



**APPLICATION ACCEPTED:** June 27, 2014  
**APPLICATION AMENDED:** September 5, 2014  
**PLANNING COMMISSION:** February 4, 2015  
**BOARD OF SUPERVISORS:** February 17, 2015  
3:30 p.m.

# County of Fairfax, Virginia

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**January 22, 2015**

**STAFF REPORT**

**APPLICATION SE 2014-SP-038**

**SPRINGFIELD DISTRICT**



**APPLICANT:** Seoul Presbyterian Church, Trustees

**ZONING:** R-C (Residential-Conservation District)  
WS (Water Supply Protection Overlay District)

**PARCEL:** 77-3 ((1)) 35, 36, and 36B

**LOCATION:** 6426 Ox Road, 6428 Ox Road, and  
6401 Wolf Run Shoals Road

**SITE AREA:** 21.05 acres

**PLAN MAP:** Residential, 0.1 – 0.2 du/ac and private open  
space

**PROPOSAL:** To permit a church with a child care center for  
child care and elderly care with up to 99  
students/elderly.

## **STAFF RECOMMENDATIONS:**

Staff recommends approval of SE 2014-SP-038, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening and barrier requirements along all property lines pursuant to Sect. 13-305 of the Zoning Ordinance in favor of that shown on the SE Plat.

**Megan Duca**

Staff recommends approval of a waiver of the frontage improvements for the widening of Ox Road in accordance with Sect. 17-201.4 of the Zoning Ordinance for Phase 1. Frontage improvements for Ox Road for Phase 2 shall be in accordance with the development conditions.

Staff recommends approval of a waiver of construction of a service drive along Ox Road in accordance with Sect. 17-201.4 of the Zoning Ordinance.

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

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

The approval of this 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 this application.

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

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

# Special Exception

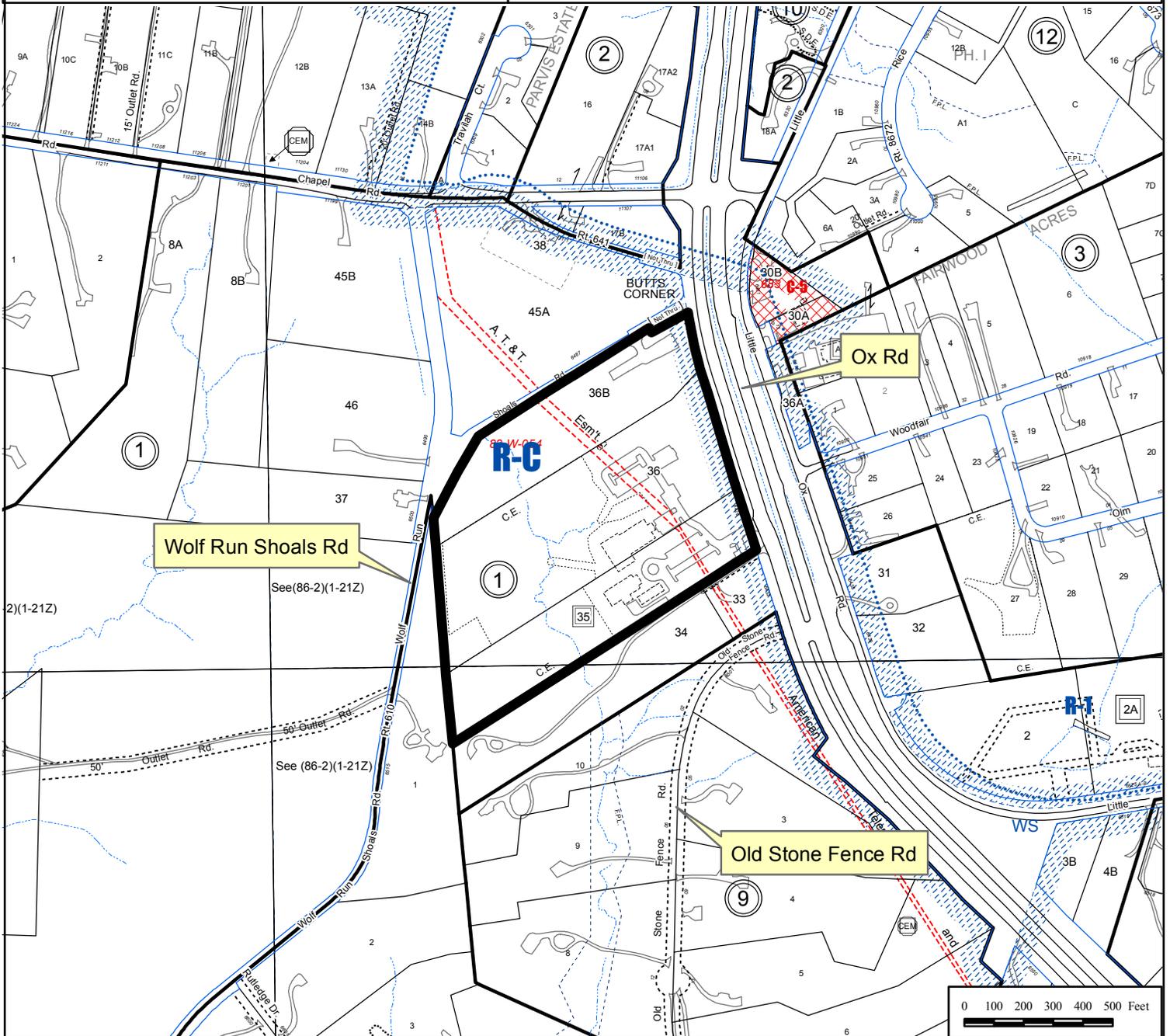
SE 2014-SP-038

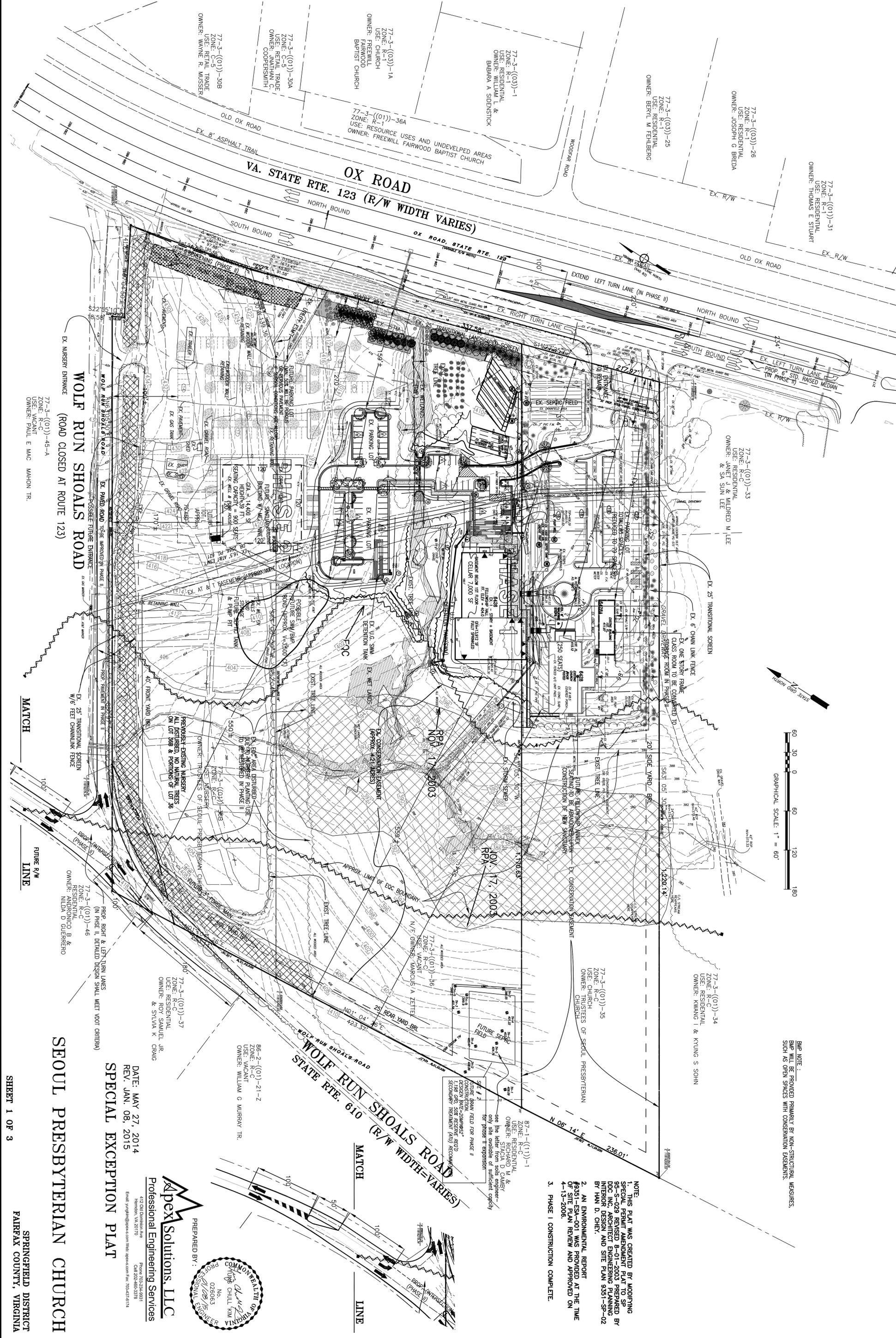


Applicant: SEOUL PRESBYTERIAN CHURCH, TRUSTEES  
Accepted: 06/27/2014  
Proposed: CHURCH WITH CHILD CARE CENTER WITH LESS THAN 100 STUDENTS  
Area: 21.05 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect: 03-0C04  
Located: 6426 OX ROAD, 6428 OX ROAD, 6401 WOLF RUN SHOALS ROAD, FAIRFAX STATION, VA 22039

Zoning: R- C  
Plan Area: 3,  
Overlay Dist: WS  
Map Ref Num: 077-3- /01/ /0035 /01/ /0036 /01/ /0036B





GRAPHICAL SCALE: 1" = 60'

BMP NOTE: BMP WILL BE PROVIDED PRIMARILY BY NON-STRUCTURAL MEASURES, SUCH AS OPEN SPACES WITH CONSERVATION EASEMENTS.

- NOTE:
1. THIS PLAN WAS CREATED BY MODIFYING SPECIAL PERMIT AMENDMENT PLAN TO SP 95-S-029 REVISED 8-01-2003 PREPARED BY INTERIOR DESIGN ENGINEERING 9351-59-02 BY HAN D. CHEK.
  2. AN ENVIRONMENTAL REPORT #9351-59A-001 WAS PROVIDED AT THE TIME OF SITE PLAN REVIEW AND APPROVED ON 4-13-2006.
  3. PHASE I CONSTRUCTION COMPLETE.

