



County of Fairfax, Virginia

June 1, 2016

STAFF REPORT

SPECIAL PERMIT SPA 81-S-044-03

SPRINGFIELD DISTRICT

APPLICANTS/OWNERS: Board of Trustees of St. Andrew's Episcopal Church

STREET ADDRESS: 6509 & 6511 Sydenstricker Road, Burke, 22015

TAX MAP REFERENCE: 88-2 ((1)) 5 & 6

LOT SIZE: 9.43 acres

F.A.R.: 0.06

ZONING DISTRICT: R-1

PLAN MAP: Residential 2-3 du/acre

ZONING ORDINANCE PROVISION: 3-103

SPECIAL PERMIT PROPOSAL: To amend SP 81-S-044 previously approved for a place of worship to permit the addition of land area.

STAFF RECOMMENDATION:

Staff recommends approval of SPA 81-S-044-03 subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of transitional screening and buffers and a waiver of the barrier along the northern, eastern, and southern property boundaries in favor of that shown on the SPA Plat.

Staff recommends approval of the reaffirmation of the waiver of the loading space requirement.

Sharon Williams

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

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

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

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-550**

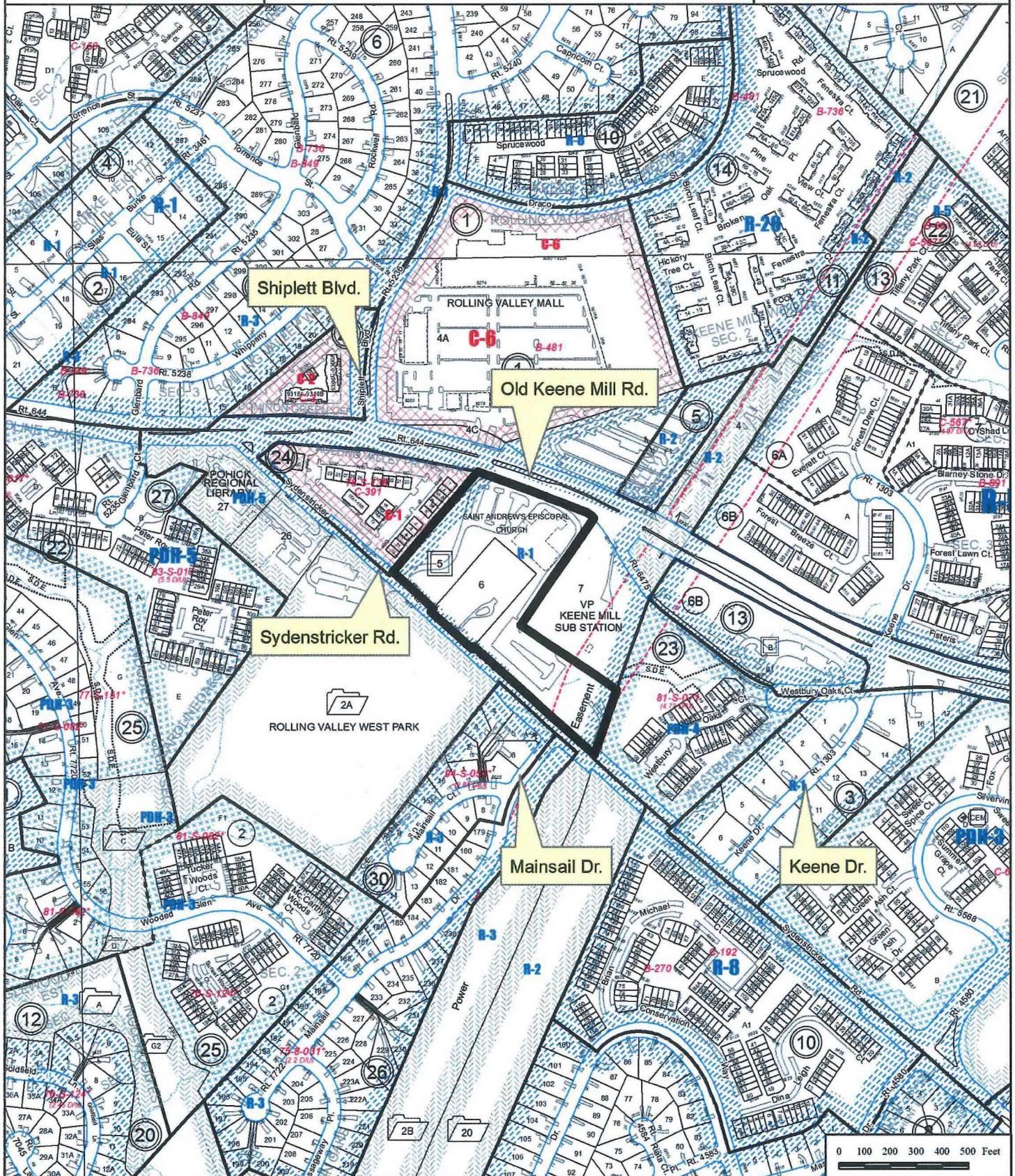


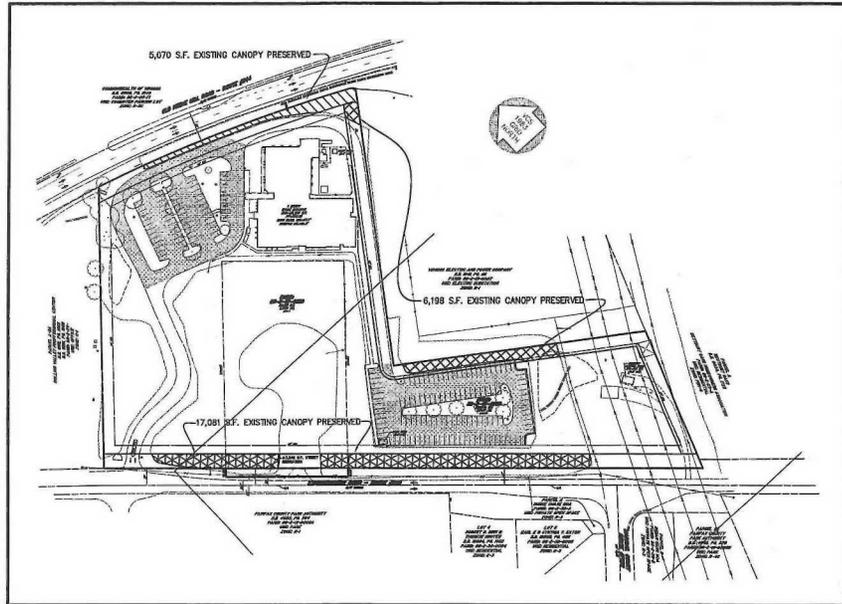


Special Permit Amendment

SPA 81-S-044-03

BOARD OF TRUSTEES OF ST. ANDREW'S EPISCOPAL CHURCH





INTERIOR PARKING LOT
LANDSCAPING MAP
SCALE: 1" = 10'

