



APPLICATION ACCEPTED: June 3, 2014
BOARD OF ZONING APPEALS: October 29, 2014
TIME: 9:00 a.m.

County of Fairfax, Virginia

October 22, 2014

STAFF REPORT

SPECIAL PERMIT AMENDMENT SPA 83-P-057-06

SPRINGFIELD DISTRICT

APPLICANT/OWNER: The Church for All Nations, Inc

STREET ADDRESS: 8506, 8526 and 8529 Amanda Place

TAX MAP REFERENCE: 49-1 ((1)) 37, 38 and 38A

LOT SIZE: 6.22 acres

F.A.R.: 0.18

ZONING DISTRICT: R-1 - Parcels 38, 38A
R-4 - Parcel 37

PLAN MAP: Residential, 3-4 du/ac

SPECIAL PERMIT PROPOSAL: Amend previously approved special permit for a place of worship to permit the addition of an adult day care and a child care center.

STAFF RECOMMENDATION:

Staff recommends approval of SPA 83-P-057-06 subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Erin M. Haley

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals (BZA). A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505**

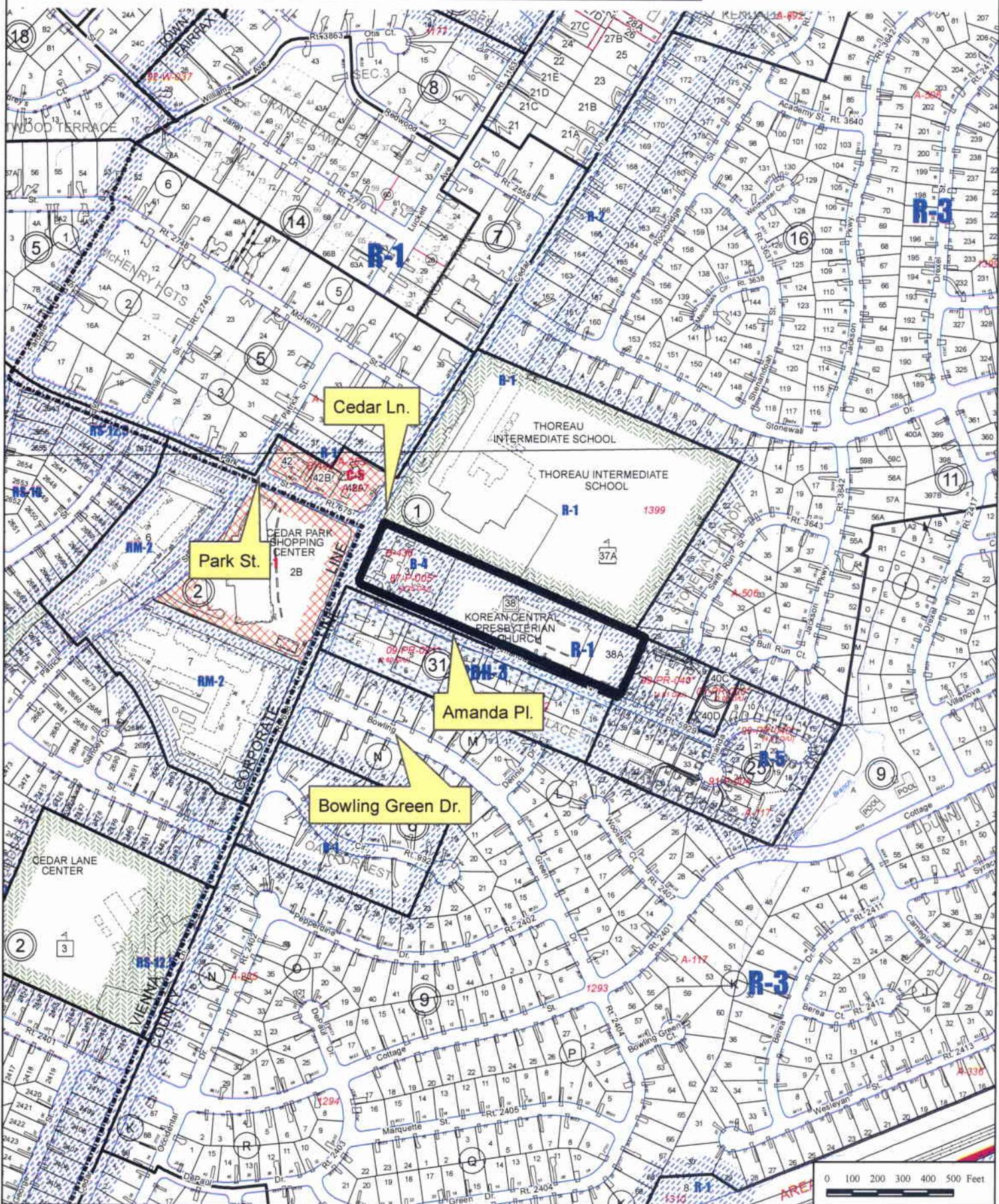


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit Amendment

SPA 83-P-057-06

THE CHURCH FOR ALL NATIONS, INC.





VICINITY MAP

SCALE: 1"=2000'

FOOTNOTES FOR THE ZONING & DENSITY INFORMATION TABLE ABOVE FOR THE SUBJECT PARCELS

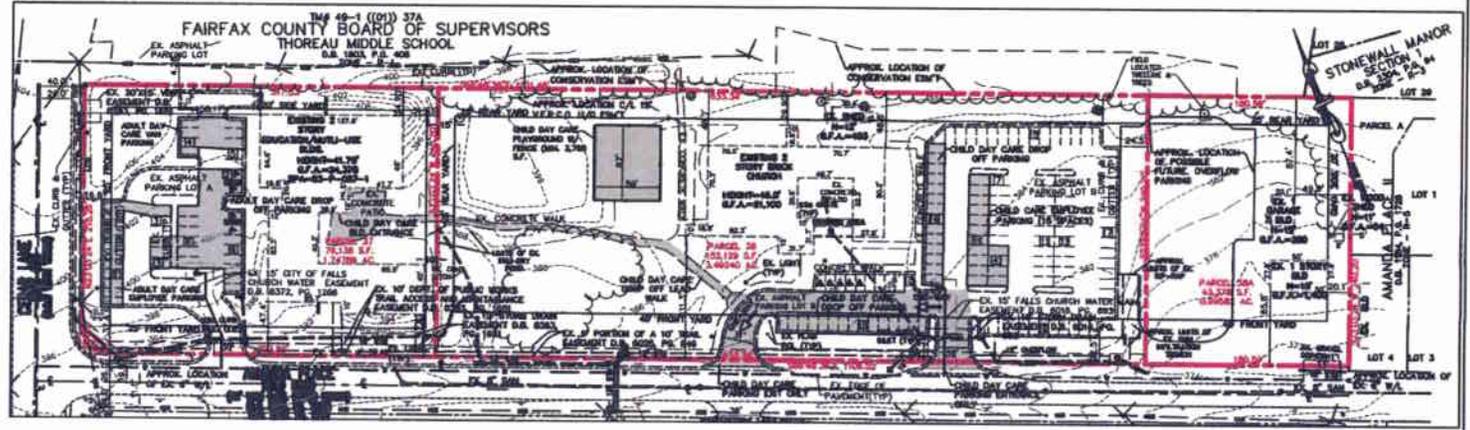
- 1) * SEE AREA, BOUNDARY & DIM AS PER 2008 UNIFORM ZONING ORDINANCE CHAPTER 25.010.010.
- 2) THE LOT FOR THIS APPLICATION AFTER REMOVED PARCEL 35A FROM THIS APPLICATION IS 6.16 AC. SEE DIMENSION IN CHART ABOVE.
- 3) PLANTING PER 2008 ZONING ORDINANCES AND F.A.A. SECURITY REGULATIONS ARE AS PER THE APPROVED 2008 SWP SP-43-P-007-2.
- 4) ALL EXISTING BUILDINGS AND STRUCTURES SOUTH OF AMANBA PLACE FOR THE SUBJECT SITE/PARCELS (21, 28 & 29) TO REMAIN.

OWNER OF SUBJECT PARCELS: THE CHURCH FOR ALL NATIONS, 8538 AMANBA PLACE, VERNON, VA 22180
ZONING & DENSITY INFORMATION FOR THE SUBJECT PARCELS
(APPLICATION SPA 2008-0221 REMOVED PARCEL 35A)

LOT	SP	SP-43-P-007-2	2008 ZONING	2008 DENSITY	2008 ZONING	2008 DENSITY	2008 ZONING	2008 DENSITY	2008 ZONING	2008 DENSITY	2008 ZONING	2008 DENSITY
27	SP-43-P-007-2	2008 ZONING	R-4	1.75 AC PER ACRE OR 1/4 ACRE	NO CHANGES	SP-43-P-007-2	2008 ZONING	R-4	1.75 AC PER ACRE OR 1/4 ACRE	NO CHANGES	SP-43-P-007-2	2008 ZONING
28	SP-43-P-007-2	2008 ZONING	R-4	1.75 AC PER ACRE OR 1/4 ACRE	NO CHANGES	SP-43-P-007-2	2008 ZONING	R-4	1.75 AC PER ACRE OR 1/4 ACRE	NO CHANGES	SP-43-P-007-2	2008 ZONING
29A	SP-43-P-007-2	2008 ZONING	R-4	1.75 AC PER ACRE OR 1/4 ACRE	NO CHANGES	SP-43-P-007-2	2008 ZONING	R-4	1.75 AC PER ACRE OR 1/4 ACRE	NO CHANGES	SP-43-P-007-2	2008 ZONING
29B	29		R-4	1.48 AC OR 1/4 ACRE								
29C	29		R-4	1.48 AC OR 1/4 ACRE								
29D	29		R-4	1.48 AC OR 1/4 ACRE								
29E	29		R-4	1.48 AC OR 1/4 ACRE								

GENERAL NOTES:

