STAFF REPORT

RZ 2020-SU-014 & SEA 93-Y-036-02

SULLY DISTRICT

APPLICANT: Trustees of Fairfax Church of Christ

PRESENT ZONING: R-1 (Residential, 1 dwelling units per acre)

PROPOSED ZONING: R-2 (Residential, 2 dwelling units per acre)

OVERLAY: WS (Water Supply Protection)

LOCATION: 3901 and 3919 Rugby Road

PARCEL(S): 45-2 ((2)) 31
            45-2 ((2)) 32A

ACREAGE: 7.72 acres

PROP. FAR 0.18

PLAN MAP: Baseline residential at 1-2 dwelling unit/acre (du/ac), and Overlay residential at 5 du/ac.

ZO PROVISION: Place of Worship with a Nursery School

PROPOSAL: Rezone from R-1 to R-2 to add land area to the previously approved Special Exception (SE) site, and permit an expansion of existing church facilities (including a new gym building and small additions to the existing place of worship building), and a Nursery School with a daily enrollment of 200 children.
Staff Recommendation

Staff recommends approval of RZ 2020-SU-014 subject to proffers consistent with those contained in Appendix 1 of this report.

Staff recommends approval of SEA 93-Y-036-02 subject to the proposed SE development conditions contained in Appendix 2 of this report.

Staff recommends approval of the following Waivers and Modifications:

- A modification of transitional screening requirements along the western, eastern, and southern boundaries of the subject property and a waiver of the barrier requirements along all property lines in favor of landscaping shown on the GDP/SEA Plat.
- A modification of the requirement for a designated bicycle lane on Rugby Road consistent with existing conditions.
- A modification of current sight distance requirements for an existing left turn to remain at the northern site entrance which was designed and approved with a site plan under prior VDOT standards.

It should be noted that it is not the intent of the staff to recommend that the Board of Supervisors, in adopting any development conditions, relieve the applicants/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards; and that, should this application be approved, such approval does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application. It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board.

For information, contact the Zoning Evaluation Division, Department of Planning and Development, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.
### Rezoning Application
**RZ 2020-SU-014**
- **Applicant:** TRUSTEES OF FAIRFAX CHURCH OF CHRIST
- **Accepted:** 11/06/2020
- **Proposed:** PLACE OF WORSHIP WITH NURSERY SCHOOL
- **Area:** 7.72 AC; DISTRICT - SULLY
- **Zoning Dist Sect:** EAST SIDE OF RUGBY ROAD AND SOUTH SIDE OF FAIRFAX COUNTY PARKWAY
- **Located:**
- **Zoning:** FROM R-1 TO R-2
- **Overlay Dist:** WS HC
- **Map Ref Num:** 045-2-02/0031/0032A

### Special Exception Amendment
**SEA 93-Y-036-02**
- **Applicant:** TRUSTEES OF FAIRFAX CHURCH OF CHRIST
- **Accepted:** 11/06/2020
- **Proposed:** AMEND SE 93-Y-036 PREVIOUSLY APPROVED FOR PLACE OF WORSHIP AND A NURSERY SCHOOL WITH CHILD CARE TO MODIFY SITE AND DEVELOPMENT CONDITIONS AND ADDITION OF LAND AREA
- **Area:** 7.72 AC; DISTRICT - SULLY
- **Zoning Dist Sect:** 03-0204
- **Located:** 3901 AND 3919 RUGBY ROAD, FAIRFAX, VA 22033
- **Zoning:** R-2
- **Plan Area:** 3
- **Overlay Dist:** WS HC
- **Map Ref Num:** 045-2-02/0031/0032A

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![Map Diagram](image-url)
Rezoning Application

RZ 2020-SU-014

Applicant: TRUSTEES OF FAIRFAX CHURCH OF CHRIST
Accepted: 11/06/2020
Proposed: PLACE OF WORSHIP WITH NURSERY SCHOOL
Area: 7.72 AC; DISTRICT - SULLY
Zoning Dist Sect: FROM R-1 TO R-2
Located: EAST SIDE OF RUGBY ROAD AND SOUTH SIDE OF FAIRFAX COUNTY PARKWAY
Zoning: 045-2-/02/ /0031 /02/ /0032A
Overlay Dist: WS HC
Map Ref Num:

Special Exception Amendment

SEA 93-Y-036-02

Applicant: TRUSTEES OF FAIRFAX CHURCH OF CHRIST
Accepted: 11/06/2020
Proposed: AMEND SE 93-Y-036 PREVIOUSLY APPROVED FOR PLACE OF WORSHIP AND A NURSERY SCHOOL WITH CHILD CARE TO MODIFY SITE AND DEVELOPMENT CONDITIONS AND ADDITION OF LAND AREA
Area: 7.72 AC; DISTRICT - SULLY
Zoning Dist Sect: 03-0204
Located: 3901 AND 3919 RUGBY ROAD, FAIRFAX, VA 22033
Zoning: R-2
Plan Area: 3,
Overlay Dist: WS HC
Map Ref Num: 045-2-/02/ /0031 /02/ /0032A

DESCRIPTION OF THE APPLICATION

The applicant, Trustees of Fairfax Church of Christ, proposes a Special Exception Amendment (SEA 93-Y-036-2) and a Rezoning from R-1 to R-2 (RZ 2020-SU-014), on Tax Map Parcels # 45-2 ((2)) 31 and 32A (referred to as Parcels 31 and 32A) to amend the previously approved Special Exception for a Place of Worship to permit the addition of land area, site modifications, and to permit a Nursery School with a daily, and total, enrollment of 200 children.

The applicant requests to rezone the overall 7.7-acre property from R-1 to R-2 to facilitate a proposed increase in FAR from 0.14 to 0.18. The R-2 District permits development of nonresidential uses at a maximum FAR of 0.20.

The applicant is proposing to continue their previously approved place of worship use with a sanctuary capacity of. The applicant also proposes to incorporate a contiguous 2-acre parcel into the development approval and expand the use onto that property as follows:

- In Phase I the applicant proposes to make improvements to the existing building including reconstructing and expanding the rear section of the building and building a second playground adjacent to the building to serve the Nursery School. The renovations of the building will not increase the sanctuary capacity (760 seats).
- In Phase II the applicant proposes a 40-foot-tall gymnasium building on Parcel 31 containing approximately 15,000 square feet which will be accessory to and operated by the place of worship. The applicant estimates an occupancy of no more than 210 in the gym people at any one time.
- In addition, the applicant proposes to re-establish a Nursery School use on the property and will limit both the daily enrollment and total enrollment to 200 children. The previous approval was for “60 children at any one time” and a total enrollment of 240 children.

A reduced copy of the Generalized Development Plan (GDP) / Special Exception (SE) Plat is included in the front of this report. The applicant’s proposed proffers for RZ 2020-SU-014, staff’s proposed development conditions for SEA 93-Y-036-2, the applicants’ statement of justification, and affidavit are included in Appendices 1 - 4, respectively.

WAIVERS AND MODIFICATIONS

The application includes the listed Waivers and Modifications which are discussed in more detail in the analysis section of this report.

- A modification of transitional screening requirements along the western, eastern, and southern boundaries of the subject property and a waiver of the barrier
requirements along all property lines in favor of landscaping shown on the GDP/SEA Plat.
- A modification of the requirement for a designated bicycle lane on Rugby Road consistent with existing conditions.
- A modification of current sight distance requirements for an existing left turn to remain at the northern site entrance which was designed and approved with a site plan under prior VDOT standards.

