



# County of Fairfax, Virginia

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

December 4, 2013

Fred Taylor  
Bean, Kinney and Korman, P.C.  
2300 Wilson Boulevard, 7<sup>th</sup> Floor  
Arlington, VA 22201

Re: Special Exception Application SE 2013-MA-007

Dear Mr. Taylor:

At a regular meeting of the Board of Supervisors held on December 3, 2013, the Board approved Special Exception Application SE 2013-MA-007 in the name of South Baylo University. The subject property is located at 7535 Little River Turnpike, on approximately 2.44 acres of land, zoned C-2, HC and SC in the Mason District [Tax Map 71-1 ((42)) 310E; 325A; 325B; & 325C; and common areas associated with 7535 Little River Turnpike]. The Board's action permits a college/university, pursuant to Section 4-204 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception (SE) 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 plan 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 Plat entitled "7535 Little River Turnpike," consisting of 2 sheets (Sheet 1 prepared by Dewberry & Davis, LLC, and dated August 2004; and Sheet 2, prepared by GTM Architects, and dated August 12, 2004, and revised through August 27, 2004), 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.

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**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 maximum number of students on-site at any one time shall be 30.
5. The maximum number of faculty and staff on-site at any one time shall be five.
6. Three Category IV deciduous trees (with species such as Swamp White Oak, Willow Oak, Chestnut Oak, or Ginkgo) shall be planted within the large gaps on the western side of the parking lot to help increase shading over the parking spaces. Trees being planted shall all have minimum calipers of two (2) inches. In addition to the trees, 12 native shrubs (with species such as Northern Bayberry) shall be added in a row within the large parking lot island located on the southern side of the office building or within the large gaps on the western side of the parking lot. Shrubs provided shall be a minimum of 18-24 inches tall with a minimum container size of three (3) gallons. All landscaping being installed shall be coordinated with the Urban Forest Management Division (UFMD) and shall occur within two planting seasons of Board approval of this SE, either during the fall or spring planting seasons. Within two weeks of installation, a landscape inspection shall be requested of the UFMD at which time all newly planted landscaping shall be alive and healthy as determined by the UFMD. If landscaping is not healthy, according to UFMD, it shall be replaced by the applicant.
7. All vehicular parking shall be provided on-site. Prior to the issuance of a non-RUP, a parking tabulation prepared by a licensed engineer shall be submitted and approved, demonstrating that adequate parking for all uses has been provided. If it is determined that adequate parking does not exist, the maximum enrollment/attendance for the university use may be restricted so that adequate parking may be achieved.
8. All signage shall conform to Sect. 12-208 of the Zoning Ordinance.

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-RUP through established procedures, and this use shall not be established until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, 30 months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board 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:**

- Modified the transitional screening requirements along the eastern and southern boundaries, in favor of the existing vegetation.
- Modified the barrier requirements along the northern, eastern, and southern boundaries in favor of the existing barriers and vegetation.

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  
Thomas Conry, Dept. Manager, GIS, Mapping/Overlay  
Angela K. Rodeheaver, Section Chief, Transportation Planning Division  
Donald Stephens, Transportation Planning Division  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
Jill Cooper, Executive Director, 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: SE 2013-MA-007  
 (Staff will assign)

RECEIVED  
 Department of Planning & Zoning  
 FEB 01 2013  
 Zoning Evaluation Division

**APPLICATION FOR A SPECIAL EXCEPTION**  
 (PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME	South Baylo University		
	MAILING ADDRESS	1126 N. Brookhurst St. Anaheim, CA 92801		
	PHONE HOME ( )		WORK (714 )	533-1495
	PHONE MOBILE ( )			
PROPERTY INFORMATION	PROPERTY ADDRESS	7535 Little River Turnpike, Annandale, Virginia 22003		
	TAX MAP NO.	0711 <del>0073</del> <sup>325A, 325B, 325C, 310E</sup>	SIZE (ACRES/SQ FT)	106,583 <sup>2.44 acres</sup>
	ZONING DISTRICT	C-2, HC, SC	MAGISTERIAL DISTRICT	Mason
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:			
SPECIAL EXCEPTION REQUEST INFORMATION	ZONING ORDINANCE SECTION	4-204(2) (A)		
	PROPOSED USE	school of acupuncture and oriental medicine		
AGENT/CONTACT INFORMATION	NAME	Frederick R. Taylor, Esquire		
	MAILING ADDRESS	2300 Wilson Blvd., 7th Floor Arlington, VA 22201		
	PHONE NUMBER	HOME	WORK	(703) 525-4000
	PHONE NUMBER	MOBILE		
MAILING	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>Frederick R. Taylor, Esq.          TYPE/PRINT NAME OF APPLICANT/AGENT</p> <p><i>Frederick R. Taylor</i>          SIGNATURE OF APPLICANT/AGENT</p>				