- 1) THE INFORMATION PROVIDED ON THIS SPECIAL PERMIT PLAN IS TAKEN FROM PUBLIC RECORDS AND FROM A 2008 ALTA/SURVEY LINES TITLE SURVEY PREPARED BY VMA, INC.
- 2) THE SWP/IMP GRADING, TRENCH, DRAIN, CURB, GUT AND INLET/OUTLET CONTROL, MANHOLE, AND WELLS ON PARCELS 27, 28 & 29A HAVE BEEN FIELD LOCATED & SHOWN AS SHOWN.
- 3) THIS APPLICATION DOES NOT PROPOSE ANY IMPROVEMENTS, TRENCH, NO CLEANING AND GRASSING & WEEDING, THE SUBJECT SITE/PARCELS ARE SERVED BY PUBLIC WATER AND SEWER.
- 4) THERE ARE NO FLOODPLAIN, RESILIENCE PROTECTION AREAS, OR ENVIRONMENTAL QUALITY CORRIDORS ON THE SUBJECT SITE/PARCELS FOR AVAILABLE RECORDS.
- 5) THERE ARE NO EXISTING EASEMENTS HAVING A WIDTH OF 20-FOOT OR GREATER ON THE SUBJECT SITE/PARCELS FOR THE 2008 ALTA/SURVEY LINES TITLE SURVEY PREPARED BY VMA, INC. AND THE 2008 TITLE REPORT PREPARED BY EVERGREEN TITLE COMPANY (REF# 07-0816) WITH AN EFFECTIVE DATE OF APRIL 15, 2008.
- 6) TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO KNOWN EXISTING GRAVES OR BURIAL SITES LOCATED ON THE SUBJECT SITE/PARCELS FOR THE 2008 ALTA/SURVEY LINES TITLE SURVEY PREPARED BY VMA, INC. AND THE 2008 TITLE REPORT PREPARED BY EVERGREEN TITLE COMPANY (REF# 07-0816) WITH AN EFFECTIVE DATE OF APRIL 15, 2008.
- 7) AN ASPHALT TRAIL AND SIDEWALK ALREADY EXIST ON CEDAR LANE AND AMANBA PLACE AND SHALL SATISFY ANY TRAIL REQUIREMENTS BY THE ADOPTED COMPREHENSIVE PLAN.
- 8) THE EXISTING TOPOGRAPHY THIS TRAIL FROM THE FIELD LOCATED CHD-008 PARCELS LOT DEP-008R AS-BUILT PLAN DATED 2/20/2008.
- 9) THE EXISTING CAPACITY OF CHURCH SANITARIUM LOCATED ON PARCEL 28 IS 500 SEATS.
- 10) ALL EXISTING BUILDINGS FOR THIS SITE/PARCELS SHALL REMAIN, NO NEW IMPROVEMENTS ARE PROPOSED.
- 11) PARCEL 29A DOES NOT REQUIRE SWM SINCE NO IMPROVEMENTS HAVE BEEN MADE ON THIS PARCEL.
- 12) THE EXISTING SWM MANAGEMENT FACILITIES THAT WILL SERVE DRY POND 27 & 28A, TRENCH 28 & 29 ACCOUNT FOR THE REQUIRED ON-SITE DRAINAGE AREAS FOR THESE RESPECTIVE PARCELS FOR THE APPROVED PLAN. THE FOLLOWING EXISTING SWM/IMP FACILITIES THAT REMAIN SERVE PARCELS 27 & 28 AS DESIGNED AND APPROVED:
 - 1) PARCEL 27 (EXEMPTION/ABATE-USE BLD & PARCELS LOT) IS SERVED BY THE EX. SWM/IMP DRY POND 27 (APPROVED SITE PLAN NO. 08-01-00-2 & 08-01-00-2).
 - 2) PARCEL 28 (EX. CHURCH SANITARIUM & PARKING LOT) IS SERVED BY THE SWM/IMP GRASS, TRENCH (APPROVED SITE PLAN NO. 08-01-00-2).



POSSIBLE FUTURE PARKING LOT NOTES

- 1) APPROVE POSSIBLE FUTURE PARKING LOT LOCATION AS INDICATED BY THE DASHES ON PARCEL 28A.
- 2) FUTURE DRY POND UP 20 SPACES.
- 3) APPROVED FUTURE SWM FACILITIES FOR THE PARKING AREA SHALL BE PROVIDED FOR ONLY PARCEL 28A.
- 4) THE FUTURE LOT DRY POND & FUTURE PARKING LOT FACILITIES.

LEGEND

- EXISTING STORM SEWER
- EXISTING CURB WALK
- EXISTING OVERHEAD
- EXISTING UNDER GROUND
- EXISTING UNDER GROUND
- S.W. 20"
- GUT PILE
- SHOULDER 24"
- SEWER 18"
- 24"
- TRENCH/PROTECTIVE/VEGETABLE PILE
- PIPE 18"
- RE SPACE
- LIGHT PILE
- WOODPILE
- DITCHES OF CONTAIN
- DITCHES OF CONTAIN
- UTILITY POLE
- OVERHEAD ELECTRIC LINE
- EX. SIGN-UP-SWY
- SITE BOUNDARY
- BOUNDARY PROTECTION LINE
- ADJACENT PROPERTY LINE
- DIRECT CONTIGUOUS
- BOUNDARY OF PARCELS
- BOUNDARY CURB & GUTTER

PARKING TABULARS FOR THE SUBJECT PARCELS

| LOT | APPROVED (EXISTING) SPACES |
|-----|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| 27 | 28 SPACES (18'x30'x12'x12') |
| 28 | 28 SPACES (18'x30'x12'x12') |
| 29A | 28 SPACES (18'x30'x12'x12') |
| 29B | 28 SPACES (18'x30'x12'x12') |
| 29C | 28 SPACES (18'x30'x12'x12') |
| 29D | 28 SPACES (18'x30'x12'x12') |
| 29E | 28 SPACES (18'x30'x12'x12') |

NO.	DATE	DESCRIPTION	BY	FOR
1	08/15/08	ISSUED FOR PERMITS	ATCS	THE CHURCH FOR ALL NATIONS
2	08/15/08	ISSUED FOR PERMITS	ATCS	THE CHURCH FOR ALL NATIONS
3	08/15/08	ISSUED FOR PERMITS	ATCS	THE CHURCH FOR ALL NATIONS
4	08/15/08	ISSUED FOR PERMITS	ATCS	THE CHURCH FOR ALL NATIONS

THE CHURCH FOR ALL NATIONS, INC.
 2808 AMANBA PLACE, VERNON, VA 22180



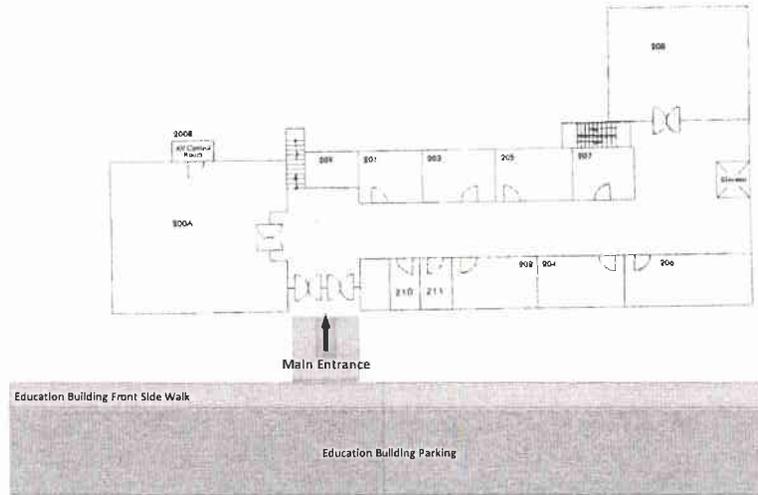
ATCS, P.L.C.
 2808 AMANBA PLACE, VERNON, VA 22180
 (703) 489-7900

THE CHURCH FOR ALL NATIONS
 2808 AMANBA PLACE, VERNON, VA 22180

THE CHURCH FOR ALL NATIONS
 2808 AMANBA PLACE, VERNON, VA 22180

JOY ADULT DAYCARE PROPOSED PLAN
EDUCATION BUILDING - TOP LEVEL

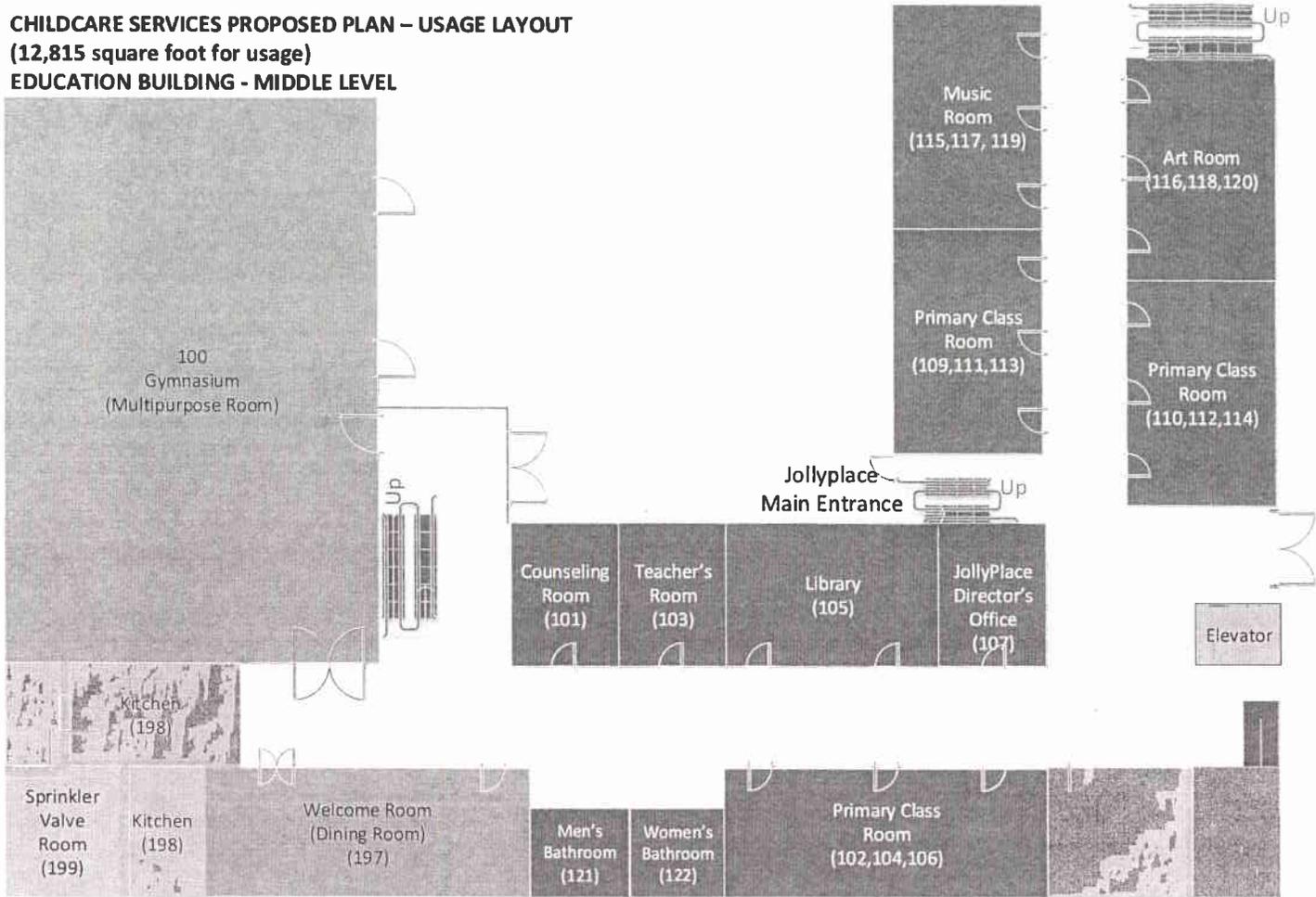
EXHIBIT
A



JOLLYPLACE INC

CHILDCARE SERVICES PROPOSED PLAN – USAGE LAYOUT
 (12,815 square foot for usage)
 EDUCATION BUILDING - MIDDLE LEVEL

EXHIBIT
B



LEGEND – Usage of area by JollyPlace in Education Building – Middle Level

JollyPlace proposed lease area	Used by Church & JollyPlace	Church Space
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Photograph Exhibit
Proposed Special Permit Amendment Application
Applicant: Joy Adult Day Health Care LLC
Fairfax County Tax Map Reference: 49-1 ((1)) 37, 38, 38A



Photo 1: View of front of education/multi-use building and southern property line, photo taken from front entrance of education/multi-use building facing south.