LOCATION AND CHARACTER

The property is located at 3901 and 3919 Rugby Road, Fairfax, on approximately 7.72 acres of land zoned R-1, WS and HC. The property is developed with a place of worship at 0.14 FAR (on Parcel 32A only). The site is located within the Water Supply Protection Overlay District (WSPOD) and within the Cub Run watershed, which is a contributing watershed to the Occoquan Reservoir. No RPA, Floodplain, or EQC is located on the property. The property has several conservation easements that protect mature tree cover along the frontage of the site. Three points of access are provided from Rugby Road and Burning Bush Drive.

The site is located directly south of Fairfax County Parkway in an area that is bounded by Rugby Road, Burning Bush Drive, and Lee Jackson Memorial Parkway Surrounding properties within this area are developed with single family detached dwellings at approximately 5 du/acre. The existing place of worship building is approximately 36,000 square feet. A large surface parking area provides 254 spaces primarily behind the church. The adjoining 1.84-acre parcel (Parcel 31) being added to the application is densely covered with mature trees. An existing 1,470 square foot residence thirty feet above Rugby Road is set back 340 feet from the road.

Figure 1: Aerial
BACKGROUND

SP 86-C-022 approved the construction of the place of worship in 1986 with one subsequent amendment. In 1994, SE 93-Y-036 was approved to allow changes to the place of worship on what is now Tax Map 45-2 ((2)) 32A. This approval allowed an increase in land area and expansion to the existing church and nursery school use.

SEA 93-Y-036-01 currently governs the development of the property. The current approval allows 760 seats and a nursery school with a total daily enrollment of 240 children with no more than 60 students at any one time (4 shifts of 60 students), during the hours of 9 am to 3:30 pm.

The staff report, plat, and approved proffers/development conditions for the referenced cases are available by request at the Department of Planning and Development, Zoning Evaluation Division.

COMPREHENSIVE PLAN

Plan Area: Pohick Planning District, Area III
Planning Sector: Fairfax Center Planning Sector
Plan Map: Residential, 2 du/ac (baseline); Residential, 5 du/ac (overlay option)

The property is in Land Unit L, Sub Unit L-1, in the Fairfax Center Area, Area III, of the Comprehensive Plan. Land Unit L is described as containing stable residential subdivisions and institutional uses. Sub Unit L-1 is planned for residential development at a baseline density of 2 dwelling units per acre and an overlay density of 5 du/ac.

PLAT DESCRIPTION (Special Exception Plat/Generalized Development Plan)

Title: “Special Exception Amendment Plat and Generalized Development Plan Fairfax Church of Christ”
Prepared By: R.C. Fields and Associates, Inc.
Date: May 3, 2021
Sheets: 16

Summary of Proposal

This plan proposes the consolidation and rezoning of existing Parcel 32A (3901 Rugby Rd developed with existing place of worship) and recently acquired Parcel 31 (3919 Rugby, developed with an existing SFD) from R-1 to R-2, and the incorporation of Parcel 31 into the Special Exception land area, and expansion of church and nursery school facilities including a new Gymnasium building. The rezoning application is necessary to accommodate the proposed FAR of 0.18. The applicant proposes to expand the place of worship use in two phases, including:
• **Phase I**

The first phase of the proposal includes the renovation of the existing worship building for a net increase of approximately 9,900 square feet of gross floor area. The applicant is proposing three small additions on the south and east sides of the existing building which will be constructed of the same materials as the existing building and used for storage. A portion of the existing building on the east side (rear) will be removed and reconstructed as two stories. Phase I also includes the construction of a second playground area.

• **Phase II**

The second phase includes development of a private gymnasium building operated by, and accessory to, the Place of Worship use. The building will contain 15,160 square feet. The gymnasium will have a maximum occupancy of no more than 210 people at any one time, subject to building code requirements. The existing dwelling, driveway, and vegetation will be removed to grade for development within the limits of disturbance (LOD) shown on the plat. The building will be constructed in previously disturbed part of the site. The area where the driveway is removed will be restored and re-planted.
Place of Worship Use

The place of worship use will continue to operate as previously approved with a maximum 760 seats in the sanctuary. The expected occupancy of the gym building is no more than 150 people at any one time. However, a maximum of 210 people at any one time is requested for the gym building to be able to accommodate the Nursery School students and teachers. The applicant should confirm that building code can allow this occupancy. The applicant will be required to reduce maximum occupancy of the Gym to meet building code at site, if necessary.

Nursery School Use

The applicant is also proposing to re-establish the nursery school use that was previously approved to operate on site and expand the maximum daily enrollment and hours of the operation. The previous approval allowed the nursery school to have an enrollment of 60 children at any one time and a total enrollment of 240, during the hours of operation of 9 a.m. to 3:30 p.m. The applicant requests a daily enrollment of 200 and total enrollment of 200. Proposed hours of operation of 6:30 a.m. to 6:30 p.m., Monday through Friday. The longer hours permit an extended childcare program.

The existing 6,500-sf outdoor playground area located at the northwest corner of the existing church building will remain without modification. A second outdoor play area containing 1,000 sf. is proposed to be constructed as part of Phase I along the western side of the existing church building as shown on the GDP/SEA Plat. The number of children allowed in the outdoor play areas at one time would be consistent with the limitations of the Zoning Ordinance.

Operations of On Site Uses

Operations will be staggered amongst the gym, church, and nursery school with no overlap between uses. The use of gym would be during weekday evening hours or during the day on Saturday. The gym is proposed to be operated and used by the Church for recreation activities and meetings. Community residents who are not Church members may use the gymnasium on a case-by-case invitation basis through a reservation system.

The gymnasium is not expected to operate during Church services. While the gymnasium may be used by the nursery school for recreation, it is not anticipated to be used during the operating hours of the nursery school. The occupancy as previously mentioned will be up to 210 people at any one time to accommodate the students and teachers at one time. The gymnasium will operate as an accessory use to the Place of Worship which is included as a proposed development condition.

Vehicular Circulation

Three existing site entrances from Rugby Road and Burning Bush Drive provide access to the property and will remain. The driveway to the dwelling on Lot 31 will be removed.
and internal access to the Gymnasium will be provided. In Phase II, the Applicant will remove the existing residential driveway entrance to the dwelling on Lot 32A from Rugby Road and install curb, gutter, and a sidewalk along the Rugby Road frontage to connect to existing improvements as shown on the GDP/SEA Plat.

No turn lanes or tapers are existing or required at either entrance location or at Burning Bush Drive, per the applicant’s traffic assessment. Vehicles will follow a one way circulation pattern with loading, pick up, and drop off activities occurring at the rear (east) of the property at the main entrance. In an effort to maximize safety, the Burning Bush Drive access will not be used during the peak drop off and pick up times. The applicant has proposed a development condition to enforce the one way circulation plan of the nursery school use, which has been included in the Proposed Development Conditions contained in Appendix 1, and is shown on the SEA Plat/GDP.

Wells and Associates completed a trip generation analysis of the existing and proposed uses and forecasted they would generate a total of 161 weekday a.m. peak hour trips and 165 weekday p.m. peak hour trips. When accounting for the existing approval, these trips represent an increase of 101 weekday a.m. peak hour trips, 100 weekday pm peak hour trips, and 410 peak hour trips on Sunday. Pick up and drop off times for children will be staggered across a few hours in the morning and evening and a one-way drop off and pick up circulation plan is proposed for the nursery school that will ensure child safety while accommodating vehicle queues.

Pedestrian and Bike Circulation

The applicant’s proposed improvements will upgrade sidewalks internal to the site (specifically, those adjacent to the buildings) to ADA standards. However, the proposal does not include an accessible pedestrian connection from the public path to the gymnasium, or from the church to the gym, connecting the buildings on site to the trail network. In addition, the applicant is requesting a waiver of on-street bike lanes due to the absence of connecting bike lanes as discussed in the Waivers and Modifications section at the end of this report. The Applicant will install bicycle storage racks as generally shown on the GDP/SEA Plat subject to FCDOT guidelines.

