



APPLICATION ACCEPTED: May 10, 2013
PLANNING COMMISSION: April 16, 2014
BOARD OF SUPERVISORS: Not yet Scheduled

County of Fairfax, Virginia

April 2, 2014

STAFF REPORT

PCA 2004-LE-042 and SE 2013-LE-008

LEE DISTRICT

APPLICANT: VTLC, LLC

ZONING: C-5 (Neighborhood Retail Commercial District)
HC (Highway Corridor Overlay District)

PARCEL: 81-3 ((05)) 0013

ACREAGE: 1.09 acres

PLAN MAP: Office Use

SE CATEGORY: Category 3 – Quasi-public Uses, Child care centers and nursery schools

PCA PROPOSAL: The applicant seeks approval of a Proffered Condition Amendment (PCA) application to permit construction of a child care center in lieu of construction of a shopping center.

SE PROPOSAL: The applicant seeks approval of a Special Exception (SE) to permit construction of a child care center on property that is zoned C-5. The maximum enrollment will be 184 children. The staff will consist of 18 to 25 employees. The proposed hours of operation will be between 6:00 a.m. and 6:30 p.m.

STAFF RECOMMENDATIONS:

Staff recommends approval of PCA 2004-LE-042, subject to the execution of proffers consistent with those contained in Appendix 1.

Bob Katai

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/



Staff recommends approval of SE 2013-LE-008, subject to conditions consistent with those contained in Appendix 2.

It should be noted that it is not the intent of the 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; and that, should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application

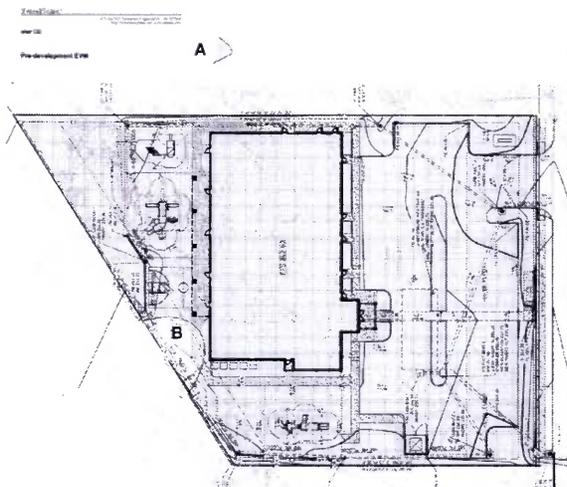
It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505; (703) 324-1290; TTY 711 (Virginia Relay Center).

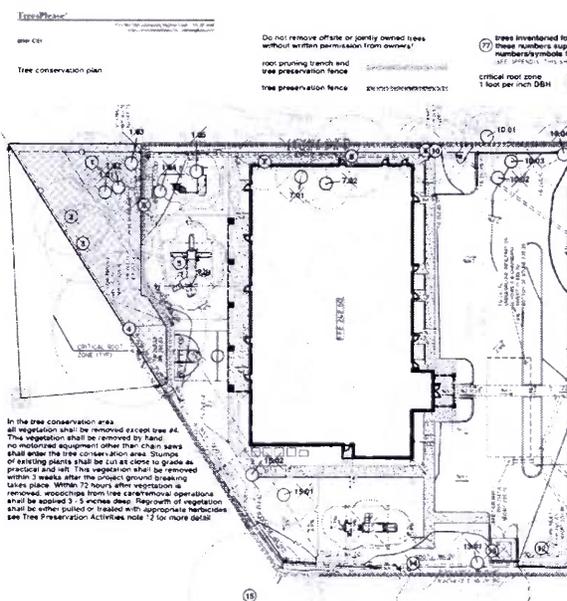
O:\bkatai\Spring Hill Academy\Staff Report and Conditions\Cover Staff Report PCA 2004-LE-042



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

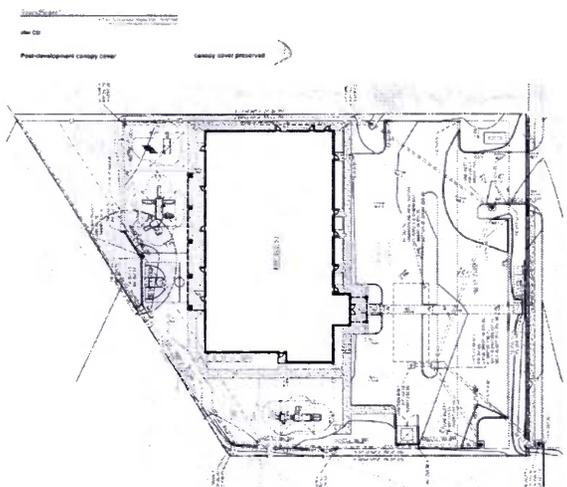


PRE DEVELOPMENT EVM

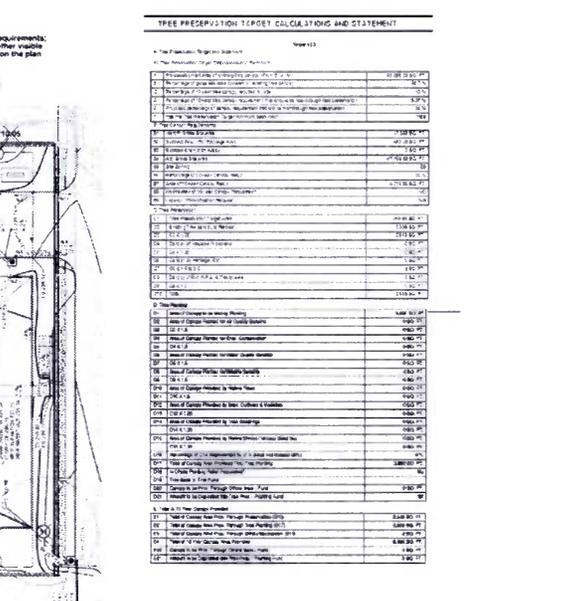


POST DEVELOPMENT CANOPY COVER

TREE PRESERVATION PLAN



PRE DEVELOPMENT EVM



POST DEVELOPMENT CANOPY COVER

TREE PRESERVATION PLAN

TREE PRESERVATION TREE CALCULATIONS AND STATEMENT

Tree ID	Species	Diameter (DBH)	Height (ft)	Value
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

TREE PRESERVATION ACTIVITIES

- PRIOR TO ANY CONSTRUCTION ACTIVITY, ALL INDIVIDUAL TREES AND GROUPS OF TREES SHOWN TO BE PRESERVED ON THE TREE PRESERVATION PLAN SHALL BE PROTECTED BY FENCING A MINIMUM OF FOUR FEET IN HEIGHT, PLACED AT THE LIMITS OF CLEARING AND GRADING, OR AS DETERMINED BY FAIRFAX COUNTY URBAN FORESTRY DIVISION REPRESENTATIVES DURING THE PRE-CONSTRUCTION MEETING. TREE PROTECTION FENCING SHALL BE ONE OF THE FOLLOWING:
 - 1/4 GAGE STEEL WELDED WIRE "RAIN FENCE" ON 8 FOOT STEEL POSTS DRIVEN INTO THE GROUND 18 INCHES AND PLACED NO MORE THAN 5 FEET APART
 - SUPER SALT FENCE
 - ORANGE FENCE ON 8 FOOT STEEL POSTS DRIVEN INTO THE GROUND 18 INCHES AND PLACED NO MORE THAN 5 FEET APART
- SALT FENCE OR SUPER SALT FENCE, IF REQUIRED, MAY BE INSTALLED IN THE ROOT-PRUNING TRENCH IF SUPER SALT FENCE IS USED. IT MAY SERVE AS TREE PRESERVATION FENCING. OTHER TYPES OF TREE PRESERVATION FENCING SHALL BE PLACED BETWEEN THE AREA TO BE CLEARED AND THE ROOT-PRUNING TRENCH.
- THE TREE PROTECTION FENCING SHALL BE MADE CLEARLY VISIBLE TO ALL CONSTRUCTION PERSONNEL WITH SIGNS POSTED EVERY 25 FEET ON THE FENCE STATING IN ENGLISH AND SPANISH THAT IT IS A TREE PRESERVATION AREA AND NO ENTRY IS PERMITTED. THE FENCING SHALL BE INSTALLED PRIOR TO ANY WORK BEING CONDUCTED ON THE SITE, INCLUDING THE DEMOLITION OF ANY EXISTING STRUCTURES OR FENCES.
- ALL CONSTRUCTION MOBILIZATION/ACTIVITY, MATERIALS STORAGE, AND MOTORIZED EQUIPMENT SHALL BE PROHIBITED BEYOND THE LIMITS OF CLEARING AND GRADING SHOWN ON THE SITE PLAN AND THE TREE PRESERVATION PLAN UNLESS PREVIOUSLY APPROVED BY FAIRFAX COUNTY URBAN FORESTRY DIVISION.
- ROOT PRUNING: ROOT PRUNING SHALL BE PERFORMED ALONG THE LIMITS OF CLEARING AND GRADING SHOWN ON THE TREE PRESERVATION PLAN PRIOR TO ANY OTHER SITE DISTURBANCE. A TRENCHER, STUMP GRINDER, OR AIRTOOL-LAND-HANDSAW SHALL BE USED TO A DEPTH OF 18 INCHES, CUTTING ALL ROOTS LARGER THAN TWO INCHES IN DIAMETER IMMEDIATELY AFTER ROOT PRUNING. THE TRENCH SHALL BE BACKFILLED. ROOT-PRUNING TRENCHES SHOULD BE LINED WITH WOOD CHIPS OR MULCH FOUR INCHES DEEP. ROOT PRUNING SHALL BE DONE PRIOR TO ANY SITE WORK OR INSTALLATION OF SOLUTION CONTAINMENT UNLESS AUTHORIZED BY FAIRFAX COUNTY URBAN FORESTRY DIVISION.
- CLEARING OPERATIONS: TREES TO BE REMOVED SHALL BE FELLED IN SUCH A MANNER AS TO PRESERVE THE TREES THAT ARE TO REMAIN. TREES DIRECTLY ADJACENT TO THE LIMITS OF CLEARING AND GRADING SHALL BE FELLED BY HAND WITH A CHAIN SAW, AND THE STUMPS SHALL REMAIN IN PLACE OR SHALL BE SPOILED OUT. IF, FOR SITE CONSTRAINTS, THE STUMPS MUST BE GRUBBED OUT, THIS SHALL BE DONE ONLY AFTER ROOT PRUNING ALONG THE LIMITS OF CLEARING AND GRADING HAS OCCURRED, AND SHALL BE DONE IN A MANNER THAT DOES NOT HARM TREES TO BE PRESERVED.
- TREES WITHIN THE TREE PRESERVATION AREAS, WHICH ARE INDIVIDUALLY IDENTIFIED, SHALL BE REMOVED SHALL BE FELLED BY HAND WITH A CHAIN SAW AND THE STUMPS SHALL REMAIN IN PLACE. SUCH TREES SHALL BE FELLED IN A MANNER THAT DOES NOT HARM TREES TO BE PRESERVED. TREES TO BE REMOVED FROM THE TREE PRESERVATION AREA SHALL BE DISPOSED INTO THE AREA TO BE CLEARED, OR PILED DOWN. THESE TREES SHALL BE MOVED INTO THE AREA TO BE CLEARED WITHOUT HARMING REMAINING VEGETATION.
- OFF-SITE AND JOINTLY OWNED TREES SHOULD RECEIVE SPECIAL ATTENTION. IF POSSIBLE, DISCUSS THE PROJECT WITH OWNERS OF SUCH TREES BEFORE STARTING WORK. IF THEIR TREES ARE AFFECTED BY CONSTRUCTION, MAKE ALL REASONABLE EFFORTS TO PRESERVE OFF-SITE AND JOINTLY OWNED TREES.
- TREE CARE PROCEDURES SHALL MEET OR EXCEED AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) STANDARD PRACTICES FOR TREES, STUMPS, AND OTHER WOOD. PLANT MAINTENANCE AND ASSESSMENT.
- ALL OF THE REQUIREMENTS OF THE PUBLIC FACILITIES MANUAL SHALL BE MET.
- DEMOLITION OPERATIONS: BRICKWORK, CONCRETE PADS, AND CONCRETE OR ASPHALT PATIOS AND DRIVEWAYS OR ROADWAYS, SIDEWALKS, AND JAMS WITHIN OR ADJACENT TO TREE PRESERVATION AREAS SHALL BE REMOVED IN SUCH A MANNER THAT TREES TO BE PRESERVED ARE NOT DAMAGED. EQUIPMENT SHALL AT ALL TIMES REMAIN ON CONCRETE OR WOOD-CHIP PADDED SURFACES RATHER THAN POSITIONED ON SOIL OR VEGETATION. BUILDINGS NEAR TREES TO BE SAVED SHALL BE PULLED OVER AWAY FROM TREES, USING CABLES. WATER TRUCKS PULLED OVER WITH EQUIPMENT CONCRETE AND GRUBS WITHIN TREE PRESERVATION AREAS SHALL BE PULLED UP AND LOADED ONTO EQUIPMENT WITHOUT THE EQUIPMENT LEAVING THE CONCRETE OR WOOD-CHIP PADDED SURFACE.
- INVASIVE SPECIES IN THE TREE PRESERVATION AREAS, INCLUDING BUT NOT LIMITED TO HEDERA HELIX, SORBUS SP., AND MORUS ALBA, SHALL BE SUPPRESSED BY CUTTING AND PULLING, AND APPLICATION OF SELECTIVE AND/OR NON-SELECTIVE HERBICIDES. SUPPRESSION SHALL BE UNDERWAY FROM JANUARY THROUGH DECEMBER. UPHO AND EFO SHALL BE NOTIFIED AT LEAST ONE WEEK PRIOR TO BEGINNING CONTROL PROCEDURES. SUPPRESSION SHALL BE DONE UNDER THE SUPERVISION OF PROFESSIONALS WHO CAN IDENTIFY THE TARGET SPECIES AND BENEFICIAL SPECIES, SO THAT NON-TARGET SPECIES SHALL BE PROTECTED WHILE CONTROL PROCEDURES ARE UNDERWAY. TO THE EXTENT PRACTICABLE, FAIRFAX COUNTY URBAN FORESTRY MANAGEMENT DIVISION SHALL APPROVE METHODOLOGY IN ADVANCE OF IMPLEMENTATION. HERBICIDES SHALL BE SELECTED THROUGH COLLABORATION BETWEEN THE PROJECT ARCHITECT AND A STATE LICENSED PROFESSIONAL APPLICATOR FROM THOSE RECOMMENDED BY VIRGINIA TECH EXTENSION OR VIRGINIA TECH EXTENSION OR UNIVERSITY OF MARYLAND EXTENSION. ANY PRACTICES SHALL BE APPLIED IN ACCORDANCE WITH LABEL INSTRUCTIONS AND STATE LAW, AND SHALL BE APPLIED BY A STATE LICENSED PROFESSIONAL APPLICATOR WHO IS FAMILIAR WITH BIOLOGICAL CYCLES OF TARGET AND NON-TARGET SPECIES IN THE TREE PRESERVATION AREAS AND HERBICIDE APPLICATION PRINCIPLES AND LIMITATIONS. SUPPRESSION SHALL TAKE PLACE UNTIL BOND RELEASE, AND SHOULD BE CONTINUED IN PERPETUITY. UPHO AND EFO SHALL BE PROVIDED MONTHLY REPORTS DESCRIBING CONTROL PROCEDURES AND EFFECTS.
- THE PROJECT ARCHITECT SHALL MONITOR THE SITE ON A WEEKLY BASIS UNTIL PHASE 1 CONDITIONS ARE IN PLACE AND MONTHLY UNTIL THE PROJECT IS COMPLETED AND BOND IS RELEASED. THE PROJECT ARCHITECT SHALL SUBMIT SITE MONITORING REPORTS TO UPHO AND EFO.
- INFORMATION IN THESE PLAN NOTES, TREE INVENTORY, AND ALL PLANS RELATED TO TREES REFER ONLY TO TREES THAT ARE WITHIN 25 FEET OUTSIDE THE LOC OR WITHIN 10 FEET WITHIN THE LOC. NO OTHER TREES WERE EXAMINED.