RECEIVED
Department of Planning & Zoning
FEB 19 2014
Zoning Evaluation Division



Photo 2: View of western property line and parking area, photo taken facing west.

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FEB 19 2014
Zoning Evaluation Division



Photo 3: View of northwestern property line and parking area, photo taken facing northwest.

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Photo 4: View northern property and adjacent property (Thoreau Middle School), photo taken facing north.

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FEB 19 2014
Zoning Evaluation Division



Photo 5: View of rear of education/multi-use building, photo taken facing west.

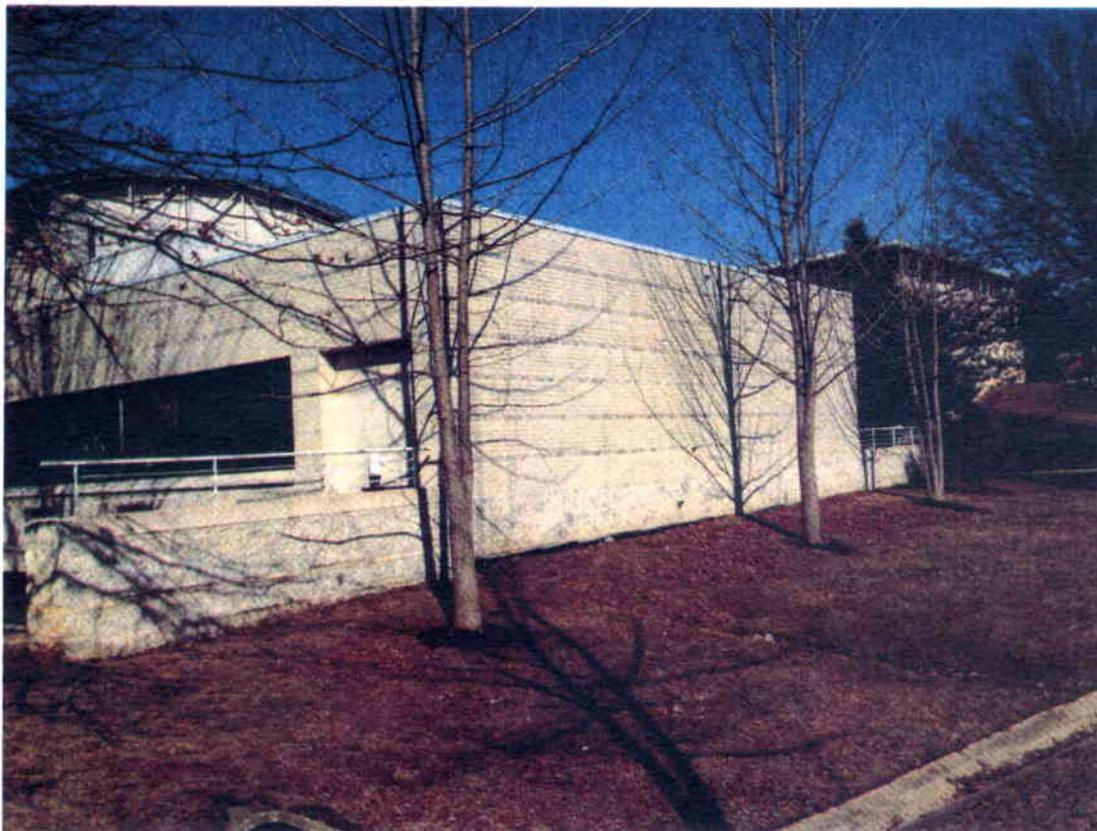


Photo 6: View of education/multi-use building, photo taken facing northwest.

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Department of Planning & Zoning

FEB 19 2014

Zoning Evaluation Division



Photo 7: View of education/multi-use building, photo taken facing north.

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Photo 8: View of adjacent properties (single family residences), photo taken facing south.

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Photo 9: View of place of worship, photo taken facing east.

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Exit lanes from parking lot. West View



Point of entrance from exit from parking lot into Amanda Pl.



Walking leading into school's entrance as seen from Amanda Pl.



Entrance / Exit from Amanda Pl.



Parking lot as seen from the corner of Cedar Ln & Emerald Ave



Drop off / Pick Up Trail from parking lot North View



Drop off / Pick Up Trail from parking lot.



Drop off / Pick up trail. West View.



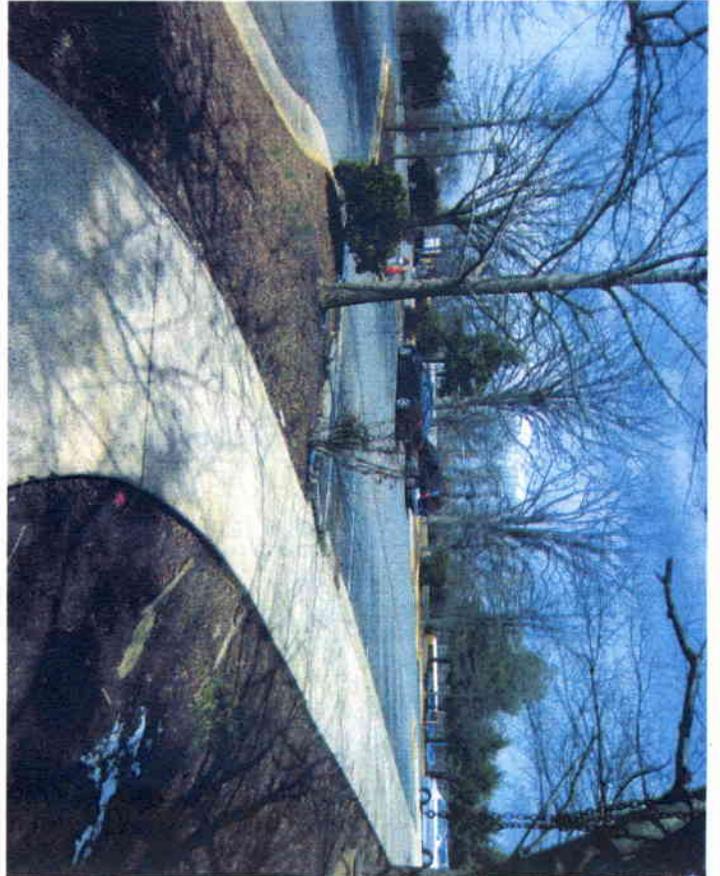
Jollyplace School Main Entrance.



Walkway leading from main entrance into parking lot.



Main Entrance into Jollyplace School.



Walkway leading from main entrance into parking lot.



Cement trail leading from Main Church to Education Building.



Existing Playground North View



Existing Playground.



Existing Playground



View of the south side of Educational Building. Amman

DESCRIPTION OF THE APPLICATION

The applicant has filed this special permit amendment application to amend SP 83-P-057-5 to permit the operation of an adult day care (up to 99 participants with 12 employees) and a child day care (up to 72 participants with 15 employees).

As noted in the Statement of Justification, the applicant (The Church for All Nations) plans to continue use of the existing improvements on Lots 37, 38 and 38A. The existing sanctuary has 500 seats and the number of seats will not be modified.

A copy of the special permit plat titled "Special Permit Plat, Fairfax County SPA 2009-0221, The Church For All Nations," prepared by Larry D. Caruthers, Professional Engineer, dated June 2, 2014, is included at the front of the staff report. A detailed description of the request begins on Page 4.

CHARACTER OF THE SITE AND SURROUNDING AREA

Parcels 37, 38 and 38A are currently developed with improvements which consist of: a 24,375 square foot two story (with basement) educational/multi-use building; a 21,100 square foot two story church building containing 500 seats; and an existing 1,680 square foot one story residential structure. The site also contains several sheds and/or accessory storage structures

The site contains 169 parking spaces. These spaces are located within two paved parking areas, both with access from Amanda Place. The western parking lot for the educational building (located near Cedar Lane) is accessed from one driveway from Amanda Place and contains 42 parking spaces. The larger eastern parking lot has two driveways near the existing church sanctuary building and contains 127 spaces. These two driveways only allow traffic to enter on the easternmost driveway and exit from the middle driveway. The applicant has further identified an area between the existing parking lot and the single family detached home to serve as possible future overflow parking. A note on the plat indicates that this area may provide up to 50 parking spaces and that this lot may utilize a pervious parking lot surface.



As stated previously, the subject property is accessed from three separate entrances from Amanda Place and is located to the east of the intersection of Amanda Place and Cedar Lane near the corporate limits of the Town of Vienna. The surrounding land uses are as follows:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Comprehensive Plan
North	School (Thoreau Middle School)	R-1	Public Facilities
South	Residential, Single Family Detached (Dunn Loring Woods)	R-3	Residential, 2-3 du/ac
East (Town of Vienna)	Shopping Center (Cedar Park Shopping Center)	C-1	Retail and Other (Town of Vienna)
West	Residential, Single Family Detached (Amanda Place)	R-5	Residential, 3-4 du/ac

Place of Worship Hours of Operation:

Worship Services: 8:00 a.m., 9:30 a.m., 11:00 a.m. on Sundays

Other activities: Existing buildings may be used in the evening for committee meetings, bible study classes and other types of activities typically found in association with a place of worship. Activities would end no later than 10:00 pm.

Administrative office: Office use will be open 10:00 am to 6:00 pm,
Tuesday through Saturday

Numbers of Church Employees/Staff:

Maximum of five (5) ministers and eight (8) administrative staff.