Parking

The construction of the gym would include an additional 10 spaces with accessible parking in front of the building. This will increase total parking from 254 spaces to 264 spaces which will continue to exceed the Zoning Ordinance, which requires 190 spaces for a sanctuary with 760 seats.

Architecture

The existing church building is constructed of brick with a flat roof in a “traditional” architectural style and the additions and gym are intended to be constructed of the same building materials. The elevations of the gym provided by the applicant are shown
below and a proposed development condition is included to require substantial conformance to these elevations.

Figure 3: Elevations of Gym

Signage

The size of the signage shown on the elevations must be reduced as needed to meet the Sign Ordinance. Staff recommends a proffer to reflect this. Staff also recommends a proffer to disallow electronic signs due to proximity to residential dwellings.

Stormwater and Utilities

Stormwater requirements will be met with a Stormtech vault on Lot 32A and a bioretention facility on Lot 31. The controls provide 100% of all water quality requirements on site as proffered and shown on sheets 7 and 8 of the plat, as recommended by the policy plan for Fairfax Center. However the applicant wishes to retain the ability to request off-site nutrient credits at the time of site plan if necessary. In addition, the proffers should require that all practical options for on site measures are exhausted before pursuing off site credits, or remove reference to off site credits. No
additional stormwater concerns remain, subject to review and approval at site plan by Land Development Services (LDS). Adequate utilities will continue to serve the use.

**Tree Cover and Buffers**

Tree cover and tree save requirements are being exceeded due to the mature canopy on site. The proposed gym building contains 15,000 square feet and is set back minimum 54’ – 84’ from residential-abutting property lines. The applicant will maintain a minimum 25-foot-wide vegetated buffer along these areas in conformance with the Zoning Ordinance, with many areas wider where existing mature trees and proposed supplemental plantings. The mature tree cover along the frontage of the property will continue to provide effective screening between the buildings and the street. Minor modifications of screening requirements are requested to permit variations of specific requirements for vegetation to permit existing mature tree cover enhanced as shown on the GDP/SEA Plat to satisfy the intent of the screening requirement. This modification is discussed in the Waivers and Modifications section of this report.

**STAFF ANALYSIS**

**Land Use**

The proposed development is consistent with the Comprehensive Plan recommendations for the baseline density of 1-2 Dwelling Units/Acre. The proposed expansion to the Place of Worship and Child Care will not increase the seating capacity of the worship sanctuary and proposed child care, gym, and church uses will be scheduled by the church so as not to conflict with one another.

The proposed gym will be constructed approximately 50 feet from the lot lines that are adjacent to the townhome units. At 40 feet tall and 15,000 gross square feet, the proposed gym building meets bulk, height, setback, and FAR restrictions. The proposal is compatible with the surrounding townhouse communities with regard to bulk, height, setbacks, and buffering. The existing mature tree cover will be enhanced with additional plantings to provide overstory and understory trees in transitional screening areas. Below is a cross section of the site of the eastern property line which shows the extent and height of the screening relative to the proposed gym building and the neighboring townhomes. Existing tree canopy on site will also continue to exceed guidelines and provide a substantial screening from the Right of Way.
Environment and Development Review Branch, DPD (Appendix 5)

The GDP/SEA Plat generally meets the environmental guidance in the Comprehensive Plan for water quantity, water quality, and landscaping. However, the following issues are outstanding and must be addressed in the proffers in order to be in full conformance with the Comprehensive Plan for the Fairfax Center Area and the Environment element of the Policy Plan.

- Green Building

The Fairfax Center area is an area of expectation for formal, third party green building certification as stated in the Environment Policy Plan. Without a commitment to LEED or an equivalent program such as EarthCraft, this application is not consistent with the adopted Green Building Policy. The applicant has proposed nine items related to green building practices (“soft commitments”) which are only appropriate when an applicant is unable to obtain a certification for demonstrable reasons. This is an outstanding issue which the current proffer commitments do not address.

- Low Impact Development (LID) Measures

Staff is concerned that the draft proffers do not meet stormwater management goals during all phases of development. The applicant should upgrade stormwater management quantity and quality controls consistent with the goals of the Comprehensive Plan and the Fairfax Center area and meet the quantity and quality requirements fully onsite. The existing place of worship was constructed under previous stormwater standards that did not include stormwater quality. The bioretention facility is the only LID measure currently proposed to be installed and will not occur until the second phase of construction. The applicant should commit to installing the proposed roof drains, underground detention facility, and manufactured treatment device with the first phase of development,
and the bioretention facility in the second phase. In addition, the applicant should revise their proffers to remove reference to off-site nutrient credits or allow the minimum required credits as a last resort.

- **EV Charging**
  
The applicant has not agreed to provide infrastructure to support future electric vehicle charging for a minimum of two percent of the parking spaces, which is an outstanding issue.

- **Natural Landscaping**
  
The applicant should proffer to commit to natural landscape approaches including soil remediation; all new plantings installed in mulched beds using a natural landscaping approach (no additional turfgrass areas); and restoration measures for all disturbed areas. The applicant has agreed to restore the areas where the driveway will be removed on Parcel 31, however, the applicant should revise the proffer as needed to provide all requested measures.

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**Stormwater (SDID, Site Development and Inspections Division – Appendix 6)**

Stormwater requirements will be met with a Stormtech vault on Lot 32A and bioretention facility on Lot 31. The controls provide 100% of all water quality requirements on site as proffered and shown on sheets 7 and 8 of the plat, as recommended by the policy plan for Fairfax Center. However the applicant wishes to retain the ability to request off-site nutrient credits at the time of site plan if necessary.

In addition, SDID has noted that the sizing of the Stormtech facility, which is located in from of the Gym parking lot, may not be sufficient. If needed, the applicant may be able to provide storage underneath the parking area or enlarge the facility, if appropriate.

Staff also recommends that LIDs be installed during both phases of the development and that all practical options for on site measures be exhausted before pursuing off site credits.

**Transportation (FCDOT/VDOT)**

The existing site entrances from Rugby Road and Burning Bush Drive are proposed to remain; the existing driveway entrance to the dwelling on Lot 32A from Rugby Road is proposed to be removed and curb and gutter installed along Lot 32A. No turn lanes or tapers are existing or required at either entrance location or at Burning Bush Drive, per the applicant’s turn lane assessment and as approved by FCDOT and VDOT. The increase in daily enrollment from 60 to 200 children would entail an increase of 100 trips during on weekday AM and PM peak hours and the Sunday trips would remain the same. Additionally, VDOT completed the review of the applicant’s turn lane warrant.
analysis associated and agreed with the results of the analyses that no right turn lane is warranted.

The following issue remains:

- Accessible Pedestrian Connections

  The applicant’s proposed improvements will upgrade the sidewalks adjacent to both buildings to ADA standard. However, an ADA compliant connection across the driveway between the church and gym, and a connection to the public path, are not proposed.

  The applicant states that because of the significant grade change on site, constructing these ADA connections are not preferable for the applicant as they will require additional grading and disturbance of the existing drive aisles and parking spaces, to create compliant cross slopes and longitudinal slopes for the pathways.

  Additional grading or tree removal may be acceptable given the abundant open space and trees being conserved on site, an encourages the applicant to proffer to work with FCDOT, UFMD, and LDS to find a solution to provide the ADA connections requested by FCDOT, at site plan. The applicant should also pursue the ADA compliant connection between the Place of Worship and proposed Gym, which appears to have limited impact on limits of disturbance, trees, and impervious area.