INTERIOR PARKING LOT LANDSCAPING CALCULATIONS:

ON-SITE PARKING LOT AREA: 66,009 SF
 INTERIOR LANDSCAPING REQ'D (5%): 3,301 SF
 TOTAL SHADE TREE COVER PROVIDED: 6,600 SF

PERIPHERAL PARKING LOT LANDSCAPING CALCULATIONS:

	REQUIRED	PROVIDED**
NORTH PARKING LOT: 225' NORTH (1 TREE/50 LF)	5	EX. VEGETATION
SOUTH PARKING LOT: 233' NORTH (1 TREE/50 LF) 280' SOUTH (1 TREE/50 LF)	5	EX. VEGETATION

*SEE MODIFICATIONS/WAIVERS NARRATIVE, SHEET 2

TRANSITIONAL SCREENING CALCULATIONS:

	SCREENING REQ'D	BARRIER REQ'D	SCREENING PROVIDED	BARRIER PROVIDED
NORTH:	TYPE 1	D,E,F	*MODIFIED	*WAIVED
SOUTH:	TYPE 1	D,E,F	*MODIFIED	*WAIVED
EAST:	TYPE 1	D,E,F	*MODIFIED	*WAIVED
WEST:	N/A	N/A	N/A	N/A

	NORTH	EAST	SOUTH
LENGTH	489 LF	1,216 LF	1,001 LF
WIDTH	25 LF	25 LF	25 LF
SCREENING YARD AREA	12,266 SF	28,976 SF	25,025 SF
10-YR. CANOPY FOR 70% COVERAGE	6,200 SF	21,732 SF	19,761 SF
EXISTING CANOPY PRESERVED**	5,070 SF	6,198 SF	17,081 SF
EVERGREEN SHRUBS REQ'D (3/10 LF P/L)	147	365	319
EVERGREEN SHRUBS PROVIDED	0*	0*	0*

*SEE MODIFICATIONS/WAIVERS NARRATIVE, SHEET 2
 ** AS PER FPM 12-0404.4

Tree Preservation Target Calculations and Statement	
A	Pre-development area of existing tree canopy = 155,211
B	Percentage of gross site area covered by existing tree canopy = 37.78%
C	Percentage of the 10-year tree canopy required for site (see Table 12.4) = 30%
D	Percentage of the 10-year tree canopy requirement that should be met through tree preservation = 37.78%
E	Proposed percentage of canopy requirement that will be met through tree preservation = 100%
F	Has the Tree Preservation Target minimum been met? YES
G	If No for line F, then a request to deviate from the Tree Preservation Target shall be provided on the plan that states one or more of the justifications listed in § 12-0508.3 along with a narrative that provides a site-specific explanation of why the Tree Preservation Target cannot be met.
H	If step G requires a narrative, it shall be prepared in accordance with § 12-0508.4 & included in the plan set. Provide a sheet number where narrative is located.

10-year Tree Canopy Calculation Worksheet		Totals	Reference
A. Tree Preservation Target and Statement			
A1	Place the Tree Preservation Target Calculations and statement here preceding the 10-year tree canopy calculations	SEE ABOVE	See § 12-0508.3 for list of required elements and worksheet
B. Tree Canopy Requirement			
B1	Identify gross site area (B1) =	416,609	§ 12-0511.1A
B2	Subtract area dedicated to parks & road footage	5,206	§ 12-0511.1B
B3	Subtract area of exemptions =		§ 12-0511.1C(1) through § 12-0511.1C(6)
B4	Adjusted gross site area (B1-B2) =	407,566	
B5	Identify canopy zoning and/or area =	R-1	
B6	Percentage of 10-year tree canopy required =	30	12-0510.1 and Table 12.4
B7	Area of 10-year tree canopy required (B4 x B6) =	122,270	
B8	Modification of 10-year Tree Canopy Requirements requested?	NO	Yes or No
B9	If B8 is yes, then list plan sheet where modification request is located		List Sheet Number
C. Tree Preservation			
C1	Tree Preservation Target Area =	46,194	
C2	Total canopy area meeting standards of § 12-0508 =	155,211	
C3	Total canopy area provided by unique or valuable trees or woodland communities =	194,014	§ 12-0510.3B
C4	Total canopy area provided by unique or valuable trees or woodland communities =	0	
C5	Total canopy area provided by "Heritage," "Memorial," "Specimen," or "Street" trees =	0	§ 12-0510.3B(1)
C6	Total canopy area provided by "Heritage," "Memorial," "Specimen," or "Street" trees =	0	
C7	Canopy area of trees within Resource Protection Areas and 100-year floodplains =	0	§ 12-0510.3B(2)
C8	Canopy area of trees within Resource Protection Areas and 100-year floodplains =	0	
C9	C6 x 1.0 =	0	§ 12-0510.3C(1)
C-10	Total of C3, C5, C7 and C9 =	194,014	If area of C10 is less than B7, remainder of requirement must be met through tree planting - go to D
D. Tree Planting			
D1	Area of canopy to be met through tree planting (B7-C10) =	0	
D2	Area of canopy planted for air quality benefits =	0	
D3	Area of canopy planted for energy conservation =	0	§ 12-0510.4B(1)
D4	Area of canopy planted for water quality benefits =	0	§ 12-0510.4B(2)
D5	Area of canopy planted for wildlife benefits =	0	§ 12-0510.4B(3)
D6	Area of canopy provided by native trees =	0	§ 12-0510.4B(4)
D7	Area of canopy provided by improved cultivars and varieties =	0	§ 12-0510.4B(5)
D8	Area of canopy provided through tree seedlings =	0	§ 12-0510.4B(6)
D9	Area of canopy provided through tree seedlings =	0	§ 12-0510.4B(7)
D10	Area of canopy provided through native shrubs or woody seed rate =	0	§ 12-0510.4D(1)(a)
D11	Area of canopy provided through native shrubs or woody seed rate =	0	§ 12-0510.4D(1)(a)
D12	Percentage of D14 represented by D15 =	0	Must not exceed 35% of D14
D13	Area of canopy provided by non-native trees =	0	
D14	Total canopy area provided through tree planting =	0	
D15	Is an off-site planting field requested? (Tree Bank or Tree Funz?)	NO	Yes or No
D16	Canopy area requested to be provided through off-site planting on Tree Fund =	0	§ 12-0512
D17	Amount to be deposited into the Tree Preservation and Planting Fund =		
E. Total of 10-year Tree Canopy Provided			
E1	Total of canopy area provided through tree preservation (C10) =	194,014	
E2	Total of canopy area provided through tree planting (D14) =	0	
E3	Total of canopy area provided through off-site mechanisms (D16) =	0	
E4	Total of 10-year Tree Canopy Provided = (E1+E2+E3)	194,014	Total of E1 through E3. Area should meet or exceed area in B7.