Background

History			
Case Number	Acreage	Approval Body and Date	Application Description
SP 83-P-057	3.55 ac	BZA, 10/11/83	To permit construction of a 500 seat church and related facilities on Parcel 38 .
RZ 87-P-005	1.9 ac	BOS, 8/3/87	To rezone Parcel 37 from R-1 to R-4 to allow development of 6 single family detached dwellings.
PCA 87-P-005	1.9 ac	BOS, 10/28/91	To amend the proffered GDP to allow a church on Parcel 37 rather than 6 residential lots.
SPA 83-P-057-1	6.26 ac	BZA 10/29/91	To permit the addition of an education building and surface parking on Parcel 37 , an accessory structure, modification to screening condition and an increase in land area.
RZ 90-P-002		BOS	Request to allow Parcels 35 and 36 (now known as Parcel 35A) to be zoned R-4 (Dismissed)
SPA 83-P-057-2	12.93 ac	BZA, 6/8/93 (expired)	To permit additional land area, 2 temporary trailers, 20 additional parking spaces, waiver of dustless surface requirement and modification to the minimum yard requirement based on an error in building location. Proposal included, for the first time, land area to the south of Amanda Place, Parcels 35 & 36 (now known as Parcel 35A) .
SPA 83-P-057-3*	12.66 ac	BZA 1/16/96	To permit an increase in land area, additional parking, three temporary classroom trailers, and modification to the minimum yard requirement based on an error in building location for a shed to remain 6 feet from side lot line on Parcel 38A (where a 20 foot minimum yard was required). Application included Parcel 35 & 36 (now known as Parcel 35A) .

History (Continued)			
SPA 83-P-057-4	12.36 ac	BZA (denied)	To permit building additions, increase in seating, site modifications and change in development conditions. Most new development was proposed on Parcel 35A .
SPA 83-P-057-5*	12.36 ac	BZA 3/31/10	To permit change in permittee and deletion of land area (Parcel 35A).

*A copy of the Resolution and plat is included in Appendix 4.

As described above, the current sanctuary seating for the church has been maintained at 500 seats since approval of the original special permit. However, since that original approval, the special permit has been amended several times for the addition of new structures, additional land area and parking areas, deletion of land area, and a change in permittee.

Since the adoption of the Zoning Ordinance, no previous applications for modifications to church facilities have been decided by the Board of Zoning Appeals for properties in the immediate surrounding area.

DESCRIPTION OF THE REQUEST

The applicant is requesting approval of a special permit amendment to permit an adult day care and a child care preschool. No exterior changes are proposed to the buildings and the only change to the property will be an expansion to the playground used by the child care facility.

Adult Day Care

The adult day care would be operated on the second floor of the education/multi-use building and would serve up to 99 individuals between 65 and 75 years of age. The hours of operation are proposed to be Monday through Friday from 7:00 a.m. to 2:15 p.m. with extended hours for a staff of up to 12 employees with nine employees on site at any one time. The applicant does not propose to offer services to individuals with diminished capacity.

The adult day care participants would be picked up and dropped off at their homes and transported to the site using up to seven passenger vans which vary in size between seven and 14 passenger seats. Participants would arrive between 7:00 a.m. and 7:30 a.m. and depart between 2:00 p.m. to 2:15 p.m. The adult day care facility would use the parking lot on the west side of the education/multi-use building and enter through the western entrance to the second floor of the building.

The facility would provide daily activities for the participants as well as providing breakfast, lunch, and a snack.

Child Day Care

The applicant proposes to utilize portions of the first floor of the education/multi-use building for its preschool/child care use. The preschool would serve a maximum of 72 children between the ages of 3 to 6 and would have up to 15 employees at any one time. The hours of operation would be from 7:30 a.m. to 6:00 p.m., Monday through Friday with extended hours for staff.

Parking for the preschool would be in the western parking lot, adjacent to the main church building. Children would be dropped off and picked up in accordance with their enrollment schedule, arriving between 7:30 a.m. to 9:00 a.m. Forty percent of enrollees would depart between 1:00 p.m. to 1:30 p.m., 40 percent at 3:15 p.m., and 20 percent would be picked up by 6:00 p.m. To reduce traffic impacts, a minimum of 26 children would be picked up and dropped off from their homes using up to two passenger vans with a capacity of 16 passengers each. A development condition has been proposed to ensure that this proposed traffic impact mitigation is met.

Children and parents would enter the child care facility through the eastern entrance of the building to the first floor. All parents of children not arriving by passenger van would be required to complete an attendance sign-in and sign-out sheet on a daily basis. The sidewalk directly in front of the church building would be assigned as a general drop-off/pick-up location. Employees would remain at the drop-off location each morning from 8:30 a.m. to 9:00 a.m. and each afternoon between 2:50 p.m. to 3:15 p.m. Parents arriving outside of those times would be required to park and escort the children to the facility.

The applicant proposes to provide a variety of Montessori programs, before- and after-school programs, as well as half-day and full-day programs. The preschool proposes to utilize the education building's classrooms, library, gymnasium, music room, art room, and teacher's room. The preschool would also utilize an existing outdoor playground. The playground would be improved to a size of 3,750 square feet with new mulch and additional play structures.

ZONING ORDINANCE PROVISIONS

Bulk Standards (R-1 and R-4 Zoning)				
Standard	Required R-1	Required R-4	Proposed R-1	Proposed R-4
Min. Lot Area	36,000 sq. ft.	8,400 sq. ft.	43,378 sq. ft.	76,138 sq. ft.
Lot Width	175 ft.	95 ft.	150 ft.	215.26
Building Height	60 ft.	60 ft.	46.5 ft.	41.75 ft.
Front Yard	Controlled by a 50° angle of bulk plane, but not less than 40 feet.	Controlled by a 35° angle of bulk plane, but not less than 25 feet	exceeds 40 ft	exceeds 25 ft.
Side Yard	Controlled by a 45° angle of bulk plane, but not less than 20 feet	Controlled by a 30° angle of bulk plane, but not less than 10 feet	Shed @ 5.5 feet	24.70 ft.
Rear Yard	Controlled by a 45° angle of bulk plane, but not less than 25 feet	Controlled by a 30° angle of bulk plane, but not less than 25 feet	Shed at 13 feet (12 feet high)	N/A
Tree Cover				
Density	0.15 for uses other than residential or public	0.30 for uses other than residential or public	0.12	0.32 (.30 prior to street dedication for Cedar Lane)
Open Space	n/a	n/a		
Existing Parking	One (1) space per four (4) seats in the principal place of worship; (125) and 39 spaces for multi-use educational facility (164)		169 spaces (1:2.96 ratio)	
Proposed Parking	Required Adult Day Care: 38 Required Child Day Care: 34 Total: 72 spaces		169 spaces	

Comprehensive Plan Provisions

Plan Area:	II
Planning District:	Vienna Planning District
Planning Sector:	V-2, Cedar Community Planning Sector
Plan Map:	Residential, 3-4 du/ac

ANALYSIS**Land Use Analysis**

The majority of the Cedar planning sector is developed with single-family detached residential units. Parcels fronting on both sides of Amanda Place are planned for 3-4 dwelling units per acre. Places of worship with adult day care and child day care are uses that support residential areas. The site is located adjacent to a middle school and a shopping center and on the edge of residential neighborhoods. Therefore, the application is in conformance with the Comprehensive Plan recommendations for the site.

Transportation Analysis (Appendix 5)

Pedestrian Amenities

To meet the Americans with Disabilities Act (ADA) guidelines, the applicant will be required to install a standard CG-12 curb ramp in a location close to the accessible parking spaces in the eastern parking lot. A development condition has been proposed to address this requirement; therefore this issue is addressed.

Further pedestrian connections would continue to be provided by an existing 4-foot wide asphalt trail along Amanda Place which would be retained with this application. In addition, the existing 4-foot wide concrete sidewalk along Cedar Lane would also be retained.

Parallel Parking Spaces in Eastern Driveway

To improve sight distance for vehicles exiting the driveway, the applicant has agreed to eliminate two parallel parking spaces located in the eastern driveway that is to be used for the child-care drop off. A development condition has been proposed to ensure that this is completed; therefore this issue has been addressed.

Passenger Vans

Areas of the parking lot designated for van parking should be clearly marked on-site to avoid confusion for users of both facilities. A development condition has been proposed to require that signage be installed to indicate designated parking for the passenger vans to be used by both the adult day care and child day care.

Traffic Impacts

At the request of the Fairfax County Department of Transportation (FCDOT), the applicant conducted a traffic study of the intersections of Cedar Lane/Amanda Place and Cedar Lane/Park Street. The applicant's original request for 99 children for the child day care, combined with the adult day care van trips, indicated that the Level of Service (LOS) at the intersection of Cedar Lane/Amanda Place would degrade from LOS "E" to LOS "F" for those vehicles turning left from Amanda Place onto Cedar Lane. In response, the applicant agreed to alter their request to ensure that level of service will not degrade below existing conditions. Staff determined that individual drivers accessing the site for the child day care use should be limited to no more than 46. That number of individual drivers, combined with a limited number of van trips, would be the maximum allowed before the LOS would degrade. Development conditions have been proposed to address the following issues:

- The adult day care passenger vans would be limited to a maximum of eight trips to or from the site during the peak morning hour of 7:00am to 8:00am.

- The child day care would be limited to a maximum of 72 children. Should enrollment surpass 46 children, passenger vans or buses must be used to transport the 26 additional children.
- The applicant shall appoint a transportation coordinator and notify FCDCOT in writing of this appointment. The transportation coordinator will disseminate information to the families of the child day care enrollees to inform them of the stipulation for buses/vans as set forth in the Development Conditions.

With the adoption of the proposed development conditions that will reduce further traffic impacts to the intersection of Cedar Lane and Amanda Place, this issue is addressed.

Waivers and Modifications

As the applicant proposes no new land disturbance and/or landscaping with this proposal, staff generally supports continuation of the previously approved modifications and/or waivers to the transitional screening along the eastern boundary.

As the parcel is across a street from detached a single family residential zoning district, staff notes that the Zoning Ordinance would require a 25-foot wide strip of unbroken landscaping and a 48-72 inch barrier along that boundary. Staff however, supports a modification of the transitional screening requirements in favor of the existing vegetation as the landscaping along the church buildings and parking lot serves as an adequate landscape buffer to residential development to the south. In addition, staff supports a waiver of the barrier as the general design of the church site layout with setbacks and existing landscaping is designed to mitigate adverse impacts associated with the church. Staff notes that all interior and peripheral parking lot landscaping is required in the parking areas as reiterated by the proposed development conditions.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 6)

- General Special Permit Standards (Sect. 8-006)
- Standards for All Group 3 Uses (Sect. 8-303)
- Additional Standards for Child Care Centers and Nursery Schools (Sect. 9-309)

General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. *The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.*

The Comprehensive Plan recommends residential uses in the vicinity of the proposed use. The proposed adult day care and child care would be located on a lot in excess of six acres with adequate parking and traffic mitigation measures that ease the impacts of traffic entering and exiting the site. The site is located adjacent to a middle school and across Cedar Lane from a shopping center, at the edge of residential neighborhoods. Staff believes that the scale of the proposed use is in harmony with the uses contemplated in the adopted comprehensive plan.