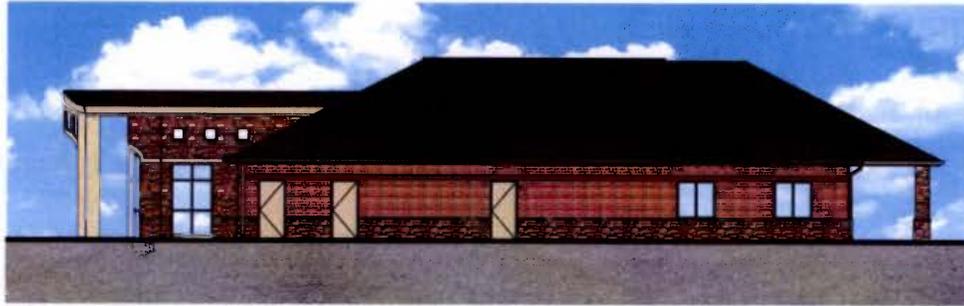


NO.	DATE	DESCRIPTION	BY	CHKD.
1	01/15/2024	...	...	...
2	01/15/2024	...	...	...
3	01/15/2024	...	...	...
4	01/15/2024	...	...	...
5	01/15/2024	...	...	...
6	01/15/2024	...	...	...
7	01/15/2024	...	...	...
8	01/15/2024	...	...	...
9	01/15/2024	...	...	...
10	01/15/2024	...	...	...
11	01/15/2024	...	...	...
12	01/15/2024	...	...	...
13	01/15/2024	...	...	...
14	01/15/2024	...	...	...
15	01/15/2024	...	...	...
16	01/15/2024	...	...	...
17	01/15/2024	...	...	...
18	01/15/2024	...	...	...
19	01/15/2024	...	...	...
20	01/15/2024	...	...	...
21	01/15/2024	...	...	...
22	01/15/2024	...	...	...
23	01/15/2024	...	...	...
24	01/15/2024	...	...	...
25	01/15/2024	...	...	...
26	01/15/2024	...	...	...
27	01/15/2024	...	...	...
28	01/15/2024	...	...	...
29	01/15/2024	...	...	...
30	01/15/2024	...	...	...
31	01/15/2024	...	...	...
32	01/15/2024	...	...	...
33	01/15/2024	...	...	...
34	01/15/2024	...	...	...
35	01/15/2024	...	...	...
36	01/15/2024	...	...	...
37	01/15/2024	...	...	...
38	01/15/2024	...	...	...
39	01/15/2024	...	...	...
40	01/15/2024	...	...	...
41	01/15/2024	...	...	...
42	01/15/2024	...	...	...
43	01/15/2024	...	...	...
44	01/15/2024	...	...	...
45	01/15/2024	...	...	...
46	01/15/2024	...	...	...
47	01/15/2024	...	...	...
48	01/15/2024	...	...	...
49	01/15/2024	...	...	...
50	01/15/2024	...	...	...
51	01/15/2024	...	...	...
52	01/15/2024	...	...	...
53	01/15/2024	...	...	...
54	01/15/2024	...	...	...
55	01/15/2024	...	...	...
56	01/15/2024	...	...	...
57	01/15/2024	...	...	...
58	01/15/2024	...	...	...
59	01/15/2024	...	...	...
60	01/15/2024	...	...	...
61	01/15/2024	...	...	...
62	01/15/2024	...	...	...
63	01/15/2024	...	...	...
64	01/15/2024	...	...	...
65	01/15/2024	...	...	...
66	01/15/2024	...	...	...
67	01/15/2024	...	...	...
68	01/15/2024	...	...	...
69	01/15/2024	...	...	...
70	01/15/2024	...	...	...
71	01/15/2024	...	...	...
72	01/15/2024	...	...	...
73	01/15/2024	...	...	...
74	01/15/2024	...	...	...
75	01/15/2024	...	...	...
76	01/15/2024	...	...	...
77	01/15/2024	...	...	...
78	01/15/2024	...	...	...
79	01/15/2024	...	...	...
80	01/15/2024	...	...	...
81	01/15/2024	...	...	...
82	01/15/2024	...	...	...
83	01/15/2024	...	...	...
84	01/15/2024	...	...	...
85	01/15/2024	...	...	...
86	01/15/2024	...	...	...
87	01/15/2024	...	...	...
88	01/15/2024	...	...	...
89	01/15/2024	...	...	...
90	01/15/2024	...	...	...
91	01/15/2024	...	...	...
92	01/15/2024	...	...	...
93	01/15/2024	...	...	...
94	01/15/2024	...	...	...
95	01/15/2024	...	...	...
96	01/15/2024	...	...	...
97	01/15/2024	...	...	...
98	01/15/2024	...	...	...
99	01/15/2024	...	...	...
100	01/15/2024	...	...	...

NO.	DATE	DESCRIPTION	BY	CHKD.
1	01/15/2024	...	...	...
2	01/15/2024	...	...	...
3	01/15/2024	...	...	...
4	01/15/2024	...	...	...
5	01/15/2024	...	...	...
6	01/15/2024	...	...	...
7	01/15/2024	...	...	...
8	01/15/2024	...	...	...
9	01/15/2024	...	...	...
10	01/15/2024	...	...	...
11	01/15/2024	...	...	...
12	01/15/2024	...	...	...
13	01/15/2024	...	...	...
14	01/15/2024	...	...	...
15	01/15/2024	...	...	...
16	01/15/2024	...	...	...
17	01/15/2024	...	...	...
18	01/15/2024	...	...	...
19	01/15/2024	...	...	...
20	01/15/2024	...	...	...
21	01/15/2024	...	...	...
22	01/15/2024	...	...	...
23	01/15/2024	...	...	...
24	01/15/2024	...	...	...
25	01/15/2024	...	...	...
26	01/15/2024	...	...	...
27	01/15/2024	...	...	...
28	01/15/2024	...	...	...
29	01/15/2024	...	...	...
30	01/15/2024	...	...	...
31	01/15/2024	...	...	...
32	01/15/2024	...	...	...
33	01/15/2024	...	...	...
34	01/15/2024	...	...	...
35	01/15/2024	...	...	...
36	01/15/2024	...	...	...
37	01/15/2024	...	...	...
38	01/15/2024	...	...	...
39	01/15/2024	...	...	...
40	01/15/2024	...	...	...
41	01/15/2024	...	...	...
42	01/15/2024	...	...	...
43	01/15/2024	...	...	...
44	01/15/2024	...	...	...
45	01/15/2024	...	...	...
46	01/15/2024	...	...	...
47	01/15/2024	...	...	...
48	01/15/2024	...	...	...
49	01/15/2024	...	...	...
50	01/15/2024	...	...	...
5				



D WEST ELEVATION (SIDE)
SCALE 1/8" = 1'-0"



C EAST ELEVATION (SIDE)
SCALE 1/8" = 1'-0"



B NORTH ELEVATION (REAR)
SCALE 1/8" = 1'-0"



A SOUTH ELEVATION (FRONT)
SCALE 1/8" = 1'-0"

DESCRIPTION OF THE APPLICATION

On March 9, 2009, the Board of Supervisor approved RZ 2004-LE-042 to rezone the property from R-1, C-5, and HC districts to the C-5 and HC districts to permit construction of a shopping center with a maximum floor area ratio (FAR) of 0.25. Under the current request, the applicant, VTLC, LLC, seeks approval of a Proffered Condition Amendment (PCA) and a Special Exception (SE) to amend the proffers approved with RZ 2004-LE-042 to permit the development of a child care center instead of the proffered shopping center.

