



**APPLICATION ACCEPTED:** April 29, 2015  
**PLANNING COMMISSION:** November 19, 2015  
**BOARD OF SUPERVISORS:** TBD

# County of Fairfax, Virginia

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**November 3, 2015**

## **STAFF REPORT**

**SEA 79-D-071-02**

### **DRANESVILLE DISTRICT**

**APPLICANT:** The TEA Center, LLC

**ZONING:** R-1

**LOCATION:** 999 Balls Hill Road

**PARCEL(S):** 21-3 ((1)) 66B

**ACREAGE:** 3.00 acres

**FAR:** 0.04

**PLAN MAP:** Residential, 2-3 du/ac

**SE CATEGORY:** Category 3 – Child Care Center

**PROPOSAL:** The applicant requests to amend a special exception for a private club (Sharon Lodge Masonic Temple) to permit the addition of a child care center with an enrollment of fewer than 99 children.

### **STAFF RECOMMENDATIONS:**

Staff recommends approval of SEA 79-D-071-02, subject to development conditions consistent with those contained in Appendix 1.

Michael D. Van Atta

Staff recommends approval of a modification of the peripheral parking lot landscaping requirement along the Balls Hill Road frontage of the application property in favor of the existing landscaping, as shown on the SEA Plat.

Staff recommends approval of a modification of the transitional screening and barrier requirements along the southern property line in favor of the existing conditions, as shown on the SEA Plat.

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

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

The approval of this Special Exception Amendment 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.

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 Amendment

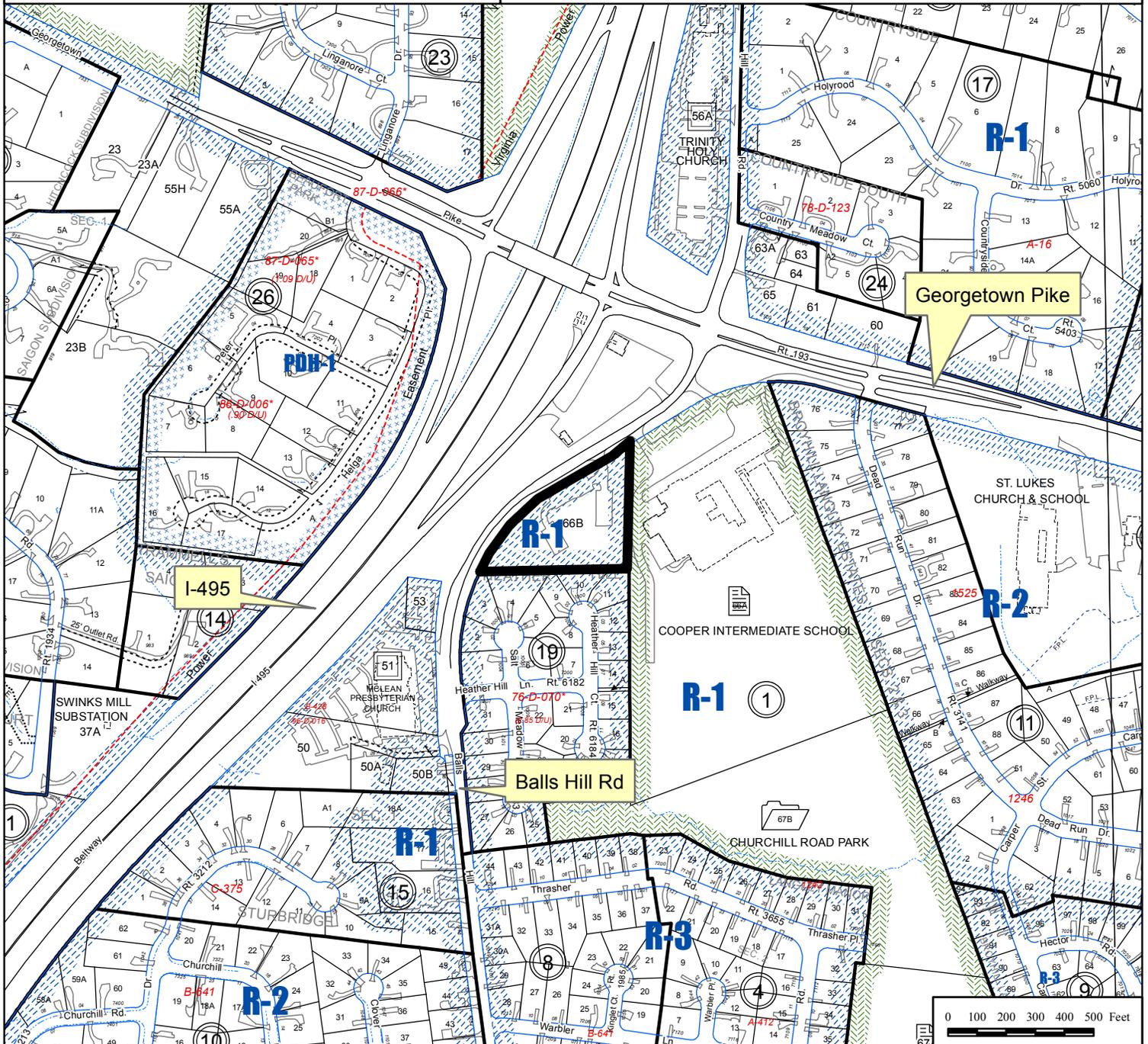
SEA 79-D-071-02



Applicant:  
Accepted:  
Proposed:

THE TEA CENTER, LLC  
04/29/2015  
AMEND SEA 79-D-071-1 PREVIOUSLY  
APPROVED FOR A PRIVATE CLUB TO PERMIT  
A CHILD CARE CENTER.

Area: 3 AC OF LAND; DISTRICT - DRANESVILLE  
Zoning Dist Sect: 03-0104  
Located: 999 BALLS HILL RD, MCLEAN, VA 22101  
Zoning: R-1  
Plan Area: 2,  
Overlay Dist:  
Map Ref Num: 021-3- /01/ /0066B





## DESCRIPTION OF THE APPLICATION

The applicant, the TEA Center, LLC (the Transformational Education Adventure Center), seeks to amend an existing special exception for a private club (Sharon Lodge Masonic Temple) to establish the addition of a child care center with fewer than 99 children. The proposed hours of operation for the child care center are 6:30 a.m. through 7:00 p.m., Monday through Friday, but the child care center would only provide before and after school care. The applicant indicates there would be a maximum of 15 employees and an initial maximum daily enrollment of 40 children, which would later increase to 70 children with an administrative approval based on a new traffic study. No building additions or site modifications are proposed with this application.

A reduced copy of the Special Exception Amendment (SEA) Plat is included at the front of this report. The proposed development conditions, the previously approved development conditions, the Applicant's Affidavit, and the Statement of Justification are contained in Appendices 1, 2, 3 and 4, respectively.

### Waivers and Modifications

- Modification of the peripheral parking lot landscaping requirement along the Balls Hill Road frontage of the application property in favor of the existing landscaping, as shown on the SEA Plat.
- Modification of the transitional screening and barrier requirements along the southern property line in favor of the existing conditions, as shown on the SEA Plat.

## LOCATION AND CHARACTER

The 3.0 acre site is located on Balls Hill Road to the southwest of the Balls Hill Road and Georgetown Pike intersection, directly adjacent to Cooper Middle School. The property is zoned R-1 and is developed with the Sharon Lodge Masonic Temple. The one-story, 5,600 square foot building yields a floor area ratio (FAR) of .04. Three asphalt parking areas containing a total of 74 parking spaces surround the front and sides of the brick building, with a grassy area located to the rear of the building. The property contains approximately 105,180 square feet (80 percent) of open space.