2. *The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.*

The purpose and intent of the R-1 and R-4 Zoning Districts is to promote residential uses and to allow other selected uses that are compatible with the character of the district. Staff believes that the proposed adult day care and child care within a place of worship is a proposal compatible with the residential character of the district and is therefore in harmony with the general purpose and intent of the applicable zoning districts.

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.*

The proposed use will be located within an existing structure adjacent to an existing middle school on a corner lot. No exterior changes are proposed to the structures. Therefore, staff believes that General Standard 3 will be met.

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.*

The applicant has worked with staff to ensure that traffic impacts from the proposed use will not cause degradation to the level of service at local intersections. The reduction of the number of children proposed for the child care use and the use of van transportation would reduce traffic impacts to neighboring properties.

5. *In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.*

No trees are proposed to be removed as part of the proposed use. Adequate existing landscaping is located on the site. The application will also be in accordance with the provisions of Article 13 of the Zoning Ordinance.

6. *Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.*

The R-1 and R-4 Zoning Districts do not specify a required amount of open space. The proposed use will make no changes to the site except a small increase in size to the playground, which will not impact the existing open space on the property. Therefore General Standard 6 has been met.

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.*

No additional drainage is required for this proposed use. No changes to the existing utilities are proposed. Parking and loading are adequate for the proposed use as shown on the special permit amendment plat and as described above.

8. *Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.*

The BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance. Staff has proposed a development condition restating that the site is governed by the sign provisions of Article 12 and notes that the applicant has not requested an increase or modification to those requirements. As such, staff finds this standard has been satisfied.

With the approval and adoption of the proposed development conditions, the general standards for all have been met.

Standards for all Group 3 Uses

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

1. *Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.*

No changes are proposed to the existing structures, all of which comply with the bulk regulations for the R-1 and R-4 Districts.

2. *All uses shall comply with the performance standards specified for the zoning district in which located.*

The use complies with the performance standards for the R-1 and R-4 Districts, as demonstrated above.

3. *Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.*

With the approval and adoption of the proposed development conditions, the standards for all Group 3 uses have been met.

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.*

The special permit plat shows that the applicant is proposing a playground area 3,750 square feet in size. To ensure that 100 square feet of play area is available for each child as required, a development condition has been proposed to limit the number of children using the outdoor play area to 37 at any one time. The playground otherwise meets all of the other requirements listed above.

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+/Arterial

The proposed child care center will be limited to a maximum of 72 children. Therefore, it meets this standard with its orientation to Amanda Place.

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

Staff has determined that the proposed pick-up and drop-off locations for both the adult day care and child day care are appropriate. All pick-ups and drop-offs will be located out of the right-of-way and with safety measures in place to ensure children are signed in and out.

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.*

With the approval and adoption of the proposed development conditions, the additional standards for child care centers and nursery schools have been met.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONCLUSION

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions. For these reasons, staff recommends approval of SPA 83-P-057-06, subject to the implementation of the revised proposed development conditions contained in Attachment 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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

Attachments

1. Development Conditions
2. Affidavit
3. Statement of Justification
4. Copy of Resolution and Plat approved with SPA 83-P-057-5
5. Transportation Analysis
6. Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SPA 83-P-057-06****October 22, 2014**

If it is the intent of the Board of Zoning Appeals to approve SPA 83-P-057-06 located on property described as Tax Map 49-1 ((1)) 37, 38 and 38A to amend SP 83-P-057-05 previously approved for a place of worship, to permit the addition of an adult day care and a child care center, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit are marked with an asterisk (*). Minor edits have been made to these conditions to conform to current terminology.

1. This approval is granted to the applicant only, The Church for All Nations, Inc., and is not transferable without further action of this Board, and is for the location (8529 Amanda Place, 8526 Amanda Place and 8506 Amanda Place) indicated on the application and is not transferable to other land.*
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit amendment plat titled "Special Permit Plat, Fairfax County SPA 2009-0221, The Church For All Nations," prepared by Larry D. Caruthers, Professional Engineer, dated June 2, 2014 and approved with this application as qualified by these development conditions.*
3. A copy of this Special Permit and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.*
4. This special permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with the approved special permit amendment (SPA) plat and these development conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.*
5. The maximum number of seats in the main area of worship shall not exceed 500.*
6. 169 parking spaces shall be provided as shown on the special permit plat. Overflow parking shall be provided at the Thoreau Intermediate School so long as the applicant obtains and maintains a valid agreement with the appropriate County agency. All other parking shall be on-site. There shall be no parking on Amanda Place.* If after diligent efforts, a valid parking agreement with Thoreau Intermediate School cannot be obtained or maintained, a site plan

shall be submitted to DPWES for approval to construct a minimum of 50 parking spaces in that area identified on the SPA Plat as "Possible Future Parking." All new parking lots shall be constructed, screened by landscaping and/or barriers, and maintained in accordance with provisions of the Zoning Ordinance and the Public Facilities Manual (PFM).*

7. All interior and peripheral landscaping for the parking lot(s) shall be provided in accordance with Article 13.* The landscaping shall be maintained in a healthy condition and dead and/or dying plant materials replaced. Prior to the issuance of the new Non-RUP, Urban Forest Management shall inspect the site and shall require replacement and/or new vegetation to meet the intent of the parking lot landscaping requirements.*
8. Transitional Screening shall be modified along all lot lines, as shown on the SPA Plat.* The landscaping shall be maintained in a healthy condition and dead and/or dying materials replaced. Prior to the issuance of the new Non-RUP, Urban Forest Management shall inspect the site and shall require replacement and/or new vegetation to meet the intent of Transitional Screening requirements.*
9. The barrier requirement shall be waived on all lot lines.*
10. Except as required by Conditions 6 and 11, there shall be no land disturbance associated with this application.*
11. The existing outdoor playground shall be improved as shown on the special permit plat and as described in the applicant's Statement of Justification. The number of children using the playground shall not exceed 37 at any one time.
12. If the shed on Parcel 38A is removed for any reason, it may be replaced provided that minimum required yards are met and it is located outside any required planting areas.*
13. There shall be a minimum of 45 minutes between the end of one worship service and the start of the next worship service.*
14. The multi-use building shall not be used for services or other activities that coincide with services in the sanctuary, other than Sunday School, adult Bible Study, children's services and English Ministries (youth outreach/bible study in English), to ensure that the parking needs are met during the peak operating hours of the place of worship, which is the principal use on the property. With the exception of a "crying room" for parents and infants, worship services held in the main sanctuary shall not be simultaneously broadcast to other rooms or buildings.*
15. Any new parking lot lighting installed shall be in accordance with the outdoor lighting standards as set forth in Section 14-900 of the Zoning Ordinance. The proposed parking lot light fixtures shall be fully shielded and International Dark Sky (IDA) approved. Exclusive of security lighting, all outdoor lighting shall be

turned off within half hour of the end of any night time meetings and/or services. Motion detectors may be installed on parking lot and security lighting as a security measure.*

16. The maximum number of enrollees for the adult day care shall be 99.
17. The maximum number of enrollees for the child day care shall be 72. Should enrollment surpass 46 children, up to two 16-passenger vans or buses shall be used to transport the additional children from their homes.
18. Operating hours of the adult day care shall be from 7:00am to 2:15pm, Monday through Friday.
19. Operating hours of the child day care shall be from 7:30am to 6:00pm, Monday through Friday.
20. The passenger vans used by the adult day care shall be limited to a maximum of eight trips to or from the site during the peak morning hour of 7:00am to 8:00am.
21. Within 120 days after approval of the special permit amendment, the applicant shall appoint a transportation coordinator and notify the Fairfax County Department of Transportation (FCDOT) in writing of this appointment. Thereafter, the applicant shall notify FCDOT in writing within 10 days of any change in such appointment. The transportation coordinator will disseminate information to the families of child care center enrollees regarding the stipulation for buses/vans as set forth in Development Condition 17 at the beginning of each new calendar year and to the families of any new child care center enrollees.
22. The applicant shall install a standard CG-12 curb ramp in a location close to the accessible parking spaces in the eastern parking lot.
23. The applicant shall eliminate the two parallel parking spaces located closest to Amanda Place in the eastern driveway.
24. The applicant shall install signs, as necessary, to designate parking for both the adult day care and child care center vans or buses.

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

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional

time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s): SPA 83-P-057-06
 (county-assigned application number(s), to be entered by County Staff)

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: July 22, 2014
 (enter date affidavit is notarized)

I, Andrew A. Painter, attorney/agent, 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

and that, to the best of my knowledge and belief, the following 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)
The Church For All Nations, Inc. Agents: In Ha Kim Sang Kuen Park Rev. Won Ki Hong Dong Ho Kim Jea Ho Kim	8526 Amanda Place Vienna, VA 22180	Applicant/Title Owner/Lessor of Tax Map 49-1 ((1)) 37, 38, 38A
Joy Adult Day Health Care Center LLC Agent: Anna A. Stenko	1409 Fallswood Drive Potomac, MD 20854	Lessee
JollyPlace Incorporated Agents: Ewelina M. Kakker Alok Kakker	9729 Loch Linden Court Fairfax, VA 22032	Lessee

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance 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).