The SE would permit the child care center on property that is zoned C-5. The previously proffered FAR maximum of 0.25 would remain in force for the child care center.

The child care center would be housed in a proposed building containing 11,700 square feet within two floors. The maximum number of children would be 184. There will be between 18 to 25 staff members. The hours of operation would be 6:00 a.m. to 6:30 p.m., Monday through Friday. The center would be served by a 34-space surface parking lot to be located at the front of the building. Thirty percent of the site will be maintained as open space, 3,000 square feet as a tree preservation area, and the remainder as playgrounds, landscaped areas, and walkways.

LOCATION AND CHARACTER

The subject property is located on the eastside of Grovedale Drive, about 250 south of the Grovedale Drive/Franconia Road intersection. The 1.09 acre property is vacant and heavily vegetated. The remnants of a foundation of a single family home, demolished in the 1990s, are evident on the site.

The area is a mix of older commercial uses established along Franconia Road, intermixed with single family residences that have been repurposed as small commercial businesses and recently constructed low-rise office buildings. As outlined in the following table, the properties to the north and east front on Franconia Road and are developed with a service station, a convenience market, a restaurant, a veterinary office, and a hair salon. Farther east is the Franconia Government Center. Adjoining the property to the south is an office condominium development. The properties to the west, across Grovedale Drive, are developed with a mix of office uses including the Alcohol Beverage Control Board (ABC)

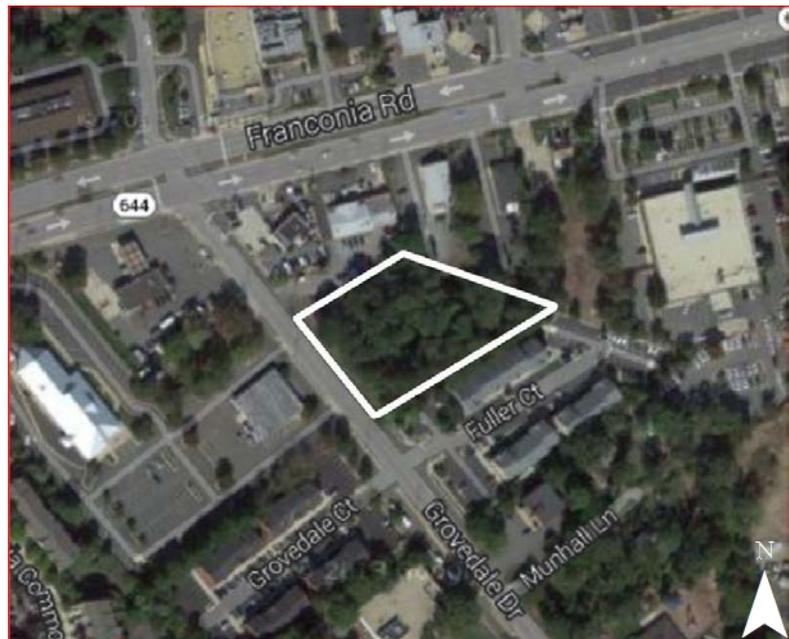


Figure 1

and Department of Motor Vehicle (DMV) offices and office condominiums. In general, the Comprehensive Land Use Plan designates the properties fronting on Franconia Road as “Retail & Other”, while properties along Groveland Drive, including the subject property, are designated as “Office”.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Service Station	C-5, HC	Retail & Other
North	Convenience Market	C-5, HC	Retail & Other
East	Restaurant	R-1*, C-5, HC	Retail & Other
East	Veterinary Clinic	C-5, HC	Retail & Other
East	Hair Salon	R-1*, C-5, HC	Office
South	Office	C-3, HC	Office
West	Office	C-3, HC	Office

* R-1 zoning is limited to rear portions of the commercially developed properties.

BACKGROUND

The site was originally zoned C-N and R-1. In 1978, in conjunction with the proposed development of two one-story office buildings on the C-N portion of the site, a Special Exception (SE) was filed to permit commercial off-street parking on the R-1 zoned portion of the property. On April 11, 1978, the Board of Supervisors approved this application, SE-022-78. Subsequently, the Board of Zoning Appeals (BZA) approved a related setback variance, V-113-78, to permit construction of an office building within 15 feet of the residentially zoned portion of the property. The permitted structures were not constructed prior to the variance expiring. Subsequently, the C-N zoning regulations and designations were replaced with the current C-5 zoning.

A second SE, SE 85-L-012, was filed seeking to permit commercial off-street parking on the residentially zoned portion of the property. This request was withdrawn by the applicant on June 5, 1990.

In 2004, an application was for a rezoning from R-1, C-5, and HC districts to the C-5 and HC districts. The rezoning was approved on March 9, 2009, subject to proffers. The proffers restricted the rezoned property to development of a shopping center with a FAR of no more than 0.25. The proffers also required dedication and frontage improvements along Grovedale Drive, an archaeological site assessment, stormwater management in accordance with the County’s Public Facility Manual (PFM), establishment of a tree preservation area on the east corner of the site, interparcel access easements for adjoining parcels to the north and south, and provision of bicycle racks.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area IV
Planning District:	Springfield District
Planning Sector:	S9 - Beulah Community Planning Sector
Land Unit:	Franconia Road, Beulah Street, and Grovedale Drive Triangle (Land Use Recommendation 3)
Plan Map:	Office

Recommendations:

Land Use: Land Use Recommendation 3

Within the Franconia Road, Beulah Street, and Grovedale Drive triangle, the area located south and west of both the Franconia Fire Station and the Franconia Government Center is planned for low intensity office use. Neighborhood-serving retail use up to .25 FAR is planned along Franconia Road. In order to develop either office or retail uses in the area, the following conditions should be met:

- *Substantial parcel consolidation and a coordinated development plan that reflects a superior site layout and architectural design should be an element of any development proposal;*
- *The visual impact of any proposed development on the adjacent stable, low density residential neighborhood to the east should be screened by using substantial landscaping, berms, and other effective and aesthetic screening techniques. No commercial uses should directly front on Beulah Street;*
- *A field survey should be conducted prior to final design plans and, if significant historic resources are found, appropriate preservation measures should be incorporated into the design phase;*
- *Development should be designed to retain as many of the indigenous hardwood trees as possible. Pedestrian-oriented open space areas, such as an easily accessible urban park, should be incorporated as an element of the development plan; and*
- *Roadway improvements necessary to ensure an acceptable level of service within the area affected by the development should be provided. The design of the internal circulation pattern and the location of related access points should be planned to minimize the traffic impact on the adjacent residential area.*

Parcel 81-3((5))13 on Grovedale Drive, may also be appropriate for retail use up to .25 FAR.

Child Care Criteria

The Comprehensive Plan, 2013 Edition, Policy Plan, provides further guidance on the siting of child care centers in the County. These guidelines are contained in Appendix 3 of the Policy Plan, on page 17.

Locational Guidelines For Child Care Facilities

In Fairfax County, as in other areas of the country, there is an increasing need for high-quality child care facilities. Such facilities should be encouraged throughout the County to the extent that they can be provided consistently with the following criteria:

- 1. Child care facilities should have sufficient open space to provide adequate access to sunlight and suitable play areas, taking into consideration the size of the facility.*
- 2. Child care facilities should be located and designed to ensure the safety of children.*
- 3. Child care facilities should be located and designed to protect children from excessive exposure to noise, air pollutants, and other environmental factors potentially injurious to health or welfare.*
- 4. Child care facilities should be located and designed to ensure safe and convenient access. This includes appropriate parking areas and safe and effective on-site circulation of automobiles and pedestrians.*
- 5. Child care facilities in Suburban Neighborhoods should be located and designed to avoid creating undesirable traffic, noise, and other impacts upon the surrounding community. Therefore, siting child care facilities in the periphery of residential developments or in the vicinity of planned community recreation facilities should be considered.*
- 6. Child care facilities should be encouraged in employment centers to provide locations convenient to work places. However, these locations should make provisions for a safe and healthful environment in accord with the guidelines listed above*

DESCRIPTION OF THE GENERALIZED DEVELOPMENT PLAN (GDP) AND SPECIAL EXCEPTION (SE) PLAT

The GDP/SE Plat titled "Spring Hill Academy 6309 Grovedale Drive", prepared by CEI Engineering Associates, Inc., and Macrae Architecture, LLC., consisting of seven sheets with an initial date of November 1, 2012, as revised through March 24, 2014, is reviewed below.

Site Layout

The combined GDP/SE Plat depicts the proposed two-story child care center with a 34-space parking lot at the front of the site (along Grovedale Drive). Outside play areas are depicted to

satisfy the stormwater management and Best Management Practices (BMP) requirements for the site.

Adjacent to the proposed building, the GDP/SE Plat depicts four playground areas within its north and east yards. A 1,716 square foot playground designed for children between two and four years of age will be located in the north (side) yard. The east (rear) yard will be developed with a multi-sport half court (25 x 23 feet), a 1,891 square foot playground designated for children between the ages of five and 12, and a 1,128 square foot playground designed for newborns to children two years of age. The GDP/SE Plat indicates that the perimeter of the play areas will be surrounded by a six-foot high privacy fence.

Sheet 7 of the GDP/SE Plat contains elevations of the proposed child care center. As shown, the applicant is proposing the use of bricks and stones for the exterior of the building.



Figure 3: Front of the Child Care Center as Seen from Grovedale Drive

Vehicular Access and Parking

The proposed development contains a single, two-way driveway off of Grovedale Drive that provides access to the parking lot and access for service and emergency vehicles. The 34-space parking lot is accessed by two, two-way driving aisles off of the entrance driveway. With the previous rezoning approval, the applicant committed to dedicate a 2.27-foot strip of property along the Grovedale Drive frontage to facilitate widening the street to its planned profile. The applicant is continuing that commitment with this application.

Pedestrian Access

Construction of a five-foot wide sidewalk with adjoining curb and gutter has been proffered along the subject property's frontage. This sidewalk will tie into the existing sidewalk which fronts the office condominiums to the south and eventually, to the sidewalk fronting the service station to the north. (It should be noted that a 75-foot gap in sidewalk connectivity along Grovedale Drive will exist until the convenience market, with its secondary access to Grovedale Drive, is redeveloped.)

To provide pedestrian access from the public sidewalk along Grovedale Drive to the entrance of the child care center, a five-foot wide walkway, through the parking lot, is proposed. As the parking lot will be almost two feet higher in elevation than the public sidewalk, the walkway will

contain two steps at its intersection with the Grovedale sidewalk. An alternative route consisting of a five-foot wide, switch-backing sidewalk with gentle ramps is proposed to connect the Grovedale sidewalk and the walkway through the parking lot for accessibility purposes.

Landscaping

Sheet 5 of the GDP/SE Plat contains the landscape plan for the proposed development. The plan shows a 10-foot wide landscape strip along the site's frontage sidewalk, an eight-foot wide landscaped median within the parking lot, four landscaped areas in each of the corners of the parking lot, four-foot wide landscape strips along each side property line, and a 3,000 square foot tree preservation area in the rear yard.

The landscape plan shows native species trees proposed for the landscape areas within the parking lot. However, no shrubs or groundcovers are shown beneath these trees or within the four-foot wide landscape buffers along the side property lines. A note on the landscape plan states that disturbed slopes will be amended with topsoil and seeded with grasses.

Six trees are currently growing within the designated tree preservation area. The GDP/SE Tree Preservation Plan shows that three of these trees, a white oak, a southern red oak, and a black cherry tree will be retained. The other trees, three white mulberry trees, are designated for removal. As replacements for the mulberry trees, two red maples, two willow oaks, and an eastern redbud will be planted.