	Existing Zoning:	Existing Use:	Plan Recommendation:
<b>North:</b>	I-495 ROW	I-495 ROW	I-495 ROW
<b>East:</b>	R-1	Cooper Middle School	Public Facility - School
<b>South:</b>	R-1	Single-family Detached (Heather Hill subdivision)	Residential 2-3 du/ac
<b>West</b>	I-495 ROW	I-495 ROW	I-495 ROW

Figure 1: Table of surrounding uses

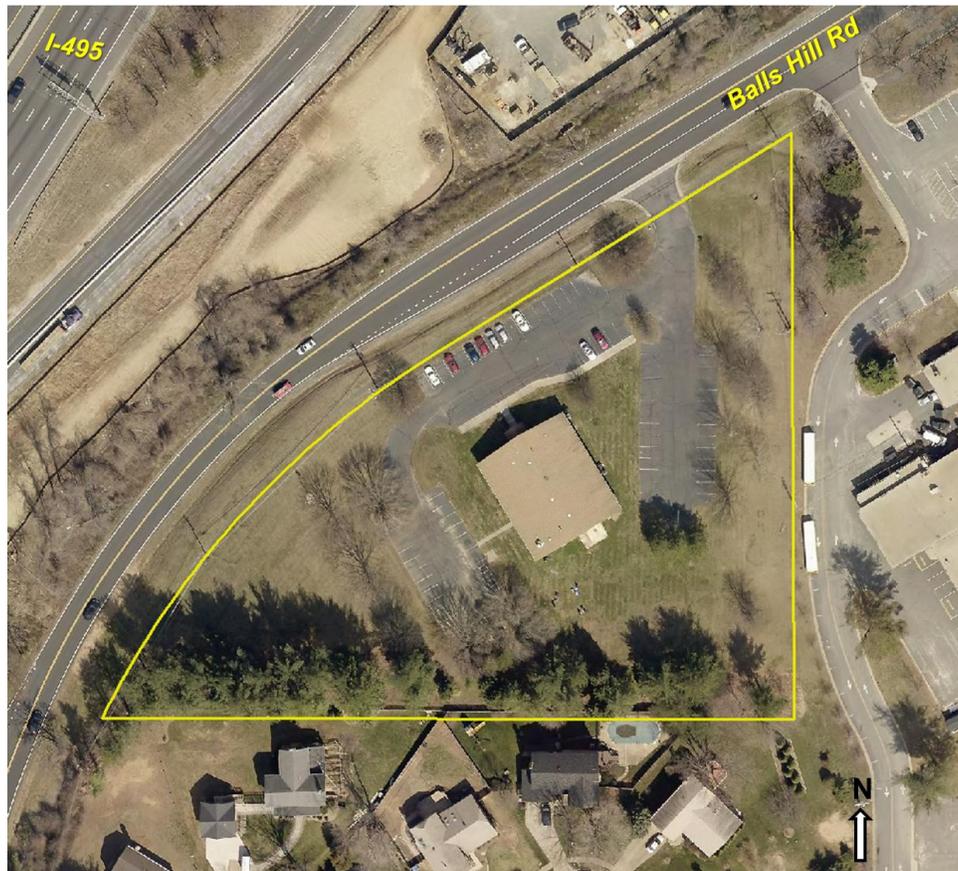


Figure 2: Aerial view of site (Source: Fairfax County GIS)

## BACKGROUND

On January 7, 1980, the Board of Supervisors approved SE 79-D-071 in the name of Sharon Lodge, subject to development conditions. The Special Exception approval established the private club use for the Sharon Lodge Masonic Temple. Copies of this approval are available with the Zoning Evaluation Division of the Department of Planning and Zoning as well as at the following link:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ZAPSMMain.aspx?cde=SE&seq=3200294>.

On October 31, 1983, the Board of Supervisors approved SEA 79-D-071-1 in the name of Sharon Temple Corporation, subject to development conditions. The Special Exception Amendment approval permitted a relocation of part of the parking lot and a change in orientation and reduction in size of the building. A copy of the approved development conditions is contained in Appendix 2 of this report.

**COMPREHENSIVE PLAN PROVISIONS**

<b>Plan Area:</b>	Area II
<b>Planning District:</b>	McLean Planning District
<b>Planning Sector:</b>	M4-Balls Hill Community Planning Sector
<b>Plan Map:</b>	Residential use at 2-3 du/ac

The Comprehensive Plan does not include specific recommendations for the application property.

**DESCRIPTION OF THE SPECIAL EXCEPTION AMENDMENT (SEA) PLAT**

(Copy included at the front of the report)

<b>Title of SE Plat:</b>	Special Exception Plat – Sharon Masonic Lodge
<b>Prepared By:</b>	Paciulli, Simmons & Associates, LTD
<b>Original and Revision dates:</b>	August, 1983 through October 5, 2015

The SEA Plat consists of 1 sheet.

***Proposed Use***

The applicant is requesting approval to permit a before and after school child care center within the Sharon Lodge Masonic Temple, with an initial maximum enrollment of 40 children and a later increase to a maximum enrollment of up to 70 children after one year. Aside from some interior reorganization to accommodate the child care operation, there are no proposed site modifications to the existing building, parking lot or other physical features with this application. The applicant notes that the children to be enrolled in the child care center would be mostly elementary school-aged children with some middle school-aged children. Up to 15 employees are proposed to be on site at any one time, which takes into account the number of employees necessary to accommodate an increase in enrollment of the child care. According to the applicant, the TEA center would serve the following schools: Churchill Road Elementary, Spring Hill Road Elementary, Westgate Elementary, Kent Gardens Elementary, Haycock Elementary and Cooper Middle.

The child care center is proposed to be a before and after school child care only, with the exception of summer camp, snow days and teacher work days. The morning drop-off would be staggered between 6:30 a.m. and 7:15 a.m. to avoid coinciding with the

adjacent Cooper Middle School morning drop-off. In the evening, a staggered pick-up is proposed between 4:00 p.m. and 7:00 p.m. Development conditions have been included to this effect. The applicant has placed a high restriction for pick-up from 5:30 p.m. to 6:30 p.m. in order to avoid coinciding with what is perceived as the peak evening rush hour, and is only reserving this time frame for emergency pick-up. The applicant would also hold enrichment classes during this time to decrease the likelihood of children being picked-up during the peak evening rush hour. The applicant intends to use up to three shuttle vans to transport the children to and from school. In the morning, the shuttles would depart the Sharon Lodge starting at 7:30 a.m., and pick-up the children from school in the afternoon and return to the Sharon Lodge between 3:45 p.m. and 4:30 p.m.

During summer camp days, snow days and teacher work days, the children could remain onsite for the entire day, but with a more dispersed drop-off and pick-up throughout the day. The children would play outside for 30 minutes in the morning and 30 minutes in the afternoon on these full days, but would be restricted to only 30 minutes in the afternoon during the regular before and after school care days. It is anticipated that the children would only need to utilize the outdoor play area for one day a week during summer camp days due to field trips most days of the week.

### ***Building and Layout***

The one-story building consists of 5,600 square feet and is oriented towards Balls Hill Road. The child care center operation would be limited to a reading room, large main room, and an activity room with occasional use. There is a kitchen attached to the large main room for the preparation of snacks. The building has two entrances that the children would use: the front main entrance, and a side entrance that provides access to the large main room. A grassy area located to the rear of the building is available for play area use, which has over 20,000 square feet of usable outdoor recreation area. The site contains approximately 105,180 square feet of open space, and only 4,000 square feet of outdoor recreation area is required for 40 children and 7,000 square feet is required for 70 children (100 square feet per child).

### ***Vehicle Access, Circulation and Parking***

Vehicular access to the property is accommodated by a full movement access point located off of Balls Hill Road. This driveway connects to the parking lot, which is divided into three sections. Eight parking spaces are required for 40 children (40 children x .19 spaces per child), which also takes into account parking for the employees. In adding three parking spaces for the shuttle vans, a total of 11 parking spaces would be required to accommodate the child care use. While the Sharon Lodge's operations would not change with this proposal, the Sharon Lodge has reduced the number of members from the previous SE approval (reduced from 220 members to 139 members). Therefore, the Sharon Masonic Lodge only requires 47 parking spaces (1 space per 3 members, at 139 members), bringing the total required parking on site to 58 parking

spaces. With 74 existing parking spaces provided, there are more than enough parking spaces provided on site to accommodate both the child care use and the private club use. A total of 64 parking spaces would be required on site should the operation increase its enrollment to 70 children, leaving ten extra spaces available. In the morning, parents would park in the parking spaces and walk the children into the building and vice-versa in the evenings. A development condition has been proposed to state that the employees and shuttle vans shall not park in the front parking lot in order to reserve the front parking lot for the drop-off and pick-up of children.

## **ANALYSIS**

### **Land Use Analysis**

The Comprehensive Plan shows the application property to be planned for residential development at a density of 2-3 dwelling units per acre. In staff's evaluation, the intensity of the development falls within the guidelines contained in the Comprehensive Plan. No physical changes are proposed to the subject site. Staff supports the co-use between the Sharon Lodge and the TEA Center child care operation.

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

As the application property has 74 parking spaces onsite, there are more than enough parking spaces to accommodate both the private club use and the child care center. In addition, the large parking area and driveway off of Balls Hill Road would allow for fluid circulation and stacking onsite. A pathway exists along the Balls Hill Road frontage, providing a pedestrian connection to the adjacent properties. This is especially useful for students who would be enrolled in both the TEA Center and Cooper Middle School, allowing them to safely walk from one site to the other.