No other transportation issues remain.

Urban Forest Management Division, LDS (Appendix 8)

All UFMD comments have been addressed at this time by proposed Landscape Plan and proffers. Staff recommends a proffer allowing some flexibility to increase limits of disturbance to accommodate the future option for the ADA trail connections preferred by staff, and work with UFMD to reduce tree removal to the minimum necessary to do so. The applicant should further work with UFMD to implement the natural landscaping and restoration measures recommended by EDRB.

ZONING ORDINANCE ANALYSIS

R-2 District Provisions

Use and Intensity

The applicant requests to rezone the property from R-1 to R-2 at an FAR of 0.18. The R-2 District permits development of nonresidential uses at a maximum FAR of 0.20. The
proposed Place of Worship is allowable by Special Exception or Special Permit in the R-2 District and is within the baseline recommendations of the Comprehensive Plan.

The R-2 District is established to provide for single family detached dwellings at a density not to exceed two (2) dwelling units per acre and to allow other selected uses which are compatible with the low-density residential character of the district.

**Bulk Regulations (Sect. 3-206)**

The RZ application must satisfy the Bulk Regulations (Sect. 3-206) and the Use Restrictions (3-207) for the R-2 District. The development meets the bulk regulations of the R-2 District which include a minimum lot area of 15,000 square feet; a lot width of 125 feet; and a maximum height of 60 feet. The required front yard is controlled by a 45-degree angle of bulk plane (ABP) but not less than 35 feet. The side yard is controlled by a 40-degree ABP, but not less than 15 feet. The rear yard is controlled by a 40-degree ABP, but not less than 25 feet. As shown on the SEA Plat/GDP, these requirements are met or exceeded.

**Special Exception (SE) Analysis**

The SE must satisfy the General Special Exception Standards (Sect. 9-006), and the Additional Standards for Child Care Centers and Nursery Schools (Sect. 9-309).

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

**General Standards 1 and 2** require that the proposed use at the specified location “be in harmony with the adopted Comprehensive Plan” and “with the general purpose and intent of the applicable zoning district regulations.”

The applicant is proposing to continue their previously approved place of worship use at 760 seats and make modifications to the site and development conditions to expand the church facilities for the existing congregation. The proposal includes construction of a freestanding 15,000 gross square foot gym and an increase in nursery school enrollment from 60 children at any one time and total enrollment of 240 children, to a daily enrollment and total enrollment of 200 children. Staff finds the site will continue to be in harmony with the Comprehensive Plan and compatible with the surrounding properties. The proposed use will continue to be in harmony with the general purpose and intent of the residential zoning district, which is now proposed to be the R-2 Zoning District, which allow places of worship with the approval of a Special Exception or Permit.

**General Standard 3** requires that the proposed use shall 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.

Surrounding residential includes single family homes zoned to the R-5 and PDH-5 districts. A cross section of the eastern property line is shown on the SEA Plat/GDP which shows the relationship of the Gymnasium to the closest adjacent townhouse. The enlargement of the existing church and the proposed gymnasium, as conditioned, will not adversely affect the use or development of neighboring properties.

**General Standard 4** states that *the pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*

Fairfax County and Virginia Department of Transportation has reviewed the application and all of their comments have been addressed at this time. The traffic impact was assessed by the applicant and reviewed by VDOT. The increase in enrollment from 60 to 200 children would entail an increase of 100 trips during on weekday AM and PM peak hours and the Sunday trips would remain the same. The applicant proposes to implement a one-way circulation plan for pick up and drop off and enforced by a development condition.

As previously mentioned, the applicant is recommended to pursue construction of an ADA compliant connection across the driveway, to connect between the church and gym, at minimum. Staff encourages the applicant to proffer to work with FCDOT, UFMD, and LDS to find a solution to provide, at minimum, the ADA compliant connection between the Place of Worship and proposed Gym, which appears to have less impact on limits of disturbance and trees. This is an outstanding issue.

**General Standard 5** states that *the Board shall require landscaping and screening in accordance with the provisions of Article 13.*

The proposal will meet transitional screening and landscaping requirements as shown on the SE Plat/GDP, with one modification as noted previously, and Urban Forest Management Division (UFMD) has no outstanding concerns with the proposal. Existing mature tree cover and supplemental vegetation will provide adequate screening. The applicant has agreed to restore the areas where the driveway will be removed on Parcel 31, however, the applicant should revise the proffer as needed to provide the natural landscaping measures, soil remediation, and restoration measures that are recommended by EDRB (see Environment Analysis section above).
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.

Approximately 50% of the site will be preserved as open space however there is no requirement for open space for this property.

General Standard 7 requires that 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.

Facilities are in place to serve the proposed use. Parking requirements will be exceeded by the existing and proposed parking spaces. However, EV parking recommendations in the Comprehensive Plan are not being implemented, as addressed above in the Environmental Analysis.

The stormwater runoff will be controlled by underground vault and bioretention facilities as shown on the plan. The GDP/SEA Plat shows the applicant is providing water quality requirements on site including the requirement for the WSPOD District, meeting the code requirement for the property. However, the applicant’s proffers maintain the ability to request off-site nutrient credits. This reference to off-site credits should be removed or a proffer allowing the minimum necessary credits as a last resort be provide, to align with the Comprehensive Plan and Fairfax Center policy recommendations. Additionally, LIDs should be provided at each phase of development, as addressed above in the Environmental Analysis. These are outstanding issues. All other facilities and utilities serving the use will be adequate.

General Standard 8 requires that 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.

Signage will meet Article 12 of the Zoning Ordinance.

In order to ensure this, staff recommends a proffer that despite what is shown on the Gym elevations, signs will be adjusted to meet code. Additionally, due to proximity to residential uses the applicant should proffer to prohibit digital signs.

II. Category 3 SE Use Standards (Sect. 9-303)

Use Standard 1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
The place of worship will meet bulk regulations in accordance with the R-2 District requirements as discussed above. Setbacks to the property lines exceed the minimum required.

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

The development and use of the property will continue to meet the applicable performance standards.

**Use Standard 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.*

The applicant will file a site plan for the construction of the proposed phased improvements, in accordance with Article 17, as memorialized in the Proposed Development Conditions.

II. Additional Standards for Child Care Centers (Sect 9-309)

**Additional Standard 1** requires that “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. 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 existing and proposed play areas satisfy limitations A or D. The existing play area will be maintained without modification and is located outside of the minimum required front yard setback. The applicant is proposing to construct a second play area next to the church. A condition is included to require 100 square feet of space per child in accordance with the Zoning Ordinance.

**Additional Standard 2** requires that *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:
### Table

<table>
<thead>
<tr>
<th>Number of Persons</th>
<th>Street Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-75</td>
<td>Local</td>
</tr>
<tr>
<td>76-660</td>
<td>Collector</td>
</tr>
<tr>
<td>660 or more</td>
<td>Arterial</td>
</tr>
</tbody>
</table>

The site accesses directly from Rugby Road which is a collector road and is a short distance from Fairfax County Parkway and Lee Jackson Memorial Highway (principal arterials). The site location and access is sufficient for the use as determined by FCDOT and VDOT. The applicant’s traffic analysis indicated the proposed nursery school with a daily enrollment of 200 children will cause 100 additional trips in weekday AM and PM peak hours which will have a minimal impact on the road network. The overall total enrollment of the school will also be 200, reduced from 240 as previously approved.

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

The site has a large parking lot with two points of access and a one way circulation plan that will be enforced as proposed in the development conditions. The site will be satisfactory for pick up and drop off procedures for the increased amount of children. This standard is met.