ANALYSIS

Land Use Analysis

The subject property is located within the S9 - Beulah Community Planning Sector. The Comprehensive Plan's Policy Plan contains specific recommendations for the Franconia Road, Beulah Street, and Grovedale Drive Triangle, which includes the subject property. These recommendations state that the area is planned for low intensity office uses and that the subject property, Parcel 81-3 ((5)) 13, may also be appropriate for retail use up to .25 FAR. The recommendation then outlines the conditions that should be met when developing office or retail uses in the area. Although aimed at potential office or retail uses, several of the conditions address design elements that can be applicable to the child care center. Below is an analysis of how the proposed application satisfies the Comprehensive Plan recommendations:

- The approved proffers limited the previously permitted shopping center to the recommended FAR maximum of 0.25. To reflect the scale of the nearby office buildings (office condominium developments to the west and south and the Alcohol Control Board building), the proposed child care center would retain this limitation. (The C-5 zoning allow a maximum FAR of 0.30.)
- To provide for the possibility of future redevelopment of the properties to the north (convenience market) and south (office condominiums), the existing proffers

provide for an easement for future interparcel access over the parking lot driving aisles. The provision is being retained as part of the PCA.

- As proffered with the previous rezoning, RZ 2004-LE-042, the applicant has completed a Phase I archaeological survey. The Archaeological Survey, performed by ECS Mid-Atlantic, LLC and dated November 2, 2012, identified potential historic resources on-site. This survey was submitted to the Cultural Resource Management and Protection Section (CRMPS) of the Fairfax County Park Authority for review and approval. CRMPS requested that the applicant have the consultant record the 20th century building remains and associated 20th century archaeological site with the Virginia Department of Historical Resources. CRMPS notes that the archaeological site boundary is the same as the parcel boundary and although, no further field work is necessary, the site should be reported for future reference. Staff has recommended the appropriate condition.
- The plan includes a designated 3,000 square foot tree preservation area and the proffers commit to development of a tree preservation plan.
- Also, as previously proffered, the applicant will dedicate a 2.27-foot wide strip of property along the Grovedale Drive frontage for future street improvements. The proposed PCA retains the commitment to improve the frontage with curb, gutter, and a five-foot wide sidewalk.

Below is an analysis of the proposed conformance with the Comprehensive Plan's locational guidelines for child care center:

- *Child care facilities should have sufficient open space to provide adequate access to sunlight and suitable play areas, taking into consideration the size of the facility.*

The SE Plat shows a total of 11,371 square feet of play area. Therefore, based on the Zoning Ordinance requirement of 100 square of outdoor play area per child, a maximum of 113 children will be allowed in the play areas at any one give time. Staff has proposed a development condition to reflect this maximum. With the adoption of this development condition, this criterion will be met.

- *Child care facilities should be located and designed to ensure the safety of children.*

The proposed center will be located on a local street, Grovedale Drive. The Additional Standards for Child Care Centers and Nursery Schools contained in Zoning Ordinance Sect. 9-309 contains a guideline that advises that the appropriate street type for centers involving more than 75 people is a collector street. However, FCDOT has reviewed this application and has determined that this child care center will not adversely impact the Level of Service for Grovedale Drive and is not opposed to development of the center at this location.

The proposed outdoor play areas are enclosed with a six-foot high fence. Further, the play areas are located to the side and rear of the proposed building, away from any streets. A crosswalk is proposed through the parking lot to the entrance of the building, providing a safe pedestrian connection into the site from the sidewalk along the Grovedale Drive. Staff believes this criterion has been met.

- *Child care facilities should be located and designed to protect children from excessive exposure to noise, air pollutants, and other environmental factors potentially injurious to health or welfare.*

According to the Statement of Justification, there are no known hazardous substances on the site. In addition, the site is not located within a floodplain, resource protection area, or other environmental corridors. Most of the play areas are located behind the building and the one play area located on the side of the building is a minimum of 110 feet away from Grovedale Drive, which should protect children from excessive exposure to noise and air pollutants. Based on these measures, staff believes that this criterion has been met.

- *Child care facilities should be located and designed to ensure safe and convenient access. This includes appropriate parking areas and safe and effective on-site circulation of automobiles and pedestrians.*

The GDP/SE Plat shows a 34-space parking lot along the Grovedale Drive frontage, which exceeds the 30-space minimum required by the Zoning Ordinance.

In addition, the parking lot design, with its center median, facilitates drop-offs and pick-ups with minimum vehicle movement conflicts (no required back-ups). Lastly, staff is recommending a condition that during regularly scheduled arrival and dismissal periods, staff and/or volunteers supervise and coordinate the unloading and loading of children outside of the building and that carpooling be encouraged for both parents and employees as a mechanism to minimize daily vehicular trips to the site.

The proffers commit to the construction of a five-foot wide sidewalk along the property's Grovedale Drive frontage. As noted earlier in this report, a crosswalk traversing the parking lot is shown on the GDP/SE Plat, connecting the frontage sidewalk to the main entrance of the child care center. The proffers commit to the installation of bike racks in accordance with Public Facility Manual standards. With these improvements, staff believes that this criterion will be met.

- *Child care facilities in Suburban Neighborhoods should be located and designed to avoid creating undesirable traffic, noise, and other impacts upon the surrounding community. Therefore, siting child care facilities in the periphery of residential developments or in the vicinity of planned community recreation facilities should be considered.*
- *Child care facilities should be encouraged in employment centers to provide locations convenient to work places. However, these locations should make provisions for a safe and healthful environment in accord with the guidelines listed above.*

The proposed child care center is proposed in an area that is developed with office and neighborhood-serving retail uses. There are no nearby residences that may be adversely impacted. The center's location in an employment area should make it convenient for nearby employees. Furthermore, as discussed previously, staff

believes the site layout provides a safe and healthful environment for the children. Therefore, staff believes this location fulfills these criteria.

Transportation Analysis (Appendix 7)

Pedestrian Access

Staff worked with the applicant to ensure the creation of a direct, safe pedestrian route from the public sidewalk along Grovedale Drive to the front entrance of the child care center. As described earlier, the parking lot will be almost two feet higher in elevation than the public sidewalk. The initial submissions of the GDP/SE Plat proposed a somewhat circuitous handicap route between the public and private sidewalk systems. After staff raised concerns about this route, the applicant revised the GDP/SE Plat to provide a direct and better delineated pedestrian route into the site by supplementing the handicap access with a set of stairs (two steps) that provide an alternative, direct route from the public sidewalk. In addition, the on-site pedestrian route is now separated from the adjoining parking spaces with raised curbs.

Interparcel Access

Proffer 12 of the previously approved proffers states:

In the future, if there is a need to connect the adjoining uses to the subject site, the owner of the property will agree to grant an access easement for interparcel connection. Upon request by Fairfax County, the applicant shall provide a public access easement in a form approved by the County Attorney, to be recorded over access aisles that parallel Grovedale Drive along the frontage of the property. This easement will be for the sole purpose of providing an interparcel access to the adjoining parcels to the North (Tax Map 081-3-005-A and the South (Tax Map 081-3-48-03-1 through 10), if deemed necessary.

This floating interparcel access easement will consolidate and improve future access points along Grovedale Drive should the adjoining properties redevelop. As noted under the land use analysis above, the Comprehensive Plan language regarding coordinated development supports these types of interparcel access easements. The applicant had expressed concern about the potential loss of parking spaces that might result from future interparcel access improvements and deleted the provision from the amended proffers. However, staff noted that this future interparcel access could be accommodated in the northwest and southwest corners of the parking lot to minimize impacts to parking spaces. Therefore, the applicant is retaining this previously approved proffer.

Environmental Analysis (Appendix 8)

Pertinent to the proposal, the Comprehensive Plan includes environmental policies covering stormwater management, tree preservation, and green building practices. The former topics are addressed in other sections of this staff report. Regarding green

building practices, the Policy Plan encourages the application of energy conservation, water conservation, and other sustainable practices in the design and construction of development. Although the project site is not located in an area where LEED certification is required, staff had encouraged the applicant to commit to such certification. Citing financial concerns, the applicant indicated that LEED certification would not be pursued. In any case, staff notes that a project can incorporate green building practices without having to apply for and obtain any type of certification. Examples include use of native and non-invasive plantings, Energy Star or equivalent appliances, and low-emitting materials. Staff has provided the applicant with a list of possible green building design elements that can be incorporated into a set of proffers. Should the applicant decide to incorporate any of the 40+ green building elements into this project, staff will work with him to craft the appropriate proffers.

Historical Resources

Land adjacent to the subject property, including the original Mt. Olive Baptist Church property, is known to contain Federal Civil War camps. It is believed that the Federal Civil War camps may have crossed onto the subject property. The Comprehensive Plan recommends that appropriate field surveys be conducted and preservation measures be taken should significant historic resources be found.

Based on this recommendation, the previous zoning approval, RZ 2004-LE-042, contained a proffer requiring that a Phase I archaeological survey of the site be conducted. This survey, performed by ECS Mid-Atlantic, LLC on behalf of CEI Engineering Associates, Inc. and dated November 2, 2012, did not identify potential historic Civil War resources on the site. In accordance with that previous proffer, the survey was submitted to the CRMPS of the Fairfax County Park Authority for review and approval. CRMPS concurred with the survey's findings and requested that the survey, identifying 20th century building remains and their associated 20th century archaeological site, be recorded with the Virginia Department of Historical Resources. Staff has recommended the appropriate follow-through condition.

ZONING ORDINANCE PROVISIONS

Zoning Ordinance Provisions		
Standard	Required	Provided
Lot Area	40,000 square feet minimum	47,480 square feet
Lot Width	200 feet minimum	200 feet
Building Height	40 feet maximum	22.66 feet
Front Yard	45° angle of bulk plane, but not less than 40 feet	100 feet
Side Yards	N/A	10 feet

Zoning Ordinance Provisions		
Standard	Required	Provided
Rear Yard	20 feet minimum	20 feet
FAR	0.30 maximum	0.25
Open Space	20% minimum	30%
Tree Cover	10% minimum	20%
Parking Spaces	0.16 spaces/184 students = 30 spaces minimum	34 spaces
Transitional Screening & Barrier Requirements	None	N/A

As shown on the above comparison table, the proposal conforms to all applicable C-5 standards.

Highway Corridor Overlay District

The Highway Corridor Overlay District puts additional restrictions on certain automobile-oriented uses, including drive-in financial institutions, fast food restaurants, quick-service food stores, service stations and service station/mini-marts. This application does not request development of any of these types of uses.

Special Exception Requirements

General Special Exception Standards (Sect. 9-006)

Standards for all Category 3 Uses (Sect. 9-304)

Additional Standards for Child Care Centers and Nursery Schools (Sect. 9-309)

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such 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 category or use, the Board 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 Board may impose more strict requirements for a given use than those set forth in this Ordinance.*

Staff finds that the proposed child care center meets these general special exception standards. As detailed in the Analysis section of this staff report, the proposal is in harmony with the Comprehensive Plan, the Zoning Ordinance, and the neighborhood. No significant pedestrian or vehicular impacts have been identified. As discussed in the staff report, the proposal is in compliance with the applicable landscaping, open space, stormwater, and parking requirements of the Zoning Ordinance. Any future signs will be required to be in accordance with Article 12 of the Zoning Ordinance.

9-304 Standards for all Category 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 3 special exception uses shall satisfy the following standards:

1. *For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location.*
2. *Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located.*
3. *Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.*

4. *All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.*
5. *Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.*

Staff finds that the proposed child care center satisfies these Category 3 special exception standards. As summarized in the staff report, the subject property meets the zoning requirements regarding minimum lot size and bulk regulations of the C-5 zoning district. Standard 4 is not applicable as the C-5 zoning district does not include performance standards.