CIVIL ENVIRONMENTAL LAND PLANNING SURVEYING
 690 Center Street Suite 300
 Herndon, Virginia 20170
 V: (703) 481-5900
 F: (703) 481-5901
 info@tritekinc.com



ST. ANDREW'S EPISCOPAL CHURCH
 FAIRFAX COUNTY, VIRGINIA
 SPRINGFIELD DISTRICT

LANDSCAPING & TREE CANOPY CALCULATIONS

REVISION	DATE

P/W: D.B. SCALE: 1"=100'
 P/E: D.B. DATE: 01.28.16
 CO: M.S. SHEET 4 OF 6

DESCRIPTION OF THE APPLICATION

The applicant filed a Special Permit Amendment to SP 81-S-044, previously approved for a church and related facilities, to permit the addition of land area to bring the total acreage owned and used by the church to 9.43 acres from the previous 7.52 acres.

As noted in the Statement of Justification, the proposed addition of land area would allow the applicant to extend its church activities from Lot 5 to Lot 6, by creating a worship and prayer/reflection garden. The existing sanctuary has a maximum capacity of 540 seats and the number of seats will not be modified with this application. The approved child care use has a maximum enrollment of 99 children and that will not be modified with this application. The applicant does not propose any new construction or land disturbance (other than the demolition of the former house on Lot 6).

A copy of the special permit amendment plat titled "Special Permit Plat, St. Andrew's Episcopal Church," originally prepared by Reid M. Dudley, dated January 28, 2016, is included at the front of the staff report. The proposed special permit amendment development conditions, statement of justification, and affidavit are contained in Appendices 1 to 3, respectively.

LOCATION AND CHARACTER

The 9.43 acre subject property is located on Sydenstricker Road, south of Old Keene Mill Road and east of the Pohick Regional Library and Rolling Valley Park. The property is zoned R-1. The site is developed with a 23,142 square foot church building that was originally constructed in 1976. One entrance along Sydenstricker Road provides full vehicular access to the asphalt church parking lots.



Figure 1: Aerial Imagery

The site contains a total of 175 parking spaces. These spaces are located within two asphalt lots, both with access from Sydenstricker Road. The surrounding land use is provided in the following table:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Rolling Valley Connector Kiss & Ride	R-2	Public Facilities
East	Keene Mill Sub-Station	R-1	Public Facilities
South	Rolling Valley West Park Burke Chase Subdivision	R-1 R-3	Public Park 2-3 du/acre
West	Rolling Valley Professional Center	C-1	Office

BACKGROUND

On December 21, 1976, the BZA approved S-286-76 for the construction and operation of the church.

On July 30, 1981, the BZA approved SP 81-S-044 to allow for two temporary classroom trailers for a two year period.

On March 30, 1983, the BZA approved SPA 81-S-044 to permit building additions and an additional parking lot and a child care center for 99 children. VC 83-S-010 was approved concurrently to allow a gravel surface for the additional parking lot for the church and child care center. The resolution from SPA 81-S-044 is included in Appendix 4.

On May 6, 1986, the BZA approved SPA 81-S-044-02 to allow for the continued modification of dustless surface requirements originally allowed via VC 83-S-010. That SPA has since expired.

In February 2014, the St. Andrews Episcopal Church bought Lot 6. On June 25, 2015, a building permit was filed to demolish the existing dwelling on Lot 6. The applicants obtained a final inspection on July 22, 2015.

Comprehensive Plan Provisions

Plan Area: Area III, Pohick Planning District
Planning Sector: Main Branch Community Planning Sector (P2)
Plan Map: Residential, 2-3 du/acre

ANALYSIS

Special Permit Plat (copy at front of staff report)

Title of SP Plat: Special Permit Plat, St. Andrew's Episcopal Church
Prepared By: Theodore D. Britt of Tri-Tek Engineering, Inc.
Dated: January 28, 2016

Proposed Use:

The applicant requests an amendment to their Special Permit to permit the addition of land area to create an outdoor worship and prayer garden. The church is currently approved on Lot 5; the applicant requests an expansion onto Lot 6 to accommodate the outdoor worship space. According to the Statement of Justification, the outdoor worship area will consist of natural forest and landscaped gardens, meandering natural surface trails, limited seating areas, and a selection of sculptures.

There are no changes proposed to the existing church and child care center operations. Additionally, the applicant is not proposing any new construction.

Vehicle Access and Parking

The church generates the requirement for 154 parking spaces based on a maximum capacity of 540 seats and a child care center with 99 children. 175 parking spaces are provided on site. The proposed addition of land area will not increase traffic and will not require additional parking spaces.

Transportation Analysis (Appendix 5)

Through this SPA application, the Board of Trustees of St. Andrew's Episcopal Church seeks to amend SPA 81-S-044-01 in order to extend its church activities to an adjoining lot. More specifically, the applicant seeks to incorporate the additional land on this adjoining lot into church activities by creating a worship and prayer garden on the lot. The applicant does not propose any new construction or land disturbance nor does it seek to increase church seating or gross floor area. Furthermore, the applicant indicates that no new facilities are proposed for the existing child care center and nursery school which operates at this church in conformance with the previously approved SPA 81-S-044-01. Based on this, FCDOT does not expect any significant transportation impacts.

In addition, it should be noted that the applicant has provided right-of-way dedication along Sydenstricker Road. Therefore, the previously approved condition associated with SPA 81-S-044-01 has been satisfied which has been reflected in the proposed development conditions with a strike-through in condition #13.