87-1-(11)-1  
 ZONE: R-C  
 USER: RESIDENTIAL  
 OWNER: STACIA D CAMBER  
 see the letter from soils engineer - only site outside of sufficient capacity for phase II expansion



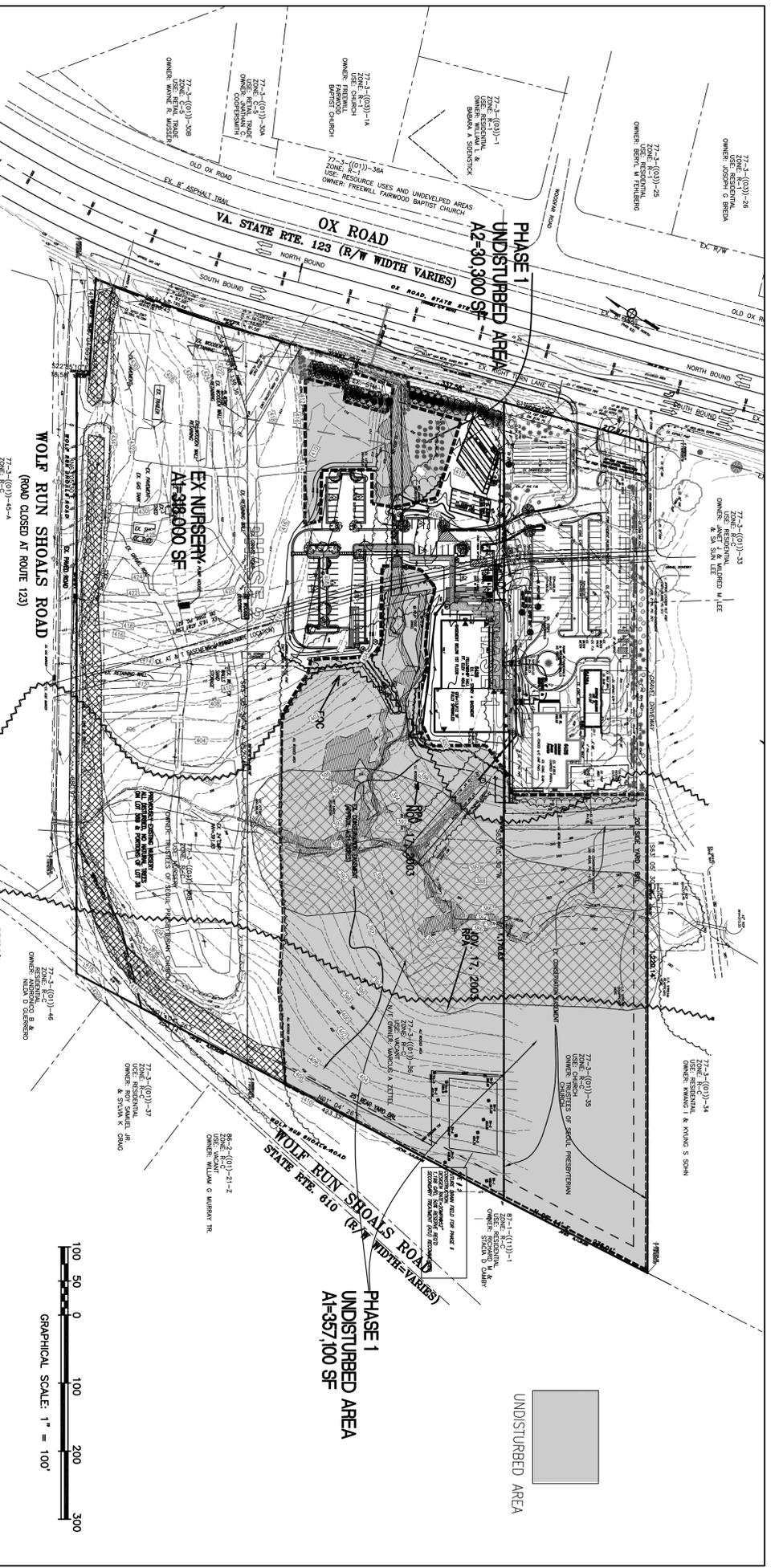
PREPARED BY:  
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DATE: MAY 27, 2014  
 REV. JAN. 08, 2015  
**SPECIAL EXCEPTION PLAT**

**SEOUL PRESBYTERIAN CHURCH**

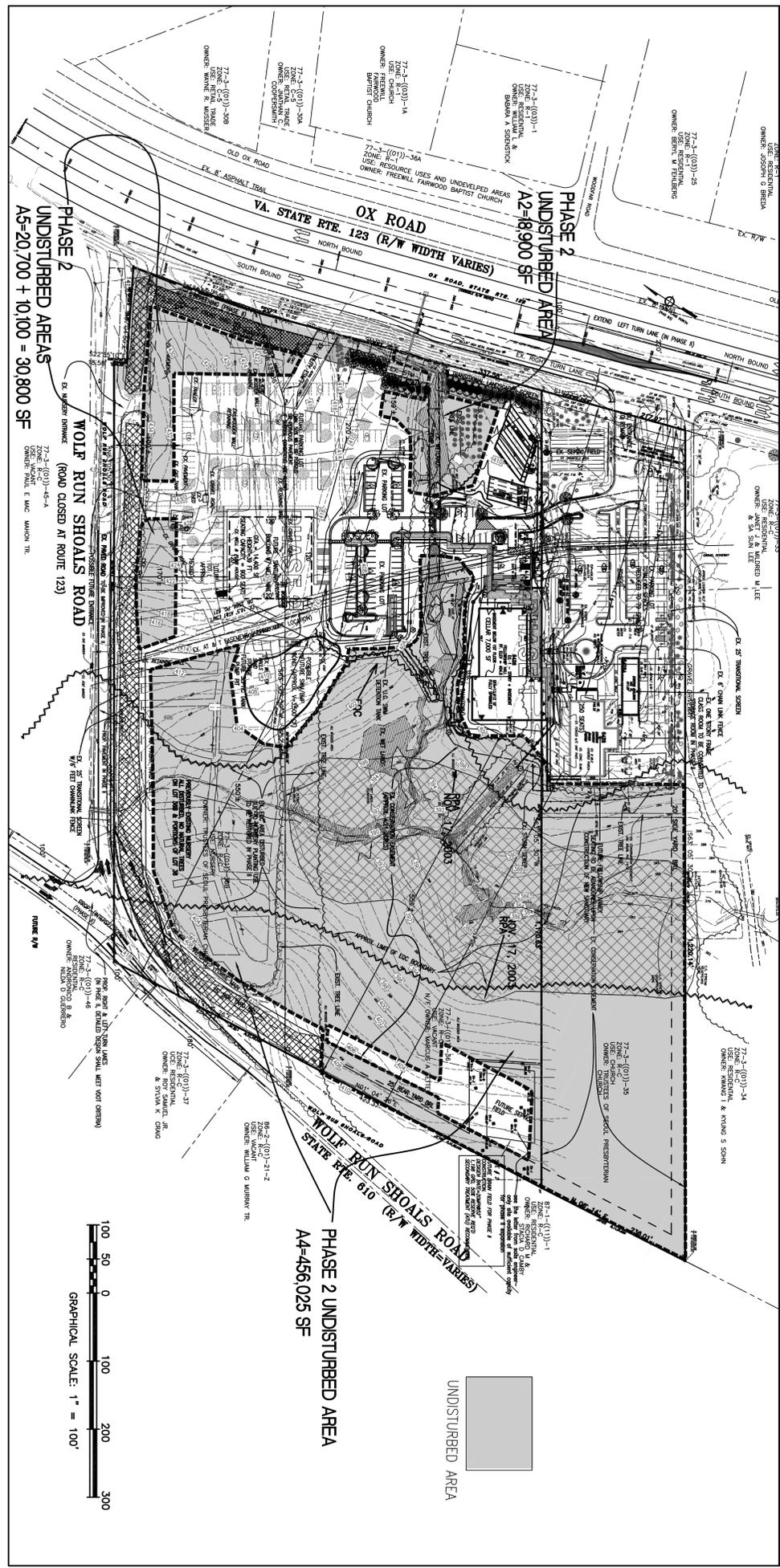
SPRINGFIELD DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

SHEET 1 OF 3



PHASE 1: UNDISTURBED OPEN SPACE  
TOTAL LOT AREA = 917,019 SF (LOTS 35, 36 & 36B)

AREA	DESCRIPTION	UNDISTURBED AREA	UNDISTURBED %
A1		357,100 SF	
A2		30,300 SF	
A3	EX. NURSERY AREA	318,000 SF	
TOTAL		705,400 SF	75.9 %



PHASE 2: UNDISTURBED OPEN SPACE  
TOTAL LOT AREA = 917,019 SF (LOTS 35, 36 & 36B)

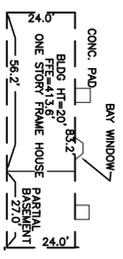
AREA	DESCRIPTION	UNDISTURBED AREA	UNDISTURBED %
A4	INCLUDING EX. DISTURBED NURSERY AREA TO BE RESTORED	446,000 SF	
A2		30,800 SF	
A5		18,900 SF	
TOTAL		495,700 SF	53.3 %

NOTE:  
1. THIS PLAN WAS CREATED BY MODIFYING SPECIAL PERMIT AMENDMENT PLAN TO SP 95-S-029 REVISED 8-01-2003 PREPARED BY DDC INC. ARCHITECT ENGINEERING PLANNING INTERIOR DESIGN AND SITE PLAN 3351-SP-02 BY HAN D. CHEY.  
2. AN ENVIRONMENTAL REPORT #9351-ESA-001 WAS PROVIDED AT THE TIME OF SITE PLAN REVIEW AND APPROVED ON 4-15-2006.  
3. PHASE 1 CONSTRUCTION COMPLETE.

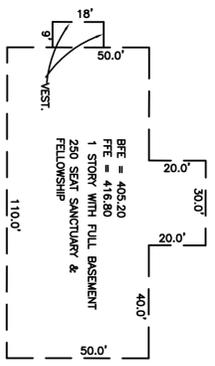


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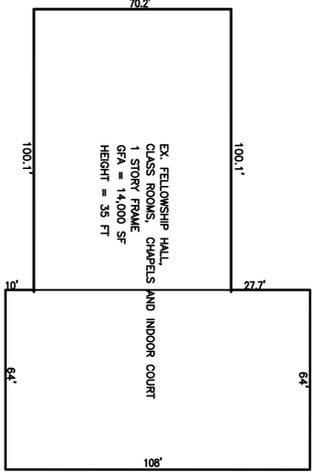
DATE: MAY 27, 2014  
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SEOUL PRESBYTERIAN CHURCH



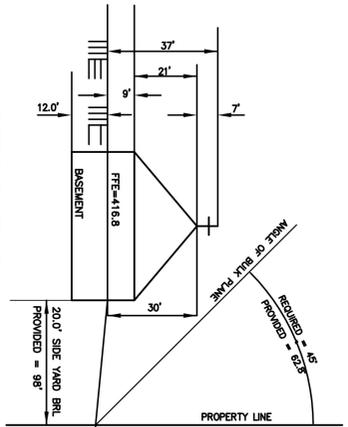
**EXIST. EDUCATION BUILDING**  
BUILT IN 1989  
RENOVATED TO CLASS ROOM IN 1997  
(TO REMAIN)  
SCALE: 1" = 30'



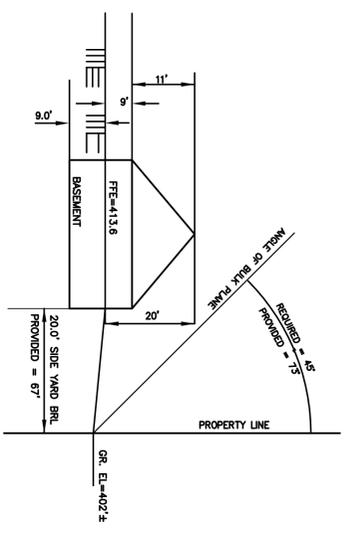
**EXIST. SANCTUARY & FELLOWSHIP BLDG.**  
BUILT IN 1997  
(TO REMAIN)  
SCALE: 1" = 30'



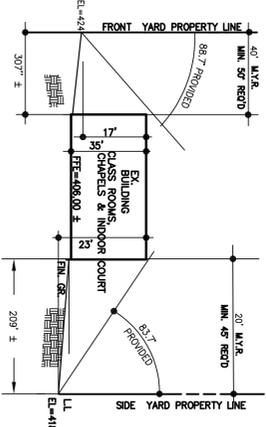
**EXISTING BUILDING**  
(CLASS ROOMS & CHAPELS)  
SCALE: 1" = 30'



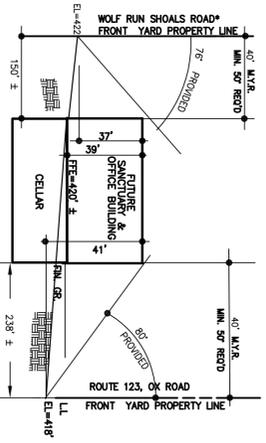
**EXISTING SANCTUARY**  
ANGLE OF BULK PLANE  
(NOT TO SCALE)