### Waivers and Modifications

- **A modification of transitional screening requirements along the western, eastern, and southern boundaries of the subject property and a waiver of the barrier requirements along all property lines in accordance with Zoning Ordinance sections 13-305.7 and 13-305.12.**

  The transitional screening proposed on the SE plat for the gymnasium provides a 25-foot wide transitional screen at minimum as required by the Zoning Ordinance. The applicant is proposing a modification in order to allow changes to certain specific requirements for vegetation within the screening areas, in order to allow existing mature trees to satisfy the requirement. The proposal also includes supplemental landscaping in these areas. The existing and proposed tree cover will provide an adequate screen. Staff supports the proposed modification.

- **A waiver of the requirement for a designated bicycle lane on Rugby Road per the Fairfax County Bicycle Master Plan.**

  Staff supports the proposed modification to provide a designated bicycle lane consistent with existing conditions surrounding the property which do not have bicycle lanes. Staff supports the proposed modification.
• A modification of current sight distance requirements for an existing left turn to remain at the northern site entrance which was designed and approved with a site plan under prior VDOT standards.

The applicant will not be making any changes to the area within the sight distance triangle. Previously approved development conditions are carried forward to ensure sight distance is adequate. Staff continues to support the modification.

CONCLUSION

The applicant seeks to expand the existing place of worship facilities on the property to allow inclusion of a new parcel, construction of a new gym building on site, and a nursery school with a daily and total enrollment of 200 children. The proposed FAR would be 0.18 and the proposal is generally consistent with the Comprehensive Plan and Zoning Ordinance. However, outstanding concerns with the application remain, including improvements needed to proffers in order to adequately address expectations for low impact development measures, green building, and ADA pedestrian connections. Staff will continue to work with the applicant to resolve these concerns.

Staff finds that with the implementation of the proposed development conditions in Appendix 2, the Special Exception application will satisfy the applicable Zoning Ordinance standards for a Place of Worship with a Child Care Center and be in harmony with the Comprehensive Plan.

Staff finds that with the implementation of the proposed proffers, the Rezoning application will satisfy the Zoning Ordinance Standards for the R-2 District and conform to the Comprehensive Plan.

RECOMMENDATION

Staff recommends approval of RZ 2020-SU-014 subject to proffers consistent with those included in Appendix 1 of this report.

Staff recommends approval of SEA 93-Y-036-02 subject to the proposed development conditions contained in Appendix 2 of this report.

Staff recommends approval of the following Waivers and Modifications:

• A modification of transitional screening requirements along the western, eastern, and southern boundaries of the subject property and a waiver of the barrier requirements along all property lines in favor of landscaping shown on the GDP/SEA Plat.
• A modification of the requirement for a designated bicycle lane on Rugby Road consistent with existing conditions.
• A modification of current sight distance requirements for an existing left turn to remain at the northern site entrance which was designed and approved with a site plan under prior VDOT standards.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners 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 Planning Commission.

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.

APPENDICES

1. Applicant’s Draft Proffers
2. Staff’s Proposed Development Conditions
3. Applicant’s Affidavit
4. Applicant’s Statement of Justification
5. Land Use and Environmental Memo
6. Urban Forestry Memo
7. Stormwater Memo
8. Zoning Ordinance Standards
9. Glossary
Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Section 18-204 of the Zoning Ordinance of Fairfax County 1978, as amended, (hereinafter referred to as the “Zoning Ordinance”), the Trustees of Fairfax Church of Christ for and on behalf of themselves and their successors and/or assigns (hereinafter referred to as the “Applicant”), in RZ 2020-SU-014 filed on property identified as Fairfax County Tax Map 45-2 ((2)) 31 and 32A (hereinafter referred to as the “Application Property”) hereby proffers the following, provided that the Board of Supervisors (the “Board”) approves a rezoning of the Application Property from the R-1 District to the R-2 District. These proffers will replace and supersede any previously approved proffers on the Application Property. In the event this rezoning is denied by the Board, these proffers and conditions will immediately be null and void.

1. GENERALIZED DEVELOPMENT PLAN

   A. Development Plan. Subject to the provisions of Section 18-204 of the Zoning Ordinance, the Application Property will be developed in substantial conformance with the generalized development plan/special exception amendment plat consisting of 16 sheets, prepared by R.C. Fields & Associates, Inc. dated August 13, 2020 and revised through May 3, 2021 (“GDP/SEA Plat”).

   B. Minor Modifications. Pursuant to Section 18-204 and Section 9-004 of the Zoning Ordinance, minor modifications to the GDP/SEA Plat may be permitted as determined by the Zoning Administrator. The Applicant will have the flexibility to modify the layout shown on the GDP/SEA Plat, which includes the flexibility to modify the building footprint or decrease the maximum floor area ratio (FAR) based on final engineering and design without the need for a proffered condition amendment (PCA) or special exception amendment (SEA), provided such changes are in substantial conformance with the GDP/SEA Plat as determined by the Zoning Administrator and do not decrease the amount of open space or the distance to peripheral lot lines below the minimums required by the Zoning Ordinance. Modifications to the clearing limits shown on the GDP/SEA Plat may be permitted at site plan in response to final design without requiring approval of a PCA or SEA provided such modifications are determined to be in substantial conformance with the GDP/SEA Plat and these proffers.

   C. Minor Variations. Minor variations to these proffered conditions and the GDP may be approved in accordance with the provisions of Section 18-204 of the Zoning Ordinance without the need for a public hearing, a PCA, or an SEA.
2. PROPOSED DEVELOPMENT

The Application Property will be developed with a place of worship consisting of approximately 44,209 square feet of gross floor area, and a gymnasium consisting of approximately 15,160 square feet of gross floor area. The Applicant may construct the proposed improvements in phases. The improvements to the existing place of worship will be Phase One, and may be constructed in one or multiple phases. The construction of the gymnasium will be Phase Two.

3. TRANSPORTATION IMPROVEMENTS

A. Frontage Improvements. In conjunction with the construction of the gymnasium, the Applicant will remove an existing driveway and install curb, gutter, and a sidewalk along the Application Property’s Rugby Road frontage to connect to existing improvements as shown on the GDP/SEA Plat.

B. Bicycle Storage. The Applicant will install bicycle storage racks as generally shown on the GDP/SEA Plat. The final location and type of bicycle storage racks will be determined at time of site plan in coordination with FCDOT. Installation of the bike racks may be phased with building construction depending upon their final location.

C. Reservation of Density. The Applicant reserves density credit as may be permitted by the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance for all eligible dedications as may be required by Fairfax County or VDOT at the time of site plan approval.

4. LANDSCAPING

A. Landscape Plan. A landscape plan will be submitted concurrently with the first site plan for the Application Property that shows, at a minimum, landscaping in conformance with the landscaping shown on the GDP/SEA Plat. The landscape plan will not include any invasive species and will incorporate native species to the greatest extent feasible; however, this limitation will not apply to seasonal plantings. Adjustments to the type and location of vegetation will be permitted as approved by the Urban Forest Management Division (UFMD).

B. Driveway Removal and Soil Remediation. Landscaping, consisting of native species, will be installed in the area of the existing driveway to be removed with the construction of the gymnasium. Said landscaping will be selected in consideration of limitations imposed by existing underground utilities and will not include invasive species. If the area contains construction debris and rubble, is compacted, or is unsuitable for the establishment and long-term survival of landscape plants, the soil will be the subject of remedial action to restore planting areas to satisfy cultural requirements for shrubs and ground covers specified in the landscape plan included in the GDP/SEA Plat. Soil remediation measures will comply with the following:
(i) A minimum of 4 inches of topsoil or equivalent organic material will be provided in areas containing construction debris and rubble;

(ii) The Virginia Tech Soil Profile Rebuilding Standards, or a comparable standard, will be used as determined at site plan in consultation with UFMD; and

(iii) Profile rebuilding will only take place after site disturbance is complete, which includes the cessation of all vehicle and construction equipment traffic, but before replacement of topsoil.

