
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division  
Donald Stephens, Department of Transportation  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
Planning Commission  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



**COUNTY OF FAIRFAX**  
**Department of Planning and Zoning**  
**Zoning Evaluation Division**  
 12055 Government Center Parkway, Suite 801  
 Fairfax, VA 22035 (703) 324-1290, TTY 711  
[www.fairfaxcounty.gov/dpz/zoning/applications](http://www.fairfaxcounty.gov/dpz/zoning/applications)

**APPLICATION No:** SEA 2006-MA-031  
 (Staff will assign)

**RECEIVED**  
 Department of Planning & Zoning

OCT 23 2012

**APPLICATION FOR A SPECIAL EXCEPTION**

(PLEASE TYPE or PRINT IN BLACK INK)

Zoning Evaluation Division

<b>APPLICANT</b>	<b>NAME</b> The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office (St. Michael Catholic School and Church)	
	<b>MAILING ADDRESS</b> c/o Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. 2200 Clarendon Boulevard, Suite 1300 Arlington, Virginia 22201	
	<b>PHONE HOME</b> ( )	<b>WORK</b> ( )
	<b>PHONE MOBILE</b> ( )	
<b>PROPERTY INFORMATION</b>	<b>PROPERTY ADDRESS</b> 4601 Ravensworth Road Annandale, Virginia 22003	
	<b>TAX MAP NO.</b> 71-1 ((9)) 7A	<b>SIZE (ACRES/SQ FT)</b> Approximately 45.24 acres
	<b>ZONING DISTRICT</b> R-4	<b>MAGISTERIAL DISTRICT</b> Mason
	<b>PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:</b> N/A	
<b>SPECIAL EXCEPTION REQUEST INFORMATION</b>	<b>ZONING ORDINANCE SECTION</b> 3-404, 9-302	
	<b>PROPOSED USE</b> Amendment to SE 2006-MA-031, previously approved for a congregate living facility (priests' retirement home), place of worship and private school of general education, to permit a nursery school and child care.	
<b>AGENT/CONTACT INFORMATION</b>	<b>NAME</b> Lynne J. Strobel, attorney/agent	
	<b>MAILING ADDRESS</b> Walsh, Colucci, Lubeley, Emrich & Walsh, P.C. 2200 Clarendon Boulevard, Suite 1300 Arlington, Virginia 22201	
	<b>PHONE HOME</b> ( )	<b>WORK</b> (703 ) 528-4700
	<b>PHONE MOBILE</b> ( )	
<b>MAILING</b>	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input checked="" type="checkbox"/> Agent/Contact	
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p> <p>Lynne J. Strobel, attorney/agent</p> <p><u>Lynne J. Strobel</u></p> <p><b>TYPE/PRINT NAME OF APPLICANT/AGENT</b> <b>SIGNATURE OF APPLICANT/AGENT</b></p>		

DO NOT WRITE IN THIS SPACE

Date Application accepted: 12/18/12

Virginia Ruffner

SEA 2012-0240

12/18/12

Application Fee Paid: \$ 5,512.50

URS