Staff had expressed significant concern regarding the traffic along Balls Hill Road, particularly during the peak rush hours. Because of the site's close proximity to the Interstate 495 / Georgetown Pike interchange, the particular section of Balls Hill Road in the vicinity of the application property is heavily utilized by commuters. The Balls Hill Road and Georgetown Pike intersection can become very congested, which creates back-ups along Balls Hill Road. While the evening rush hour was the primary source of staff's concern, the morning rush hour was also an issue because of the added traffic associated with Cooper Middle School.

The applicant submitted a preliminary traffic study, which was reviewed by the Fairfax County Department of Transportation (FCDOT). While staff would have preferred a more complete traffic analysis, the preliminary traffic study provided enough information to indicate that the child care center would have a marginal impact on the existing traffic along Balls Hill Road. With the proposed conditions, staff believes that the maximum enrollment number of 40 children and the proposed drop-off and pick-up scenarios

would not have an adverse impact on the traffic along Balls Hill Road. The morning drop-off would avoid the peak morning drop-off at Cooper Middle School, and the extended evening hours and staggered pick-up over three hours would spread out the evening trips to and from the application property.

As mentioned earlier, the applicant would like to eventually increase the center's enrollment to 70 children within a year. Staff believes that 70 children could work on this site but would like a year to ensure that the child care operation with an initial enrollment of 40 children does not have an adverse impact on the traffic along Balls Hill Road. Staff's proposed development condition would allow the applicant to increase the enrollment to up to 70 children in a year subject to the submission of an Operational Analysis for the section of Balls Hill road in the vicinity of the application property, subject to the review of FCDOT and the Zoning Evaluation Division (ZED) of the Department of Planning and Zoning.

### **Urban Forestry Analysis (Appendix 6)**

The Urban Forest Management Division (UFMD) of DPWES reviewed the application and provided comments related to replacing a few dead/dying trees on site. Staff has proposed a development condition which would require the applicant to replace these trees as a condition of approval. The applicant has also requested a modification of the peripheral parking lot landscaping requirement along the Balls Hill Road frontage of the property, as the application property does not currently meet the peripheral parking lot landscaping requirement along Balls Hill Road. Specifically, in order to satisfy this requirement, the applicant would have to add some existing trees between Balls Hill Road and the front parking lot. However, these trees would be located underneath overhead wires, which is not desired. For that reason, staff supports the requested modification in favor of the existing landscaping.

Finally, the applicant has requested a modification to the transitional screening and barrier requirements along the southern property line. The southern property boundary is planted with numerous large evergreen trees. In addition, a six-foot high wooden fence exists for most of this property line. While these trees and fence do not technically meet the transitional screening and barrier requirements (which requires transitional screening 1 and barrier D, E, or F, as described below), staff feels that they provide ample screening from the adjacent residences. Therefore, staff supports the requested modification in favor of the existing fence and landscaping.

### **Environmental Analysis**

As there are no proposed site modifications to the existing building, parking lot, or any other physical features, there are no environmental issues with this application. The relevant development conditions approved with SEA 79-D-071-1 would be carried forward with the approval of the subject application.

**ZONING ORDINANCE PROVISIONS**

<b>Bulk Standards (R-1)</b>		
	<b>Required</b>	<b>Provided</b>
Lot Size	36,000 sf.	3.00 acres (130,680 sf.)
Lot Width	150 ft.	430 ft.
Building Height	60 ft. max.	1 story
Front Yard	50° angle of bulk plane, not less than 40 ft. (40 ft.)	90 ft.
Rear Yard	45° angle of bulk plane, not less than 25 ft. (25 ft.)	113 ft.
Side Yard	45° angle of bulk plane, not less than 20 ft. (20 ft.)	130 ft.
Floor Area Ratio (FAR)	0.15 max allowed	0.04
Parking Spaces*	Sharon Lodge: 47 (1 space per 3 members, at 139 members) TEA Center: 8 – 14 (0.19 spaces per child) Total: 55 - 61	74 total
<b>Transitional Screening and Barriers**</b>		
Transitional Screening - South	Transitional Screening Type 1 (unbroken strip of open space a minimum of 25 feet wide)	An unbroken strip of open space greater than 25 feet wide and 43 8- to 10-foot evergreen trees
Barriers – South	Barriers D,E or F(42-48-inch chain link fence, 6-foot wall or fence)	6-foot high wooden fence along part of the southern property line***

\*Parking Spaces range reflect a range of 40 to 70 students enrolled in the child care center

\*\*There are no transitional screening or barrier requirements along the northern, eastern or western property lines.

\*\*\*A modification is being pursued for the transitional screening and barrier requirements along the southern property line.

**Waivers/Modifications:****Modification of the peripheral parking lot landscaping requirement along the Balls Hill Road frontage of the application property in favor of the existing landscaping, as shown on the SEA Plat**

The application property does not currently meet the peripheral parking lot landscaping requirement along the Balls Hill Road frontage. In order to meet that requirement, the applicant would need to plant at least two more trees along this frontage. However, UFMD has advised against these additional plantings because the trees would be planted under overhead utility lines. As such, the plantings could be removed by the utility company in the future. Therefore, staff supports the modification of the peripheral parking lot landscaping to the existing landscaping, which staff believes satisfies the intent of the requirement.

**Modification of the transitional screening and barrier requirements along the southern property line in favor of the existing conditions, as shown on the SEA Plat.**

The subject site abuts the Heather Hill subdivision of single-family detached dwellings to the south. Article 13 of the Zoning Ordinance requires the applicant to provide Type 1 transitional screening and Barrier D, E or F along this property line. As stated previously, the applicant has requested a modification of these requirements to permit the existing conditions to remain. Currently, the southern property boundary contains numerous large evergreen trees and a six-foot high wooden fence for the majority of this property line. Staff feels that existing trees and fence provide ample screening and separation from the adjacent residences. Staff supports the modification.

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

**General Standard 1** states that *the proposed use at the specified location shall be in harmony with the adopted Comprehensive Plan*. As discussed in the Land Use analysis section, the Comprehensive Plan shows the application property to be planned for residential development at a density of 2-3 dwelling units per acre. In staff's evaluation, the proposed addition of a child care center to the private club is in harmony with the recommendations of the Comprehensive Plan.

**General Standard 2** states that *the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations*. A child care facility is permitted in the R-1 District with approval of a Special Exception. It is staff's opinion that the proposal remains consistent with the purpose and intent of the R-1 District which calls for such uses to be compatible with the low-density residential character of the area.

**General Standard 3** requires that the proposed use *shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.* The property is adjacent to Interstate 495 right-of-way to the north and west, Cooper Middle School to the east and single-family detached dwellings to the south (Heather Hill). There are no proposed site modifications to the building, parking lot or property. Staff feels that the existing screening along the southern property line is adequate and that no adverse impacts to the neighboring properties would occur, particularly given that only 30 minutes of outdoor activities are proposed in this area during regular before and after school care days. Based on these factors, it is staff's opinion that this standard has been met.

**General Standard 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.* There would continue to be full access to the site from the vehicular entrance off of Balls Hill Road. It is staff's opinion that, as conditioned, the proposed 40 children and 15 employees would not create a hazard or conflict with existing traffic in the neighborhood. As mentioned earlier, an administrative increase in enrollment of up to 70 children would be subject to the review of an Operational Analysis along Balls Hill Road to ensure that the additional trips would not create a hazardous impact on the existing traffic condition.

**General Standard 5** requires *that landscaping and screening be provided in accordance with the provisions of Article 13.* A condition has been included to require the replacement of dead and/or dying trees on site, and modifications are requested and supported for the peripheral parking lot landscaping requirement along the Balls Hill Road frontage and the transitional screening and barrier requirements along the southern property line. With these modifications, and as conditioned, the proposal continues to meet the landscaping requirements.

**General Standard 6** requires that *open space be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.* The site is within the R-1 Zoning District, which has no formal open space requirement. There would not be any physical changes to the site and the site would continue to contain approximately 80 percent open space.

**General Standard 7** requires that *adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements are proposed to be in accordance with the provisions of Article 11.* The SEA Plat exceeds the standards for parking and no loading spaces are required. A

stormwater detention basin would remain on site. As previously noted, no physical changes are proposed to the site.

**General Standard 8** requires that *signs 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.* No signage is proposed along with this application.

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

**Standard 1** for Category 3 Uses relates to public uses and is not applicable to the subject application.

**Standard 2** for Category 3 Uses states that *all uses shall comply with the lot size requirements specified for the zoning district in which it is located.* The minimum lot size in the R-2 district is 36,000 square feet. As the application property measures 3.00 acres in size, this standard is met.