C. Landscape Planting Pre-installation Meeting. Prior to installation of any plants to meet the requirements of the approved landscape planting plan, the contractor/developer will coordinate a pre-installation meeting on the site with the landscape contractor, UFMD staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan will be reviewed and must be approved by UFMD staff prior to planting. The installation of plants not approved by UFMD may require the submission of a revision to the landscape plan or removal and replacement with approved trees/shrubs prior to bond release.

D. Restoration. The Applicant will restore all disturbed areas using natural landscaping concepts to the extent feasible including the installation of native seedlings, and will not propose areas of maintained turf grass to the Application Property.

5. TREE PRESERVATION

A. Tree Inventory and Condition Analysis. The Applicant will submit a Tree Inventory and Condition Analysis as part of the first and all subsequent site plan submissions. The Tree Inventory and Condition Analysis will be prepared by a Certified Arborist or Registered Consulting Arborist, and will include elements of PFM 12-0307 deemed appropriate to the project site as determined by UFMD.

B. Tree Preservation Plan. The Applicant will submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The Tree Preservation Plan and Narrative will be prepared by a Certified Arborist or Registered Consulting Arborist, and will include elements of PFM 12-0309 deemed appropriate to the project site as determined by UFMD.

C. Project Arborist/Pre-construction Meeting. Prior to the pre-construction meeting, the Applicant will have the approved limits of clearing and grading flagged with a continuous line of flagging. The Applicant will retain the services of a Certified Arborist or Registered Consulting Arborist (Project Arborist) to attend the preconstruction meeting to review the limits of clearing and grading with an UFMD representative to determine where adjustments to the clearing limits can be made to increase the area of the tree preservation and/or to increase the survivability of trees at the limits of clearing and grading. Such adjustments will be recorded by the
Project Arborist and tree protection fencing will be implemented under the Project Arborist’s supervision based on these adjustments.

D. **Tree Protection Fencing.** The Applicant will provide appropriate tree protection devices, based on site conditions and proposed construction activities as reviewed and approved by UFMD. Tree protection fence will consist of four-foot high welded wire attached to six-foot steel posts driven 18 inches into the ground and space no further than 10 feet apart; or super silt fence.

E. **Tree Preservation Measures.** Tree preservation measures will be clearly identified, labeled, and detailed on the Erosion and Sediment Control Plan sheets and Tree Preservation Plan. Tree preservation measures may include, but are not limited to the following: root pruning, crown pruning, mulching, watering, etc. Specifications will be provided on the plan detailing how preservation measures will be implemented. Tree preservation activities will be completed during implementation of Phase 1 of the Erosion and Sediment Control Plan.

F. **Demolition.** The demolition of all existing structures and site features within or adjacent to tree preservation areas must be accomplished in the least disruptive manner practical as reviewed and approved by UFMD. All tree protection fencing must be in place and verified by a County representative prior to commencement of demolition activities.

G. **Site Monitoring.** The Applicant’s Project Arborist will be present on site during implementation of the Phase 1 Erosion and Sediment Control Plan and monitor any construction activities conducted within or adjacent to areas of trees to be preserved. Construction activities include, but may not be limited to clearing, root pruning, tree protection fence installation, vegetation/tree removal, and demolition activities. During implementation of Phase 2 Erosion and Sediment Control Plan, the Project Arborist will visit the site on a regular basis to continue monitoring tree preservation measures and ensure that all activities are conducted as identified in the Tree Preservation Plan and approved by UFMD. Written reports will be submitted to UFMD and SDID site inspector detailing site visits. A monitoring schedule and Project Arborist reports will be described and detailed in the Tree Preservation Plan.

H. **Invasive Species Management.** In conjunction with the construction of Phase One improvements, the Applicant will restore existing vegetation located in the southeast corner of the Application Property as shown on the GDP/SEA Plat. Said restoration will including clearing debris and implementing an Invasive Species Management Plan (the “Plan”). The Plan will be designed at time of site plan by a certified arborist in coordination with UFMD. The Plan will include new plantings to supplement existing vegetation. All proposed plantings will be field located to minimize impact on existing vegetation.
6. GREEN BUILDING PRACTICES

The Applicant will incorporate into the building design and implement green building technologies and strategies as follows:

A. In the construction of the building additions identified as Phase One, the following design features will be used to the extent feasible based on existing conditions:

(i) Motion sensor faucets, flush valves, and ultra-low plumbing fixtures.

(ii) Energy-Star or equivalent appliances.

(iii) Increased insulation and energy-efficient windows and doors.

(iv) Low-emitting materials for adhesives, sealants, paints, coatings, flooring system, composite wood, and agrifiber products. Low-emitting is defined according to SCAQMD Rule 1113 and Rule 1168.

(v) No use of chlorofluorocarbon (CFC) based refrigerants in the building systems.

(vi) Carpet and carpet padding that will meet the testing and product requirements of the Carpet and Rug Institute Green Label Plus Program.

(vii) Vinyl composition tile and rubber tile flooring that will meet the requirements of the FloorScore certification program.

(viii) A construction waste management plan that includes reuse of materials on-site, where feasible, and hiring a waste removal and diversion company to process all construction waste at a recycling center.

B. In the construction of the gymnasium in Phase Two, the Applicant will, at the time of site plan and building plan review, provide a certification statement from a LEED or equivalent-accredited professional (the “LEED-AP”), who is also a professional engineer or licensed architect, confirming that the green building elements listed below have been incorporated into the design of the building to the extent possible at the time of site plan and building plan review, or that they will be incorporated and implemented with the final buildout.

(i) Motion sensor faucets, flush valves, and ultralow-flow plumbing fixtures;

(ii) Low-emitting materials for all adhesives, sealants, paints, coatings, flooring systems, composite wood, and agrifiber products. Low-emitting is defined according to SCAQMD Rule 1113 and Rule 1168;

(iii) LED or fluorescent lamps in all signage and shell interior building lighting fixtures;
(iv) Increased R-value of roof/wall insulation to R-30 in order to increase R-value of the building envelope and cut down on heat loss/gain;

(v) Zero VOC paint and low VOC adhesives, sealants and coatings;

(vi) Energy Star equipment and appliances;

(vii) Lighting controls that will integrate occupancy sensors used in spaces not actively used throughout the day (i.e., restrooms, office, conference rooms, closets);

(viii) Carpet and carpet padding that will meet the testing and product requirements of the Carpet and Rug Institute Green Label Plus Program;

(ix) Vinyl composition tile and rubber tile flooring that will meet the requirements of the FloorScore certification program;

(x) Provision of an area for the separation, collection and storage of recyclables for glass, paper, metal, plastic and cardboard generated by users;

(xi) Recycling programs for batteries/light bulbs and computer equipment, including printers and ink cartridges; and

(xii) Provision of a construction waste management plan that consists of hiring a waste removal and diversion company to process all construction waste at a recycling center.

7. STORMWATER MANAGEMENT

A. Subject to the approval of the Land Development Services (LDS) at time of site plan for each phase, the Applicant will implement an on-site Stormwater Management (SWM) and Best Management Practices (BMP) plan to control the quantity and quality of stormwater runoff from the Application Property in conformance with the requirements of the Water Supply Protection Overlay District (WSPOD) as shown on the GDP/SEA Plat. In addition to what is shown on the GDP/SEA Plat, the Applicant will utilize permeable pavement with the construction of Phase One for approximately 100 linear feet of the proposed sidewalk on the north side of the existing building as a Low Impact Development (LID) practice. With the construction of Phase Two, the Applicant will continue to meet WSPOD requirements and utilize a bioretention facility as a LID practice as shown on the GDP/SEA Plat.