9-309 Additional Standards for Child Care Centers and Nursery Schools

1. *In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed.*

For the purpose of this provision, usable outdoor recreation area shall be limited to:

- A. *That area not covered by buildings or required off-street parking spaces.*
- B. *That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.*
- C. *Only that area which is developable for active outdoor recreation purposes.*
- D. *An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.*

2. *All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:*

Number of Persons	Street Type
1-75	Local
76-660	Collector
660 or more	Arterial

3. *All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.*

4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

Staff finds that the proposal satisfies these special exception standards related to child care centers and nursery schools. The required usable outdoor recreation standard will be met by compliance with the recommended development condition that limits the number of children that can utilize the outdoor play areas at any one time. Staff determined that Grovedale Drive can accommodate the anticipated traffic related to the child care center. The parking lot is designed to allow flow-through traffic, which facilitates drop-off and pick-up activities. As with all child care centers, the applicant will be required to comply with applicable provisions of Chapter 30 of The Code or Title 63.1, Chapter 10 of Virginia.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant seeks to amend the previously approved proffers and to obtain a special exception to permit a child care center at 6309 Grovedale Drive. The applicant has committed to comply with previously established proffered development restrictions, including a maximum FAR of 0.25 and maintenance of a tree preservation area. Staff finds that the applicant is in harmony with the Comprehensive Plan and conforms to all applicable Zoning Ordinance provisions.

Recommendation

Staff recommends approval of PCA 2004-LE-042, subject to the execution of proffers consistent with those contained in Appendix 1.

Staff recommends approval of SE 2013-LE-008, subject to the proposed development conditions contained in Appendix 2.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, 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 recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

APPENDICES

1. Proffers
2. Proposed Development Conditions
3. Statement of Justification
4. Rezoning Affidavit
5. Special Exception Affidavit
6. RZ 2004-LE-042 Approved Proffers
7. Transportation Analysis
8. Environmental Analysis
9. Stormwater Analysis
10. Urban Forest Management Analysis
11. Glossary of Terms

PROFFERS

Lot 13, Section 2, Franconia Hills

March 25, 2014

Pursuant to Section 15.2303(a) of the 1950 Code of Virginia, as amended, and Section 18-203 of the Zoning Ordinance of Fairfax County (1978), VTLC, LLC (Applicant/Title Owner) for itself, successors or assigns proffer as follows:

1. Generalized Development Plan (GDP/SE Plat)

Development of the property that is subject to this rezoning (the "Property") shall be in substantial conformance with the plan entitled "Generalized Development Plan and Special Exception Plat for Spring Hill Academy, 6309 Grovedale Drive, Lot 13, Section 2, Franconia Hills" (GDP/SE Plat) consisting of nine sheets, dated January 2, 2014, and prepared by CEI Engineering Associates, Inc.

2. Minor Modifications

Pursuant to Par. 5 of Section 18-204 of the Zoning Ordinance, minor modifications from the GDP/SE Plat may be permitted as determined by the Zoning Administrator provided that such modifications are in substantial conformance with the GDP/SE Plat and still meet all the provisions of the C-5 Zoning District.

3. Floor Area Ratio

The Floor Area Ratio (FAR) for the site will be limited to a maximum of 0.25.

4. Child Care Facility

The property will be developed and utilized for a child care facility in accordance with the applicable special exception.

5. Grovedale Drive Dedication and Frontage Improvements

Subject to DPWES approval, the applicant shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of thirty-five feet from the existing centerline of Grovedale Drive. Such dedication shall be made upon demand by Fairfax County or at the time of Site Plan review, whichever occurs first. All density related to such dedication is hereby reserved pursuant to Par. 5 of Section 2-308 of the Zoning Ordinance. At the time of land disturbance approvals, the applicant shall construct full frontage improvements to twenty-six (26) feet from the centerline with applicable VDOT transitions to existing adjacent properties along Grovedale Drive to include curb, gutter, and a five (5) foot wide sidewalk, subject to DPWES and VDOT approval.

6. Stormwater Detention

Stormwater Detention in accordance with the requirements of the Public Facilities Manual shall be provided on site as determined by DPWES. A waiver of stormwater management detention may be sought at the time of final site plan review. If the detention waiver is approved by DPWES, the final site plan will be modified to delete the

underground stormwater detention system depicted on the GDP. If a detention waiver is not applied for or is denied, a stormwater detention system will be provided on-site to the requirements of DPWES. Any stormwater management facilities will be privately owned and owner maintained. A maintenance agreement shall be executed at the time of site plan approval.

7. Stormwater Quality (Best Management Practices, "BMP's")

BMP's in accordance with the requirements of the Public Facilities Manual shall be provided on-site as determined by DPWES. The BMP requirements may be met, in whole or in part, by the infiltration system depicted on the GDP/SE Plat. Alternative methods of BMP's may be provided to meet Fairfax County standards if they can be adequately implemented within the framework of the approved BMP. Other BMP methods include, but are not limited to, stormwater filtration engineered devices, raingardens, bio-retention swales, vegetated swales, infiltration trenches, or other low impact development (LID) techniques that are acceptable to the Fairfax County DPWES. The alternative methods of providing BMP's shall be in substantial conformance with the proffered GDP/SE Plat; if the alternative methods are not in substantial conformance with the proffered GDP/SE Plat, the applicant realizes that approval of a proffered condition amendment may be required. Soil testing may be performed on site to determine if the subsurface soils can accommodate an infiltration facility. If soils are found suitable, a stormwater management facility may be provided that will enhance groundwater recharge.

8. Architectural Details

The architecture shall be in general conformance with that shown on the GDP/SE Plat. Prior to Site Plan approval, the Applicant shall submit architectural details of the building to the Lee District Supervisor and Planning Commissioner for review and administrative approval to determine whether the designs meet the character of the existing neighborhood.

9. Landscape and Tree Preservation Plan

A. Tree Survey. A certified arborist has been retained to conduct a tree survey for the site, and the owner intends to meet the tree preservation target for the site by preserving the trees as depicted on the GDP/SE Plat. These are a synopsis of his findings. The area at the rear of the site was being proposed for conservation, the rest of the site is being occupied by parking, building, and playground facilities.

The following trees are planned to be retained:

Tree #4 – 36" caliper white oak

Tree #10.01 – 11" caliper zelkova

Tree #15 – 29" caliper white oak – Tree #15 is located off-site and is not owned by the applicant.

B. Tree preservation. The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist,

and shall be subject to review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone/crown, size, and condition analysis percentage rating for all individual trees to be preserved, as well as on and off-site trees, living or dead with trunks 12 inches in diameter and greater (measured at 4.5 feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those outside of the limits of clearing and grading shown on the GPD/SE Plat and those additional areas in which the trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM12-0507 and 12-0509. 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.

C. Invasive and Undesirable Vegetative Management Plan. An invasive and undesirable vegetative management plan or narrative shall be developed that provides for the management and treatment of invasive and undesirable plants, growing in all areas shown to be preserved, that are likely to endanger the long-term ecological functionality, health, and regenerative capacity of the early succession forest communities, for review and approval by the Urban Forest Management Division. The management plan/narrative shall incorporate the following information:

- Identify targeted invasive plant species to be suppressed and managed.
- Identify targeted area of invasive plant management plan, which shall be clearly identified on the landscape or tree preservation plan.
- Recommended government and industry method(s) of management, i.e. hand removal, mechanical equipment, chemical control, other. Identify potential impacts of recommended method(s) on surrounding trees and vegetation not targeted for suppression/management and identify how these trees and vegetation will be protected (for example, if mechanical equipment is proposed in save area, what will be the impacts to trees identified for preservation and how will these impacts be reduced).
- Identify how targeted species will be disposed.
- If chemical control is recommended, treatments shall be performed by or under direct supervision of a Virginia Certified Pesticide Applicator or Registered Technician and under the general supervision of Project Arborist.
- Provide information regarding timing of treatments, (hand removal, mechanical equipment or chemical treatments) when will treatments begin and end during a season and proposed frequency of treatments per season.

- Identify potential areas of reforestation and provide recommendation
- Monthly monitoring reports provided to UFMD and SDID staff.
- Duration of Invasive program; until Bond release or release of Conservation Deposit or prior to release if targeted plant(s) appear to be eliminated based on documentation provided by Project Arborist and an inspection by UFMD staff.”

D. Plant Appraisal. The applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 12 inches in diameter or greater on the Applicant property that are shown to be saved on the Tree Preservation Plan. These tree(s) and their value shall be identified prior to the respective site plan approvals. The replacement value shall take into consideration the age, size, and condition of these tree(s) 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 comment by UFMD.

At the time of the respective site plan approvals, the applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the “Bonded Tree(s)”) that die or are dying due to unauthorized construction activities only. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Tree(s). At any time prior to final bond release for the improvements on the applicant property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by both the project arborist and UFMD due to unauthorized construction activities, the applicant shall replace such trees at its expense within one year of the issuance of the Certificate of Occupancy. The replacement trees shall be of equivalent size, species, and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the applicant shall also make payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be based on the amount determined by the paragraph above using the fore stated Trunk Formula Method and paid to a fund established by the county for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the applicant property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by the proffer shall be returned/released to the applicant within 2 years of issuance of the Certificate of Occupancy.

E. Tree Preservation Walk-Through. The applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree preservation walk-through meeting, the applicant’s certified arborist or landscape architect shall walk the limits of clearing and grubbing with the UFMD, DLWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented.

Trees that are identified 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 to avoid 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.

F. Limits of Clearing and Grubbing. The applicant shall conform strictly to the limits of the clearing and grading as shown on the GPD/SE Plat, subject to allowances specified in these proffered conditions and for the installation of utilities, retaining wall, and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities, retaining wall, and/or trails in areas protected by the limits of clearing and grading as shown on the GDP/SE Plat, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities, retaining wall, and/or trails.

G. Tree Preservation Fencing. 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 in 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 as shown on the demolition, and Phase I and II erosion and sediment control sheets, as may be modified by the "Root Pruning" proffer below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, 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 the UFMD, DPWES."

H. Root Pruning. 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 subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

I. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Applicant Property, 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 the UFMD. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation proffers, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

J. A landscape plan shall be submitted to DPWES in substantial conformance to the GDP plan per DPWES requirements for landscape requirements as well a tree remediation plan.

10. Bicycle Racks

The applicant shall provide bicycle racks, the specific locations of which shall be approved by FCDOT at the time of site plan approval. The bike racks shall be inverted U-Style racks or other design approved by FCDOT. The total number of bike parking spaces shall be consistent with the Fairfax County Policy and Guidelines for Bicycle Parking.

11. Interparcel Access

In the future, if there is need to connect to adjoining uses to the subject site, the owner of the property will agree to grant an access easement for interparcel connection. Upon request by Fairfax County, the applicant shall provide a public access easement in a form approved by the County Attorney, to be recorded over the access aisles that parallel Grovedale Drive along the frontage property. This easement will be for the sole purpose of providing an interparcel access to the adjoining parcels to the North (Tax Map 081-3-005-5A) and the South (Tax Map 081-3-48-03-1 thru 10), if deemed necessary.

Proffer Signature

VTLC, LLC; Title Owner of Tax Map 081-3-1((5)) Parcel 13

By: _____ Date: _____
Alex Vuong

PROPOSED SPECIAL EXCEPTION DEVELOPMENT PLAN CONDITIONS

SE 2013-LE-008

March 24, 2014

If it is the intent of the Planning Commission to approve SE 2013–LE-008 to permit a childcare center for property located at 6309 Grovedale Drive, Tax Map 81-3 ((05)) 0013, staff recommends that the Planning Commission recommend approval subject to conformance with the following development conditions.