**Standard 3** for Category 3 uses states that *all uses shall comply with the bulk regulations of the zoning district in which located.* The proposal complies with all bulk standards of the R-1 district including floor area ratio (FAR), yard setbacks, and building height.

**Standard 4** for Category 3 uses states that *all uses shall comply with the performance standards specified for the zoning district in which located.* The proposed use continues to meet the provisions outlined in Article 14.

**Standard 5** for Category 3 Uses states that *before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.* A development condition has been proposed to this effect.

Additional Standards for Child Care Centers (9-309)

**Standard 1** 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. For the purpose of this provision, usable outdoor recreation area shall be limited to: A. That area not covered by buildings or required off-street parking spaces. B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only. C. Only that area which is developable for active outdoor recreation purposes. D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.* The outdoor play area identified on the SEA Plat, to be located to the rear of the building, exceeds 20,000 square feet. The space complies with the requirements in Sect. 9-309. A play area of this size can accommodate a much

larger number of children than what is proposed. It should be noted that the applicant has stated that the center would make limited use of the outdoor play area.

**Standard 2** states 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 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: 1-75 persons: Local Street; 76-660 persons: Collector Street; 660 persons or more: Arterial Street.* The site accesses Balls Hill Road, which is classified as a Collector Street. The proposed number of children only requires a local street. This standard has been met.

**Standard 3** states that *all such uses shall be located so as to permit the pick-up and delivery of all persons on the site.* The parking and vehicular circulation is designed to accommodate all expected drop-off and pick-up activities on site with no overflow of vehicles on the public roadway due to stacking. The proposal meets the Zoning Ordinance parking requirement. This standard is satisfied.

**Standard 4** 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.* Chapter 30 of the Code of the County of Fairfax prescribes minimum standards and permitting procedures for child care facilities, including minimum space per child, minimum toilet facilities, and other health and safety requirements. The Sharon Lodge building consists of 5,600 square feet. The child care operation would take place mostly in a large main room and smaller reading room, with occasional use in another activity room. Final determination would be made by the Health Department at the time of permitting. Chapter 17 of Title 63.2 of the State Code regulates child care centers in the Commonwealth. Compliance with these standards is a prerequisite for licensure and is enforced by the State.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

The application seeks approval of a Special Exception Amendment to permit a child care center within the previously approved Sharon Lodge Masonic Temple with an enrollment of 40 children and the possibility of 70 children in the future. There are no proposed site modifications to the existing building, parking lot or any other features with this application. Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance

provisions with the implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

### **Staff Recommendations**

Staff recommends approval of SEA 79-D-071-02, subject to the Proposed Development Conditions contained in Appendix 1.

Staff recommends approval of the following modifications:

- Modification of the peripheral parking lot landscaping requirement along the Balls Hill Road frontage of the application property in favor of the existing landscaping, as shown on the SEA Plat.
- Modification of the transitional screening and barrier requirements along the southern property line in favor of the existing conditions, as shown on the SEA Plat.

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

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

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

### **APPENDICES**

1. Proposed Development Conditions
2. Previously Approved Development Conditions for SEA 79-D-071-1
3. Affidavit
4. Statement of Justification
5. Transportation Analysis (FCDOT/VDOT)
6. Urban Forest Management Analysis
7. Zoning Ordinance Provisions
8. Glossary

**PROPOSED DEVELOPMENT CONDITIONS****SEA 79-D-071-02****November 3, 2015**

If it is the intent of the Board of Supervisors to approve SEA 79-D-071-02 located at 999 Balls Hill Road [Tax Map 21-3 ((1)) 66B] to amend a special exception for a private club to permit the addition of a child care center pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions incorporate and supersede all previous conditions. Conditions carried forward from the previous Special Exception approval are denoted with an asterisk (\*).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.\*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Amendment Plat, as qualified by these development conditions.\*
3. A copy of this Special Exception Amendment and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.\*
4. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled *Special Exception Plat Sharon Masonic Lodge*, prepared by Howell B. Simmons, dated August, 1983 as revised through October 5, 2015, consisting of one sheet and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.
5. No social function which is not directly related to the Masonic Fraternity Order or its related organizations shall be permitted on the property.\*
6. Lighting of the site shall be directed away from adjacent lots and shall not interfere with driving conditions on adjacent highways.\*
7. The Sharon Lodge #327 shall be permitted to have outdoor social functions, provided they are directly related to the Masonic Fraternity Order or its related organizations, on three (3) days per calendar year. Attendance at these functions shall be limited to not more than 139 people.\*

8. Social functions which are directly related to the Masonic Fraternity Order or its related organizations may be held indoors on the property, provided total attendance at any such function does not exceed 100 persons, and provided such functions are completed by 10:00 p.m. Mondays through Saturdays and by 6:00 p.m. on Sundays.\*
9. The southern boundary of the north/south parking lots shall be bounded by earthen berms, not less than 3 feet in height, and landscaped to the satisfaction of DPWES.\*
10. The development of the site shall provide those Best Management Practices (BMPs) which are part of the Public Facilities Manual at the time of final site plan approval.\*
11. The interior sound levels of the main structure shall be in conformance with the following standards:

PROCEDURE FOR THE ACOUSTICAL TREATMENT OF COMMERCIAL UNITS  
WITHIN A HIGHWAY IMPACT ZONE WITH LEVELS IN EXCESS OF 75 dBA

1. A. In order to achieve a maximum interior noise level of 55 dBA in all commercial units located within that area impacted by highway noise having levels which exceed 75 dBA L10, all commercial units shall have the following acoustical attributes:
    1. Roofs and exterior walls shall have a laboratory sound transmission class (STC) of at least 45; and\*
    2. Doors and windows shall have a laboratory sound transmission class (STC) of at least 37.\*
  - B. Construction drawings for all commercial units shall be submitted to the County for review and certification that the proposed materials and construction techniques appear to be satisfactory for the desired acoustical treatment and in conformance with all applicable provisions of the state building code.\*
  - C. Within 20 working days of receipt of appropriate construction drawings, the County shall approve or reject the drawings based upon the ability of the proposed construction materials and techniques to adequately insulate the interior of all structures as set forth in A. In the event that the drawings are rejected, the reasons for these actions shall be submitted to the builder/developer in writing. No construction of commercial units shall occur prior to the approval of appropriate construction drawings.\*
12. Upon the issuance of the Non-RUP for the child care center, the maximum daily enrollment for the child care center shall be limited to forty (40) children and the total number of staff persons or employees for the child care center shall be limited to fifteen (15) at any one time. After one year of the issuance of the Non-Rup and a documented child care center enrollment of at least 35 children, an increase in

enrollment of up to seventy (70) children may be granted, without the need for a Special Exception Amendment. Any request for such enrollment increase shall be submitted by the applicant to the Director of the Zoning Evaluation Division in writing and shall be accompanied by: a scoping with FCDOT, a subsequent submission of an Operational Analysis of Balls Hill Road in the vicinity of the application property for the review of FCDOT and the Zoning Evaluation Division of the Department of Planning and Zoning, and documentation proving that the child care center has an enrollment of at least 35 children. A determination on the enrollment increase shall be based on: FCDOT's and the Zoning Evaluation Division's assessment of the Operational Analysis; the applicant's commitment to implement the recommendations contained within the Operational Analysis and determined by FCDOT; and an inspection of this Special Exception Amendment use and a review of the applicant's record of compliance with conditions and restrictions by the Board in this approval. FCDOT or the Zoning Evaluation Division may request additional information from the applicant to help make the assessment.

13. On regular before and after school care days, the maximum hours of operation of the child care center shall be limited to 6:30 a.m. to 8:00 a.m. and to 3:30 p.m. to 7:00 p.m. On summer camp days, snow days, and teacher work days, as defined by Fairfax County Public Schools, as well as any other days that school is not in session for Fairfax County Public Schools, the maximum hours of operation of the child care center shall be limited to 6:30 a.m. to 7:00 p.m. The child care center may be permitted occasional evening hours, not to exceed one time a month and up to 10:00 p.m. The child care center shall not operate when the Masonic Fraternity order and its related organizations have a social function on the subject site.
14. On regular before and after school care days, the outdoor play area shall only be used between the hours of 3:30 p.m. and 5:30 p.m. and for no more than 30 minutes. Outdoor play shall not occur within 50 feet from any property line.
15. The drop-off and pick-up of children shall be staggered.
16. The applicant shall coordinate with Cooper Middle School to ensure that the timing of the child care center's drop-off of children does not coincide with that of Cooper Middle School. The drop-off of children shall not occur within 15 minutes before the start time of Cooper Middle School.
17. On regular before and after school care days, shuttle vans/buses shall be used to transport the children from the subject site to their respective schools in the morning, and to transport the children from their respective schools to the subject site in the afternoon.
18. The employees of the child care center and the shuttle vans shall not park in the front parking lot in order to reserve the front parking lot for the drop-off and pick-up of children.
19. No drop-off or pick-up of any child not enrolled in the child care center shall occur on the application property.