**EXISTING CLASS ROOM**  
ANGLE OF BULK PLANE  
(NOT TO SCALE)



**PROPOSED MULTI-PURPOSE BUILDING**  
ANGLE OF BULK PLANE  
(NOT TO SCALE)



**FUTURE SANCTUARY**  
ANGLE OF BULK PLANE  
(NOT TO SCALE)

**NOTES**

- THE SUBJECT PROPERTY DELINEATED ON THIS SPECIAL EXCEPTION PLAT IS LOCATED ON FAIRFAX COUNTY MAP 77-3-(1)-35, 36 AND 368
- THE LOT AREA IS 21.05 ACRES FOR LOTS 35, 36, AND 368.
- LOT 35 IS OWNED BY THE SEOUL PRESBYTERIAN CHURCH OF FALLS CHURCH, VIRGINIA, AND RECORDED DEED BOOK 8387, PAGE 1888. LOT 36 AND LOT 368 ARE ALSO OWNED BY THE SEOUL PRESBYTERIAN CHURCH AND ARE RECORDED DEED BOOK 12727, PAGE 1978.
- EXISTING TOPOGRAPHY SHOWN HEREON IS FROM THE SITE PLAN OF THE CHURCH, PFC PLAN #9351-SP-02 AND THE NURSERY TOPOGRAPHIC SURVEY DONE BY MONKOD AND STRICKHOUSE, P.C. DATED 1-18-90.
- BOUNDARY INFORMATION IS FROM THE RECORD.
- TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO GRAVES OR BURIAL SITES LOCATED ON THESE PROPERTIES.
- THE PROPERTY DELINEATED ON THIS PLAT CONTAINS NO MINOR OR MAJOR FLOODPLAINS, THE DRAINAGE AREA TO SANDY RUN AT THE SOUTHERN PROPERTY LINE OF THIS PROJECT IS 44.5 ACRES (LESS THAN 70 ACRES FOR MINOR FLOODPLAIN).
- STORMWATER MANAGEMENT FOR PHASE 1 IS IN THE FORM OF AN UNDERGROUND DETENTION TANK WITH AN APPROXIMATE TOTAL VOLUME OF 6,500 CF. BMP WILL BE PROVIDED WITH D.G. TYPE SAND FILTER OR STORMWATER ASSOCIATED WITH OPEN SPACE IN CONSERVATION EASEMENT. THE FINAL SWM/BMP DESIGN IS IN ACCORDANCE WITH THE FAIRFAX COUNTY PUBLIC FACILITY MANUAL (PFM).
- FOR THE PHASE 2 PARKING LOT AND SANCTUARY BUILDING, A DRY DETENTION POND IS PROPOSED WITH APPROXIMATE EFFECTIVE VOLUME OF 15,000 CF FOR SWM AND BMP. ALSO, THE FINAL DESIGN OF SWM/BMP WILL BE IN ACCORDANCE WITH THE MINIMUM REQUIREMENTS OF THE PFM AND OTHER APPLICABLE CRITERIA AT THE TIME OF THE DESIGN.
- ONE SWM/BMP FACILITY FOR THE ENTIRE SITE IS NOT FEASIBLE BECAUSE OF PRESERVATION OF THE EOC AND WOODED AREAS.
- THE PARKING AREAS WILL BE LIGHTED, THEIR LOCATION SHALL BE SUBJECT TO FINAL SITE PLAN APPROVAL.
- THIS SPECIAL EXCEPTION PLAT IS NOT INTENDED TO BE EITHER A PRELIMINARY SITE PLAN OR FINAL SITE PLAN. BUILDING FOOTPRINT AND LOCATIONS, YARDS, OR ACCESSORY USES AND STRUCTURES, IF ANY, ARE SUBJECT TO MINOR MODIFICATIONS AS DETAILED DESIGN IS COMPLETED.
- TO THE BEST OF KNOWLEDGE AND BELIEF THE PROPOSED DEVELOPMENT DELINEATED ON THIS SPECIAL EXCEPTION PLAT CONFORMS TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS AND ADOPTED STANDARDS OF FAIRFAX COUNTY, EXCEPT THE FOLLOWING:
  - A WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENT ALONG BOUNDARIES A FRONT YARD AND REAR YARD ARE HEREBY REQUESTED ACCORDING TO ARTICLE 13, SECTION 13-300 OF THE FAIRFAX COUNTY ZONING ORDINANCE FOR THE PROPOSED CONSTRUCTION.
  - A WAIVER OF STREET FRONTAGE IMPROVEMENTS ACCORDING TO ARTICLE 17.01.4 OF THE FAIRFAX COUNTY ZONING ORDINANCE IS HEREBY REQUESTED. IMPROVEMENTS TO THE EXISTING DRIVE AND SIDE DRIVE WHICH WAS IMPROVED IN 1997, HOWEVER, THE COMPREHENSIVE PLAN SHOWS 6 LANE HIGHWAY FOR THE ULTIMATE PLANNING. AT THIS TIME OX ROAD HAS A RIGHT TURN LANE TO THE CHURCH ENTRANCE AND A LEFT TURN LANE FOR U-TURN AT THE TRAFFIC LIGHT AT THE INTERSECTION OF OLD STONE FENCE ROAD ON THE SOUTH BOUND.
  - A WAIVER OF CONSTRUCTION OF SERVICE ROAD ACCORDING TO ARTICLE 17-201.4 OF THE FAIRFAX COUNTY ZONING ORDINANCE IS HEREBY REQUESTED. THIS LOT ABUTS ONLY ONE RESIDENTIAL HOUSE ON THE NORTH AND THE EXISTING NURSERY ON THE SOUTH BETWEEN WOLF RUN SHOALS ROAD AND OLD STONE FENCE ROAD. NO SERVICE ROAD IS PROVIDED IN THIS VICINITY.
  - 25' LANDSCAPED TRANSITIONAL SCREENS ALONG RTE. 123 SHOWN ON SHT 1 OF 3 IS SCHEMATIC. THE FINAL DESIGN WILL BE DEVELOPED WITH THE COUNTY URBAN FORESTRY.
- THIS SPECIAL EXCEPTION APPLICATION IS TO ADD CHILD AND ELDER CARE TO CHURCH USE, AS DESCRIBED IN THE APPLICATION'S STATEMENT.
- NO SCHOOL, OF GENERAL, OR SPECIAL EDUCATION, AS DEFINED IN THE ZONING ORDINANCE, IS REQUESTED FOR THIS SITE. THE SCHOOL PORTION OF THE CHURCH IS FOR RELIGIOUS EDUCATION ONLY. (SUNDAY SCHOOL)

**ZONING REQUIREMENTS**

LOT AREA	EXISTING (PHASE 1)	FUTURE (ULTIMATE STAGE, PHASE 2)
BUILDING HEIGHT:	80 FEET MAX.	37 FT.
FRONT YARD:	CONTROLLED BY A 50 DEGREE ANGLE OF BULK PLANE, BUT NOT LESS THAN 40 FEET	307 FT.
SIDE YARD:	CONTROLLED BY A 45 DEGREE ANGLE OF BULK PLANE, BUT NOT LESS THAN 20 FEET	70.4 FT.
REAR YARD:	CONTROLLED BY A 45 DEGREE ANGLE OF BULK PLANE, BUT NOT LESS THAN 25 FEET	560 FT.
FAR:	0.10 MAXIMUM	0.031
BUILDING AREA:(2)	28,845 SF	43,245 FT
TOTAL SEATING CAPACITY	250 SEATS	900 SEATS
PARKING REQUIRED (1)	1 SPACE/4 SEATS (EXISTING)	82 SPACES
ENROLLMENT 99	0.5 SP. PER CHILD/ELDER CARE PROVIDED	185 SPACES
PARKING PROVIDED		300 SPACES

**(1) PARKING SPACES REQUIRED:**

PHASE 1: 250 SEATS X 1 SP/4 SEATS = 62.5 SPACES PLUS CHILD/ELDERLY CARE 0.19 PER = 19  
PHASE 2: 900 SEATS X 1 SP/4 SEATS = 225 SPACES  
NOTE: THE EXISTING SANCTUARY WILL BE CONVERTED TO OTHER USES WHEN THE FUTURE SANCTUARY WILL BE COMPLETED.

**SITE INFORMATION**

LOT #	AREA (AC)	AREA (SF)	REMARKS
LOT 35	5.76883	251,180	EXISTING
LOT 36	9.72038	423,420	EXISTING
LOT 36B	5.56564	242,439	W/ DEDICATION
TOTAL	21.05185	917,019	
DEDICATION	0.07296	3,178	

EXISTING ZONING: R-C, W.S.P.O.D. FOR BOTH LOT 35 AND LOT 36  
PROPOSED USE: CHURCH + CHILD AND ELDERLY CARE  
CATEGORY: GROUP 3 SPECIAL PERMIT USE OR CHILD AND ELDERLY - SPECIAL EXCEPTION

**ULTIMATE TREE COVERAGE CALCULATIONS**

	ULTIMATE STAGE (PHASE 2)
GROSS SITE AREA:	917,019 SF
TOTAL BUILDING FOOTPRINT:	36,500 SF
ADJUSTED SITE AREA:	880,519 SF
TREE COVERAGE REQUIRED: 20%	176,103 SF
EXISTING TREE CREDIT X 1.25	339,400 SF X 1.25 = 424,000 SF
TREE COVER TO BE PLANTED:	0 SF

**(2) BUILDING GROSS FLOOR AREA(GFA) AND FOOT PRINT**

	(GFA)	(FOOT PRINT)
EXISTING SANCTUARY:	12,200 SF	6,100 SF
EXISTING EDUCATION BUILDING:	2,645 SF	2,000 SF
EXISTING CONDITION TOTAL:	14,845 SF	8,100 SF SF
EXISTING ADDITION (PHASE 1):	14,000 SF	14,000 SF
EXISTING CONDITION TOTAL:	28,845 SF	22,100 SF
FUTURE ADDITION (PHASE 2) SANCTUARY:	14,400 SF	14,400 SF
ULTIMATE STAGE TOTAL:	43,245 SF	36,500 SF

- THIS PLAT WAS CREATED BY MODIFYING SPECIAL PERMIT AMENDMENT PLAT TO SP 99-S-029 REVISED 8-01-2003 PREPARED BY DDC INC, ARCHITECT ENGINEERING PLANNING INTERIOR DESIGN AND SITE PLAN 9351-SP-02 BY HAN D. CHEY.
- AN ENVIRONMENTAL REPORT #9351-ES-001 WAS PROVIDED AT THE TIME OF SITE PLAN REVIEW AND APPROVED ON 4-13-2006
- PHASE 1 CONSTRUCTION COMPLETE.