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

DATE: July 22, 2014
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(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)
Walsh, Colucci, Lubeley & Walsh, P.C. Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Andrew A. Painter Matthew J. Allman Elizabeth D. Baker Inda E. Stagg Elizabeth A. Nicholson	2200 Clarendon Boulevard Suite 1300 Arlington, Virginia 22201	Attorneys/Planners/Agent for Applicant Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent
ATCS, P.L.C. Agent: Gregory ("Gus") Brush	2553 Dulles View Drive, Suite 300 Herndon, VA 20171	Engineer/Agent

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

Application No.(s): SPA 83 - P - 057-06
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: July 22, 2014
(enter date affidavit is notarized)

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1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

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

The Church For All Nations, Inc.
8526 Amanda Place
Vienna, VA 22180

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

A not-for-profit corporation with no shareholders

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

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

DATE: July 22, 2014
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NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Joy Adult Day Health Care Center LLC
1409 Fallswood Drive
Potomac, MD 20854

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)

Anna A. Stenko, Manager/Member
Members: Victoria (nmi) Vinokur,
Gennadiy (nmi) Vinokur, Rita (nmi)
Sokolsky, Leonid (nmi) Gorbatov,
Valerya (nmi) Balannik

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

Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

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 J. Bomgardner, E. Andrew Burcher,	Michael D. Lubeley, J. Randall Minchew,
Thomas J. Colucci, Michael J. Coughlin,	G. Evan Pritchard, M. Catharine Puskar,
Peter M. Dolan, Jr., Jay du Von, William A.	John E. Rinaldi, Kathleen H. Smith,
Fogarty, John H. Foote, H. Mark Goetzman,	Lynne J. Strobel, Garth M. Wainman,
Bryan H. Guidash, Michael J. Kalish,	Nan E. Walsh, Martin D. Walsh

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

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

DATE: July 22, 2014
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NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

JollyPlace Incorporated
9729 Loch Linden Court
Fairfax, VA 22032

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)

Ewelina M. Kakker

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

ATCS, P.L.C.
2553 Dulles View Drive, Suite 300
Herndon, VA 20171

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)

William A. Caruthers, Jr., Young Ho
Chang, Larry D. Caruthers, John A.
Depasquale, Bruce D. Boltz, James W.
Whitehead, Michael J. Rosenfeld, Kevin
Porter, Kwong Hui

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

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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)
n/a

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

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DATE: July 22, 2014
(enter date affidavit is notarized)

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1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): SPA 83 - P. 057 - 06
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: July 22, 2014
(enter date affidavit is notarized)

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3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. **That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.**

WITNESS the following signature:

(check one)

[] Applicant

Applicant's Authorized Agent

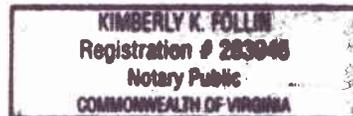
Andrew A. Painter, attorney/agent

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

Subscribed and sworn to before me this 22 day of July, 2014, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin
Notary Public

My commission expires: 11/30/2015



Andrew A. Painter, Esq.
 (703) 737-3633
 apainter@ldn.thelandlawyers.com



**WALSH COLUCCI
 LUBELEY & WALSH PC**

October 10, 2014

Via Email & Hand Delivery

Barbara C. Berlin, Director
 Zoning Evaluation Division
 Fairfax County Department of Planning & Zoning
 12055 Government Center Parkway, Suite 801
 Fairfax, Virginia 22035

Re: Revised Statement of Justification
 Application For Two Category 3 Special Permit Amendment Uses
 The Applicant: The Church For All Nations, Inc.
 Fairfax County Tax Map Reference: 49-1 ((1)) 37, 38, 38A (the "Subject Property")

Dear Ms. Berlin:

On behalf of the above-referenced Applicant, please accept this letter as a statement of justification for a Special Permit Amendment application to permit the operation of an adult day care use and a child day care use on the above-referenced Subject Property pursuant to § 8-011 of the Zoning Ordinance of Fairfax County, Virginia (the "Zoning Ordinance"). Both proposed uses are classified under the Zoning Ordinance as a Category 3 Special Permit Use and are more specifically defined under §§ 3-103 (2) and 3-403 (2) (B) of the Zoning Ordinance as a "Church, chapel, temple, synagogue, and other such place of worship with a child care center, nursery school, or private school of general or special education."

The Subject Property consists of approximately 6.22 acres and is zoned to the R-1 and R-4 zoning districts pursuant to §§ 3-103 and 3-403 et seq. of the Zoning Ordinance. The Subject Property is located on the east side of Cedar Lane to the north of Amanda Place in the Vienna area of the Providence Magisterial District. The Subject Property is surrounded to the north by Thoreau Middle School (zoned to the R-1 zoning district), to the south and east by the Amanda Place single family dwelling unit subdivision (zoned to the R-5 and PDII-3 zoning districts), and to the west by the Cedar Park Shopping Center (zoned to the C-1 zoning district).

The Subject Property is currently used as a place of worship. Existing improvements include a 21,100-square foot two-story church building containing 500 seats, a 24,375-square foot two-story education/multi-use building containing classrooms, a gymnasium, a library, music room, and more, and a 1,680-square foot residential structure. Religious services are

ATTORNEYS AT LAW

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offered on Sundays at 8:00 a.m., 9:00 a.m., and 11:00 a.m., with related educational programs offered in the evenings.

The existing development and uses are governed by a number of land use approvals. The place of worship is operated pursuant to a special permit approved by the Board of Zoning Appeals (the "BZA") on October 11, 1983. Most recently, on March 31, 2010, the Board of Zoning Appeals (the "Board") approved an amendment to the 1983 special permit (SPA 83-P-057-05) to allow a change in the permittee and to delete land area.

The Subject Property is located within the Lee Community Planning Sector of the Vienna Planning District of Area II of the Fairfax County Comprehensive Plan (the "Plan"). While there is no specific land use recommendation for the development of the Subject Property, the Plan generally encourages development of compatible uses, types, and intensities. The Plan also identifies the Subject Property as appropriate for residential development at a density of three to four dwelling units per acre.

Over the past several months, the Applicant has explored the possibility of utilizing the education building on the Subject Property for additional community-serving uses during the weekdays as a way to expand its religious mission to the Northern Virginia area. Specifically, the Applicant has explored the potential for offering adult day care and preschool uses, both of which correspond with the Applicant's mission and are frequently found at other places of worship. The education building is presently served by a fire sprinkler system, which provides adequate pressure and flow rates to serve as an active fire protection measure in accordance with County codes.

Though proposed Special Permit Amendment uses are requested in the name of the Applicant, the Applicant has also engaged in discussions with potential operators of both uses, including Joy Adult Day Health Care LLC, which is interested in operating the adult day care use for the Applicant, and JollyPlace Incorporated, which is interested in operating a Montessori-based child care use for the Applicant.

These two uses are intended to expand the church's offerings and make better use underutilized educational facilities. There will be no alternation, modification, or enlargement of existing buildings on the Subject Property by virtue of the proposed Special Permit Amendment uses. The Subject Property will continue to be used as a place of worship, and the proposed Special Permit Amendment uses will not conflict with the operation of the place of worship or its programs. The Subject Property has long been used for uses which attract hundreds of participants, and members of the church congregation will have the opportunity to participate in both the adult day care and preschool program.

Parking for each use is discussed in more detail below. The Subject Property presently contains 169 parking spaces across two parking fields, including 120 parking spaces near the church building, and 49 parking spaces near the education/multi-purpose building. The existing

church use requires 164 parking spaces, rendering the Subject Property over-parked by five spaces.

As discussed below, sufficient parking is provided to serve the proposed uses, each of which will utilize separate access points, entrances, and parking lots on the Subject Property. Given the proposed hours of operation for both uses, there will be no conflicts with arrival/pick-up times for either use, nor any additional traffic impacts on the surrounding traffic network.

I. Proposed Adult Day Care Use

The Applicant proposes to utilize the second floor of its education/multi-use building for its proposed adult day care use [see Exhibit A]. The proposed adult day care will serve a maximum of 99 individuals between 65 and 75 years old. The hours of operation are proposed to be Monday through Friday from approximately 7:00 a.m. to 2:15 p.m. with extended hours for staff, as described below.

The adult day care will be staffed by up to twelve employees. Attendees will be served breakfast, lunch, and a snack. The formal adult day care program will commence at 7:30 a.m. and will offer participants an opportunity to socialize, exercise, take part in activities, play games, and watch television and movies. Adult day care is critically important given Fairfax County's aging population, and the proposed use will serve as a respite and ideal alternative for caregivers. The Applicant's proposed adult day care use will not provide services to individuals with diminished mental capacities.

Participants will be picked up and dropped off at their homes and transported to the Subject Property using up to seven passenger vans. The vans will vary in passenger size between seven and 14 passengers. The Applicant's transportation study has assumed van trips to the site for adult day care participants, with varying combinations of van usage and seating capacities will occur by 7:30 a.m.

Participants will arrive by van between 7:00 a.m. and 7:30 a.m. and will depart between 2:00 p.m. and 2:15 p.m. Participants will be picked up/dropped off in the parking lot adjacent to the education/multi-use building, and will enter the building through the second-story door. Parking for the adult day care providers and the seven vans (when not in use) will be provided in the same parking lot.

In accordance with the requirements of § 8-011 (6) of the Zoning Ordinance, please accept the following information with regard to the proposed adult day care use:

- A. Type Of Operation: The proposed adult day care use will provide daily activities and programs for up to 99 adults within an age range of 65 to 75 years. The adult day care will serve breakfast, lunch, and a snack to the participants. The proposed use will offer

participants an opportunity to socialize, exercise, take part in activities, play games, and watch television and movies in a supervised setting.

- B. Hours Of Operation: The proposed adult day care will operate Monday through Friday from approximately 7:00 a.m. to 2:15 p.m., with extended hours for staff.
- C. Estimated Number Of Patrons/Clients: The proposed adult day care use will provide day care for a maximum of 99 adults Monday through Friday.
- D. Estimated Number Of Employees/Attendants: The proposed adult day care will be staffed by up to 12 employees with up to nine employees on-site at any one time.
- E. Traffic Impact: Adult day care attendees will be picked up and dropped off at their homes and transported to the Subject Property using up to seven passenger vans. As attendees will arrive by passenger vans operated by the Applicant, a significant traffic impact is not anticipated. Passenger vans will be used for transportation and will arrive between 7:00 a.m. and 7:30 a.m., and depart between 2:00 p.m. and 2:15 p.m. 42 parking spaces are located in proximity to the education/multi-use building, some of which will be used as staff and van parking. The Applicant has identified a drop-off and pick-up locations and designated van parking spaces within the interior parking lot.
- F. Vicinity/General Area To Be Served By The Use: The proposed adult day care use will primarily draw attendees from the Vienna, Oakton, Fairfax, and Annandale areas of Fairfax County.
- G. Description Of Building Façade/Architecture: There are no new buildings proposed, nor any exterior modifications proposed to existing buildings on the Subject Property.
- H. Hazardous And Toxic Substances: To the best of the Applicants' knowledge; there are no hazardous or toxic substances to be generated, utilized, stored, treated, or disposed of on the Subject Property.
- I. Conformance With Ordinances: The proposed development complies with all adopted standards, ordinances and regulations, except as may be noted on the special permit amendment plat. Consistent with the most recent special permit amendment, the Applicant requests a reaffirmation of the modification and or waiver of the transitional screening, barrier, and interior and peripheral parking lot landscaping requirements.

II. Proposed Child Day Care Use

The Applicant proposes to utilize portions of the first floor of its education/multi-use building for its preschool use [see Exhibit B]. The proposed preschool would be located on the first level of the education/multi-use building and serve a maximum of 72 children between the

ages of 3 and 6. Attendees will be overseen by 15 employees. The hours of operation are proposed to be Monday through Friday from approximately 7:30 a.m. to 6:00 p.m., with extended hours for staff as described below.