ZONING ORDINANCE PROVISIONS

The chart below compares the required bulk standards of the R-1 zoning district with the existing development:

Bulk Requirements (R-1)		
Standard	Required	Provided
Min. Lot Area	36,000 square feet	9.43 acres (410,806 sq. feet)
Min. Lot Width	150 feet	494 feet
Max. Building Height	60 feet	17.7 feet (main building) 61.0 feet (steeple)
Front Yard	50° angle of bulk plane, not less than 40 feet	50.6 feet
Rear Yard	45° angle of bulk plane, not less than 20 feet	30.5 feet
Side Yard	45° angle of bulk plane, not less than 25 feet	N/A
Maximum FAR	0.15	.06
Parking Spaces	135 (church) spaces & 19 (child care) spaces	175 spaces

Special Permit Requirements (Appendix 6)

- General Special Permit Standards (Sect. 8-006)
- Standards for All Group 3 Uses (Sect. 8-303)

General Standards

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

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

The Comprehensive Plan recommends residential and office uses in the vicinity of the church. The proposed additional land area will increase the overall acreage to 9.43 acres and will allow the church to create an outdoor worship area. Staff believes that the proposed use is in harmony with the Comprehensive Plan.

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

The purpose and intent of the R-1 Zoning District is to promote residential uses and to

allow other selected uses that are compatible with the character of the district. Staff believes that the proposed additional land area to support the existing church is compatible with the residential character of the district and is therefore in harmony with the general purpose and intent of the applicable zoning district.

3. *The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.*

The proposal will allow for limited outdoor use of Lot 6 by the Church. No exterior modifications or construction are proposed to the building. Staff believes that this proposal will have little or no impact on surrounding properties. Standard 3 has been met.

4. *The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*

There is no impact on vehicular or pedestrian traffic associated with this proposed addition of land area. Staff believes that the proposal will not conflict with the existing traffic and that this standard has been met.

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

No modifications are proposed and, as such, no trees are proposed to be removed as a part of the proposed use. The outdoor worship area will utilize the cleared space created by the demolition of the former house on Lot 6. Adequate, mature existing vegetation is located on site and the applicant is asking for a waiver of barrier and transitional screening requirements along the northern, eastern, and southern property boundaries in favor of that shown on the SP Plat.

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

Per the Zoning Ordinance, there is no specified open space requirement in the R-1 district. The proposed use will make no changes to the site except to add land area. Therefore, this standard has been met.

7. *Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking requirements are proposed to be in accordance with the provisions of Article 11.*

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

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

All signage must be in conformance with the provisions of Article 12 of the Zoning Ordinance. Staff finds that this standard has been satisfied.

Standards for all Group 3 Uses

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

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

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

2. *All uses shall comply with the performance standards for the applicable zoning district.*

The proposed use complies with the performance standards for the R-1 District.

3. *All uses shall be subject to the provisions of Article 17, Site Plans.*

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

Summary of Zoning Ordinance Provisions

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

MODIFICATIONS/WAIVERS REQUESTED

Waiver/Modification: According to the Statement of Justification, the applicant is seeking a waiver of barrier requirements and transitional screening pursuant to Sect. 13-305 in favor of that shown on the SPA Plat. The site has substantial mature vegetation surrounding the property which will not be disturbed as no new construction

is proposed by the addition of land area. Therefore, staff believes that the transitional screening proposed meets ordinance requirements with the adoption of the proposed development conditions.

The applicants are also requesting a reaffirmation of the waiver of loading space requirements pursuant to Sect. 11-200. The child care does not have a cafeteria or other needs that require large truck deliveries. Therefore, staff believes that the accommodations at the existing church meet ordinance requirements with the adoption of the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

In staff's opinion, this application is proposing a small change to the existing activities at the church by adding additional land area to bring the total acreage of the site to 9.43 acres. It has met all requirements of the Zoning Ordinance and is consistent with the Comprehensive Plan. Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends approval of SPA 81-S-044-03 subject to the proposed development conditions contained in Appendix 1.

The revised set of development conditions included in Appendix 1 shows the conditions that have been brought forward from the previous special permit approval along with the conditions that have been fulfilled by the applicant, and thus deleted from the current set of conditions. Deleted conditions are distinguished with a strike-through.

In addition, staff recommends approval of the waiver of the barrier requirements and transitional screening requirements in favor of that shown on the SPA Plat.

Staff also recommends approval of the reaffirmation of the waiver of loading space requirements in favor of that shown on the SPA Plat.

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

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

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

APPENDICES

1. Proposed Development Conditions
2. Statement of Justification
3. Approved Affidavit
4. Resolution – SPA 81-S-044-01
5. Fairfax County Department of Transportation Analysis
6. Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SPA 81-S-044-03****June 1, 2016**

If it is the intent of the Board of Zoning Appeals to approve SPA 81-S-044-03 located at Tax Map 88-2 ((1)) 5 & 6, to amend SP 81-S-044 previously approved for a church to permit the addition of land area pursuant to sections 8-006 and 3-103 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit are marked with an asterisk. Minor edits have been made to these conditions to conform to current terminology. Additions have been underlined. These conditions supercede all previously approved development conditions.

1. This approval is granted to the applicant only, Board of Trustees of St. Andrew's Episcopal Church, and is not transferable without further action of this Board, and is for the location indicated on the application, 6509 & 6511 Sydenstricker Road, consisting of 9.43 acres, and is not transferable to other land.*
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat, "Special Permit Plat, St. Andrew's Episcopal Church," originally prepared by Reid M. Dudley, dated January 28, 2016.
3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.*
4. This Special Permit Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The hours of operation for the church shall be as required for normal church activities.*
6. The hours of operation for the child care center shall be from 8:00 A.M. to 2:00 P.M.*

8. The maximum enrollment for the child care center shall be ninety-nine (99).*
9. The transitional screening and barrier requirement shall be modified to allow the existing trees to remain where possible and supplemental screening provided as determined by the Director of the Department of Environmental Management.*
10. Any new lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.
11. The portion of the building in which the classrooms and nursery areas are located shall be acoustically treated to achieve ambient noise levels no higher than 45 dBA Ldn.*
12. The portion of the play area not shielded from Old Keene Mill Road by the proposed building, shall be shielded by berms or acoustical fencing not less than six (6) feet in height which is architecturally solid and flush with the ground or take such other measures in order to achieve maximum exterior noise levels of 65 dBA Ldn as imposed by DPWES.*
13. ~~Right-of-way dedication shall be provided alongside Sydenstricker Road as determined by the Director of Environmental Management at the time of site plan review. Road improvement shall be provided alongside Sydenstricker Road as required by the Director of Environmental Management in accordance with the Site Plan Ordinance and subject to any appeal rights of the applicant.~~

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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit amendment shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Zoning Evaluation Division
FEB 26 2016
RECEIVED
Department of Planning & Zoning

STATEMENT OF JUSTIFICATION
St. Andrew's Episcopal Church
Special Permit Amendment to SPA 81-S-044-01
November 4, 2015

Applicant/Owner: Board of Trustees of St. Andrews Episcopal Church
Fairfax County Tax Map Nos.: 88-2((1))5 comprising 7.5217 acres; and
88-2((1))6 comprising 1.9091 acres.