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, structure, and/or use indicated on the special exception plat approved with the application, as qualified by these development conditions. Other by-right, special permit, and/or special exception uses may be permitted on the application property without the approval of a special exception Amendment if such uses do not affect this special exception.
3. This special exception is subject to the provision 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 General Development Plan/Special Exception Plat entitled “Spring Hill Academy 6309 Grovedale Drive”, prepared by CEI Engineering Associates, Inc., and dated November 1, 2012, as revised through March 24, 2014, 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.
4. The maximum daily enrollment of the child care center shall be limited to 184 children.
5. The maximum number of staff permitted on-site at any one time shall not exceed 25.
6. The maximum number of children using the outdoor play area at any given time shall not exceed 113.
7. The hours of operation shall be limited to 6:00 a.m. to 6:30 p.m., Monday through Friday.
8. During regularly scheduled arrival and dismissal periods, staff and/or volunteers shall supervise and coordinate the unloading and loading of children outside of the building. All loading and unloading of children shall be done on-site. Drop-off and pick-up times shall be staggered and designated times shall be issued to parent in order to minimize the number of vehicles on-site at any one time. Carpooling shall be encouraged for both parents and employees as a mechanism to minimize daily vehicular trips to the

site. To facilitate carpool arrangements, zip code rosters shall be provided to all families and employees.

9. A minimum of 34 parking spaces shall be provided, as shown on the GDP/SE Plat.
10. The height of any exterior light fixture shall not exceed 12 feet. All lighting shall be in conformance the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance.
11. All signage shall comply with provisions of Article 12 of the Zoning Ordinance.
12. The Archaeological Survey, performed by ECS Mid-Atlantic, LLC, dated November 2, 2012, and identifying the 20th century building remains and associated 20th century archaeological site, shall be recorded with the Virginia Department of Historical Resources.
16. Except for the service gate, the trash enclosure proposed in the project's front parking lot shall be enclosed with brick walls.



ENGINEERS ■ SURVEYORS ■ PLANNERS
LANDSCAPE ARCHITECTS ■ ENVIRONMENTAL SCIENTISTS

3108 SW Regency Pkwy, Suite 2
Bentonville, AR 72712
(479) 273-9472 Fax (479) 273-0844

www.ceieng.com

APPENDIX 3

RECEIVED
Department of Planning & Zoning
JAN 03 2014
Zoning Evaluation Division

January 2, 2014

Fairfax County
Department of Planning and Zoning
12055 Government Center Parkway, Ste 801
Fairfax, VA 22035

RE: Spring Hill Academy Proposed Development: Statement of Justification
Rezoning and Special Exception from C-5 SC to C-5 Child Care Center

To Planning Commissioners and Staff

Introduction

This letter provides a request on behalf of VTLC, LLC to develop a Spring Hill Academy Child Care Facility at 6309 Grovedale Drive, Alexandria, VA. This location is currently zoned as C-5 Neighborhood Retail Commercial District for a shopping center use and an adjustment is requested to change this use to a Child Care Use

Type of Operation

The proposed use is for a child care facility.

Hours of Operation

The proposed use will have hours of operation from 6 A.M to 6:30 P.M.; Monday through Friday.

Estimated number of Patrons/Clients/Patients/Pupils/Etc.

The proposed use will have approximately 184 students.

Proposed Number of Employees/Attendants/Teachers/Etc

The proposed use will have approximately 10-16 staff in the first year and once the center is mature it will have between 18-25 employees.

Estimate of Traffic Impact of the Proposed Use

The estimated traffic impact would peak between the hours of 6-9 and 3-6. Maximum expected trip generation is less than 200 cars per hour and less than 600 cars per day.

Architecture

The architecture is a modern styled building with a brick façade. Please see attachment for similar elevation.

Providing Consolidated Land Development Services

CALIFORNIA ■ TEXAS ■ ARKANSAS ■ MINNESOTA ■ GEORGIA ■ PENNSYLVANIA

Vicinity or General Area to be Served

The child care facility is anticipated to serve those that live near the Franconian Hills area of the Lee District.

Listing of Hazardous or Toxic Substances

This location is not anticipated to store or dispose of any hazardous or toxic substances other than household cleaning products which would be generally expected to be used to clean the facility from everyday use.

Statement of Conformance

The C-5 Neighborhood Retail Commercial District allows child care centers via a Special Exception. A childcare facility will fulfill a much needed vacancy in the area for professional child care services for those in the surround neighborhood and those that work in the surrounding neighborhood. Spring Hill Academy will provide attractive architecture as well as state-of-the-art facilities to provide the best learning environmental for the children that use the facility. The playground is specifically designed for each appropriate age groups, and the curriculum is tailor made to give kids an edge on their educational and developmental careers. The child care center will generally conform to the required county codes.

Sincerely,



Charles "Chip" Ashley
Project Manager

REZONING AFFIDAVITDATE: 02.21.14
(enter date affidavit is notarized)

121142A

I, Charles "Chip" Ashley, do hereby state that I am an
(enter name of applicant or authorized agent)(check one) applicant
 applicant's authorized agent listed in Par. 1(a) belowin Application No.(s): PCA 2004-LE-042
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
VTLC, LLC	2817 Elsmore Street, Fairfax, VA 22031	Applicant / Title Owner
Agent: Nguyen H. T. Vuong	2817 Elsmore Street, Fairfax, VA 22031	Agent for Applicant / Title Owner
CEI Engineering Associates, Inc.	P.O. Box 1408, 3108 SW Regency Parkway, Suite 2 Bentonville, AR 72712	Civil Engineer / Landscape Architect/Agent
Agent: Charles "Chip" Ashley	P.O. Box 1408, 3108 SW Regency Parkway, Suite 2 Bentonville, AR 72712	Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)

DATE: 02.21.14

(enter date affidavit is notarized)

for Application No. (s): PCA 2004-LE-042

(enter County-assigned application number (s))

121142 a

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
ACS Architectural Construction Services, Inc. (Former, effective: 02.21.14)	1122 Bristol Street Costa Mesa, CA 92626	Architect / Agent
Agent: Byung Yoon (Former, effective: 02.21.14)	1122 Bristol Street Costa Mesa, CA 92626	Agent
Macrae Architecture, LLC	74 Orchard Drive Worthington, OH 43085	Architect / Agent
Agent: John Van Meler (Effective: 02.21.14)	74 Orchard Drive Worthington, OH 43085	Agent

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: 02.21.14
(enter date affidavit is notarized)

for Application No. (s): PCA 2004-LE-042
(enter County-assigned application number(s))

21142a

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, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(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)

VTLC, LLC

2817 Elsmore Street, Fairfax, VA 22031

DESCRIPTION OF CORPORATION: (check one statement)

- [x] 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)

Nguyen H. T. Vuong

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, Vice President, Secretary, Treasurer, etc.)

(check if applicable) [x] There is more corporation information and Par. 1(b) is continued on a "Rezoning 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.

Rezoning Attachment to Par. 1(b)

DATE: 02.21.14

(enter date affidavit is notarized)

PCA 2004-LE-042

121142a

for Application No. (s): _____
(enter County-assigned application number (s))

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

CEI Engineering Associates, Inc.
P.O. Box 1408
3108 SW Regency Parkway, Suite 2
Bentonville, AR 72712

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 SHAREHOLDER: (enter first name, middle initial, and last name)

- Charles M. Shupe
- Jeffrey D. Geurian

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(Not Required)

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

ACS Architectural Construction Services, Inc. - (Former, effective: 02.21.14)
1122 Bristol Street
Costa Mesa, CA 92626

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)

- David Shockley (Former, Effective: 02.21.14)
- David Rhodes (Former, Effective: 02.21.14)
- Val Giannini (Former, Effective: 02.21.14)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(Not Required)

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

Rezoning Attachment to Par. 1(b)

DATE: 02.21.14

(enter date affidavit is notarized)

121142a

for Application No. (s): PCA 2004-LE-042

(enter County-assigned application number (s))

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

Macrae Architect, LLC (Effective 02.21.14)
74 Orchard Drive
Worthington, OH 43085

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 SHAREHOLDER: (enter first name, middle initial, and last name)

~ Peter S. Macrae (Effective 02.21.14)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(Not Required)

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

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)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

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

REZONING AFFIDAVIT

DATE: 02.21.14
(enter date affidavit is notarized)

121142a

for Application No. (s): PCA 2004-LE-042
(enter County-assigned application number(s))

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)

(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 "Rezoning 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.*

REZONING AFFIDAVIT

DATE: 02.21.14
(enter date affidavit is notarized)

121142a

for Application No. (s): PCA 2004-LE-042
(enter County-assigned application number(s))

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 Supervisors, 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 "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: 02.21.14
(enter date affidavit is notarized)

121142a

for Application No. (s): PCA 2004-LE-042
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, 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 "Rezoning 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:

(check one)

[] Applicant

[x] Applicant's Authorized Agent

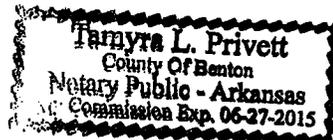
Charles "Chip" Ashley, Project Manager, Agent

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

Subscribed and sworn to before me this 21 day of FEBRUARY 2014, in the State/Comm. of ARKANSAS, County/City of BENTONVILLE.

Tamyra L. Privett
Notary Public

My commission expires: 06/27/2015



SPECIAL EXCEPTION AFFIDAVIT

DATE: 02.21.14
 (enter date affidavit is notarized)

121143a

I, Charles "Chip" Ashley, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): SE 2013-LE-008
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
✓ VTLC, LLC	2817 Elsmore Street, Fairfax, VA 22031	Applicant / Title Owner
✓ Agent: Nguyen H. T. Vuong	2817 Elsmore Street, Fairfax, VA 22031	Agent for Applicant / Title Owner
✓ CEI Engineering Associates, Inc.	P.O. Box 1408, 3108 SW Regency Parkway, Suite 2 Bentonville, AR 72712	Civil Engineer / Landscape Architect/Agent
✓ Agent: Charles "Chip" Ashley	P.O. Box 1408, 3108 SW Regency Parkway, Suite 2 Bentonville, AR 72712	Agent

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Special Exception Attachment to Par. 1(a)DATE: 02.21.14

(enter date affidavit is notarized)

for Application No. (s): SE 2013-LE-008
(enter County-assigned application number (s))

121143a

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
ACS Architectural Construction Services, Inc. (Former, effective: 02.21.14)	1122 Bristol Street Costa Mesa, CA 92626	Architect / Agent
Agent: Byung Yoon (Former, effective: 02.21.14)	1122 Bristol Street Costa Mesa, CA 92626	Agent
Macrae Architecture, LLC	74 Orchard Drive Worthington, OH 43085	Architect / Agent
Agent: John Van Meler (Effective: 02.21.14)	74 Orchard Drive Worthington, OH 43085	Agent

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further on a "Special Exception Attachment to Par. 1(a)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 02.21.14
(enter date affidavit is notarized)

121143a

for Application No. (s): SE 2013-LE-008
(enter County-assigned application number(s))

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 and number, street, city, state, and zip code)

VTLC, LLC
2817 Elsmore Street, Fairfax, VA 22031

DESCRIPTION OF CORPORATION: (check one statement)

- [X] 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)

Nguyen H. T. Vuong

(check if applicable) [X] There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit 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.