20. All dead, dying or diseased trees on-site, as determined by the Urban Forest Management Division of DPWES, shall be replaced to remain in conformance with the Special Exception Amendment Plat within one year of approval of SEA 79-D-071-02. Planting shall occur between the dates of March 1 and May 15, or November 15 and December 15. Any dead, diseased or dying Bradford Pears shall be replaced with Littleleaf Linden. Any dead, diseased or dying Pin Oak or Sycamore shall be replaced with White Oak, Northern Red Oak or Platanus species.

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 (Non-RUP) through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless a new (Non-RUP) has been issued to reflect this Special Exception Amendment. 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 Amendment. 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.



COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD  
FAIRFAX, VIRGINIA 22030



November 5, 1983

Paciulli, Simmons and Associates  
307 Maple Avenue West - Suite C  
Vienna, Virginia 22180

Re: Special Exception  
Number SEA 79-D-071-1

Dear Sirs:

At a regular meeting of the Board of Supervisors held on October 31, 1983, the Board approved Special Exception Number SEA 79-D-071-1, in the name of Sharon Temple Corporation, located as Tax Map 21-3 ((1)) 66B to permit the establishment of a private club pursuant to Section 3-104 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for the location indicated in the application and is not transferable to other land.
2. This Special Exception is granted for the building and uses indicated on the plats submitted with the application only.
3. A copy of this Special Exception SHALL BE POSTED in a conspicuous place along with the Non-Residential Use Permit on the property of the use and be made available to all Departments of the County of Fairfax during hours of operation of the permitted use.
4. A site plan shall be submitted for approval in accordance with the provisions of Article 17. This site plan shall satisfy Ordinance requirements for parking, landscaping and screening and shall be in general conformance with the layout design submitted as a preliminary site plan with this application.
5. No social function which is not directly related to the Masonic Fraternity Order or its related organizations shall be permitted on the property.
6. Lighting of the site shall be directed away from adjacent lots and shall not interfere with driving conditions on adjacent highways.

-2-

SEA 79-D-071-1

November 5, 1983

7. The Sharon Lodge #327 shall be permitted to have outdoor social functions, provided they are directly related to the Masonic Fraternity Order or its related organizations, on three (3) days per calendar year. Attendance at these functions shall be limited to not more than 250 people.
8. Social functions which are directly related to the Masonic Fraternity Order or its related organizations may be held indoors on the property, provided total attendance at any such function does not exceed 100 persons, and provided such functions are completed by 10:00 P.M. Mondays through Saturdays and by 6:00 P.M. on Sundays.
9. The northern boundary of the parking lot which abuts Balls Hill Road shall be landscaped with not less than one hedge-type evergreen bush (planted size of not less than 18 inches in height) for every 3 linear feet, on center. This, in addition to the peripheral parking lot landscaping requirements of the Zoning Ordinance.
10. The southern boundary of the two north/south parking lots shall be bounded by earthen berms, not less than 3 feet in height, and landscaped to the satisfaction of the Director of the Department of Environmental Management.
11. The development of the site shall provide those Best Management Practices (BMP's) which are part of the Public Facilities Manual at the time of final site plan approval.
12. The interior sound levels of the main structure shall be in conformance with the following standards:

PROCEDURE FOR THE ACOUSTICAL TREATMENT OF COMMERCIAL UNITS WITHIN A HIGHWAY IMPACT ZONE WITH LEVELS IN EXCESS OF 75 dBA

1. A. In order to achieve a maximum interior noise level of 55 dBA in all commercial units located within that area impacted by highway noise having levels which exceed 75 dBA L10, all commercial units within this impacted area shall have the following acoustical attributes:
  1. Roofs and exterior walls shall have a laboratory sound transmission class (STC) of at least 45; and
  2. Doors and windows shall have a laboratory sound transmission class (STC) of at least 37.

-3-

SEA 79-D-071-1

November 5, 1983

- B. Construction drawings for all commercial units shall be submitted to the County for review and certification that the proposed materials and construction techniques appear to be satisfactory for the desired acoustical treatment and in conformance with all applicable provisions of the state building code.
- C. Within 20 working days of receipt of appropriate construction drawings, the County shall approve or reject the drawings based upon the ability of the proposed construction materials and techniques to adequately insulate the interior of all structures as set forth in A. In the event that the drawings are rejected, the reasons for these actions shall be submitted to the builder/developer in writing. No construction of commercial units shall occur prior to the approval of appropriate construction drawings.

Under provisions of Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, eighteen (18) months after the effective date of the Exception unless construction has commenced, or an extension has been granted by the Board of Supervisors because of the occurrence of conditions unforeseen at the time of the granting of this Special Exception. Any request for extension should cite justification for the extension and be filed with the Zoning Administrator not less than thirty (30) days prior to the expiration date.

The Board of Supervisors also modified the transitional screening and barrier requirements, as they applied to the Balls Hill Road frontage of the application property, in favor of the landscaping plan depicted on the preliminary site plan which accompanied this application.

If you have any questions concerning this Special Exception, please give me a call.

Very truly yours,



Ethel Wilcox Register, CMC  
Clerk to the Board of Supervisors

EWR/mmg

cc: Mr. Patteson  
Mr. Knowlton  
Mr. Covington  
✓ Mr. Montenegro  
Mr. Ted Austell, III  
Executive Assistant to the County Executive

**SPECIAL EXCEPTION AFFIDAVIT**DATE: October 15, 2015  
(enter date affidavit is notarized)I, Jane Kelsey, 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

129312

in Application No.(s): SEA 79-D-071-02  
(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.)

<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)
The TEA Center LLC Mayosha H. Mendis	7348 Dartford Dr., Apt 9 McLean, VA 22102	Applicant/Lessee Agent for Applicant/Lessee
Trustees & Sharon Lodge No. 327 A F and A M	999 Balls Hill Road McLean, VA 22101	Title Owner and Lessor
Philip E. Graves	999 Balls Hill Road McLean, VA 22101	Trustee, Sharon Lodge 327 A F and A M
Joseph Carico Blue, Jr	999 Balls Hill Road McLean, VA 22101	Trustee, Sharon Lodge 327 A F and A M
John W. Bullach	999 Balls Hill Road McLean, VA 22101	Trustee, Sharon Lodge 327 A F and A M
Joseph Carico Blue, III	999 Balls Hill Road McLean, VA 22101	Worshipful Master, Sharon Lodge 327 A. F and A.M.

(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).

A

Page    of   **Special Exception Attachment to Par. 1(a)**DATE: October 15, 2015  
(enter date affidavit is notarized)

129312

for Application No. (s): SEA 79-D-071-2  
(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)
Philip E. Hagan, Jr., Esquire	1213 Colonial Road McLean, Virginia 22101	<b>Attorney/Agent for Applicant/Lessee</b>
GOROVE / SLADE ASSOCIATES, INC.	1140 Connecticut Avenue, NW, Suite 600 Washington, C. D. 20036	<b>Agent/Transportation Planning</b>
Kevin D. Spitzman	15125 Washington Street, Suite 316 Haymarket, VA 20169	<b>Agent/Transportation Planner/Project Manager</b>
Chad A. Baird	"	<b>Agent/Transportation Planner</b>
Christopher M. Tacinelli	3914 Centreville Road, Suite 330 Chantilly, VA 20151	<b>Agent/Transportation Planner</b>
Jane Kelsey & Associates, Inc. Jane Kelsey Bruce E. Kelsey Susan C. Langdon	4041 Autumn Court Fairfax, VA 22030 " "	<b>Agent for Applicant/Lessee</b> <b>Agent for Applicant/Lessee</b> <b>Agent for Applicant/Lessee</b> <b>Agent for Applicant/Lessee</b>

(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: October 15, 2015  
 (enter date affidavit is notarized)

129312

for Application No. (s): SEA 79-D-071-02  
 (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) - The TEA Center, LLC  
 7348 Dartford Drive, Apt. 9  
 McLean, VA 22102

**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)

Mayosha Hashni Mendis, manager/member

(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.