Request/Background:

The Applicant, Board of Trustees of St. Andrews Episcopal Church, first established the subject church/religious institutional use in the mid-1970s via special permit #S-286-76. In 1981, the Applicant amended this permit to include the addition of classroom trailers per the approved special permit amendment #S-81-S-044. Two years later, the Applicant received approval for another special permit amendment---SPA-81-S-044-1---which included a building addition, additional parking lot and a child care center. The subject site is currently governed by the conditions attached to SPA-81-S-044-01.

In February 2014, the Applicant purchased the property located at 6511 Sydenstricker Road, with Tax Map Id #88-2((1))6 ("Lot 6"). This past summer, the Applicant received approval from the County to raze the house located on Lot 6.

With this subject special permit amendment, the Applicant seeks to incorporate Lot 6 into the current special permit SPA-81-S-044-01. The Applicant does not propose any new construction or land disturbance, nor does it seek to increase its sanctuary seating or gross floor area. Rather, the Applicant wishes to extend its church activities to Lot 6, specifically by creating a worship and prayer/reflection garden thereon.

A. Type of operations.

Lot 5 is currently operating as a church/religious institutional use with associated child care/nursery, as per the approved conditions of SPA-81-S-044-1.

Lot 6 is proposed to be incorporated into the existing church/religious institution use for an outdoor worship and prayer garden.

B. Hours of operation.

Regular worship services are currently held on Wednesdays at 9:20 a.m., Saturdays at 6 p.m. and twice Sundays at 8 a.m. and 10 a.m. In addition to these regular worship

services, ministerial and other church-related events are held at various times during the week and on weekends.

The child care center/nursery operates from the second week of September into late May, Monday through Friday from 9:15 A.M. to 12:15 P.M., with an optional lunch program twice monthly until 1:15 P.M. Holidays, teacher-work days, closings and delayed openings are observed in accordance with Fairfax County Public Schools.

C. Estimated number of patrons/clients/patients/pupils/etc.

The Church sanctuary seats 540 adult members, as allowed by S-286-76.

The child care use has a maximum enrollment of 99 children, as allowed by SPA-81-S-044-1.

No further increase of the above is proposed.

D. Proposed number of employees/attendants/teachers/etc.

The Church clergy and administrative staff comprise 9 adults. The Church has a number of groups and committees/boards that are made up of volunteers. No increase or decrease in the number of clergy or staff is proposed.

The child care use involves 3 staff and 10 teachers/assistants. No increase or decrease in the number of staff or teachers/assistants is proposed.

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

The proposed special permit amendment does not entail any new structures or development; therefore this application will not involve any additional traffic impacts.

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

The Church and Child Care Center/Nursery serve Fairfax Station, Burke, Springfield, Fort Belvoir and Newington.

G. Description of building façade and architecture of proposed new building or additions.

No changes are proposed for the existing Church and Child Care Center/Nursery.

An outdoor worship area is proposed on Lot 6; to consist of natural forest and landscaped gardens, meandering natural-surface trails, limited seating areas, and a selection of

sculptures. Low voltage ground lighting and/or full cut-off or directionally shielded fixtures may be installed, all in compliance with County requirements.

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

To the best of our knowledge and belief, there are no known hazardous or toxic substances that are to be generated, utilized, stored, treated and/or disposed of on this site other than those consistent with the use of the property. Existing at the site is a 2,500-gallon diesel fuel tank for the backup generator, as well as batteries for backup power for the equipment.

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

The proposed extension of the church/religious institution use into Lot 6 for an outdoor worship and prayer/reflection garden activities shall conform to the provisions of all applicable ordinance, regulations, adopted standards and any applicable conditions, or, if any waiver, exception or variance is sought by the applicant from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification.

Plan Area: Area III – Pohick Planning District

Community Planning Sector: P2 – Main Branch Community Planning Sector

Planned Residential Density: 2-3 dwelling units per acre

Pohick Planning District Major Objectives:

Preserve the rural and semi-rural character of the Occoquan Reservoir watershed through careful review of nonresidential uses requiring special exception or special permit approval. *The proposed outdoor worship and prayer garden areas are consistent with preservation policy for this District.*

Preserve stable residential areas through infill development of a character and intensity/density that is compatible with existing residential areas. *The proposed outdoor worship and prayer garden will not increase the intensity or density of the area, and is thus compatible.*

Preserve the existing semi-rural, treed suburban character of residential areas in the Pohick watershed. *The proposed outdoor worship and prayer garden will maintain the existing healthy trees onsite.*

P2 Character:

The site is located on the edge of the Main Branch Community Planning Sector, which is identified by the Comprehensive Plan as one of the more intensely developed sectors of the Pohick Planning District. Predominant uses are residential dating back to the mid-1960s, with a number of neighborhood-serving commercial, public and institutional facilities. *This combination of uses is a suitable location for a place of public worship.*

P2 General Land Use Recommendations:

The Main Branch Community Planning Sector is largely developed as stable residential neighborhoods. Infill development in these neighborhoods should be of a compatible use, type and intensity in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14. *The proposed outdoor worship and prayer garden will have zero impact on planned density and it thus compatible.*

Further infill development in the vicinity of the Pohick Creek tributaries should be compatible with adjacent residential development as well as provide a balance between the built and natural environments. *The proposed outdoor worship and prayer garden will provide the ideal balance between the built and natural environments.*

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provides for the development of unconsolidated parcels in conformance with the Area Plan. *The addition of this adjacent property to St. Andrews, and its intended low-impact use is a practical and efficient form of infill development sought by the preservation policies of this Planning District.*

P2 Specific Land Use Recommendations:

Prohibit strip commercial development along Old Keene Mill Road, west of Rolling Road. Additional commercial uses are inappropriate because they would have adverse effects on traffic flow, safety, pedestrian circulation, and the visual and functional character of the area, which is closely associated with existing residential development. *No commercial improvements along Old Keene Mill Road are proposed.*

P2 Transportation Recommendations:

Sydenstricker Road from Old Keene Mill Road to Fairfax County Parkway should be widened to a 4-lane arterial roadway. *Needed right-of-way dedication is already available.*

CONFORMANCE WITH ZONING ORDINANCE SECTION 8-006 (GENERAL STANDARDS)