Rezoning Attachment to Par. 1(b)

DATE: 02.21.14
(enter date affidavit is notarized)

121143a

for Application No. (s): SE 2013-LE-008
(enter County-assigned application number (s))

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

CEI Engineering Associates, Inc.
P.O. Box 1408
3108 SW Regency Parkway, Suite 2
Bentonville, AR 72712

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 SHAREHOLDER: (enter first name, middle initial, and last name)

Charles M. Shupe
Jeffrey D. Geurian

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(Not Required)

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

ACS Architectural Construction Services, Inc. - (Former, effective: 02.21.14)
1122 Bristol Street
Costa Mesa, CA 92626

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)

David Shockley (Former, Effective: 02.21.14)
David Rhodes (Former, Effective: 02.21.14)
Val Giannini (Former, Effective: 02.21.14)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(Not Required)

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

Special Exception Attachment to Par. 1(b)

DATE: 02.21.14

121143a

(enter date affidavit is notarized)

SE 2013-LE-008

for Application No. (s): _____

(enter County-assigned application number (s))

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

Macrae Architect, LLC (Effective 02.21.14)
74 Orchard Drive
Worthington, OH 43085

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)

Peter S. Macrae (Effective 02.21.14)

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

(Not Required)

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)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 02.21.14
(enter date affidavit is notarized)

121143a

for Application No. (s): SE 2013-LE-008
(enter County-assigned application number(s))

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, and number, street, city, state, and zip code)

(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 Exception Affidavit 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 02.21.14
(enter date affidavit is notarized)

121143a

for Application No. (s): SE 2013-LE-008
(enter County-assigned application number(s))

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 Supervisors, 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 Exception Attachment to Par. 2" form.

Application No.(s): SE 2013-LE-008
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: 02.21.14
(enter date affidavit is notarized)

121143a

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, 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 Exception 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.

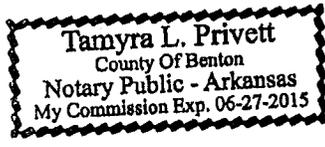
WITNESS the following signature:

(check one) Applicant Applicant's Authorized Agent
Charles "Chip" Ashley
Charles "Chip" Ashley, Project Manager, Agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 21 day of FEBRUARY, 2014, in the State/Comm. of ARKANSAS, County/City of BENTONVILLE.

Tamyra L. Privett
Notary Public

My commission expires: 06/27/2015



PROFFERS

Lot 13, Section 2, Franconia Hills**RZ 2004-LE-042**

February 17, 2009

Pursuant to Section 15.2-2303(a) of the 1950 Code of Virginia, as amended, and Section 18-203 of the Zoning Ordinance of Fairfax County (1978), the property owners and Kingdom, LLC (the applicant) for themselves, their successors or assigns proffer as follows:

1. **Generalized Development Plan (GDP)**
Development of the property that is subject to this rezoning (the "Property") shall be in substantial conformance with the plan entitled "*Generalized Development Plan, Lot 13, Section 2, Franconia Hills*" (GDP) consisting of five sheets, dated July 23, 2004 (revised through October 8, 2008), and prepared by R.C. Fields, Jr. & Associates, P.C.
2. **Minor Modifications**
Pursuant to Par. 5 of Section 18-204 of the Zoning Ordinance, minor modifications from the GDP may be permitted as determined by the Zoning Administrator provided that such modifications are in substantial conformance with the GDP and still meet all the provisions of the C-5 Zoning District.
3. **Floor Area Ratio**
The Floor Area Ratio (FAR) for the site will be limited to a maximum of 0.25.
4. **Shopping Center Use**
The proposed shopping center building shall be utilized by a minimum of two (2) commercial retail uses. Typical uses to include, but are not limited to, retail sales establishments, eating establishments, fast food restaurants, financial institutions, personal service establishments, etc. The proposed building shall be designed to accommodate as many as nine (9) individual commercial uses. No single retail use may occupy more than six thousand (6,000) square feet of the available Floor Area in the proposed building. No fast food establishment shall occupy more than thirty five (35) percent of the available floor area. No drive-thru uses will be permitted on the site unless revisions are made to the GDP through the appropriate process with Fairfax County. No adult book stores; video/DVD stores primarily dealing with the sale, rental, or exhibition of adult oriented material; tattoo parlor/piercing establishments; psychic readers/fortune tellers; topless or

nude dancing/stripping establishments; adult mini-motion picture theaters, movie or "peep show" establishments.

5. **Grovedale Drive Dedication and Frontage Improvements**

Subject to DPWES approval, the applicant, shall dedicate and convey in fee simple to the Board of Supervisors right-of-way up to a width of thirty-five (35) feet from the existing centerline of Grovedale Drive. Such dedication shall be made upon demand by Fairfax County or at the time of Site Plan review, whichever occurs first. All density related to such dedication is hereby reserved pursuant to Par. 5 of Section 2-308 of the Zoning Ordinance. At the time of dedication plat approval, the applicant shall construct full frontage improvements to twenty-six (26) feet from centerline with applicable VDOT transitions to existing adjacent properties along Grovedale Drive to include curb, gutter and a five foot (5') wide sidewalk, subject to DPWES and VDOT approval.

6. **Archaeological Site Assessment**

Prior to any land disturbing activities, the Applicant shall conduct and complete a Phase I archaeological survey of the site to identify potential historic resources on-site. Within 30 days of completion of said survey, the Applicant shall submit said survey to the Cultural Resource Management and Protection Section of the Fairfax County Park Authority ("CRMPS") for review and approval. The Applicant shall also conduct and complete any Phase II or Phase III surveys on only those areas of the site identified for further study by CRMPS if determined necessary by CRMPS prior to any land disturbance activities. The studies shall be conducted by a qualified Archaeological professional approved by CRMPS and shall be reviewed and approved by CRMPS.

7. **Stormwater Detention**

Stormwater detention in accordance with the requirements of the Public Facilities Manual shall be provided on-site as determined by DPWES. A waiver of stormwater management detention may be sought at the time of final site plan review. If the detention waiver is approved by DPWES, the final site plan will be modified to delete the underground stormwater detention system depicted on the GDP. If a detention waiver is not applied for or is denied, a stormwater detention system will be provided on-site to the requirements of DPWES. Any stormwater management facilities will be privately owned and owner maintained. A maintenance agreement shall be executed at the time of site plan approval.

8. **Stormwater Quality (Best Management Practices, "BMP's")**

BMP's in accordance with the requirements of the Public Facilities Manual shall be provided on-site as determined by DPWES. The BMP requirements may be met, in whole or in part, by the stormwater filtration system depicted on the GDP. Alternative methods of providing BMP's may be provided to meet Fairfax County standards if they can be adequately implemented within the framework of the approved GDP. Other BMP methods include, but are not limited to, rain gardens, bio-retention basins, bio-retention filters, vegetated swales, or other low impact

development (LID) techniques that are acceptable to the Fairfax County DPWES. The alternative methods of providing BMP's shall be in substantial conformance with the proffered GDP; if the alternative methods are not in substantial conformance with the proffered GDP, the applicant recognizes that approval of a proffered condition amendment may be required. Soils testing shall be performed on site to determine if the subsurface soils can accommodate an infiltration facility. If soils are found to be suitable, an alternative stormwater management facility will be provided that will enhance groundwater recharge.

9. **Architectural Details**

Prior to Site Plan approval, the Applicant shall submit architectural details of the building to the Lee District Planning Commissioner for review and administrative approval to determine whether the designs meet the character of the existing neighborhood.

10. **Landscaping and Tree Preservation Plan**

A tree save area will be established on the site as depicted on the GDP. The site will be assessed to see if any additional existing indigenous hardwood trees can be saved and incorporated into the final design. The applicant shall prepare a tree survey and, if applicable, tree preservation plan as part of the final site development plans. The 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 the Urban Forest Management (UFM), DPWES. Any potential save trees and tree save areas will be coordinated with, and evaluated by Urban Forestry.

The proposed parking layout depicted on the GDP may be modified or re-worked to accommodate trees that are deemed worthy of retention and can be reasonably worked into the proposed design. The total number of parking spaces provided on the final site plans may be less than shown on the GDP in order to accommodate any additional tree save areas. However, the total number of parking spaces provided for the proposed shopping center use shall never be less than the minimum required by the Zoning Ordinance of Fairfax County.

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 10 inches in diameter and greater, and 20 feet to either side of the limits of clearing and grading shown on the GDP for the entire site. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the GDP, and those additional areas in which trees can be preserved as a result of final engineering. 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 trees identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the

plan. The use of motorized equipment in the forested portion of Outlot B shall be limited to hand-operated equipment such as chainsaws, wheel barrows, rakes, and shovels. Any work that requires the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump grinders, etc. or any accessory or attachment connected to this type of equipment shall not occur unless previously approved by Urban Forestry Management.

Protection of Existing Understory Vegetation and Soil Conditions in Tree Preservation Areas

1. 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. Any removal of any vegetation 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 Urban Forest Management, DPWES.
2. The use of motorized equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaws, wheel barrows, rake and shovels. Any work that requires the use of motorized equipment, such as tree transplanting spades, 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 Urban Forest Management, DPWES.

Root Pruning and Mulching

1. The applicant shall 1) root prune, 2) mulch, and 3) provide tree protection fencing in the form of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart, or other forms of tree protection fencing approved by Urban Forest Management, DPWES for all tree preservation areas. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets and demolition plan sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by Urban Forest Management, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
 - Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - Root pruning shall take place prior to any clearing and grading, or demolition of structures.
 - Root pruning shall be conducted with the supervision of a certified arborist.

- Tree protection fence shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area.
- Immediately after the phase II E&S activities are complete, mulch shall be applied at a depth of 4 inches extending 10 feet inside the undisturbed area without the use of motorized equipment.
- Mulch shall consist of hardwood mulch or the approved equal.
- An Urban Forest Management, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

Tree Preservation Walk-Through

1. The applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an Urban Forest Management, DPWES, 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. Trees 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 the adjacent trees and associated understory vegetation and soil conditions.

Limits of Clearing and Grading:

1. The Applicant shall conform strictly to the limits of clearing and grading as shown on the GDP, subject to allowances specified in these proffered conditions and for the installation of utilities as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities in areas protected by the limits of clearing and grading as shown on the GDP, they shall be located in the least disruptive manner necessary as determined by UFM, DPWES. A replanting plan shall be developed and implemented, subject to approval by UFM, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such utilities.

Tree Protection Fencing

1. 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 as shown on the demolition, and phase I and II erosion and sediment control sheets.

2. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fence types shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three days prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices, Urban Forest Management, DPWES shall be notified and given the opportunity to inspect the site to assure 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 Urban Forest Management, DPWES.

11. **Urban Park**

An Urban Park area will be set aside on the property as depicted on the GDP. Typical amenities provided to include landscaping, a refuse container and a park bench or picnic table. The proposed park area will be maintained by the property owner. If an urban park is not desirable or deemed unnecessary by County review staff, an area will be established to accommodate existing tree save on the site.

12. **Interparcel Access**

In the future, if there is a need to connect the adjoining uses to the subject site, the owner of the property will agree to grant an access easement for interparcel connection. Upon request by Fairfax County, the applicant shall provide a public access easement in a form approved by the County Attorney, to be recorded over access aisles that parallel Grovedale Drive along the frontage of the property. This easement will be for the sole purpose of providing an interparcel access to the adjoining parcels to the North (Tax Map 081-3-005-5A) and the South (Tax Map 081-3-48-03-1 thru 10), if deemed necessary.

13. **Bicycle Racks**

The Applicant shall provide outdoor bicycle racks on-site for employees and visitors.

(SIGNATURE PAGE ATTACHED)

(PROFFER SIGNATURE PAGE)

KINGDOM, L.L.C., Title Owner of Tax Map 081-3-1((5)) Parcel 13

By: James Puryear
James Puryear, Managing Member

2-17-2009
Date



County of Fairfax, Virginia

MEMORANDUM

DATE: February 5, 2014

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section, DOT *AKR*

FILE: 3-5(SE 2013-LE-008)

SUBJECT: Addendum PCA 2004-LE-042/SE 2013-LE-008 VTLC, LLC
Land Identification Map: 81-3 ((5)) 0013

This department has reviewed the SE plat revised through January 2, 2014, and we have the following comments.

It is recommended that the applicant provide a direct pedestrian connection from the sidewalk on the frontage of Grovedale Road to the parking lot at the site entry.

The applicant should use the County's approved and standard proffer language for bicycle racks. The proposed bicycle racks should have enough space from the building wall to the rack in order for the rack to be accessible to bicyclists.