Page 1 of 1**Special Exception Attachment to Par. 1(b)**DATE: October 15, 2015  
(enter date affidavit is notarized)

129312

for Application No. (s): SEA 79-D-071-2  
(enter County-assigned application number (s))**NAME & ADDRESS OF CORPORATION:** (enter complete name, 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 THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

Jane Kelsey

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)GOROVE / SLADE ASSOCIATES, INC.  
1140 Connecticut Avenue, N.W., Suite 600  
Washington, D. C. 20036**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

Christopher M. Tacinelli

Edwin N. Andres

Chad A. Baird

Daniel B. Vanfelt

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

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: October 15, 2015  
(enter date affidavit is notarized)

129312

for Application No. (s): SEA 79-D-071-02  
(enter County-assigned application number(s))

1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

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

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: October 15, 2015  
(enter date affidavit is notarized)

129312

for Application No. (s): SEA 79-D-071-02  
(enter County-assigned application number(s))

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

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

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

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

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

NONE

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

Application No.(s): SEA 79-D-071-02

(county-assigned application number(s), to be entered by County Staff)

Page Five

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: October 15, 2015  
(enter date affidavit is notarized)

129312

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, President, Jane Kelsey & Associates, Inc.

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

Subscribed and sworn to before me this 15<sup>th</sup> day of October 2015, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 4-30-16

*Amy L. Bain*  
Notary Public



*[Signature]*

## Statement of Justification

August 5, 2015

Ms. Mayosha Mendis  
7348 Dartford Drive, # 9  
McLean, Virginia 22102

Sharon Lodge Masonic Temple  
999 Balls Hill Road  
McLean, Virginia 22101

### RE: SPECIAL EXCEPTION APPLICATION

#### Type of Business

The Transformational Adventure Center, DBA The TEA Center LLC, is currently a home-based child care facility with a 2014/2015 Fairfax County Permit.

Due to the exceptional services provided, and the lack of Child Care capacity in Fairfax County The TEA Center LLC is requesting approval of a Special Exception to open a before & after school center at The Sharon Lodge in McLean, Virginia.

The TEA Center will be serving local families and elementary schools, including the neighboring Cooper Middle School, offering before school and after school care only and summer camp.

Schools served are:

School	Transport
Churchill Road ES	FCPS School Bus
Spring Hill Road ES	TEA Center Shuttle
Westgate ES	TEA Center Shuttle
Kent Gardens ES	TEA Center Shuttle
Haycock ES	TEA Center Shuttle
Cooper MS	Walker/Shuttle

#### Days and Hours of Operation / Proposed Use

Monday to Friday – 6:45 am to 7:00 pm

- Before School Care
- After School Care
- Teacher workdays –Full day
- Snow Days- Full Day (Following the OPM weather policy)

- Summer camp – Full Days
- Monthly parent night out on Friday till 10:00 pm

*A lease was signed with Sharon Lodge in December 2014. The lease hours state 6:30 am – 6:30 pm. After evaluating the traffic and FCPS school times for Fall 2015, the times are updated to 6:45 am – 7:00 pm.*

### **Drop-off Procedures**

#### **Before School Care**

- There are three parking lots (rear lot, front lot and lodge entrance lot)
- The lots contain 74 parking spaces.
- Parent Morning Care Drop off is between 6:45 am – 7:15 am
- From 6:45 am – 7:15 am – Parents Park in the front lot and bring their child into the TEA Center where the parent signs the log book.
- TEA Center Shuttles will depart for schools at 7:30 am
- Cooper Middle School opens at 7:40 am.

The TEA Center morning care will not interfere with Cooper Middle School morning traffic as we operate at different times. In addition, we will be taking parents off the road during rush hour traffic and replacing them with two shuttles during the peak traffic from 7:30- 8:30 am.

#### **After School Care**

Two TEA Center shuttles will pick up children from local schools and bring them to The TEA Center beginning at 3:45 pm.

Churchill Road Elementary provides a school bus drop off at Sharon Lodge

Cooper Middle School students will walk over to the TEA Center with an escort. On snow days, these students will be shuttled to the TEA Center at 2:30pm.

All other schools shuttles will arrive at The TEA Center between 3:40 pm to 4:30 pm.

### **Pick-up Procedures**

#### **After School Care**

Each family will be assigned a pick up time with a high restriction on the 5:30 pm to 6:30 pm pick up times due to peak time traffic. Families are advised to not pick up during 5:30 pm to 6:30 pm due to Maryland traffic cutting through and backing up Balls Hill Road. This will cause a long delay to families only living 1-3 miles away from the TEA Center. Since, this can also have a negative impact on The TEA Center business.

*The traffic on Balls Hill Road during peak time is a mutual problem. The TEA Center is working on safety, cost effective creative solutions to address the mutual problem.*

Pick up time	Available Pick Up Spots
4:00 pm -4:15 pm	5
4:15pm - 4:30 pm	5
4:30 pm -4:45pm	5
4:45 pm -5:00 pm	5
5:00 pm -5:15 pm	5
5:15 pm -5:30 pm	2
5:30 pm -5:45 pm	Emergency pick up
5:45 pm -6:00 pm	Emergency pick up
6:00 pm -6:15 pm	Emergency pick up
6:15 pm -6:30 pm	Emergency pick up
6:30 pm -6:45 pm	3
6:45 pm -7:00 pm	5

In addition, families living in close proximity are advised to walk. Also carpooling is highly encouraged at the center.

The TEA Center will also schedule afterschool enrichment classes from 5:30 pm – 6:30 pm to avoid children from entering and leaving the center during the peak traffic time.

### **Estimated number of pupils**

Sharon Lodge has an approved occupancy of 100 people at any given time until 10 pm. The lodge is 5700 square feet and is situated three acres.

#### **Phase 1:**

<b>Morning care</b>	<b>25 students</b>
<b>Aftercare</b>	<b>25 students</b>

*Phase 1 – September 2015 start date*

#### **Phase 2:**

<b>Morning Care</b>	<b>40 students</b>
<b>After care</b>	<b>50 Students</b>

*Phase 2 – After evaluating logistics of operating The TEA Center, and if it makes sense move to Phase 2 in late fall.*

**Phase 3:**

<b>Morning Care</b>	<b>55 students</b>
<b>After care</b>	<b>70 students</b>

*Phase 3 – After reviewing the operation and if necessary, conduct a traffic study to determine if the increase of students will work from the logistics perspective, move to Phase 3 in Summer 2016*

**Summer Camp** – During a five day week, the play area will be used only for one day as children are on field trips the other four days.

Summer camp hours of operation are 6:45 am – 6:45 pm

Summer camp morning Drop off is staggered from 6:45 am – 11:45 am

Summer camp pick up is staggered from 11:45 am – 6:45 pm

**Outdoor Space**

According to The Department of Social Services, an outdoor playground is not required for a part-time before and after school care program. However, The Sharon Lodge has a three acre green lot that could serve as a play area behind and beside the building. At least 25 feet distance is kept between the houses and play area. In addition, a fence and trees are a barrier between the houses and the play area. The play area is used on full days (teacher work days) for 30 minutes in the morning and 30 minutes in the afternoon. During Before Care and After Care, the playground space is not used because there are indoor activities at The TEA Center. For example, yoga, various dance classes, and other similar activities take place inside the building.

**Plat Submission Requirements**

We ask for a waiver for Section J, page 11, Stormwater Management Requirements of the Special Exception Plat Submission Requirements, because we are not adding any impervious surfaces to the property which would alter the flow and distribution of rainwater.

Currently, there is a Detention Basin on the front Northeast corner of the property. There are no burial sites on the property.

We also ask for a waiver of Par 2. of Sect. 9-011 to be modified to use the existing plat. No new construction and changes have taken place since Jan 16, 2004. A letter from Joseph C. Blue, the Worship Master of Sharon Lodge is also submitted with the application that confirms that there was no new construction at the property.

**Proposed number of employees**

The TEA Center will be staffed as follows

Phase 1- 3- 5 staff members at Phase 1 at any given time

Phase 2 - 5-7 staff members at any given time

Phase 3- 7-9 staff members at any given time

Staff will park in the rear lot.

**H. Traffic Impact**

There should be minimal traffic impact on 999 Balls Hills Road, McLean. Currently, there is a large exclusive-use two lane driveway and a parking lots with 74 parking spaces on three sides of the Sharon Lodge Masonic Temple. Zoning regulations require 0.19 spaces per child for a center. If we had 70 children, this would require 14 spaces. Even with 9 cars for staff members, the required 23 spaces would be well under the existing 74 spaces. In addition, this should leave more than enough space for pick up and drop off parking.