- 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.** Church/place of worship uses with an integrated child care center, nursery school and private school of general education are appropriate uses for lower density residential areas. The size and scale of the current use and proposed facilities are consistent with the low density character of the area. Institutional uses, such as religious institutions, are particularly appropriate where oriented near an arterial roadway, such as Keene Mill Road, more so than single family residential structures. No structures are proposed with this Special Permit Amendment, and the existing church use with integrated child care center has not resulted in any adverse impacts or effects on the surrounding area. This application will not require or result in any increase to public facilities.
- 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.** Churches/places of worship uses with integrated child care/nursery facilities and private schools are in harmony with the general purpose and intent of the R-1 zoning district. The proposed use is a Group 3 Institutional Use, which is specifically allowed in the R-1 district by special permit. It is a use that is found throughout the County, within R-1 districts. The purpose and intent of the R-1 district specifically allows this kind of nonresidential use, which is deemed compatible with the residential character of the district, if it is developed to a 0.15 FAR. The current religious institution use with child care facility has been developed to a .06 FAR. The proposed Special Permit Amendment does not propose adding additional structures; rather it will increase the area of undisturbed open space, thereby reducing the FAR to 0.
- 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 the adjacent or nearby land and/or buildings or impair the value thereof.** No new construction or site development is proposed with this application; rather it will serve to increase the area of undisturbed open space for the current religious institution use. Moreover, no additional walls, fences or other accessory structures are proposed with this Special Permit Amendment.

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.** There is no proposed new development or construction associated with this application. There will be no increase in pedestrian and/or vehicular traffic.
5. **In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.** Landscaping and screening shall be in accordance with the provisions of Article 13; however the applicant requests the following modification/waivers, previously authorized:
 - A. Modification per Zoning Ordinance Sec. 13-305.6 of the requirement to provide transitional screening and buffers, and waiver of the barrier along the southern boundary in favor of that shown on the Special Permit Plat (existing trees). The southern boundary is composed predominantly of existing upland forest, consisting of high quality woodland that sufficiently screens the property.
 - B. Modification per Zoning Ordinance Sec. 13-305.7 of the requirement to provide transitional screening and buffers, and waiver of the barrier along the northern and eastern boundary in favor of that shown on the Special Permit Plat (existing trees). The northern and eastern boundaries are both bordered by property used for a public purpose. The northern boundary is adjacent to a parking facility, while the eastern boundary abuts an electrical substation.
6. **Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.** There is no open space requirement in the Zoning Ordinance for these uses in the R-1 district for institutional uses. Nevertheless, the proposed Special Permit Amendment will add an additional 1.9091 acres (83,160 sq.ft.) of open space to the property subject to the existing special permit.
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.** Sufficient parking spaces to accommodate the church/place of worship, child care center and nursery school are currently provided. A total of 208 parking spaces are required and 321 parking spaces are provided (i.e., 150 spaces required for the church/place of worship and 240 spaces provided; 26 spaces required for the child care center and nursery school and 47 spaces provided; 32 spaces required for the private school of general education and 47 spaces provided). Although this application neither proposes any land disturbance, nor increases impervious surface area, a stormwater information narrative has been provided on the Special Permit Plat.

8. **Signs shall be regulated by the provisions of Article 12.** All signage will meet Zoning Ordinance requirements and if any is proposed, will be the subject of separate sign permit applications.

ZONING ORDINANCE Section 8-303: SPECIFIC STANDARDS FOR ALL GROUP 3 SPECIAL PERMIT USES

1. **Except as may be qualified in the following Sections, all uses shall comply with the lot, size and bulk regulations of the zoning district in which located.** Sheet 2 of the SPA plat shows compliance with these requirements.
2. **All uses shall comply with the performance standards specified for the zoning district in which located.** All applicable performance standards will be met, except for the requested modifications/waivers noted herein.
3. **Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.** Acknowledged.

Waiver of loading space requirement:

The applicant requests a continuation of the current waiver of the requirement to provide a loading space as per Zoning Ordinance Section 11-200. This request is based on the fact that the school facility does not have a cafeteria or other needs that require large vehicle deliveries involving an extended timeframe. The only deliveries to the site are Fedex, UPS, etc., which only require a drop-off area.

ZONING ORDINANCE SECTIONS 9-309 & -310: ADDITIONAL STANDARDS FOR CHILD CARE CENTERS, NURSERY SCHOOLS AND PRIVATE SCHOOLS OF GENERAL EDUCATION

Section 9-309 (CHILD CARE CENTERS AND NURSERY SCHOOLS)

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

For the purpose of this provision, useable 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.

As noted in the Site Tabulations on the SPA Plat, 3,900 square feet of useable outdoor recreation area will continue to be provided on the Property to serve the both the child care center/ nursery school. The total outdoor recreation area will continue to serve no more than 39 students at one time, in accordance with Section 9-309, and is otherwise consistent with the standards detailed therein.

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:**

<u>Number of Persons</u>	<u>Street Type</u>
1-75	Local
76-660	Collector
660 or more	Arterial