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Cdl 202-601-3378

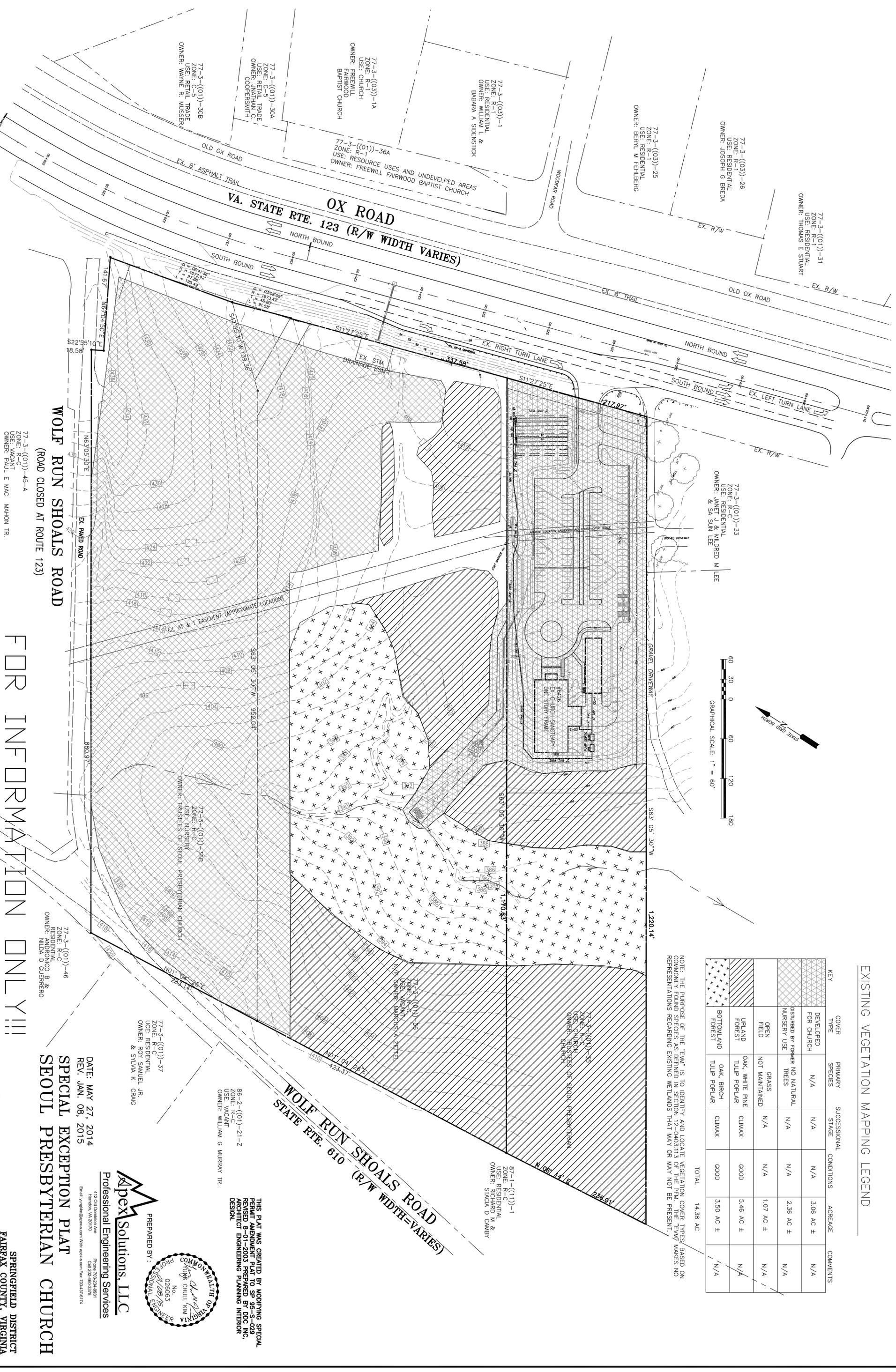
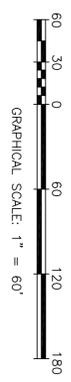
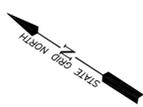
DATE: MAY 27, 2014  
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**SPECIAL EXCEPTION PLAT**

**SEOUL PRESBYTERIAN CHURCH**

EXISTING VEGETATION MAPPING LEGEND

KEY	COVER TYPE	PRIMARY SPECIES	SUCCESSIONAL STAGE	CONDITIONS	ACREAGE	COMMENTS
	DEVELOPED FOR CHURCH	N/A	N/A	N/A	3.06 AC ±	N/A
	DISTURBED BY FORMER NURSERY USE	NO NATURAL TREES	N/A	N/A	2.36 AC ±	N/A
	OPEN FIELD	GRASS NOT MAINTAINED	N/A	N/A	1.07 AC ±	N/A
	ISLAND FOREST	OAK, WHITE PINE	CLIMAX	GOOD	5.46 AC ±	N/A
	BOTTOMLAND FOREST	OAK, BIRCH, TULIP POPLAR	CLIMAX	GOOD	3.50 AC ±	N/A
TOTAL					14.38 AC	N/A

NOTE: THE PURPOSE OF THE "TM" IS TO IDENTIFY AND LOCATE VEGETATION COVER TYPES BASED ON COLOR. THE FOUR SPECIES LISTED IN THE LEGEND ARE THE MOST COMMON SPECIES FOUND IN THE WETLANDS THAT MAY OR MAY NOT BE PRESENT. REPRESENTATIONS REGARDING EXISTING WETLANDS THAT MAY OR MAY NOT BE PRESENT.



**WOLF RUN SHOALS ROAD**  
(ROAD CLOSED AT ROUTE 123)

**FOR INFORMATION ONLY!!!**

**SPECIAL EXCEPTION PLAT**  
**SEOUL PRESBYTERIAN CHURCH**

DATE: MAY 27, 2014  
REV. JAN. 08, 2015

**Apex Solutions, LLC**  
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PREPARED BY:  
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Professional Engineer  
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State of Virginia

THIS PLAT WAS CREATED BY MODIFYING SPECIAL PERMIT AMENDMENT PLAT TO SP 95-S-029 REVISED 8-01-2003 PREPARED BY DDC INC. ARCHITECT ENGINEERING PLANNING INTERIOR DESIGN.

SPRINGFIELD DISTRICT  
FAIRFAX COUNTY, VIRGINIA

## **DESCRIPTION OF THE APPLICATION**

The applicant requests approval of a Special Exception to permit a child/elderly care center with child care and elderly care within an existing church with a maximum enrollment of 99 total attendees. Staff notes that a long standing interpretation has determined that elderly care is allowed where a child care center is permitted. The church use was previously approved by the Board of Zoning Appeals as a Special Permit and Special Permit Amendment. Section 9-314 of the Zoning Ordinance permits the applicant for a church with a child care center to select whether to file an application for a Special Permit or Special Exception. The site currently contains three buildings associated with the church: a one-story classroom that contains 2,645 square feet, a sanctuary that contains 12,200 square feet with 250 seats, and a fellowship hall with classrooms and a gym that contains 14,000 square feet. The proposed child care would be provided in the sanctuary and the elderly care would be provided in the fellowship hall. There are currently 165 parking spaces on the property. The previously approved Special Permit Amendment permitted the future construction of a second phase of development, which would include an additional 14,400 square foot sanctuary containing 900 seats, 135 additional parking spaces from what is currently on the property, a possible stormwater management and Best Management Practices (BMP) facility, and a future septic field along the western boundary of the property. The applicant is not proposing any site modifications with the current application and does not have any immediate plans to establish Phase 2 of the development in the near future.

The applicant requests approval of the following waivers and modifications:

- Modification of the transitional screening and barrier requirements along all property lines pursuant to Sect. 13-305 of the Zoning Ordinance in favor of that shown on the SE Plat;
- Waiver of the frontage improvements for the widening of Ox Road in accordance with Sect. 17-201.4 of the Zoning Ordinance; and,
- Waiver of construction of a service drive along Ox Road in accordance with Sect. 17-201.4 of the Zoning Ordinance

These waivers and modifications are further discussed in the Waivers / Modifications section of this report.

The proposed development conditions, applicant's statement of justification, and affidavit are contained in Appendices 1 to 3, respectively.

## **LOCATION AND CHARACTER**

The 21.05 acre subject property, which is zoned R-C and within the Water Supply Protection Overlay District, is located on the west side of Ox Road in the Springfield

District. The property consists of three parcels: 35, 36, and 36B. Wolf Run Shoals Road bounds the property to the north and west. An existing entrance from southbound Ox Road (Route 123) provides access to the property. The site currently contains three existing buildings: a single-story education building, a sanctuary containing 250 seats, and a fellowship hall. There are currently 165 parking spaces on the property. The central portion of the property to the west of the existing buildings and parking contains a Resource Protection Area (RPA) and Environmental Quality Corridor (EQC). The RPA, EQC, and western portion of the property are proposed to remain undisturbed.

The image below summarizes the zoning districts and uses for the surrounding parcels. The surrounding properties to the north, south, and west contain single family detached dwellings zoned R-C. The properties to the north and south are planned for residential use at 0.1 - 0.2 du/ac and private open space, while the properties to the west are planned for residential use at 0.1 – 0.2 du/ac. The property to the northeast, which contains a commercial use, is zoned C-5 and planned for Retail and Other. The properties to the east and southeast are zoned R-1 and planned for residential use at 0.5 -1 du/ac. The parcel to the east contains a church, while the parcel to the southeast contains a single family detached dwelling.



Source: Fairfax County GIS with Added Graphics

## BACKGROUND

On November 18, 1985, the Board of Supervisors approved SE 85-S-063 for a plant nursery on Lot 36B. The plant nursery use on the property has been discontinued.

On July 18, 1995, the Board of Zoning Appeals (BZA) approved SP 95-S-029 on Lot 35 of the application property to permit a church and related facilities.

On October 8, 2003, the BZA approved SPA 95-S-029 to amend the previously approved Special Permit to permit an increase in land area, increase in seats, building additions, and site modifications. The increase in land area added Lots 36 and 36B to

the application property. The approved SP Plat depicted two phases of site improvements. The first phase, which has already been completed, included the construction of a 14,000 square foot fellowship hall to the north of the existing sanctuary, 85 additional parking spaces, and two septic fields. Phase 2 would include a new 14,400 square foot sanctuary with 900 seats located on the northern portion of the application property.

## COMPREHENSIVE PLAN PROVISIONS

The subject property is located within the Pohick Planning District in the P5 – Dominion Community Planning Sector. The plan map shows the subject property as planned for Residential, 0.1 – 0.2 du/ac and private open space. Fairfax County Comprehensive Plan, 2013 Edition, Area III Plan, Pohick Planning District, Amended through June 3, 2014, P5 Dominion Community Planning Sector, Land Use Recommendations, on Page 59 states:

*Nonresidential uses requiring special exception or special permit approval should be rigorously reviewed. In general, these uses should be located at the boundary of Low Density Residential Areas and Suburban Neighborhoods or where their impact on existing residences will be minimal. These uses should be granted only if the following conditions are met:*

- *Access for the use is oriented to an arterial;*
- *The use is of a size and scale that will not adversely impact the character of the area in which it is located; and*
- *The use is designed to mitigate impacts on the water quality of the Occoquan Reservoir.*

The complete Comprehensive Plan text can be found at the following link:  
<http://www.fairfaxcounty.gov/dpz/comprehensiveplan/area3/pohick.pdf>.

## DESCRIPTION OF THE SPECIAL EXCEPTION (SE) PLAT

The SE Plat titled “Special Exception Plat Seoul Presbyterian Church,” prepared by Apex Solutions, LLC, consisting of four sheets dated May 27, 2014, as revised through January 8, 2015, is reviewed below.

### Site Layout

The application property includes three parcels: 35, 36, and 36B. In total, the site contains 21.05 acres. The property is bounded on the north and west by Wolf Run Shoals Road. An existing entrance off southbound Ox Road provides access to the property. The site currently contains three existing buildings associated with the

church: a 2,645 square foot one-story education building, a 12,200 square foot sanctuary containing 250 seats, and a 14,000 square foot fellowship hall with a 7,000 square foot cellar. The education building and classroom are located in the southernmost area of the property. The fellowship hall is located to the north of the church sanctuary. Existing septic fields are located to the east of the parking areas along the Ox Road frontage. The central portion of the property to the west of the existing buildings and parking contains an EQC and RPA, and a strip of wetlands are shown across the center of the site running east-west. The area including and to the west of the RPA and EQC currently remains undisturbed. An existing 24-foot wide pavement section is located in the southeastern corner of the property to provide a future potential connection to Parcel 33 to the south of the application property.

The SE Plat depicts future Phase 2 improvements that were previously approved with the Special Permit Amendment but have not yet been completed. This includes a new 14,400 square foot sanctuary containing 900 seats with additional parking areas surrounding the new sanctuary. The existing sanctuary that contains 250 seats would be converted to other uses when the future sanctuary is completed so that Phase 2 would contain a total of 900 seats, which would all be within the future sanctuary. Phase 2 would also include a possible stormwater detention pond located to the west of the new sanctuary, a tot lot located to the north of the future sanctuary, and an additional septic field located near the western property boundary that is connected to the Phase 2 sanctuary via a three inch force main that crosses the EQC. Although no road improvements were proposed with Phase 1, Phase 2 would provide an extension of the left turn lane on south bound Ox Road and a raised lane divider on south bound Ox Road extending along the left turn lane from a point north of the church entrance to the median break. Additionally, a proposed future entrance would be provided on the north side of the Phase 2 parking area onto the Old Wolf Run Shoals Road right-of-way.