Cars entering the property in the evening will have a staggered pick up between 3:45 and 7:00 pm. Again, with 74 parking spaces and three wide lots for backing in or out, pick up should not be difficult. Also, since the children are picked up in 2-3 vans between 2:45 pm – 4:15 pm, it should will help school traffic by taking 60-70 cars off the road and replacing them with 2-3 vans. Churchill Road Elementary school will have the school bus service to The TEA Center. Cooper Middle School children will be walkers to The TEA Center.

Entrance/Exit to the property is a two way lane and comparable in size to Cooper Middle School Entrance and Exit so in and out traffic at the same time should not be an issue.

As recommended by the McLean Citizens Group, TEA Center will work with the county and VDOT to have a 'Do Not Block Entrance' sign in front of the property at the Entrance/Exit

**Description of building façade**

The Sharon Lodge Masonic Temple is a single-story, sturdy brick building sitting up on a slight hill away from Balls Hill Road traffic. The front of the building has a covered porch with a cement sidewalk leading up to the door. The side entrance will be the primary entrance for The TEA Center children and parents. It has a cement sidewalk leading to the door also. The security door has a window cut-out so teachers can see who is at the door before it is opened.

**Toxic or hazardous substances**

All cleaning materials will be kept in the locked kitchen area which will not be accessible to children. A Clorox and water mixture dispersed from spray bottles will be used to disinfect all surfaces in accordance with applicable to Fairfax County Office requirements. These spray bottles will be in a locked kitchen storage cabinet designated for TEA Center use only. There are no existing or proposed storage tanks or containers of hazardous materials to our knowledge.

**Meeting the Zoning Ordinance Special General Standards**

The proposed use is harmonious with all surrounding houses and Cooper Middle School since no exterior changes or additions need to be made to continue operation. Pedestrian and vehicular traffic will not be affected since the driveway is used exclusively for The TEA Center.

Open space with seating is provided on the three acre property for fresh air and outdoor lessons. Utility, drainage, parking, and loading areas are all provided within the context of a meeting space for the Masonic Temple members on this site.

The inside usage areas are large and will be designated for various learning activities based on the age of the participants. Younger children, for example, will work in designated areas during homework and learning time, while the older children work at other tables in the activity area for small group instruction or individualized homework help.

This application conforms to all applicable ordinance, regulations and standards.

Enclosed and attached, please find all accompanying drawings and required documents to support this application.

Sincerely,

Mayosha Mendis, MES  
571-488-0085  
Founder/Director  
The TEA Center LLC.  
[www.theteacenter.org](http://www.theteacenter.org)



# County of Fairfax, Virginia

## MEMORANDUM

DATE: October 29, 2015

TO: Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

FROM: Michael Davis, Acting Chief *JCD for MAD*  
Site Analysis Section, DOT

SUBJECT: SEA 79-D-071-02- TEA Center, LLC  
Land Identification Maps: 21-3 ((01)) 66

This department has reviewed the subject Special Exception Application submittal dated May 1, 2015. The applicant is proposing to use the Sharon Masonic Temple, located at 999 Balls Hill Road in McLean, for a child care center to operate before and after school.

Due to the highly congested nature of the nearby intersection of Balls Hill Road and Georgetown Pike, as well as the site's proximity to Cooper Middle School and Interstate 495, FCDOT requested an operational analysis for the site entrance from Balls Hill Road. The applicant elected to provide a document to FCDOT that evaluated whether a left turn lane is warranted and whether the stopping sight distance for vehicles waiting to turn left into the site driveway was acceptable. The document concluded that there is no need for a left turn lane and that the stopping site distance for vehicles turning left into the site driveway would not be impeded.

We feel the analysis is inadequate for the reasons outlined below:

- The document uses VDOT Average Daily Traffic (ADT) data rather than site-specific counts. Many factors can influence the reliability of VDOT count data, making site-specific counts a preferred methodology. It should also be noted that VDOT ADT data is an average count for a section of roadway that, in this case, extends far beyond the area of study. This is again why site-specific counts would provide a better picture of the actual traffic impacts that might occur. In addition, travel circumstances have recently changed in this area as a result of the construction and opening of an inside shoulder lane on the beltway. This could affect travel demand on Balls Hill Road at this location. This is yet another reason why new count data should have been used to assess traffic operations.
- The turn lane warrant provided does not answer questions regarding whether vehicles turning left out of the site will be able to find a gap in traffic to exit. If vehicles are able to do so, there remains the question as to whether they will be able to accelerate to avoid rear-end or side crashes.

Ms. Barbara Berlin, Director  
October 29, 2015  
Page 2 of 2

- The applicant's evaluation of the stopping sight distance for vehicles waiting to turn left into the Masonic Temple driveway utilized Google Earth as a measuring tool. This evaluation gives an adequate, but not reliable, conclusion regarding sight distance for vehicles turning left onto the site.

MAD/BMC

Cc: Mike Van Atta, DPZ

**Vanatta, Michael**

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**From:** Kraucunas, Paul J. (VDOT), P.E. <Paul.Kraucunas@VDOT.Virginia.gov>  
**Sent:** Friday, May 29, 2015 3:56 PM  
**To:** Vanatta, Michael  
**Cc:** Davis, Michael A.  
**Subject:** SEA 79-D-071-02, Mayosha Mendis

Mike,

VDOT has reviewed this application.

As this section of Balls Hill Road carries some 8,600 vehicles per day, the need for left and right turns should be evaluated.

Please contact me if you have any questions.

Thank you,

Paul Kraucunas

Land Development Program Manager

(703) 259-2787



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** October 29, 2015

**TO:** Michael Van Atta, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Ian Fuze, Urban Forester II  
Forest Conservation Branch, DPWES

**SUBJECT:** Sharon Masonic Temple. SEA 79-D-071-02

The following review is based on the Special Exception Plat stamped as received by the County October 6, 2015.

- Comment:** UFMD supports the modification of the transitional screening and peripheral parking lot landscaping to what is shown on the above mentioned plat given a commitment to the following development condition:

**Recommendation:** Trees considered dead, diseased or dying shall be replaced with the species shown on the approved plat. Any dead, diseased or dying Bradford pears should be replaced with little leaf linden. Any dead, diseased or dying pin oak or sycamore should be replaced with white oak, northern red oak or *Platanus* species.

Please call me if you have any questions, 703-324-1770.

if/

UFMDID #: 201085

cc: DPZ File

Department of Public Works and Environmental Services  
Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 711, Fax: 703-653-9550  
[www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes)



## FAIRFAX COUNTY ZONING ORDINANCE

**PART 1 3-100 R-1 RESIDENTIAL DISTRICT, ONE DWELLING UNIT/ACRE****3-101 Purpose and Intent**

The R-1 District is established to provide for single family detached dwellings; to allow other selected uses which are compatible with the low density residential character of the district; and otherwise to implement the stated purpose and intent of this Ordinance.

**3-102 Permitted Uses**

1. Accessory uses and home occupations as permitted by Article 10.
2. Agriculture, as defined in Article 20.
3. Dwellings, single family detached.
4. Public uses.

**3-103 Special Permit Uses**

For specific Group uses, regulations and standards, refer to Article 8.

1. Group 2 - Interment Uses.
2. Group 3 - Institutional Uses.
3. Group 4 - Community Uses.
4. Group 5 - Commercial Recreation Uses, limited to:
  - A. Commercial swimming pools, tennis courts and similar courts
5. Group 6 - Outdoor Recreation Uses.
6. Group 7 - Older Structures.
7. Group 8 - Temporary Uses, limited to:
  - A. Carnival, circus, festival, fair, horse show, dog show, steeplechase, music festival, turkey shoot, sale of Christmas trees or other seasonal commodities and other similar activities
  - B. Construction material yards accessory to a construction project
  - C. Contractors' offices and equipment sheds to include trailers accessory and adjacent to an active construction project
  - D. Subdivision and apartment sales and rental offices

## RESIDENTIAL DISTRICT REGULATIONS

- E. Temporary dwellings or mobile homes
  - F. Temporary farmers' markets
  - G. Temporary mobile and land based telecommunications testing facility
  - H. Temporary portable storage containers
8. Group 9 - Uses Requiring Special Regulation, limited to:
- A. Barbershops or beauty parlors as a home occupation
  - B. Home professional offices
  - C. Sawmilling of timber
  - D. Veterinary hospitals
  - E. Accessory dwelling units

**3-104 Special Exception Uses**

For specific Category uses, regulations and standards, refer to Article 9.