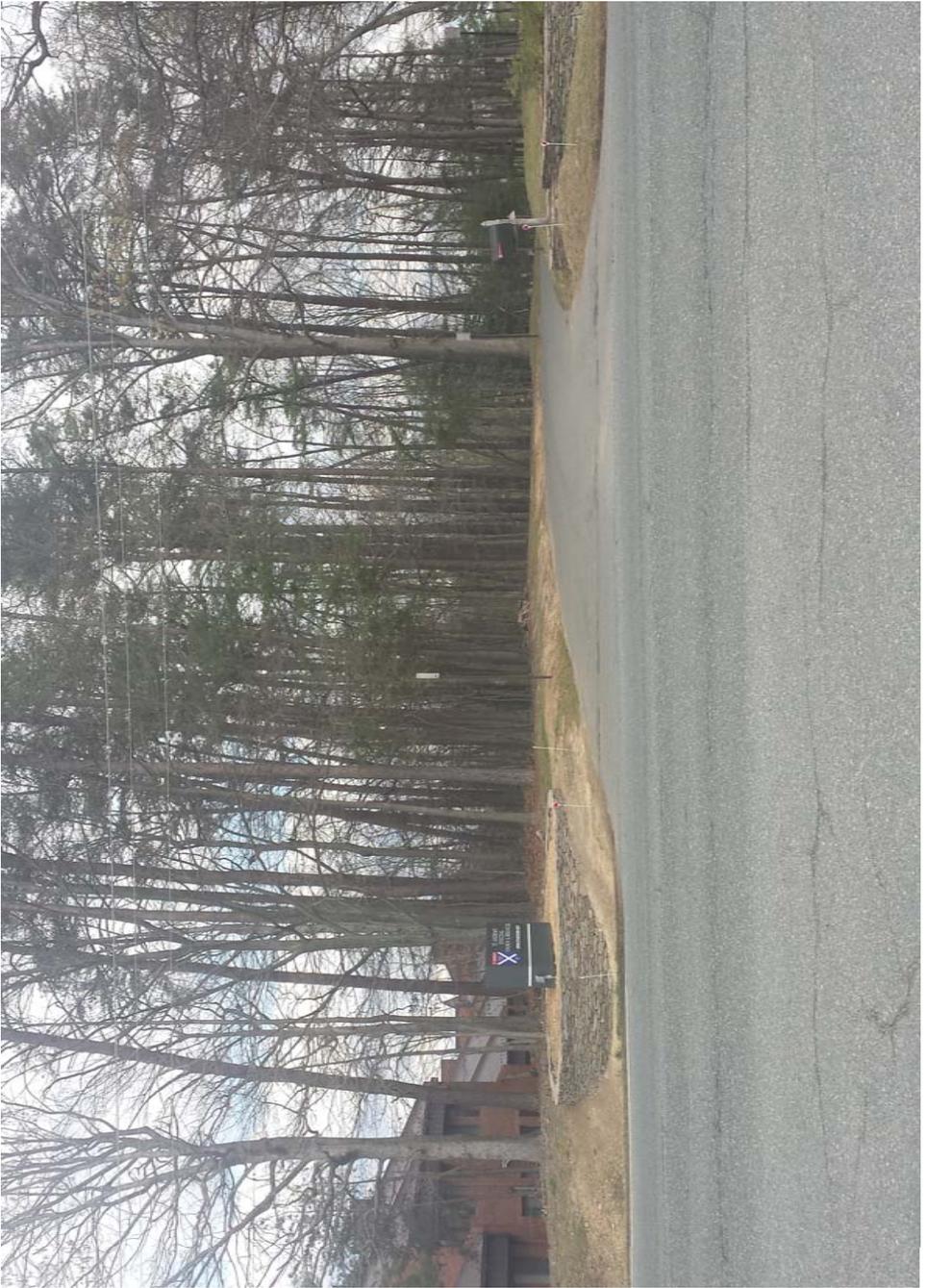
The child care center and nursery school shall not exceed 99 children and will have direct access to a minor arterial roadway.

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

No additional child care facilities are proposed with this application. The internal vehicular circulation shall continue to operate consistent with the previous approved Special Permit (SPA 81-S-044-1)

SUMMARY: The Applicant seeks to amend SPA 81-S-044-01 in order to add appx. 1.9091 acres of undisturbed open space for an outdoor worship and prayer garden. This Application meets the R-1 zoning district requirements, as well as the enumerated general and specific standards for approval of a Group 3 Special Permit. A church/place of worship with integrated child care/nursery facility is in conformance with the Comprehensive Plan, and provides essential services to the larger Fairfax community. The current uses are appropriately located off Sydenstricker Road (a major arterial) and oriented to Keene Mill Road (a minor arterial) and are sized appropriately in proportion to other nearby community-serving institutional uses, so as to reduce the impact to surrounding residential properties. No new structures or land disturbance are proposed with this application.

#2883354v1 SOJ SPA 10-29-15 083044/000001





Application No.(s): SPA 81-S-044-03
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 13, 2016 133785
 (enter date affidavit is notarized)

I, Noah B. Klein, Agent, do hereby state that I am an
 (enter name of applicant or authorized agent)

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

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Board of Trustees of St. Andrew's Episcopal Church Agent: Joseph C. Conrad Doris E. James Donald J. Taggart	6509 Sydenstricker Road, Burke, VA 22015	Applicant/Title Owner of Tax Map Nos. 88-2((1))5 and 6 Trustee Trustee Trustee
Tri-Tek Engineering, Inc. Agent: Theodore D. Britt	690 Center Street, #300, Herndon, VA 20170	Engineer/Agent
Odin, Feldman & Pittleman, P.C. Agents: Noah B. Klein John L. McBride Douglas R. Forno	1775 Wiehle Avenue, Suite 400, Reston, VA 20190	Attorney/Agent Attorney/Agent Planner/Agent

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
 ** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).



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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 13, 2016
(enter date affidavit is notarized)

133705

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

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

CORPORATION INFORMATION

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

Board of Trustees of St. Andrew's Episcopal Church
6509 Sydenstricker Road, Burke, VA 22015

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)

Joseph C. Conrad, Trustee, by Fairfax County Circuit Court Order dated August 9, 2008 (Case No. 2011 10882).
Doris E. James, Trustee, by Fairfax County Circuit Court Order dated August 9, 2008 (Case No. 2011 10882).
Donald J. Taggart, Trustee, by Fairfax County Circuit Court Order dated August 9, 2008 (Case No. 2011 10882).
St. Andrew's Episcopal Church is an unincorporated association.

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

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

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

DATE: May 13, 2016
(enter date affidavit is notarized)

133785

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Tri-Tek Engineering, Inc.
690 Center Street, #300, Herndon, VA 20170

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)
Theodore D. Britt
Kevin E. Murray

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Odin, Feldman & Pittleman, P.C.
1775 Wiehle Avenue, Suite 400
Reston, VA 20190

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)
Dexter S. Odin
David E. Feldman
James B. Pittleman

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

Application No.(s): SPA 81-S-044-03
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 13, 2016
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133785

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

PARTNERSHIP INFORMATION

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

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

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

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

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

Application No.(s): SPA 81-S-044-03
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 13, 2016
(enter date affidavit is notarized)

133785

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

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

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

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

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

None.

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 13, 2016
(enter date affidavit is notarized)

133785

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

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

None.

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

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

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

WITNESS the following signature:

(check one)

[] Applicant

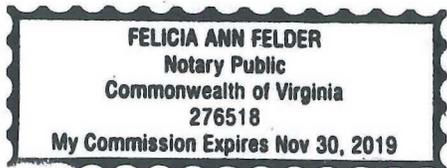
[X] Applicant's Authorized Agent

Noah B. Klein, Agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 13th day of May, 2016, in the State/Comm. of Virginia, County/City of Fairfax.