### **Trees, Landscaping, and Open Space**

The site currently contains approximately 16.2 acres (76%) of undisturbed open space, which primarily consists of existing vegetation in the western portion of the site. A portion of this open space consists of the area of Lot 36B, which previously contained a nursery use that has been discontinued. An existing 25-foot wide transitional screening yard is located along a portion of the southern, eastern, and western lot lines and across the entire northern lot line. Additional plantings are shown throughout some of the existing parking areas. The Phase 2 improvements would reduce the undisturbed open space to approximately 11.4 acres (54%) with the construction of the future sanctuary and septic field along the western property line and associated 3-inch force main to connect the sanctuary to this septic field. The SE Plat depicts additional plantings along the eastern property line adjacent to Route 123 that would be provided as transitional screening for the Phase 2 improvements, as well as additional parking lot landscaping that would be provided in the future Phase 2 parking lot.

## **Stormwater Management/Best Management Practices**

The SE Plat depicts an existing underground stormwater management tank under the existing northern parking area. An existing conservation easement is also located in the southwestern portion of the property. The applicant is not proposing any additional site disturbance with the current application. An additional possible stormwater management pond is shown as part of the previously approved Phase 2 improvements to the west of the future sanctuary.

## **Parking**

As shown on the SE Plat, there are currently 165 parking spaces on the site that would serve the church, child care, and elderly care. A large portion of the existing parking on the property is located in the southernmost area of the site near the existing classroom building and sanctuary. Additional parking areas are located near the fellowship hall and in the area to the north of the fellowship hall near the future Phase 2 sanctuary. The parents or guardians will park in the parking area in front of the sanctuary and walk the children into the sanctuary. Parking for the elderly attendees would be accommodated in the parking area adjacent to the fellowship hall where the elderly care will be provided. Phase 2 would include an additional 135 parking spaces in the vicinity of the future sanctuary for a total of 300 parking spaces on the site.

## **ANALYSIS**

### **Land Use Analysis**

The Comprehensive Plan map shows the subject property as planned for Residential use at 0.1 – 0.2 du/ac and private open space. The Comprehensive Plan also recognizes that certain non-residential uses requiring special exceptions or special permits may be appropriate under certain conditions, which are summarized in the above Comprehensive Plan Provisions section of this report. The Plan specifies that these uses should be located at the boundary of low density residential areas and suburban neighborhoods, or where their impact on existing residences will be minimal. The Plan further recommends that, if approved, these uses should have access that is oriented to an arterial roadway; should be of a size and scale that will not adversely impact the character of the area; and, should be designed to mitigate impacts on the water quality of the Occoquan Reservoir. Staff and the Board of Zoning Appeals determined with the previously approved SPA that the existing church and Phase 2 expansion meets these Comprehensive Plan provisions.

The site is located on the west side of Ox Road, which serves as a boundary between the areas planned for lower density residential to the west and the suburban neighborhoods planned for a slightly higher density to the east. Therefore, staff finds that the site is located at the boundary of low density residential and suburban

neighborhoods as recommended by the Comprehensive Plan. The applicant is not proposing any site modifications from that which was previously approved with the SPA. As a result, the site continues to have access that is oriented to an arterial roadway (Ox Road) and will not create any further impact on the water quality of the Occoquan Reservoir. Although the applicant would be disturbing the EQC for the installation of a force main to serve a future septic field for the Phase 2 improvements, this was previously approved by the Board of Zoning Appeals.

The previously approved development conditions required the completion of a Phase 1 Environmental Site Investigation for Lot 36B, where the former nursery operation was located. This was submitted by the applicant in association with the site plan approval for the site modifications completed subsequent to the approval of SPA 95-S-029. The Department of Public Works and Environmental Services (DPWES) approved the Environmental Site Assessment on April 13, 2006. As a result, staff has not carried forward this previously approved development condition with the current application.

Overall, staff believes that the proposed addition of the child care center and elderly care for up to 99 students/attendees will not adversely impact the character of the area and staff finds that the proposal is in conformance with the recommendations of the Comprehensive Plan.

#### **Transportation Analysis (Appendix 5)**

The access to the site from Ox Road is a right-in / right-out. Staff from the Fairfax County Department of Transportation (FCDOT) initially expressed a concern about vehicles leaving the site making U-turns at the median break along Ox Road just south of the site entrance. Staff requested that the applicant conduct a traffic analysis for the predicted southbound U-turns at the median break using the expected trip generation for the child care center use. As stated in Appendix 5 of this report, the traffic analysis that was submitted by the applicant demonstrated that the projected number of U-turns on Ox Road with the enrollment of a maximum of 99 children and adults can be handled adequately on Ox Road. A traffic gap assessment that was submitted demonstrated that the site egress for the proposed use would be sufficient, largely due to the gap in southbound traffic provided by the upstream traffic light at Chapel Road. The assessment concluded that sufficient gaps exist on Ox Road during the peak hours at an enrollment of 99 children/adults. Although this issue has been resolved, staff encouraged the applicant to utilize van pools to reduce the site trips and the overall amount of peak hour U-turns on Ox Road. As stated in the statement of justification contained in Appendix 2 of this report, the applicant is willing to commit to two vans to accommodate either child care or elderly care, whichever has the greater need. Staff has proposed a development condition regarding this commitment.

The previously approved development conditions and plat for the Special Permit Amendment for the church included several transportation improvements that would be required with Phase 2 of the development for the future sanctuary. Because the

applicant is not proposing any modifications to the Phase 2 improvements at this time, staff has carried forward these conditions associated with Phase 2 with the proposed development conditions contained in Appendix 1 of this report. These Phase 2 transportation improvements would include the construction of a future entrance to the property from Old Wolf Run Shoals Road and the improvement of Old Wolf Run Shoals Road to two-lane public street standards or a two-way driveway. In addition, the previously approved SPA Plat and the current SE Plat depict an extended left turn lane with a raised median on southbound Ox Road associated with the Phase 2 improvements. Staff has proposed this as an additional development condition to align the development conditions with what is depicted on the plat.

### **ZONING ORDINANCE PROVISIONS** (Appendix 6)

The application must satisfy the General Special Exception Standards (Sect. 9-006), the Standards for All Category 3 Uses (Sect. 9-304), and the Additional Standards for Child Care Centers and Nursery Schools (Sect. 9-309). Previously approved special permit and special permit amendment applications for the site reviewed the church use against the applicable Zoning Ordinance provisions. Given that there are no changes proposed to the site design, staff finds that the application continues to meet these provisions. Staff's review is focused on the applicable standards for the addition of the child/elder care center use. These standards are summarized below and contained in Appendix 6.

#### **General Special Exception Standards (Sect. 9-006)**

**Paragraph 1** requires that the proposed use be in harmony with the Comprehensive Plan. As previously discussed, staff believes that the proposal is in conformance with the recommendations of the Comprehensive Plan. Therefore, staff concludes that the application meets this standard.

**Paragraph 2** requires that the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. The R-C District was established to protect water course, stream valleys, marshes, forest cover in watersheds, aquifer recharge areas, rare ecological areas, and areas of natural scenic vistas; to minimize impervious surface and to protect the quality of water in public water supply watersheds; to promote open, rural areas for the growing of crops, pasturage, horticulture, dairying, floriculture, the raising of poultry and livestock, and for low density residential uses; and otherwise to implement the stated purpose and intent of this Ordinance. A church with a child care center is a Special Permit or Special Exception use in the R-C District. The applicant is not proposing any site modifications from those previously approved with this application. Staff believes that the addition of the child care and elderly care use on the subject property will be in harmony with the purpose and intent of the R-C District. Therefore, in staff's opinion, the application satisfies this standard.

**Paragraph 3** requires that the proposed use be harmonious with and not adversely

affect the use or development of neighboring properties in accordance with applicable zoning district regulations and the adopted Comprehensive Plan. It further states that 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 applicant is not proposing any additional buildings, structures, walls, or fences with the current application from that which was previously approved. The applicant requests a modification of the transitional screening and barrier requirements along the property boundaries to allow the existing conditions to satisfy these requirements. Staff does not object to this requested modification, as described in the Waivers and Modifications section of this report. Staff believes the proposed application will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. Therefore, staff finds that this standard has been met.

**Paragraph 4** states that 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 completed a transportation analysis to verify that the current conditions along Ox Road and the site egress could accommodate the proposed use at an enrollment of a maximum of 99 children and adults without creating any transportation concerns. Staff from FCDOT reviewed the submitted analysis and does not have any outstanding issues with the application. The applicant has agreed to provide two vans to transport some of the attendees in an attempt to limit the total number of vehicle trips to and from the site. Therefore, staff finds that the application satisfies this standard.

**Paragraph 5** states that in addition to the standards which may be set forth in this Article for a particular category or use, the Board may require landscaping and screening in accordance with the provisions of Article 13. Article 13 of the Zoning Ordinance requires transitional screening and barriers along all property lines. The applicant requests approval of a modification of the transitional screening and barrier requirements to allow the existing conditions shown on the SE Plat to satisfy these requirements. As discussed in the Waivers and Modifications section of this report, staff does not object to the requested modifications. Staff believes that the application meets this standard.

**Paragraph 6** states that open space should be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. As shown on the SE Plat, the site will contain approximately 76% open space in Phase 1 and 53% open space in Phase 2. The Zoning Ordinance only specifies an open space requirement in the R-C District for subdivisions approved for cluster development. However, water quality protection in the R-C District and Water Supply Protection Overlay District has historically been achieved through the preservation of at least 50% undisturbed open space for applications seeking special permit and special exception

uses. The applicant is not proposing to further disturb the open space from that which was previously approved.

**Paragraph 7** states that adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. The applicant is not proposing any site modifications with the current application and, therefore, is not proposing any changes to the existing utilities or drainage. The parking requirement for the church use is one space for four seats, which will require 63 spaces in Phase 1 with 250 seats and 225 spaces in Phase 2 with 900 seats. The parking requirement for a child care center use with a maximum daily enrollment of 99 attendees or fewer is 0.19 spaces per child, which will require 19 spaces at a maximum enrollment of 99 attendees. Therefore, the combined uses will require 82 parking spaces for Phase 1 and 244 parking spaces for Phase 2. There are currently 165 parking spaces on the site and 135 additional parking spaces would be added with Phase 2 for a total of 300 parking spaces with the completion of Phase 2. Therefore, staff finds that there is adequate parking on the site and believes this standard has been met.

**Paragraph 8** states that signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance. There is an existing sign located along the Ox Road frontage of the site and there are no new signs proposed with this application. Any existing and future signs will be regulated by the provisions of Article 12 of the Zoning Ordinance.

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

This application is also subject to the five additional standards for all Category 3 Special Exception uses. Standard one concerns public uses and, therefore, is not applicable to this application. Standards two and three dictate that all uses shall comply with the lot size requirements and bulk regulations of the applicable zoning district. As summarized in the table below, these requirements are satisfied with this application.

<b>Bulk Requirements (R-C)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Min. Lot Area	5 acres	21.05 acres
Max. Building Height	60 ft.	37ft. (Phase 1) 39 ft. (Phase 2)
Front Yard	50° angle of bulk plane, not less than 40 ft.	307 ft. (Phase 1) 170 ft. (Phase 2)
Rear Yard	45° angle of bulk plane, not less than 25 ft.	554 ft. (Phase 1) 550 ft. (Phase 2)
Side Yard	45° angle of bulk plane, not less than 20 ft.	70 ft. (Phases 1 and 2)
Maximum FAR	0.10	0.03 (Phase 1) 0.05 (Phase 2)
Parking Spaces	82 spaces (Phase 1) 244 spaces (Phase 2)	165 spaces (Phase 1) 300 Spaces (Phase 2)

Standard four stipulates that all uses shall comply with the performance standards for the applicable zoning district. The application will be required to conform to Article 14 of the Zoning Ordinance. Finally, standard five specifies that all uses shall be subject to the provisions of Article 17, Site Plans. The applicant is not proposing any site modifications and, therefore, this standard is not applicable with Phase 1.