The applicant should provide floating interparcel access easements to the adjacent properties to the north and to the south so entrances could be consolidated to improve access with future development on those parcels. Future interparcel access would not have significant impact on the parking provision of the childcare center as there are excess parking spaces above the requirement. Interparcel access could be accommodated in the northwest and southwest corners of the lot to minimize impact on parking spaces.

FCDOT has reviewed this application and determined that the proposed child care center will not adversely impact Grovedale Road. We are not opposed to development of the center at this location.

AKR/AY

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877-5723
www.fairfaxcounty.gov/fcdot





COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

GREGORY A. WHIRLEY
COMMISSIONER

January 28, 2014

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Noreen H. Maloney
Virginia Department of Transportation – Land Development

Subject: PCA 2004-LE-042 / SE 2013-LE-008
Children's Lighthouse Learning Center

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

This office has reviewed the subject application and offers the following comments.

- The entrance along Grovedale Road should be labeled as CG-11.
- The radii of the curb returns should be a minimum of 25'.
- The proposed sidewalk should be designed per the VDOT *Road Design Manual*, minimum 5' in width.



County of Fairfax, Virginia

MEMORANDUM

DATE: January 24, 2014

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

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

SUBJECT: Environmental Assessment: SE 2013-LE-042
Spring Hill Academy

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development as depicted on the revised Generalized Development Plan (GDP) Special Exception (SE) plan dated January 2, 2014. 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, 2013 Edition, Policy Plan, Environment, as amended through February 12, 2013, on pages 7 and 8 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 such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation. . . .
- Encourage cluster development when designed to maximize protection of ecologically valuable land. . . .
- 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.
- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. ”

Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through February 12, 2013, on page 10 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, 2013 Edition, Policy Plan, Environment, as amended through February 12, 2013, on page 18 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. . . .”

Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through February 12, 2013, on pages 19-21 states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*)
- Optimization of energy performance of structures/energy-efficient design
- Use of renewable energy resources
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies
- Reuse of existing building materials for redevelopment projects
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris
- Use of recycled and rapidly renewable building materials
- Use of building materials and products that originate from nearby sources
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs. . . .

- Policy d. Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county's environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system. . . ."

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.

The subject property is located east of Grovedale Road and south of Franconia Road. The applicant seeks to construct an 11,700 square foot, two-story, 184 student child care facility at proposed floor area ratio (FAR) of 0.246 on 1.09 acres of land on a currently undeveloped site.

Water Quality/Stormwater Management and Adequate Outfall: The subject property is located within the Accotink Creek watershed. The stormwater notes for this proposal indicate that an underground vault/infiltration system is proposed to meet water quality and quantity control requirements for the proposed childcare facility. Regarding site drainage, runoff from the property flows in an east to west direction toward Grovedale Drive and outfalls into the roadway drainage system after which time the runoff then drains in a northwesterly direction toward Grovedale Drive's intersection with Franconia Road. The narrative further indicates that runoff from the site outfalls north of the subject property into the Backlick Run stream system which is well protected. Stormwater management/best management practice measures and outfall adequacy are subject to review and approval by the Department of Public Works and Environmental Services.

On May 24, 2011, the Virginia Soil and Water Conservation Board adopted Final Stormwater Regulations, which became effective September 13, 2011. The regulations require all local governments in Virginia to adopt and enforce new stormwater management requirements; these new requirements must be effective on July 1, 2014. Staff from the Department of Public Works and Environmental Services is pursuing the development of a stormwater management ordinance

in order to implement this state mandate, and it is anticipated that this ordinance will become effective on the July 1, 2014 deadline. The applicant will be required to comply with these new requirements for any subject development activities for which the applicant has not, prior to July 1, 2014, obtained VSMP permit coverage under the Virginia Stormwater Management Program General Permit for Discharges of Stormwater from Construction Activities. The proposed development will not be grandfathered from the new ordinance as a result of approval of this zoning application. While all details regarding the new stormwater management ordinance are not known at this time, the general water quality control and water quantity control parameters are included in the Virginia Stormwater Management Program Permit Regulations found at VAC50-60-10 et seq. of the Virginia Administrative Code. The applicant should, therefore, be encouraged strongly to design the proposed stormwater management system consistent with both existing and anticipated stormwater management requirements.

Tree Preservation/Restoration: The special exception plan indicates that 62% of the 1.09 acre property will be developed with impervious surface and the current special exception plan depicts a relatively intense use of the entire property. Given the fact that the site is currently undeveloped and densely vegetated, the applicant is encouraged to work with the Urban Forestry Management Division (UFMD) of DPWES to identify suitable plant species to augment the landscaping, above and beyond what is shown on the proposed landscape plan, wherever possible on the subject site.

Green Building: The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. Consistent with this policy, the applicant is encouraged to commit to the provision of green building measures. No such commitment has been made at this time.

COUNTYWIDE TRAILS MAP:

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

PGN/MAW



County of Fairfax, Virginia

MEMORANDUM

DATE: January 3, 2014

TO: Bob Katai; Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Thakur Dhakal, Senior Engineer III
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Special Permit Plat #PCA 2004-LE-042/SE 2013-LE-008, Spring Hill Academy (Formerly Trustees of the Lighthouse Baptist Church), SE Plat dated 21 November 2013, LDS Project #791-ZONA-001-2, Tax Map #081-3-05-0013; Lee District

We have reviewed the subject application and offer the following Stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this property. Water quality controls must be satisfied for this development (PFM 6-0401.2). The location of infiltration trench is depicted on the plat. But, Occoquan Method must be utilized in BMP computation. In the site plan submission BMP computations must be shown.

The applicant has provided preliminary subsurface investigation report. In the site plan an infiltration trench design must be provided.

Floodplain

There are no regulated floodplains on the site.

Downstream Drainage Complaints

There are no recent downstream drainage complaints on file.

Stormwater Detention

Stormwater detention must be met, if not waived (PFM 6-0301.3). Applicant indicates that the Stormtech chambers will be designed to meet the detention requirements. A detailed design must be shown in site plan submission.

Department of Public Works and Environmental Services
Land Development Services
12055 Government Center Parkway, Suite 444
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



Bob Katai; Staff Coordinator
Special Permit Plat #PCA 2004-LE-042/SE 2013-LE-008, Spring Hill Academy (Formerly
Trustees of the Lighthouse Baptist Church)
Page 2 of 2

Onsite Major Storm Drainage System and Overland Relief

Applicant has provided overland relief arrows showing runoff flow path of the 100-year storm event on the plan. Cross-sections at key locations including the building entrances must be shown in site plan submission.

Downstream Drainage System

An outfall narrative has been provided on the plan, but an outfall map and analysis have not been provided. A detailed outfall analysis must be incorporated on site plan submission.

Drainage Diversion

During the development, the natural drainage divide shall be honored. If natural drainage divides cannot be honored, a drainage diversion justification narrative must be provided. The increase and decrease in discharge rates, volumes, and durations of concentrated and non-concentrated Stormwater runoff leaving a development site due to the diverted flow shall not have an adverse impact (e.g., soil erosion; sedimentation; yard, dwelling, building, or private structure flooding; duration of ponding water; inadequate overland relief) on adjacent or downstream properties. (PFM 6-0202.2A)

Stormwater Planning Comments

This case is located in the Accotink Creek Watershed. Please visit <http://www.fairfaxcounty.gov/dpwes/watersheds/> for more details.

Dam Breach

None of this property is within the dam breach inundation zone.

These comments are based on the 2011 version of the Public Facilities Manual (PFM). A new Stormwater ordinance and updates to the PFM's Stormwater requirements are being developed as a result of changes to state code (see 4VAC50-60 adopted May 24, 2011). The site plan for this application may be required to conform to the updated PFM and the new ordinance.

Please contact me at 703-324-1720 if you require additional information.

TD/

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, Stormwater Planning
Division, DPWES
Don Demetrius, Chief, Watershed Evaluation Branch, SPD, DPWES
Zoning Application File



County of Fairfax, Virginia

MEMORANDUM

DATE: January 15, 2014

TO: Bob Katai, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Samantha Wangsgard, Urban Forester II
Forest Conservation Branch, DPWES *SW*

SUBJECT: PCA 2004-LE-042/SE 2013-LE-008 Spring Hill Academy (formerly Children's Lighthouse); 6309 Grovedale Drive

RE: Request for assistance dated January 8, 2014

The following comments are based on a review of the Generalized Development Plan for Spring Hill Academy 6309 Grovedale Drive date stamped as "Received, Department of Planning and Zoning, January 3, 2014" and related Statement of Justification, proffers and applicant's responses to issues identified in previous agency comments.

1. Comment: The invasive and undesirable vegetation proffer uses the language should. This is a requirement of the PFM and the language should be changed to shall.

Recommendation: The proffer language for the invasive and undesirable vegetation proffer should be changed to state the following:

"An invasive and undesirable vegetation management plan shall be developed that provides for the management and treatment of invasive and undesirable plants, growing in all areas shown to be preserved, that are likely to endanger the long-term ecological functionality, health, and regenerative capacity of the early successional forest communities, for review and approval by the Urban Forest Management Division. The management plan shall incorporate the following information:

- Identify targeted invasive plant species to be suppressed and managed.
- Identify targeted area of invasive plant management plan, which shall be clearly identified on the landscape or tree preservation plan.
- Recommended government and industry method(s) of management, i.e. hand removal, mechanical equipment, chemical control, other. Identify potential impacts of recommended method(s) on surrounding trees and vegetation not targeted for suppression/management and identify how these trees and vegetation will be protected (for example, if mechanical equipment is proposed

Department of Public Works and Environmental Services
Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes



in save area, what will be the impacts to trees identified for preservation and how will these impacts be reduced).

- Identify how targeted species will be disposed.
 - If chemical control is recommended, treatments shall be performed by or under direct supervision of a Virginia Certified Pesticide Applicator or Registered Technician and under the general supervision of Project Arborist).
 - Provide information regarding timing of treatments, (hand removal, mechanical equipment or chemical treatments) when will treatments begin and end during a season and proposed frequency of treatments per season.
 - Identify potential areas of reforestation and provide recommendation
 - Monthly monitoring reports provided to UFMD and SDID staff.
 - Duration of Invasive program; until Bond release or release of Conservation Deposit or prior to release if targeted plant(s) appear to be eliminated based on documentation provided by Project Arborist and an inspection by UFMD staff.”
2. Comment: It remains unclear where the area attributed to existing trees to remain for tree preservation is derived from, as the label on the map on sheet 5 still shows 3,000 square feet for a tree conservation area while Table 12.3 shows 2,036 square feet.

Recommendation: Clearly shade and label the location of the 2,036 square feet of canopy that is being used to meet the tree preservation target. This shading should be distinctive from that used for the remaining tree conservation area.

3. Comment: The note “3,000 SF Tree Conservation Area, See Tree Preservation Plan for Special Notes” is unclear.

Recommendation: The note should be clarified to state the 3,000 SF is being proposed for a conservation area of which 2,036 square feet is being claimed for the tree preservation target requirements.

SW/

UFMDID #: 182145

cc: DPZ File

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

- ABANDONMENT:** Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.
- ACCESSORY DWELLING UNIT (OR APARTMENT):** A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.
- AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT:** Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.
- AGRICULTURAL AND FORESTAL DISTRICTS:** A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.
- BARRIER:** A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.
- BEST MANAGEMENT PRACTICES (BMPs):** Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.
- BUFFER:** Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.
- CHESAPEAKE BAY PRESERVATION ORDINANCE:** Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.
- CLUSTER DEVELOPMENT:** Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.
- COUNTY 2232 REVIEW PROCESS:** A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.
- dBA:** The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.
- DENSITY:** Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.
- DENSITY BONUS:** An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.
- DEVELOPMENT CONDITIONS:** Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		