- 1. Category 1 - Light Public Utility Uses.
- 2. Category 2 - Heavy Public Utility Uses, limited to:
  - A. Electrical generating plants and facilities
  - B. Landfills
  - C. Water purification facilities
- 3. Category 3 - Quasi-Public Uses, limited to:
  - A. Alternate uses of public facilities
  - B. Child care centers and nursery schools
  - C. 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
  - D. Colleges, universities
  - E. Congregate living facilities
  - F. Cultural centers, museums and similar facilities

## RESIDENTIAL DISTRICT REGULATIONS

**3-105****Use Limitations**

1. No sale of goods or products shall be permitted, except as accessory and incidental to a permitted, special permit or special exception use.
2. All uses shall comply with the performance standards set forth in Article 14.
3. Cluster subdivisions may be permitted in accordance with the provisions of Sect. 9-615.

**3-106****Lot Size Requirements**

1. Minimum district size for cluster subdivisions: 10 acres
2. Average lot area: No Requirement
3. Minimum lot area
  - A. Conventional subdivision lot: 36,000 sq. ft.
  - B. Cluster subdivision lot: 25,000 sq. ft.
4. Minimum lot width
  - A. Conventional subdivision lot:
    - (1) Interior lot - 150 feet
    - (2) Corner lot - 175 feet
  - B. Cluster subdivision lot:
    - (1) Interior lot - No Requirement
    - (2) Corner lot - 125 feet
5. The minimum district size requirement presented in Par. 1 above may be waived by the Board in accordance with the provisions of Sect. 9-610.

**3-107****Bulk Regulations**

1. Maximum building height
  - A. Single family dwellings: 35 feet
  - B. All other structures: 60 feet
2. Minimum yard requirements
  - A. Single family dwellings

## FAIRFAX COUNTY ZONING ORDINANCE

- (1) Conventional subdivision lot
  - (a) Front yard: 40 feet
  - (b) Side yard: 20 feet
  - (c) Rear yard: 25 feet
- (2) Cluster subdivision lot
  - (a) Front yard: 30 feet
  - (b) Side yard: 12 feet, but a total minimum of 40 feet
  - (c) Rear yard: 25 feet

## B. All other structures

- (1) Front yard: Controlled by a 50° angle of bulk plane, but not less than 40 feet
- (2) Side yard: Controlled by a 45° angle of bulk plane, but not less than 20 feet
- (3) Rear yard: Controlled by a 45° angle of bulk plane, but not less than 25 feet

## 3. Maximum floor area ratio:

- A. 0.15 for uses other than residential or public
- B. 0.20 for public uses

**3-108 Maximum Density**

- 1. Conventional subdivisions: One (1) dwelling unit per acre.
- 2. Cluster subdivisions: 1.1 dwelling units per acre for cluster subdivisions approved by special exception and one (1) dwelling unit per acre for cluster subdivisions that are the result of a proffered rezoning from a district that allows a permitted maximum density of less than one (1) dwelling unit per acre.

**3-109 Open Space**

In subdivisions approved for cluster development, 30% of the gross area shall be open space.

**3-110 Additional Regulations**

## FAIRFAX COUNTY ZONING ORDINANCE

- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
    - (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
    - (b) the maximum permitted FAR for the zoning district shall not be exceeded.
- C. For all approved special exception uses, any request for an addition shall require the provision of written notice by the requester in accordance with the following:
- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
  - (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

#### **9-005 Establishment of Categories**

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

#### **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:

## SPECIAL EXCEPTIONS

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.

**9-007 Conditions and Restrictions**

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

**9-008 Time Limitations, Extensions, Renewals**

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or that it

## SPECIAL EXCEPTIONS

3. All applications for medical care facilities shall be filed at the same time as the application for a State Medical Facilities Certificate of Public Need. The application for the special exception shall be referred to the Health Care Advisory Board for a recommendation and report, which shall be developed in accordance with the provisions of Par. 1 and Par. 2 of Sect. 308 below and furnished to the Planning Commission and Board of Supervisors.

**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.

**9-305 Additional Standards for Conference Centers and Retreat Houses**

1. No building shall be located closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-A through R-4 District.

**9-306 Additional Standards for Independent Living Facilities**

1. Housing and general care shall be provided only for persons who are sixty-two (62) years of age or over, couples where either the husband or wife is sixty-two (62) years of age or over and/or persons with handicaps (disabilities), as defined in the Federal Fair Housing Act Amendments of 1988, who are eighteen (18) years of age or older and with a spouse, if any. In addition, any dwelling unit within the facility may include a live-in aide. For the purposes of this Section, a live-in aide is any person who meets the definition set forth in the U.S. Department of Housing and Urban Development (HUD) regulations, Article 24, of the Code of Federal Regulations, Section CFR 5.403 and 982.316, and is further subject to Public and Indian Housing Notices PIH 2008-20 and 2009-22, and any future applicable notices issued by HUD.

An independent living facility may also provide for a resident care provider(s), subject to the provisions of this Section. A resident care provider is any person who lives in a

## FAIRFAX COUNTY ZONING ORDINANCE

Supervisors shall be bound by any such information or comment. The Health Care Advisory Board may hold such hearing or hearings as may seem appropriate, and may request of the Board of Supervisors such deferrals of Board action as may be reasonably necessary to accumulate information upon which to base a recommendation.

2. The Advisory Board, in making its recommendations, and the Board of Supervisors, in deciding on the issuance of such an exception, shall specifically consider whether or not:
  - A. There is a demonstrated need for the proposed facility, in the location, at the time, and in the configuration proposed. Such consideration shall take into account alternative facilities and/or services in existence or approved for construction, and the present and projected utilization of specialized treatment equipment available to persons proposed to be served by the applicant.
  - B. Any proposed specialized treatment or care facility has or can provide for a working relationship with a general hospital sufficiently close to ensure availability of a full range of diagnostic and treatment services.
  - C. The proposed facility will contribute to, and not divert or subvert, implementation of a plan for comprehensive health care for the area proposed to be served; such consideration shall take into account the experience of the applicant, the financial resources available and projected for project support and operation, and the nature and qualifications of the proposed staffing of the facility.
3. All such uses shall be designed to accommodate service vehicles with access to the building at a side or rear entrance.
4. No freestanding nursing facility shall be established except on a parcel of land fronting on, and with direct access to, an existing or planned collector or arterial street as defined in the adopted comprehensive plan.
5. No building shall be located closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-A through R-4 District.
6. In the R-E through R-5 Districts, no such use shall be located on a lot containing less than five (5) acres.
7. For hospitals, the Board of Supervisors may approve additional on-site signs when it is determined, based on the size and nature of the hospital, that additional signs are necessary in order to provide needed information to the public and that such signs will not have an adverse impact on adjacent properties. All proposed signs shall be subject to the maximum area and height limitations for hospital signs set forth in Article 12. All requests shall show the location, size, height and number of all signs, as well as the information to be displayed on the signs.

**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

SPECIAL EXCEPTIONS

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:

<b>Number of Persons</b>	<b>Street Type</b>
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.

**9-310 Additional Standards for Private Schools of General Education and Private Schools of Special Education**

- 1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area for a private school of general education shall be of such size that:
  - A. 200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 that may use the space at any one time, and
  - B. 430 square feet of usable outdoor recreation area shall be provided for each child in grades 4-12 that may use the space at any one time.

Such usable outdoor recreation area shall be delineated on a plat submitted at the time the application is filed.

## FAIRFAX COUNTY ZONING ORDINANCE

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 required front yard.
  - 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. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area of a private school of special education shall be based upon a determination made by the Board; provided, however, that the proposed use conforms with the provisions set forth in Sect. 304 above.
  3. All private schools shall be subject to the provisions set forth in Par. 2 and 3 of Sect. 309 above. If applicable, such uses shall also be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

**9-311****Additional Standards for Alternate Use of Public Facilities**

The Board may approve a special exception to allow alternate uses of County public facilities which have space temporarily in excess of current needs, but only in accordance with the following conditions:

1. Proposed uses shall be limited to those uses allowed by special permit or special exception in the zoning district in which the public facility is located except as may be precluded by the additional standards for a particular use.
2. Uses located within existing structures shall not have to comply with the minimum lot size requirements or bulk regulations set forth for the zoning district in which located.
3. All uses shall comply with the off-street parking requirements of Article 11.
4. Signs as may be permitted in accordance with the provisions of Par. 2M of Sect. 12-208 shall be limited to one building-mounted and one freestanding sign for all alternate uses in a given public facility.
5. The Board shall determine that the proposed uses, if located in a residential district, shall not adversely impact the adjoining residential community in terms of traffic, vehicular access, parking, lighting, signs, and outside storage, length and intensity of outside activity, or general visual or noise impact. To this end, the additional standards set forth for particular proposed uses shall be used as a guide in considering all proposed uses.

**9-312****Additional Standards for Dormitories, Fraternity/Sorority Houses, Rooming/Boarding Houses or Other Residence Halls**

## 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		