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

**Standard One** states that 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 and such area shall be limited to the following: that area not covered by buildings or required parking spaces; that area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only; only that area which is developable for active outdoor recreation purposes; and, an area which occupies no more than 80 percent of the combined total areas of the required rear and side yards. There is an existing outdoor play area with play equipment located to the south of the existing sanctuary. According to that shown on the SE Plat, this area contains approximately 2,400 square feet. Given the standard of 100 square feet for each child, this play area could accommodate up to approximately 28 children at any one time. As shown on the SE Plat, an additional outdoor play area containing approximately 4,500 square feet would be provided with Phase 2 to the north of the future sanctuary. Although there are no plans for the construction of Phase 2 at this time, this additional play area may be available to the child care center use at some point in the future. There is no outdoor area designated for the elderly attendees. However, there are several short walkways on the property located in the vicinity of the Fellowship Hall where the elderly care will be provided.

**Standard Two** stipulates that 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. The subject property currently has direct access from Ox Road, which the Zoning Ordinance classifies as a principal arterial roadway. Therefore, staff believes the application meets this standard.

**Standard Three** states that all such uses shall be located so as to permit the pick-up and delivery of all persons on the site. As described in the applicant's statement of justification, the child care will be provided in the sanctuary and the elderly care will be provided in the fellowship hall. The parents or guardians will park in the parking area in front of the sanctuary and walk the children into the sanctuary. Parking for the elderly attendees would be accommodated in the parking area adjacent to the fellowship hall where the elderly care will be provided. Staff believes that the existing site conditions will allow for the pick-up and delivery of all attendees.

**Standard Four** states that 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. These regulations concern private school and child care facility standards. The applicant will be required to conform with these regulations.

## **WAIVERS / MODIFICATIONS**

### **Modification of the transitional screening and barrier requirements along all property lines pursuant to Sect. 13-305 of the Zoning Ordinance in favor of that shown on the SE Plat**

The applicant requests approval of a modification of the transitional screening and barrier requirements along all property lines pursuant to Sect. 13-305 of the Zoning Ordinance to allow the vegetation and barriers shown on the SE Plat to satisfy these requirements. According to Sect. 13-303 of the Zoning Ordinance, the applicants must provide an unbroken open space strip at least 25 feet wide with required trees and/or shrubs (Transitional Screening 1) to screen the use from the adjacent residential properties to the north, south, east, and west. One of three different barriers is also required pursuant to Sect. 13-304 of the Zoning Ordinance. The SE Plat depicts an existing 25-foot wide transitional screening yard with a 6-foot high chain link fence along a portion of the southern property line, an existing 25-foot wide transitional screening yard with a chain link fence along the northern property line and along a portion of the western property line, and a 25-foot wide transitional screening yard along a portion of the eastern property line with no barrier. The northernmost portion of the eastern property boundary depicts a future 25-foot wide transitional screening yard that would be provided with Phase 2.

Section 13-305 of the Zoning Ordinance permits the ability to waive or modify transitional screening and barrier requirements when a building, a barrier and/or the land between the building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques. The previously approved Special Permit Amendment application allowed for a modification of the transitional screening and barrier requirements through the approval of Development Condition 5 (Appendix 4). With the current application, the applicants propose to use the existing vegetation and fencing to serve as a buffer to the adjacent properties. Staff believes that the existing screening and barrier will allow for adequate screening of the proposed use from the adjacent properties. Therefore, staff does not object to the modification of the transitional screening and barrier requirements along all boundaries of the property in favor of the landscaping and screening shown on the SE Plat.

**Waiver of the frontage improvements for the widening of Ox Road in accordance with Sect. 17-201.4 of the Zoning Ordinance**

Ox Road is currently a 4-lane divided road. The Comprehensive Plan depicts a 6-lane roadway along Ox Road. The applicant requests approval of a waiver of the frontage improvements along Ox Road for the additional lane. The applicant is not proposing any site modifications with the current application or changes to the previously approval for Phase 2, and the applicant has demonstrated through the submitted traffic analysis that the existing conditions along Ox Road can accommodate the proposed child care center use. Therefore, staff does not object to the approval of the requested waiver for Phase 1. Frontage improvements for Ox Road for Phase 2 shall be in accordance with the development conditions.

**Waiver of construction of a service drive along Ox Road in accordance with Sect. 17-201.4 of the Zoning Ordinance**

The applicant requests a waiver of the service drive requirement along the Ox Road frontage of the property. There is not currently a service drive located along Ox Road in the vicinity of the property. As a result, staff does not object to the approval of a waiver of the construction of a service drive along Ox Road.

**CONCLUSIONS AND RECOMMENDATIONS****Staff Conclusions**

The applicant requests approval of a Special Exception to permit a child care center with child care and elderly care within an existing church with a maximum enrollment of 99 total attendees. The applicant is not proposing any site modifications with the current application and intends to use the existing church buildings for the child care and elderly care. Staff believes that the application is in harmony with the land use recommendations of the Comprehensive Plan and is in conformance with the applicable Zoning Ordinance provisions.

**Staff Recommendations**

Staff recommends approval of SE 2014-SP-038, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening and barrier requirements along all property lines pursuant to Sect. 13-305 of the Zoning Ordinance in favor of that shown on the SE Plat.

Staff recommends approval of a waiver of the frontage improvements along Ox Road in accordance with Sect. 17-201.4 of the Zoning Ordinance for Phase 1. Frontage improvements for Ox Road for Phase 2 shall be in accordance with the development conditions.

Staff recommends approval of a waiver of construction of a service drive along Ox Road in accordance with Sect. 17-201.4 of the Zoning Ordinance.

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

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

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 Supervisors.

## **APPENDICES**

1. Proposed Development Conditions
2. Statement of Justification
3. Affidavit
4. SPA 95-S-029 Board of Zoning Appeals Resolution
5. Transportation Analysis
6. Applicable Zoning Ordinance Provisions
7. Glossary

**PROPOSED DEVELOPMENT CONDITIONS****SE 2014-SP-038****January 22, 2015**

If it is the intent of the Board of Supervisors to approve SE 2014-SP-038 located at 6426 Ox Road, 6428 Ox Road, and 6401 Wolf Run Shoals Road, Tax Map 77-3 ((1)) 35, 36, and 36B, to permit a church with child/elderly care center pursuant to Sect. 3-C04 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions supersede all previous conditions associated with SPA 95-S-029.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. A copy of the Special Exception conditions 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 Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "Special Exception Plat Seoul Presbyterian Church," consisting of four sheets, prepared by Apex Solutions, LLC, dated May 27, 2014, as revised through January 8, 2015, and these conditions. Minor modifications to the approved special exception may be permitted as determined by the Zoning Administrator.
5. The maximum seating capacity in the main area of worship shall be limited to a total of 250 seats for Phase 1 and 900 seats for Phase II.
6. The maximum number of attendees for the child care and elderly care on site at any one time shall not exceed 99 in total.
7. The hours of operation for the child care and elderly care shall limited to 6:30 am to 6:00 pm, Monday through Friday.
8. The area along the western lot line adjacent to the septic field associated with Phase II development shall be supplemented with additional plantings, species, size and location to be determined in consultation with the Urban Forest Management

Division (UFMD), of the Department of Public Works and Environmental Services (DPWES), to meet full Transitional Screening 1 requirements.

9. Foundation plantings and shade trees shall be maintained around the original church buildings and shall be planted around the new buildings associated with Phase II to soften the visual impact of the structures. The species, size and location shall be determined by UFMD.
10. The applicant shall continue to provide a twenty-four (24) foot wide area along the eastern lot line south of the existing driveway for a future interparcel connection to Lot 33. The church shall construct that portion of the interparcel connection and grand appropriate public access easements if, and when, Lot 33 is required to construct an interparcel connection.
11. Stormwater management (SWM) and Best Management Practices (BMPs) shall be provided as required, unless waived by DPWES. The applicant shall make every effort to combine stormwater management facilities and to avoid the use of underground facilities. However, in the event that the applicant chooses to provide underground stormwater management / BMP facilities, the applicant shall be required to submit and have approved by DPWES a maintenance agreement for all of the proposed SWM/BMP facilities prior to final approval of any site plans for the subject property.
12. Any proposed lighting shall be in accordance with the following:
  - The combined height of the light standards and fixtures shall not exceed twelve (12) feet;
  - Bollard type lighting will be provided in any new parking areas;
  - The lights shall be low intensity design, full-cut-off fixtures, which focus the light directly onto the subject property and does not create glare or a nuisance off the property;
  - Shields shall be installed, if necessary, to prevent the light and glare from projecting beyond the lot lines;
  - The lights shall be controlled with an automatic shut-off device and shall be turned off when the site is not in use, except for security lighting directly adjacent to the building; and,
  - There shall be no up-lighting of the proposed or existing building.
13. The undisturbed open space tabulations shown on the plat shall not be reduced. The existing wooded area denoted on the special permit plat, including the Environmental Quality Corridor (EQC), shall not be disturbed. There shall be no clearing or grading of any vegetation except for dead or dying vegetation, as determined by UFMD. There shall be no clearing or structures located in the EQC,

other than the force main shown on the perimeter of the EQC, as depicted on the plat.

14. A grading plan that establishes the limits of clearing and grading necessary to construct the Phase II improvements shall be submitted to DPWES, including UFMD, for review and approval. The extent of the clearing and grading shall be the minimum amount feasible as determined by DPWES and shall not encroach into wetlands or the EQC, except as qualified by these conditions. The limits of clearing and grading for the proposed septic field to be located on the western side of the EQC shall be the minimum amount feasible as determined by DPWES. Prior to any land disturbing activities for Phase 2, a pre-construction conference shall be held between DPWES, including UFMD, and representatives of the applicant to include the construction site superintendent responsible for the on-site construction. In no event shall any area on the site be left denuded for a period longer than 14 days except for that portion of the site in which work will be continuous beyond 14 days.
15. A tree preservation and restoration plan shall be submitted to UFMD for review and approval at the time of site plan review. This plan shall designate the limits of clearing and grading as described in Development Condition 12 and all areas shown on the plat outside of the limits of clearing and to be preserved shall be labeled as "perpetually undisturbed open space." The restoration plan shall be developed with the intention of revegetating and restoring EQC located in the northern portion of the site to its natural habitat. The force main shown on the western side of the EQC to serve part of the Phase II development shall be installed prior to the EQC restoration. The restoration plan shall include the planting of saplings and evergreen seedlings, number, size and species to be determined by UFMD, within the perpetually undisturbed open space previously operating as a plant nursery. All man-made materials and non-native plant species, as determined necessary by UFMD, shall be removed prior to replanting in the restoration area.
16. Signs may be permitted in accordance with the provisions of Article 12 of the Zoning Ordinance. There shall be no up-lighting of any signs.
17. The proposed entrance to the property from Old Wolf Run Shoals Road shall be constructed with Phase II of the proposed development and shall meet Virginia Department of Transportation (VDOT) entrance and sight distance requirements.
18. Old Wolf Run Shoals Road shall be improved to VDOT two-lane public street standards at the time of Phase II development, or the applicant may choose to vacate the entire width of Old Wolf Run Shoals Road and provide a two-way driveway at the time of Phase II development.
19. At the time of the Phase II development, the applicant shall extend the southbound Ox Road left turn lane and construct the raised median as shown on Sheet 1 of the SE Plat, subject to approval by VDOT.

20. The applicant shall utilize two vans for the child care and/or elderly care for the purpose of transporting attendees to and from the site on a regular basis in an attempt to reduce the overall vehicle trips and from to the site.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established as evidenced by the issuance of a Non-RUP for the child/elder care center use and church. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**STATEMENT OF USE AND JUSTIFICATION**  
**Trustees of the Seoul Presbyterian Church,**  
**Special Exception No. SE 2014-SP-038**  
**Proposed Child Care and Elder Care Special Exception**

**(church currently operating under Special Permit No. SPA 95-S-029**  
**Statement revised December 11, 2014**

The property is occupied by a Church and related facilities and is located at 6426 Ox Road, Fairfax Station, VA 22039, Tax Map 77-3 ((1)) 35, 36, and 36B. It is zoned R-C and WS.