Felicia Ann Felder
Notary Public

My commission expires: 11/30/2019
Notary Registration No. 276518



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SPECIAL PERMIT RESOLUTION OF BOARD OF ZONING APPEALS

Mr. Hyland made the following motion:

WHEREAS, Application No. SPA-81-S-044-1 by ST. ANDREWS EPISCOPAL CHURCH under Section 3-103 of the Fairfax County Zoning Ordinance to permit addition to building, an additional parking lot, and a child care center, located at 6509 Sydenstricker Road, tax map reference 88-2(1)5, County of Fairfax, Virginia, has been properly filed in accordance with all applicable requirements; and

WHEREAS, following proper notice to the public and a public hearing by the Board of Zoning Appeals held on March 29, 1983; and

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

1. That the owner of the property is the applicant.
2. That the present zoning is R-1.
3. That the area of the lot is 7.8135 acres.
4. That compliance with the Site Plan Ordinance is required.

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

THAT the applicant has presented testimony indicating compliance with Standards for Special Permit Uses in R Districts as contained in Section 8-006 of the Zoning Ordinance; and

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

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.
2. The approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structure of any kind, changes in use, additional uses, or changes in the plans approved by this Board, other than minor engineering details, whether or not these additional uses or changes require a special permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such an approval. Any changes, other than minor engineering details, without this Board's approval, shall constitute a violation of the conditions of this special permit.
3. A copy of this special permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The hours of operation for the church shall be as required for normal church activities.
5. The hours of operation for the child care center shall be from 8:00 A.M. to 2:00 P.M.
6. The maximum enrollment for the child care center shall be ninety-nine (99).
7. The transitional screening and barrier requirement shall be modified to allow the existing trees to remain where possible and supplemental screening provided as determined by the Director of the Department of Environmental Management.
8. The parking lot lights shall be of the low design as provided in the existing lot.
9. The portion of the building in which the classrooms and nursery areas are located shall be acoustically treated to achieve ambient noise levels no higher than 45 dBA Ldn.
10. The portion of the play area not shielded from Old Keene Mill Road by the proposed building, shall be shielded by berms or acoustical fencing not less than six (6) feet in height which is architecturally solid and flush with the ground or take such other measures in order to achieve maximum exterior noise levels of 65 dBA Ldn as imposed by the Environment and Policy Division.
11. Right-of-way dedication shall be provided alongside Sydenstricker Road as determined by the Director of Environmental Management at the time of site plan review. Road improvements shall be provided alongside Sydenstricker Road as required by the Director of Environmental Management in accordance with the Site Plan Ordinance and subject to any appeal rights of the applicant.

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

Under Section 8-014 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, eighteen (18) months after the effective date of the Special Permit unless the activity authorized has been established, or unless construction has commenced, or unless additional time is approved by the Board of Zoning Appeals because of the occurrence of conditions unforeseen at the time of granting of the Special Permit.

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THAT the applicant has presented testimony indicating compliance with Standards for Special Permit Uses in R D Districts as contained in Section 8-006 of the Zoning Ordinance; and

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

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.

2. The approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structure of any kind, changes in use, additional uses, or changes in the plans approved by this Board, other than minor engineering details, whether or not these additional uses or changes require a special permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such an approval. Any changes, other than minor engineering details, without this Board's approval, shall constitute a violation of the conditions of this special permit.

3. A copy of this special permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

4. The hours of operation for the church shall be as required for normal church activities.

5. The hours of operation for the child care center shall be from 8:00 A.M. to 2:00 P.M.

6. The maximum enrollment for the child care center shall be ninety-nine (99).

7. The transitional screening and barrier requirement shall be modified to allow the existing trees to remain where possible and supplemental screening provided as determined by the Director of the Department of Environmental Management.

8. The parking lot lights shall be of the low design as provided in the existing lot.

9. The portion of the building in which the classrooms and nursery areas are located shall be acoustically treated to achieve ambient noise levels no higher than 45 dBA Ldn.

10. The portion of the play area not shielded from Old Keene Mill Road by the proposed building, shall be shielded by berms or acoustical fencing not less than six (6) feet in height which is architecturally solid and flush with the ground or take such other measures in order to achieve maximum exterior noise levels of 65 dBA Ldn as imposed by the Environment and Policy Division.

11. Right-of-way dedication shall be provided alongside Sydenstricker Road as determined by the Director of Environmental Management at the time of site plan review. Road improvements shall be provided alongside Sydenstricker Road as required by the Director of Environmental Management in accordance with the Site Plan Ordinance and subject to any appeal rights of the applicant.

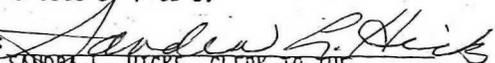
This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinance, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures,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

Under Section 8-014 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, eighteen (18) months after the effective date of the Special Permit unless the activity authorized has been established, or unless construction has commenced, or unless additional time is approved by the Board of Zoning Appeals because of the occurrence of conditions unforeseen at the time of granting of the Special Permit. A request for extension must be justified in writing, and shall be filed with the Zoning Administrator thirty (30) days prior to the expiration date.

Mrs. Thonen seconded the motion.

The motion passed unanimously by a vote of 7 to 0.

A COPY TESTE:


SANDRA L. HICKS, CLERK TO THE
BOARD OF ZONING APPEALS



County of Fairfax, Virginia

MEMORANDUM

DATE: May 18, 2016

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

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

FILE: SPA 81-S-044

SUBJECT: SPA 81-S-044-03
Board of Trustees of St. Andrew's Episcopal Church
6509 Sydenstricker Road, Burke, Virginia 22015
Tax Map: #88-2 ((1)) 5 & 88-2 ((1)) 6

This department has reviewed the subject application including the Special Permit Amendment (SPA) Plat dated January 28, 2016 and offers the following comments.

Through this SPA application, the Board of Trustees of St. Andrew's Episcopal Church seeks to amend SPA 81-S-044-01 in order to extend its church activities to an adjoining lot. More specifically, the applicant seeks to incorporate the additional land on this adjoining lot into its church activities by creating a worship and prayer garden on the lot. In this SPA application, the applicant assures this department that it does not propose any new construction or land disturbance nor does it seek to increase church seating or gross floor area. Furthermore, the applicant indicates that no new facilities are proposed for the existing child care center and nursery school which operates at this church in conformance with the previously approved SPA 81-S-044-01. Based on these assurances, this department does not expect this SPA application to result in any significant transportation impacts.

cc: Sharon Williams

MAD/EAI/AH

Fairfax County Department of Transportation

4050 Legato Road, Suite 400

Fairfax, VA 22033-2895

Phone: (703) 877-5600 TTY: 711

Fax: (703) 877-5723

www.fairfaxcounty.gov/fcdot



8-006 General Standards

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

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