DO NOT WRITE IN THIS SPACE

Date application accepted: 4/24/13

Application Fee Paid: \$ 16,375.00

*Virginia Ruffner* SE 2013-0032  
 4/24/13  
 WJS

# SE 2013-MA-007

## Zoning Application Closeout Summary Report

Printed: 12/20/2013

### General Information

**APPLICANT:** SOUTH BAYLO UNIVERSITY  
**DECISION DATE:** 12/03/2013  
**CRD:** NO  
**HEARING BODY:** BOS  
**ACTION:** APPROVE  
**STAFF COORDINATOR:** JOE GORNEY  
**SUPERVISOR DISTRICT:** MASON

**DECISION SUMMARY:**

ON DECEMBER 3, 2013, THE BOARD UNANIMOUSLY APPROVED SE2013-MA-007 ON A MOTION BY SUPERVISOR GROSS SUBJECT TO DEVELOPMENT CONDITIONS DATED OCTOBER 23, 2013.

**APPLICATION DESCRIPTION:**

COLLEGE/UNIVERSITY

### Zoning Information

Existing Zoning		Proposed Zoning		Approved Zoning	
DISTRICT	AREA	DISTRICT	AREA	DISTRICT	AREA
				C-2	2.44 ACRES

### Tax Map Numbers

0711 ((42)) ( )0325 B      0711 ((42)) ( )0325 C      0711 ((42)) ( )0310 E      0711 ((42)) ( )0325 A

### Approved Land Uses

Zoning District: C-2

LAND USE	DU'S	RES LAND AREA	ADU'S	WDU'S	GFA	FAR	NRES LAND AREA
COLLEGE					10,157	0.59	2.44 ACRES

TOTALS

### Approved Waivers/Modifications

- MODIFY BARRIER REQUIREMENT
- MODIFY TRANSITIONAL SCREENING REQUIREMENT

12/20/2013

Approved Development Conditions

DEVELOPMENT CONDITION STATEMENT DATE: 10-23-2013

DEVELOPMENT CONDITION	DUE	TRIG #	TRIG EVENT	CONTRIB	EXPIR DTE
APPROVED FOR LOCATION/STRUCTURE/USES ETC ON PLATS	01-01-0001	0	N/A	0	01-01-0001
SIGNAGE	01-01-0001	0	N/A	0	01-01-0001
NUMBER OF EMPLOYEES	01-01-0001	0	N/A	0	01-01-0001
PARKING LOT LANDSCAPING	01-01-0001	0	N/A	0	01-01-0001
<del>OTHER - LAND USE</del>	<del>01-01-0001</del>	<del>0</del>	<del>N/A</del>	<del>0</del>	<del>01-01-0001</del>
<del>EXPIRES IN NUMBER MONTHS / YEARS UNLESS IMPLEMENTED</del>	<del>01-01-0001</del>	<del>0</del>	<del>N/A</del>	<del>0</del>	<del>01-01-0001</del>
ENROLLMENT LIMITATIONS	01-01-0001	0	N/A	0	01-01-0001
NON-RUP	01-01-0001	0	N/A	0	01-01-0001
EXTENSION	01-01-0001	0	N/A	0	01-01-0001
MINOR MODIFICATIONS	01-01-0001	0	N/A	0	01-01-0001
PARKING TABULATION REQUIRED	01-01-0001	0	N/A	0	01-01-0001
SUBJECT TO SITE PLANS / SUBDIVISION PLATS	01-01-0001	0	N/A	0	01-01-0001

12/20/2013