**A. Type of operation(s).** The existing Seoul Presbyterian Church and related facilities requests approval to operate a Child/Elder Care facility with an ultimate total of not more than 99 for the combination of children and elderly. The number of children may greater than the number of elderly initially. Therefore, the Church wishes to have to flexibility to enroll either, provided the total is not exceeded.

Phase 1 of the previously approved Special Permit Amendment approved a fellowship hall which has been constructed. The Amendment application proposed a future sanctuary for Phase 2. There are no plans for Phase 2 to be established in the near future. Therefore, the previously approved conditions for Phase 2 should not be required to be implemented until Phase 2 is to be constructed. We understand that the conditions relating to Phase 2 will be carried forward and we have no comment on those conditions for the application. It is also understood that the future septic location for Phase 2 must meet the Code requirements in effect at the time that phase is constructed. The septic system for the existing sanctuary with its 250 seats and Sunday School and Youth classrooms is more than adequate for the current membership and visitors.

In response to Staff's question to further explain the buildings and uses, Phase 1 has been constructed, a Non-Residential Use Permit has been issued. The old building, which was the original fellowship hall and classrooms, the current sanctuary building for 250 seats with a basement approved in 1995, and Phase 1 consisting of a fellowship hall, gym/classroom building, and play ground have all been occupied and used for church and related uses for since the late 1990's. The classrooms are for Sunday School classes, similar to all other protestant churches and are conducted on Sunday mornings typically at the same time of the main church service. For instance, a parishioner or visitor might go to early church service, then to the Sunday classes; or, go to Sunday School class, then attend the church service. Other classes are given such as classes for children reaching 13 who wish to learn more about the church in order to become members. There are exercise classes and health related classes given during the week in the gym, and the teenagers and adults use the gym for basketball and other games, again as part of the church related uses of the property.

**B. Hours of operation.** 6:30 A.M. until 6:00 P.M.

**Child Care** – Children will arrive between 6:30 a.m. and 9:00 a.m. Some will depart between 12:00 Noon and 1:00 P.M. The remainder will depart between 3:00 P.M. and 6:00 P.M.

**Elder Care** - People in the elder care will generally arrive between 9:00 A.M. and 10:00 A.M. and will depart no later than 6:00 P.M. It is anticipated that most will depart around 3:00 P.M.

**C. Estimated number of patrons/clients/patients/caregivers: Response:**

The request is for an ultimate enrollment of no more than 99 children and elderly. The applicant agrees to the following condition in order to address the transportation concerns.

**The applicant is willing to commit to two vans to accommodate either child care or elderly, whichever has the greater need since it is not now known.**

**D. Proposed number of employees/attendants/teachers/etc. Response:**

The number of employees/attendants will be provided in accordance with State and County regulations. It is estimated that there will be 1 caregiver for every 10 children and one (1) caregiver for every 10 adult/elderly persons, which exceeds State and County requirements. However, the applicant realizes that the child/teacher ratio required by the Code must and will be adhered to.

The age of the children is proposed to be 2 ½ years of age through pre-Kindergarten.

The mobility of the children or elderly is not known since the child/elder care is not yet operational. Some elderly may use walkers or be in a wheelchair. As previously stated, the elderly care will be in the Fellowship Hall on the main level which is has been constructed to meet the handicap accessible Codes. The main level consists of a gym and two large classrooms . This area is currently used by the elderly that are members of the church. As previously stated, the children will be escorted into the child care facility by a parent or guardian, they are not just dropped off. The parking for the child care facility will be in the area in front of the current sanctuary. Parking for the elderly care will be in front of the current Fellowship Hall/Classroom building.

No medical care services are proposed. The people who will be working with the elder group are proposed to be members of the church and are already certified by the State in Adult Care.

Both the child and elder care facility will be operated by the Church, using Church members as teachers and instructors if at all possible. The Church Trustees, Pastor, and Church representatives have all strongly reiterated in as recent meeting as Tuesday, September 10, 2014 that they consider this use to be a furtherance of their church's mission and that caring for young children and assisting the elderly are a very important component of that mission.

As previously stated, the child care will be in the basement of the current sanctuary building. The children will use 3 to 4 classrooms in addition to a dining/activity hall. The kitchen is also located in the basement. This area is already used for children enrolled in the Sunday School and Youth classes and was constructed in accordance with the International Building Code for these uses.

The kitchen will be used to prepare lunch for both child and elder care enrollees. It is currently approved by the Health Department. The church representative for this application has a Health Department license/permit if such is needed for this kitchen.

The septic system for the church and its current related facilities was sized for more than 300 people. There are 244 seats in the sanctuary. Sunday School classes are held at the same time as the early service so the septic was sized for more than 300 people. However, as previously stated, before a Non-Residential Use Permit (Non-RUP) can be issued all departments must sign off, including the Health Department.

**E. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day.**

**Response:**

Initially, two (2) will be provided. The child/elderly care facility would like to provide one teacher for each ten (10) children/adults for the initial 99 enrolled which would equate to 10 teachers/helpers. In addition, at full capacity, there will be four (4) persons in the kitchen/dining area, which would generate 28 trips per day.

Designated parking spaces shall be reserved in convenient locations for vehicles which are used on a regular basis to transport two or more students to the facility or vans will be provided by a private transportation company. If church owned vans are provided, the drivers will be volunteers or employees of the church to keep the number of van trips to a minimum.

**F. Vicinity or general area to be served by the use. Response:**

Fairfax County will be served primarily with focus on the Burke/Springfield areas.

**G. Description of building facade and architecture of proposed new building or additions. Response:**

There will be no change to the existing façade. The play area already exists and was shown on the approved site plan, thus, there will be no changes to the physical facilities on the property. There are approximately 2,400 square feet in the outdoor fenced play area. It is proposed that the classrooms take turns on the outside play area so all would not be there at one time. If calculated at 100 square feet per child, 24 children could be on the play area at one time. The elderly will not use the outdoor play area. However,

4 Statement of Justification, Seoul Presbyterian Church, SE 2014-SP-038  
Final Revision Date December 11, 2014

since the applicant wants flexibility in the division of child and elderly care, a condition allowing only 24 children on the play area at one time is agreeable to the applicant.

**H. A listing, if known, of all hazardous or toxic substances as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Virginia Department of Environmental Quality Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers. Response:**

Gasoline for lawn mowers, cleaning supplies for the building are the only known hazardous or toxic substances that might be on the property, depending on whether they have a lawn service and cleaning service or this might be done by church volunteers..

**I. A statement that the proposed use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification. Response:**

The proposed use conforms to all. If any Code has changed since the construction of the church facility, a waiver will be requested to allow the existing building to remain.

**8. A statement which confirms the ownership of the subject property and the nature of the applicant's interest in same. If the applicant is not the owner of the property involved in the application, evidence must be submitted showing that the applicant will have the right to use the property as proposed. For a condominium, the provisions of Sect. 2-518 shall be applicable. Response:**

The Church is owned by the Trustees of the Seoul Presbyterian Church. The Church is the applicant for the proposed use and plans to operate the child/elder care facility.

**9. Where applicable, any information as may be required by the provisions of Article 7, including the submission of the Archaeological Survey Data Form and a Phase I Archaeological Survey to the Fairfax County Park Authority as may be required pursuant to Sect. 7-210 for applications resulting in 2500 square feet or more of land disturbing activity and where the application property is located wholly or partially within or contiguous to a Historic Overlay District. Response:**  
N/A

**10. An application fee as provided for in Sect. 18-106. Submitted previously.**

### **Additional Information**

In response to Staff concerns regarding interpretations dated March 30, 2005 and another dated September 30, 2004, regarding the square footage in the cellar in the Fellowship Hall/ Classroom/Gym building and the square footage proposed for the Phase II sanctuary, the Church confirms there is 7,000 square footage in the cellar within the Fellowship Hall/Classroom/Gym building. The approved plat for the original Special Permit depicted 14,000 square feet proposed for the Phase II sanctuary with the word “Cellar” noted. Phase II has not yet been constructed nor are there immediate plans for its construction. The interpretations referenced above allowed 7,000 square feet in the Fellowship Hall/Classroom/Gym building with the understanding that “...the cellar space shown as part of the Future Sanctuary to be constructed in Phase 2 has been relinquished...” (Interpretation dated March 30, 2005). Both interpretations are attached for reference.

The Church acknowledges these interpretations and the word “cellar” has been removed from Phase 2 on the Special Exception Plat.

### **Modifications Requested**

Transitional Screening and Barriers: The applicant requests that the existing vegetation and barriers be allowed to satisfy the transitional screening and barrier requirements along all lot lines.

### **Drop Off and Pick Up of Children**

The children will not be “dropped off”. State regulations require that children be delivered into the child care area by their parents or guardians. The parents delivering children to the child care will park in the parking area in front of the sanctuary and walk their children into that building where the child care facility will be located.

The elderly will be delivered in front of the Fellowship Hall where the Elder Care Facility will be located. The people who can maneuver on their own will walk into the facility. Others may need assistance either from their home caregivers, or whoever is transporting them to the facility. The building is constructed to the Handicap Accessibility standards at the time of construction .

**SPECIAL EXCEPTION AFFIDAVIT**DATE: December 23, 2014  
(enter date affidavit is notarized)I, Jane Kelsey, Jane Kelsey & Associates, Inc., 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

126046

in Application No.(s): SE 2014-SP-038  
(enter County-assigned application number(s), e.g. SE 88-V-001)

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

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:**(NOTE: All relationships to the application listed above in BOLD print are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)**

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Trustees of Seoul Presbyterian Church	6428 Ox Road, Fairfax Station, VA 22039	Applicant, Title Owner
· Hak C. Kim, Trustee	5023 Dodson Dr., Annandale, VA 22003	Trustee
· Young H. Lim, Trustee	5500 Newhall Ct., Centreville, VA 20120	Trustee
· Tae K. Kim, Trustee	2776 Myrtlewood Dr., Dumfries, VA 22026	Trustee
· Chang H. Choi, Trustee	338 Flannery Ln, Silver Spring, MD 20904	Trustee
· Gun H. Choi, Trustee	8106 American Holly Rd., Lorton, VA 22079	Trustee
· You S. Yang A/K/A Yoo S. Yang, Trustee	12504 Flatwood Cir., Fairfax, VA 22033	Trustee
· Choon T. Han, Trustee	5087 Queens Wood Dr., Burke, VA 22015	Trustee
· Jao Dong Kim, Pastor	6418 Ox Rd., Fairfax Station, VA 22039	Agent for Applicant/Title Owner
· Myung Hee Kang a/k/a Miki Kang Minister of Education	"	Agent for Applicant/Title Owner
· Jane Kelsey & Associates, Inc.	4041 Autumn Court Fairfax, VA 22030	Agent for Title Owner/Applicant
· Jane Kelsey	"	Agent for title Owner/Applicant
· Donald E. Lucas	"	Agent for title owner/applicant
· Bruce E. Kelsey	"	Agent for title owner/applicant
· Susan C. Langdon	"	Agent for Title Owner/Applicant

(check if applicable)

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

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

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

Special Exception Attachment to Par. 1(a)

DATE: December 23, 2014  
(enter date affidavit is notarized)

126046

for Application No. (s): SE 2014-SE-038  
(enter County-assigned application number (s))

**(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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
M. J. Wells & Associates, Inc.	1420 Spring Hill Road, Suite 610 Tysons, Virginia 22102	Agent for Applicant
Robin Antonucci	"	Agent for Applicant

(check if applicable)

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: December 23, 2014  
(enter date affidavit is notarized)

126046

for Application No. (s): SE 2014-SP-038  
(enter County-assigned application number(s))

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

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

CORPORATION INFORMATION

**NAME & ADDRESS OF CORPORATION:** (enter complete name and number, street, city, state, and zip code) Jane Kelsey & Associates, Inc.  
4041 Autumn Court  
Fairfax, VA 22030

**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)

Jane Kelsey, sole stockholder

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

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



SPECIAL EXCEPTION AFFIDAVIT

DATE: December 23 2010  
(enter date affidavit is notarized)

for Application No. (s): SE 2014-SP-038  
(enter County-assigned application number(s))

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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, and 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 Exception Affidavit Attachment to Par. 1(c)" form.