The Applicant envisions providing a variety of Montessori enrichment programs including before-and after-school programs as well as half- and full-day programs. The proposed preschool will meet a critical demand for licensed preschool programs in Fairfax County. The proposed preschool will operate on a staggered basis in the education building's classrooms, as well as its library, gymnasium, music room, art room, and teacher's room. Attendees will also utilize an existing outdoor playground on the Subject Property. The Applicant proposes to improve the playground with new mulch, additional recreational structures (e.g., monkey bars, swings, slides, etc.), and new educational offerings for children, including a stone path maze, rock garden, wooden logs, composting stations, a garden, and bird feeding stations.

Parking for preschool participants and preschool providers will be located in the parking lot adjacent to the main church building, located at the second entrance to the Subject Property along Amanda Place. This access point, which is separate from the one proposed to be used for the adult day care use, features one-way traffic flow markings with entrance and exit points on each side.

In the morning, children will be dropped off and picked up in accordance with their enrollment schedule. Students will arrive in staggered intervals between 7:30 a.m. and 9:00 a.m. with a formal education program beginning at 9:00 a.m. A minimum of 26 students will be picked up and dropped off at their homes and transported to the Subject Property using up to two passenger vans with a capacity of 16 passengers each.

All children will enter the education/multi-use building through a first-floor entrance near the playground. The sidewalk directly in front of the church will be assigned as a general drop-off/pick-up location. Parents/guardians of students not arriving by passenger van will be required to complete an attendance sign-in and sign-out sheet on a daily basis.

In the afternoon, 40 percent of enrollees not arriving by passenger van (18 children) will be picked up between 1:00 p.m. and 1:30 p.m., 40 percent (18 children) will be picked up at 3:15 p.m., and the balance of approximately 20 percent (10 children) will be picked up by 6:00 p.m. The Applicant will assign child care monitors to remain at the drop-off location each morning as well as during the afternoon pick-up time between 2:50 p.m. and 3:15 p.m. Parents/guardians dropping children off before 8:30 a.m. will be required to park their car and escort their child to the education/multi-use building. Similarly, parents of students enrolled for the half-day program or after 3:15 p.m. will be required to pick up their child from the education/multi-use building.

In accordance with the requirements of § 8-011 (6) of the Zoning Ordinance, please accept the following information with regard to the proposed preschool:

- A. Type Of Operation: The proposed preschool will provide daily activities and programs for up to 72 children between the ages of 3 and 6. The preschool will provide a variety of enrichment programs including before-and after-school programs as well as half- and full-day programs.
- B. Hours Of Operation: The proposed preschool will operate Monday through Friday from approximately 7:30 a.m. to 6:00 p.m., with extended hours for staff.
- C. Estimated Number Of Patrons/Clients: The proposed preschool will provide educational services for a maximum of 72 children during the week.
- D. Estimated Number Of Employees/Attendants: The proposed preschool will be staffed by up to 15 employees on-site at any one time.
- E. Traffic Impact: Depending on enrollment in specific programs, children will arrive in staggered intervals between 7:30 a.m. and 9:00 a.m. A minimum of 26 students will be picked up and dropped off at their homes and transported to the Subject Property using up to two passenger vans with a capacity of 16 passengers each. In the afternoon, 40 percent of enrollees not arriving by passenger van (18 children) will be picked up between 1:00 p.m. and 1:30 p.m., 40 percent (18 children) will be picked up at 3:15 p.m., and the balance of approximately 20 percent (10 children) will be picked up by 6:00 p.m. The Applicant will assign child care monitors to remain at the drop-off location each morning as well as during the afternoon pick-up time between 2:50 p.m. and 3:15 p.m. The Applicant will identify a children's drop-off and pick-up location within the interior parking lot.
- F. Vicinity/General Area To Be Served By The Use: The proposed preschool will primarily draw attendees from the areas of Vienna, Oakton, Fairfax and Annandale in Fairfax County.
- G. Description Of Building Façade/Architecture: There are no new buildings proposed, nor any exterior modifications proposed to existing buildings on the Subject Property.
- H. Hazardous And Toxic Substances: To the best of the Applicants' knowledge; there are no hazardous or toxic substances to be generated, utilized, stored, treated, or disposed of on the Subject Property.
- I. Conformance With Ordinances: The proposed development complies with all adopted standards, ordinances and regulations, except as may be noted on the special permit amendment plat. Consistent with the most recent special permit amendment, the Applicant requests a reaffirmation of the modification and or waiver of the transitional screening, barrier, and interior and peripheral parking lot landscaping requirements.

III. Traffic

The Applicant has submitted a traffic impact memorandum by Wells & Associates, Inc. The evaluation assumed the drop-off for the adult day care would occur by 7:30 a.m. and the majority of the preschool drop-off will occur between 8:00 and 9:00 a.m. Up to 26 students will be transported to and from the preschool via two vans. The other 46 students will be picked-up and dropped-off in vehicles. As noted in the traffic impact memorandum, the Cedar Lane/Park Street and Cedar Lane/Amanda Place intersections, as well as the majority of lane groups of both study intersections would operate at acceptable levels of service ("LOS"). Furthermore, the respective LOS at these intersections showed no degradation with or without the proposed special permit uses.

IV. Conclusion

The proposed adult day care and preschool uses correspond with the Applicant's religious mission and are frequently found at other places of worship. The Applicant is not proposing any changes to an existing place of worship, and its proposal is in harmony with the recommendations of the Plan.

Sufficient parking is provided to serve the proposed uses, each of which will utilize separate access points, entrances, and parking lots on the Subject Property. Given the proposed hours of operation for both uses, there will be no conflicts with arrival/pick-up times for either use, nor any additional traffic impacts on the surrounding traffic network.

I would appreciate the acceptance of this application and the scheduling of a public hearing before the Board at your earliest convenience. Should you have any questions, or require additional information, please do not hesitate to contact me directly at (571) 209-5775.

Very truly yours,

WALSH, COLUCCI,
LUBELEY & WALSH, P.C.



Andrew A. Painter

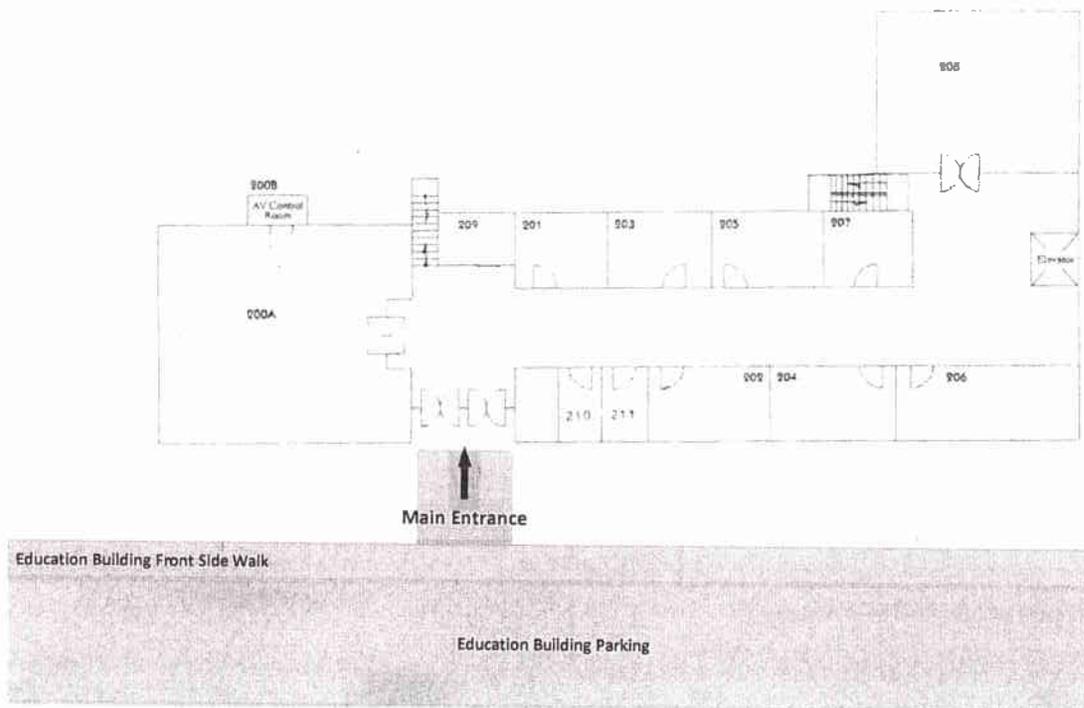
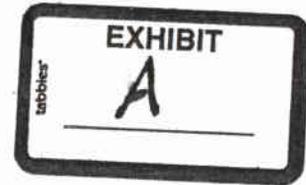
Enclosures

Cc: Sang Kuen Park, Esq., The Church For All Nations, Inc.
Mr. Ms. Anna Stenko, Joy Adult Day Care LLC

Mr. Alok Kakker, JollyPlace Incorporated
Mrs. Ewelina Kakker, JollyPlace Incorporated
Martin D. "Art" Walsh, Esq., Walsh Colucci
Lynne J. Strobel, Esq., Walsh Colucci