B. Should new stormwater management regulations be issued affecting the Application Property, the Applicant reserves the right to accommodate necessary changes to its stormwater/BMP facility designs without the requirement of a PCA or SEA, or gain approval of any administrative modifications to the GDP/SEA Plat or proffers, provided the facility designs substantially conform with the GDP/SEA Plat.
8. MISCELLANEOUS

A. **Timing of Completion.** Upon demonstration by the Applicant that, despite diligent efforts or due to factors beyond the Applicant’s control, construction of any of the required improvements described herein has been delayed beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of such improvement without the necessity of a PCA or SEA.

B. **Successors and Assigns.** These proffers will bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to “Applicant” in this proffer statement will include within its meaning and will be binding upon the Applicant’s successor(s) in interest and/or the owner(s) from time to time of the Application Property during the period of their ownership.

C. **Counterparts.** These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one in the same instrument.

[SIGNATURES ON NEXT PAGE]
Applicant/Title Owner of
Tax Map 45-2 ((2)) 31 and 32A

TRUSTEES OF FAIRFAX CHURCH OF CHRIST

___________________________________________
Chad Patterson, Trustee

___________________________________________
Brian K. Bosley, Trustee

___________________________________________
Lori Windham, Trustee

[SIGNATURES END]
PROPOSED SPECIAL EXCEPTION DEVELOPMENT CONDITIONS

SEA 93-Y-036

June 15, 2021

If it is the intent of the Board of Supervisors to approve Special Exception SEA 93-Y-036 on Tax Map Parcels # 45-2 ((2)) 31 and 32A to amend the previously approved Special Exception for a Place of Worship with a Nursery School to permit the addition of land area, site modifications, and an increase in Nursery School enrollment, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. An Asterisk* is included to denote previous conditions that have been carried forward.

1. This Special Exception is granted for and runs with the land indicated in the application and is not transferable to other land.

2. This Special Exception is granted only for the purpose(s), structure(s), and/or use(s) indicated on the Special Exception Plat approved with this application, as qualified by these development conditions.

3. This Special Exception is subject to the provisions of Article 17 of the Zoning Ordinance, Site Plans, as may be determined by the Director, Land Development Services (LDS). Any site plan submitted pursuant to this Special Exception will be in substantial conformance with the approved Special Exception Plat entitled “Special Exception Amendment Plat and Generalized Development Plan, Fairfax Church of Christ” prepared by R.C. Fields and Associates and dated May 3, 2021, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

4. The Gymnasium will operate as a use that is accessory to the Place of Worship, as defined in the Zoning Ordinance. The maximum occupancy of the Gymnasium will not exceed 210 people at any one time, as may be reduced if needed to conform to building code, subject to review by LDS and Fire Marshall.

5. The architecture of the Gymnasium will be generally consistent with materials, bulk, and roofline shown in the elevations the SEA Plat/GDP.

6. The applicant will provide an ADA compliant connection from the Place of Worship to the Gymnasium building, in coordination with FCDOT and LDS.

7. The property’s Burning Bush Drive access will not be utilized for the drop-off or pick-up of children for the nursery school with extended child care. Traffic cones will be placed across the Burning Bush Drive access Monday through Friday from the hours of 6:30 a.m. to 9:30 a.m. and from 3:30 p.m. to 6:30 p.m. At the beginning of each session, the parents or guardians of children enrolled in the
nursery school will receive an information packet that will include rules and regulations. The information will include details about the one-way vehicle circulation plan for entry and exit.

8. The maximum daily enrollment, and the maximum total enrollment, in the nursery school is 200.*

9. The hours of operation for the nursery school will be limited to between the hours of 9:00 a.m. and 3:30 p.m., 6:30 a.m. to 6:30 p.m. Monday through Friday.*

10. The use of the children’s outdoor play areas will meet the requirements of the Zoning Ordinance for recreational space per child.

11. In order to reduce the noise impacts from the Fairfax County Parkway on the children’s play area, an architecturally solid fence flush to the ground with a minimum height of four feet will be provided along the northern boundary of the play area and will extend at least ten feet around the eastern and western boundaries of the play area.*

12. The maximum seating capacity for the church use will be limited to 760 seats. Parking will be provided in conformance with Zoning Ordinance. All parking will be on-site.*

13. The proposed building materials, color, landscaping and window treatments of the Phase I expansion will be compatible with the existing church building.*

14. The parking lot lighting will be directional and will focus directly on the subject property. If necessary, shields will be installed to prevent the light from projecting beyond the subject property. The two light fixtures located immediately to the south and west of the proposed auditorium will be controlled by a photo cell with a time clock override. All other parking lot lights will be used only in conjunction with an evening event. Any parking lot lights that are to be used for an evening event will be turned off at the end of the event. For small meetings, only those lights closest to the existing church and auditorium building and will be used.*

15. If it is determined necessary by the Urban Forest Management Division and/or LDS that existing trees within the Conservation Easement must be removed, then replacement trees will be provided pursuant to Section 12-0403.7 of the Public Facilities Manual as determined by the Urban Forester.

16. Fencing will conform to location and height requirements of the Zoning Ordinance.

17. Pursuant to the Zoning Ordinance, this Special Exception will automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time
to establish the use or to commence construction if a written request for
additional time is filed with the Zoning Administrator prior to the date of expiration
of the Special Exception. The request must specify the amount of additional time
requested, the basis for the amount of time requested and an explanation of why
additional time is required.

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

This approval, contingent on the above noted conditions, must not relieve the applicant
from compliance with the provisions of any applicable ordinances, regulations, or
adopted standards. The applicant is responsible for obtaining the required
Non-Residential Use Permits through established procedures, and this Special
Exception is not valid until this has been accomplished.
DATE: June 4, 2021

TO: Emma Estes, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Jo Ellen Groves, Paralegal
Office of the County Attorney

SUBJECT: Affidavit
Application No.: RZ 2020-SU-014
Applicant: Trustees of Fairfax Church of Christ
PC Hearing Date: 6/30/21
BOS Hearing Date: Not yet scheduled.

REF.: 160016

Attached is an affidavit which has been approved by the Office of the County Attorney for the referenced case. Please include this affidavit dated 6/2/21, which bears my initials and is numbered 160016b, when you prepare the staff report.

Thank you for your cooperation.

Attachment
cc: (w/attach) Julia Nichols, Planning Technician I (Sent via e-mail)
Zoning Evaluation Division
Department of Planning and Zoning
REZONING AFFIDAVIT

DATE: June 2, 2021
(enter date affidavit is notarized)

I, Lynne J. Strobel, attorney/agent, do hereby state that I am an applicant’s authorized agent listed in Par. 1(a) below

(check one) [ ] applicant [✓] applicant’s authorized agent listed in Par. 1(a) below

in Application No.(s): RZ 2020-SU-014
(enter County-assigned application number(s), e.g. RZ 88-V-001)

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

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<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>RELATIONSHIP(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trustees of Fairfax Church of Christ</td>
<td>3901 Rugby Road, Fairfax, VA 22033</td>
<td>Applicant/Title Owner of Tax Map 45-2 ((2)) 31 and 32A</td>
</tr>
<tr>
<td>Trustees/Agents:</td>
<td></td>
<td></td>
</tr>
<tr>
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<tr>
<td>Lori Windham</td>
<td></td>
<td></td>
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<tr>
<td>Agents: Jill D. Bitgood</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Philip L. McKinney</td>
<td></td>
<td></td>
</tr>
<tr>
<td>W. Paul Wert</td>
<td></td>
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<tr>
<td>• David Thornton Bell</td>
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</tbody>
</table>

(check if applicable) [✓] There are more relationships to be listed and Par. 1(a) is continued on a “Rezoning Attachment to Par. 1(a)” form.