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: December 23 2014  
(enter date affidavit is notarized)

for Application No. (s): SE 2014-SP-038  
(enter County-assigned application number(s))

126046

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

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

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

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

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

NONE

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

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: December 23 2014  
(enter date affidavit is notarized)

126046

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

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

NONE

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

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

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

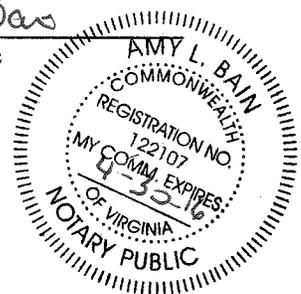
WITNESS the following signature:

(check one) [ ] Applicant [x] Applicant's Authorized Agent  
Jane Kelsey  
Jane Kelsey, Jane Kelsey & Associates, Inc.  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 23<sup>rd</sup> day of December 2014, in the State/Comm. of Virginia, County/City of Fairfax.

Amy L. Bain  
Notary Public

My commission expires: 4-30-16



REVISED

## COUNTY OF FAIRFAX, VIRGINIA

## SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES OF SEOUL PRESBYTERIAN CHURCH, SPA 95-S-029 Appl. under Sect(s). 3-C03 of the Zoning Ordinance to amend SP 95-S-029 previously approved for a church and related facilities to permit increase in land area, increase in seats, building additions and site modifications. Located at 6426 Ox Rd. and 6401 Wolf Run Shoals Rd. on approx. 21.35 ac. of land zoned R-C and WS. Springfield District. Tax Map 77-3 ((1)) 35, 36 and 36B. (Admin Moved from 12/17/02 1/28/03, 2/18/03 and 3/11/03 per appl. Req.) (def from 5/6/03 at appl. Req.) (def for dec only from 6/24/03) 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 September 30, 2003; and

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

1. The applicants are the owners 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 Sect(s) 3-C03 of the Zoning Ordinance.

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

1. This approval is granted to the applicant only, and is not transferable without further action of this Board, and is for the location indicated on the application, 6426 Ox Road and 6401 Wolf Run Shoals Road, and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by DDC Inc., and dated April 1, 2002, as revised through August 1, 2003, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Permit Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit, shall be in substantial conformance with the approved Special Permit plat and these conditions. Minor modifications to the approved

special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.

5. Transitional screening shall be provided as follows:
  - Existing vegetation located along the northern lot line and a portion of the eastern lot line, as depicted on the plat, and the area along the western lot line adjacent to the septic field associated with Phase II development shall be supplemented with additional plantings, species, size and location to be determined in consultation with the Urban Forestry Division, DPWES, to meet full Transitional Screening 1 requirements.
  - Transitional Screening 1 shall be provided along a portion of the southern lot line, as depicted on the plat.
  - Transitional screening requirements shall be modified to allow existing vegetation to satisfy the requirements along a portion of the southern lot line and the western lot line, except adjacent to the Phase II septic field, as depicted on the plat.
6. Upon issuance of the Non-Residential Use Permit (Non-RUP) for SPA 95-S-029, the maximum seating capacity in the main area of worship shall be limited to a total of 250 seats for Phase I and 900 seats for Phase II.
7. Parking shall be provided on-site as depicted on the plat. The parking spaces located on the western side of the driveway that crosses over the wetlands shall be removed to further minimize the wetland encroachment.
8. Foundation plantings and shade trees shall be maintained around the original church buildings and shall be planted around the new buildings associated with both Phases I and II to soften the visual impact of the structures. The species, size and location shall be determined by the Urban Forestry Division of DPWES.
9. The barrier requirement shall be waived along the western, eastern and portions of the southern and northern lot lines. Barrier D shall be provided along a portion of the southern and northern lot lines as depicted on the approved special permit plat. Along the southern lot line, the barrier shall continue to be located adjacent to the parking lot.
10. The applicant shall continue to provide a twenty-four (24) foot wide area along the eastern lot line south of the existing driveway for a future interparcel connection to Lot 33. The church shall construct that portion of the interparcel connection and grant appropriate public access easements if, and when, Lot 33 is required to construct an interparcel connection.
11. Stormwater management and Best Management Practices (BMPs) shall be provided as required by the Chesapeake Bay Preservation Ordinance and the Water Supply Overlay District, unless waived by DPWES. The applicant shall make every effort to combine stormwater management facilities and to avoid the use of underground facilities.

However, In the event that the applicant chooses to provide underground stormwater management /BMP facilities, the applicant shall be required to submit and have approved by DPWES a maintenance agreement for all of the proposed SWM/BMP facilities prior to final approval of any site plans for the subject property.

12. The undisturbed open space tabulations shown on the plat shall not be reduced. The existing wooded area denoted on the special permit plat, including the Environmental Quality Corridor (EQC), shall not be disturbed. There shall be no clearing or grading of any vegetation except for dead or dying vegetation, as determined by the Urban Forestry Division. There shall be no clearing or structures located in the EQC, other than the force main shown on the perimeter of the EQC, as depicted on the plat.. The conservation easement shall be extended over the entire area of EQC.
13. Any proposed lighting shall be provided in accordance with the following:
  - The combined height of the light standards and fixtures shall not exceed twelve (12) feet.
  - Bollard type lighting will be provided in any new parking areas.
  - The lights shall be low intensity design, full-cut-off fixtures, which focus the light directly onto the subject property and does not create glare or a nuisance off the property.
  - Shields shall be installed, if necessary, to prevent the light and glare from projecting beyond the lot lines.
  - The lights shall be controlled with an automatic shut-off device and shall be turned off when the site is not in use, except for security lighting directly adjacent to the building.
  - There shall be no up-lighting of the proposed or existing building.
14. The limits of clearing and grading shall be no greater than as shown on the special permit plat and shall be strictly adhered to. A grading plan which establishes the limits of clearing and grading necessary to construct the improvements shall be submitted to DPWES, including the Urban Forestry Division, for review and approval. Irrespective of the limits shown, the extent of clearing and grading shall be the minimum amount feasible as determined by DPWES and shall not encroach into wetlands or the EQC, except as qualified by these conditions. The limits of clearing and grading for the proposed septic field to be located on the western side of the EQC shall be the minimum amount feasible as determined by DEWES.. Prior to any land disturbing activities for each phase, a pre-construction conference shall be held between DPWES, including the Urban Forestry Division, and representatives of the applicant to include the construction site superintendent responsible for the on-site construction. In no event shall any area on the site be left denuded for a period longer than 14 days except for that portion of the site in which work will be continuous beyond 14 days.

15. A tree preservation and restoration plan shall be submitted to the Urban Forestry Division for review and approval at the time of site plan review. This plan shall designate the limits of clearing and grading as delineated on the special permit plat as modified by Development Condition 14 and all areas shown on the plat outside of the limits of clearing and to be preserved and labeled as "perpetually undisturbed open space". The restoration plan shall be developed with the intention of revegetating and restoring EQC located in the northern portion of the site to its natural habitat. The force main shown on the western side of the EQC to serve part of the Phase II development, shall be installed prior to the EQC restoration.

The restoration plan shall include the planting of saplings and evergreen seedlings, number, size and species to be determined by the Urban Forestry Division, within the perpetually undisturbed open space currently operating as a plant nursery. All man-made materials and non-native plant species, as determined necessary by the Urban Forestry Division, shall be removed prior to replanting in the restoration area.

16. Prior to site plan approval, a Phase I Environmental Site Investigation of Lot 36B shall be submitted to DPWES for review and approval in coordination with the Fire and Rescue Department, the Health Department, and other appropriate agencies as determined by DPWES. This investigation shall be generally consistent with the procedures described within the American Society for Testing and Materials document entitled "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" as determined by DPWES in coordination with the reviewing agencies. Hazardous substances or petroleum products shall be removed in accordance with the recommendations of the Phase I environmental report, and to the satisfaction of DPWES. If contaminants are detected in concentrations requiring remedial action, a remediation program shall be performed in accordance with all applicable Federal, State and County requirements. Sufficient documentation of completion of the remediation program (with the possible exception of long-term follow-up monitoring efforts) or an appropriate corrective action plan consistent with the proposed development, as determined by DPWES shall be provided to DPWES prior to site plan approval.
17. Signs may permitted in accordance with the provisions of Article 12 of the Zoning Ordinance. There shall be no up-lighting of any signs.
18. Right-of-way located at the intersection of Wolf Run Shoals Road and Old Wolf Run Shoals Road, as depicted on the plat, shall be dedicated to the Board of Supervisors in fee simple at the time of site plan review for Phase I development, unless it is determined that the property is already dedicated right-of-way.
19. The proposed entrance to the property from Old Wolf Run Shoals Road shall be constructed with Phase II of the proposed development and shall meet VDOT entrance and sight distance requirements.
20. Old Wolf Run Shoals Road shall be improved to VDOT two-lane public street standards at the time of Phase II development, or the applicant may choose to vacate the entire width of Old Wolf Run Shoals Road and provide a two-way driveway at the time of

Phase II development.

21. The operation of a plant nursery on Lot 36B shall cease upon commencement of Phase II construction.

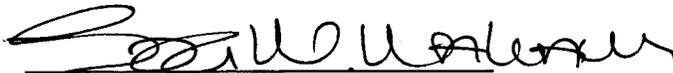
These conditions incorporate and supercede all previous conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining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

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

Mr. Pammel seconded the motion which carried by a vote of 7-0.

\*This decision was officially filed in the office of the Board of Zoning Appeals and became final on October 8, 2003. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:



Lori M. Mallam, Deputy Clerk  
Board of Zoning Appeals



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** September 22, 2014

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

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

**FILE:** 3-5 (SE 2014-SP-038)

**SUBJECT:** Transportation Impact

**REFERENCE:** SE 2014-SP-038: Seoul Presbyterian Church  
Land Identification Map: 77-3 ((01)) 35, 36, 36B

The propose application is to operate a combination day care and elderly care facility with a maximum enrollment of 99.

This department initially had concerns regarding the egress of site vehicles from a right-in/ right-out only access to Ox Road and the safety of a portion of the site's exiting traffic that may cross two-lanes of southbound traffic and enter the southbound left turn lane on Ox Road within a short distance.

### Traffic Analysis

A submitted traffic analysis demonstrated the projected number of U-turns on Ox Road with the proposed enrollment of 99 can be handled adequately on Ox Road.

A traffic gap assessment was also submitted and demonstrated that the site egress for the proposed use could be handled adequately, largely due to the gap in southbound traffic provided by the upstream traffic light at Chapel Road. The assessment concluded that sufficient gaps exist on Route 123 during the peak hours to facilitate site vehicles at an enrollment of 99 to exit the site adequately.

- To reduce site trips and the amount of peak hour U-turns on Ox Road, the applicant is encouraged to utilize van pools and/ or car pools.

MAD/EAI

**Sect. 9-006 General Standards**

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

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

### **Sect. 9-304 Standards for All Category 3 Uses**

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

1. For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location.
2. Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located.
3. Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.
4. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
5. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

### **Sect. 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.

**Sect. 9-309 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 exception use in accordance with the provisions of this Part or as a special permit use in accordance with the provisions of Part 3 of Article 8. 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 309 and 310 above.

**GLOSSARY**

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

**ABANDONMENT:** Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

**ACCESSORY DWELLING UNIT (OR APARTMENT):** A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

**AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT:** Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

**AGRICULTURAL AND FORESTAL DISTRICTS:** A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

**BARRIER:** A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

**BEST MANAGEMENT PRACTICES (BMPs):** Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

**BUFFER:** Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

**CHESAPEAKE BAY PRESERVATION ORDINANCE:** Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

**CLUSTER DEVELOPMENT:** Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

**COUNTY 2232 REVIEW PROCESS:** A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

**dBA:** The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

**DENSITY:** Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

**DENSITY BONUS:** An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

**DEVELOPMENT CONDITIONS:** Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Abbreviations Commonly Used in Staff Reports

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