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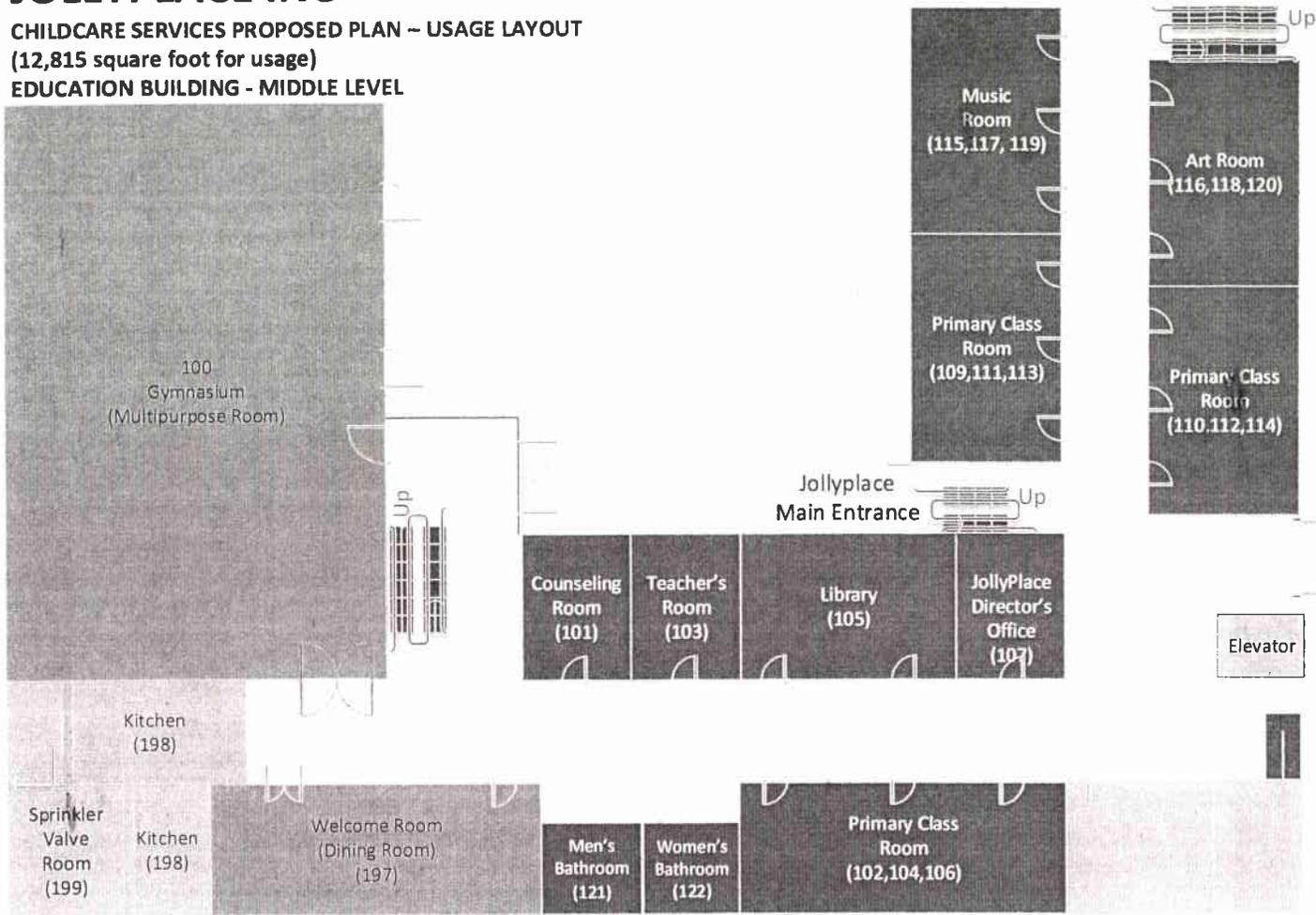
**JOY ADULT DAYCARE PROPOSED PLAN
EDUCATION BUILDING - TOP LEVEL**



RECEIVED
Department of Planning & Zoning
OCT 10 2014
Zoning Evaluation Division

JOLLYPLACE INC

CHILD CARE SERVICES PROPOSED PLAN -- USAGE LAYOUT
 (12,815 square foot for usage)
 EDUCATION BUILDING - MIDDLE LEVEL



RECEIVED
 Department of Planning & Zoning
 OCT 10 2014
 Zoning Evaluation Division

LEGEND – Usage of area by JollyPlace in Education Building – Middle Level

JollyPlace proposed lease area	Used by Church & JollyPlace	Church Space
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COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

THE CHURCH FOR ALL NATIONS, INC., SPA 83-P-057-05 Appl. under Sect(s). 3-103 of the Zoning Ordinance to amend SP 83-P-057 previously approved for a place of worship to permit change in permittee and deletion of land area. Located at 2535 Cedar La. and 8506, 8526 and 8529 Amanda Pl. on approx. 12.38 of land zoned R-1 and R-4. Providence District. Tax Map 49-1 ((1)) 35A, 37, 38 and 38A. (Admin. moved from 12/15/09 at appl. req.) (Deferred from 1/13/10 at appl. req.) (Decision deferred from 2/24/10) Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on March 31, 2010; and

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

1. The applicant is the owner of the land.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, The Church for All Nations, Inc., and is not transferable without further action of this Board, and is for the location (2535 Cedar Lane, 8529 Amanda Place, 8526 Amanda Place and 8506 Amanda Place) indicated on the application and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit amendment plat prepared by Larry D. Caruthers, P.E., ATCS, P.L.C., dated May 15, 2009 and revised through December 9, 2009 and approved with this application as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use Permit (Non-RUP) SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

4. This special permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with the approved special permit amendment (SPA) plat and these development conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The maximum number of seats in the main area of worship shall not exceed 500.
6. 169 parking spaces shall be provided as shown on the special permit plat. Overflow parking shall be provided at the Thoreau Intermediate School so long as the applicant obtains and maintains a valid agreement with the appropriate County agency. All other parking shall be on-site. There shall be no parking on Amanda Place. If after diligent efforts, a valid parking agreement with Thoreau Intermediate School cannot be obtained or maintained, a site plan shall be submitted to DPWES for approval to construct a minimum of 50 parking spaces in that area identified on the SPA Plat as "Possible Future Parking." All new parking lots shall be constructed, screened by landscaping and/or barriers, and maintained in accordance with provisions of the Zoning Ordinance and the Public Facilities Manual (PFM).
7. All interior and peripheral landscaping for the parking lot(s) shall be provided in accordance with Article 13. The landscaping shall be maintained in a healthy condition and dead and/or dying plant materials replaced. Prior to the issuance of the new Non-RUP, Urban Forest Management shall inspect the site and shall require replacement and/or new vegetation to meet the intent of the parking lot landscaping requirements.
8. Transitional Screening shall be modified along all lot lines, as shown on the SPA Plat. The landscaping shall be maintained in a healthy condition and dead and/or dying materials replaced. Prior to the issuance of the new Non-RUP, Urban Forest Management shall inspect the site and shall require replacement and/or new vegetation to meet the intent of Transitional Screening requirements.
9. The barrier requirement shall be waived on all lot lines.
10. Except as required by Conditions 6 and 11, there shall be no land disturbance associated with this application.
11. The stormwater management facilities shall be properly maintained on this site. In addition to the existing stormwater management facilities as shown on the SPA Plat, a stormwater management facility shall be installed between the Church building and the multi-use building, north of the existing concrete walk and in proximity to the northern property line shared with Thoreau Intermediate School. Said facility may consist of a rain garden, an infiltration trench, a combination thereof, or other type of facilities as reviewed and approved by DPWES. In order to assure that the trees in the area adjacent to the new facility will be minimally impacted, prior to installation of any facility; the plans shall be reviewed and approved by Urban Forestry Management (UFM). The facility shall be designed to accommodate undetained runoff from Thoreau Intermediate School so that there is no net increase in the 10-year pipe flow at Structure M-2 located in Bowling Green Drive, adjacent to Lot 11, Dunn Loring Woods, Section

One, Block N, as calculated using current methodologies. Said facility shall be installed prior to installation of Phase 1 sedimentation controls associated with development of property identified among the Fairfax County tax assessment records as 49-1 ((1)) 35A.

12. If the shed on Parcel 38A is removed for any reason, it may be replaced provided that minimum required yards are met and it is located outside any required planting areas.
13. There shall be a minimum of 45 minutes between the end of one worship service and the start of the next worship service.
14. The multi-use building shall not be used for services or other activities that coincide with services in the sanctuary, other than Sunday School, adult Bible Study, children's services and English Ministries (youth outreach/bible study in English), to ensure that the parking needs are met during the peak operating hours of the place of worship, which is the principal use on the property. With the exception of a "crying room" for parents and infants, worship services held in the main sanctuary shall not be simultaneously broadcast to other rooms or buildings.
15. Any new parking lot lighting installed shall be in accordance with the outdoor lighting standards as set forth in Section 14-900 of the Zoning Ordinance. The proposed parking lot light fixtures shall be fully shielded and International Dark Sky (IDA) approved. Exclusive of security lighting, all outdoor lighting shall be turned off within a half hour of the end of any night time meetings and/or services. Motion detectors may be installed on parking lot and security lighting as a security measure.

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

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Mr. Hart seconded the motion, which carried by a vote of 6-0. Ms. Gibb was absent from the meeting.



County of Fairfax, Virginia

MEMORANDUM

DATE: October 11, 2014

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Michael A Davis, Acting Section Chief 
Site Analysis Section
Department of Transportation

SUBJECT: Transportation Impact

REFERENCE: SPA 83-P-057-06; The Church of All Nations
Tax Parcel ID: 49-1 ((1)) 37, 38 and 38A

This memo provides Fairfax County Department of Transportation's (FCDOT) comments with respect to the referenced application. These comments are based on the plat, informational packet and site visit.

The proposed application for an adult day care use with a maximum of 99 individuals between the ages of 65 and 75 years old as well as a child day care with a maximum of 72 children between the ages of 3 and 6 years old has been reviewed by FCDOT.

The applicant has agreed to the following conditions in response to transportation related concerns:

- Operating hours of the child day care will be 7:30 a.m. to 6:00 p.m. Monday through Friday
- Operating hours of the adult day care will be 7:00 a.m. to 2:15 p.m. Monday through Friday
- The adult day care attendees will all be transported by passenger vans that will result in no more than 8 trips to or from the site in the a.m. peak hour (that runs roughly from 7:00 a.m. to 8:00 a.m.)
- Of the 72 children that could enroll with the day care, an enrollment of up to 46 children will be allowed without the need for buses or vans. Should enrollment surpass 46 children, mandatory transportation by way of 2, 16 passenger vans or buses will be required for the 26 additional children. The vans/buses will run to the daycare from each child's house. The rationale behind these enrollment numbers relates directly to the results of the revised operational analysis submitted to the County on October 10, 2014. This study demonstrated that the traffic impact of a day care with 46 children will not degrade the level of service beyond that of the existing conditions. The day care

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4050 Legato Road, Suite 400
Fairfax, VA 220335-2895
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Fax: (703) 877-5723
www.fairfaxcountv.gov/fcdot



desired a top enrollment of more than 46 children and as such, additional mitigation is required.

- The applicant shall appoint a Transportation Coordinator no later than 120 days after the approval of the special permit. The applicant shall notify FCDOT in writing of this initial appointment. Thereafter, the applicant shall do the same within 10 days of any change in such appointment. The Transportation Coordinator will disseminate information at the beginning of each year to the families of the child care to inform them of the stipulations for busses/vans set forth in the development conditions.
- To meet the Americans with Disabilities Act (ADA) guidelines, the applicant shall install a standard CG-12 curb ramp in a location close to the accessible parking spaces in the parking lot that is used for the child day care drop-offs and pick-ups.
- The applicant shall install signs, as necessary, to designate parking for both the Adult and Child day care vans/buses.
- The applicant will eliminate the two parallel parking spaces located closest to Amanda Place on the drop-off driveway, in front of the main church building to enable better sight distance for vehicles exiting the driveway.

MAD/JCH

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

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

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

8-308 Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship with a Child Care Center, Nursery School or Private School

Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education may be approved as a special permit use in accordance with the provisions of this Part or as a special exception use in accordance with the provisions of Part 3 of Article 9. The choice of whether to file an application for a special permit or special exception shall be at the applicant's discretion. In either event, such use shall be subject to the additional standards set forth in Sections 9-309 and 9-310.

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