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

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

Information added.
Rezoning Attachment to Par. 1(a)

DATE: June 2, 2021
(enter date affidavit is notarized)

for Application No. (s): RZ 2020-SU-014
(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.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>RELATIONSHIP(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walsh, Colucci, Lubeley &amp; Walsh, P.C.</td>
<td>2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201</td>
<td>Attorney/Agent</td>
</tr>
</tbody>
</table>
| Agents: Lynne J. Strobel  
M. Catharine Puskar  
Andrew A. Painter  
Robert D. Brant  
Kathryn R. Taylor  
Elizabeth D. Baker  
Bernard S. Suchicitel  
Anna B. Smith (FORMER) | | |
| M. J. Wells and Associates, Inc. | 1420 Spring Hill Road, Suite 610 Tysons, VA 22102 | Transportation Consultant/Agent |
| Agents: William F. Johnson  
Kevin R. Fellin  
Brian J. Horan  
Andrew C. Buntua  
Lester E. Adkins, III | | |
| R.C. Fields & Associates, Inc. | 730 S. Washington Street Alexandria, VA 22314 | Engineer/Agent |
| Agents: Andrea C. Spruch  
Vince McHale  
Nathaniel R. Rubayat | | |
| BGW Architects II, PC | 2909 Washington Boulevard Ogden, UT 84401 | FORMER Architect/Agent |
| Agents: Brian W. Dixon  
Edward T. Wright  
David J. Tyson | | |
| TNT Environmental, Inc. | 13996 Parkeast Circle, Suite 101 Chantilly, Virginia 20151 | Consultant/Agent |
| Agent: Avinash M. Sareen | | |

(check if applicable) [✓] There are more relationships to be listed and Par. 1(a) is continued further on a “Rezoning Attachment to Par. 1(a)” form.
Rezoning Attachment to Par. 1(a)

DATE: June 2, 2021
(enter date affidavit is notarized)

for Application No. (s): RZ 2020-SU-014
(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.

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)

Samuel Engineering, Inc.
8450 E. Crescent Parkway, Suite 200
Greenwood Village, CO 80111

Architect/Agent

Agents: Gregory P. Miller
Andrew R. Billings

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

DATE: June 2, 2021
(enter date affidavit is notarized)

for Application No. (s): RZ 2020-SU-014
(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, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

DESCRIPTION OF CORPORATION: (check one statement)

[ ] There are 10 or less shareholders, and all of the shareholders are listed below.

[✓] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

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

Wendy A. Alexander
John H. Foote
Charles E. McWilliams
Kathleen H. Smith

David J. Bomgardner
H. Mark Goetzman
Antonia E. Miller
Lynne J. Strobel

E. Andrew Burcher
Bryan H. Guidash
J. Randall Minchew
Erin M. Thiebert

Jonelle M. Cameron
Michael J. Kalish
Andrew A. Painter
Garth M. Wainman

Thomas J. Colucci
Michael R. Kieffer
M. Catharine Puskar
Matthew A. Westover

Michael J. Coughlin

Peter M. Dolan, Jr. (FORMER)

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

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

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

FORM RZA-1 Updated (7/1/06)
Rezoning Attachment to Par. 1(b)

DATE: June 2, 2021
(enter date affidavit is notarized)

for Application No. (s): RZ 2020-SU-014
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
R.C. Fields & Associates, Inc.
730 S. Washington Street
Alexandria, Virginia 22314

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.
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NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)
Paul A. Wilder
Ronald J. Keller

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

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
M. J. Wells & Associates, Inc.
1420 Spring Hill Road, Suite 610
Tysons, VA 22102

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NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
M. J. Wells & Associates, Inc. is an Employee Stock Ownership Plan (ESOP). All employees are eligible Plan participants; however, no one employee owns 10% or more of any class of stock.

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

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Rezoning Attachment to Par. 1(b)

DATE: June 2, 2021

for Application No. (s): RZ 2020-SU-014

NAME & ADDRESS OF CORPORATION: BGW Architects II, PC (FORMER)
2909 Washington Boulevard
Ogden, UT 84401

DESCRIPTION OF CORPORATION: [ ] 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.
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NAMES OF OFFICERS & DIRECTORS: President, Vice-President, Secretary, Treasurer, etc.

NAME & ADDRESS OF CORPORATION: TNT Environmental, Inc.
13996 Parkeast Circle, Suite 101
Chantilly, Virginia 20151

DESCRIPTION OF CORPORATION: [✓] 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.
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NAMES OF THE SHAREHOLDERS: Avinash M. Sareen
Joshua C. Marshall
Matthew T. Marshall

NAMES OF OFFICERS & DIRECTORS: President, Vice-President, Secretary, Treasurer, etc.

(check if applicable) [✓] There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.
DATE: June 2, 2021
(enter date affidavit is notarized)

for Application No. (s): RZ 2020-SU-014
(enter County-assigned application number(s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Samuel Engineering, Inc.
8450 E. Crescent Parkway, Suite 200
Greenwood Village, CO 80111

DESCRIPTION OF CORPORATION: (check one statement)
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[ ] 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)
Claudia R. Samuel
Everod Valentine Samuel

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

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

DESCRIPTION OF CORPORATION: (check one statement)
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(enter if applicable) [ ] There is more corporation information and Par. 1(b) is continued further on a
“Rezoning Attachment to Par. 1(b)” form.

FORM RZA-1 Updated (7/1/06)
REZONING AFFIDAVIT

DATE: June 2, 2021

for Application No. (s): RZ 2020-SU-014

PARTNERSHIP INFORMATION

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

None

(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)

[ ] There is more partnership information and Par. 1(c) is continued on a “Rezoning Attachment to Par. 1(c)” form.

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

DATE: June 2, 2021
(enter date affidavit is notarized)

for Application No. (s): RZ 2020-SU-014
(enter County-assigned application number(s))

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

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

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

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

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

None

(check if applicable) [ ] There are more interests to be listed and Par. 2 is continued on a “Rezoning Attachment to Par. 2” form.
REZONING AFFIDAVIT

DATE: June 2, 2021

(enter date affidavit is notarized)

for Application No. (s): RZ 2020-SU-014

(enter County-assigned application number(s))

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

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

None

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

(check if applicable) There are more disclosures to be listed and Par. 3 is continued on a “Rezoning Attachment to Par. 3” form.

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

WITNESS the following signature:

[ ] Applicant

[ ] Applicant’s Authorized Agent

Lynne J. Strobel, attorney/agent

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

Subscribed and sworn to before me this 2 day of June 2021, in the State/Comm. of Virginia, County/City of Arlington.

My commission expires: 11/30/2023

FORM RZA-1 Updated (7/1/06)
DATE: June 4, 2021

TO: Emma Estes, Staff Coordinator
   Zoning Evaluation Division
   Department of Planning and Zoning

FROM: Jo Ellen Groves, Paralegal
       Office of the County Attorney

SUBJECT: Affidavit
   Application No.: SEA 93-Y-036-02
   Applicant: Trustees of Fairfax Church of Christ
   PC Hearing Date: 6/30/21
   BOS Hearing Date: Not yet scheduled.

REF.: 160017

Attached is an affidavit which has been approved by the Office of the County Attorney for the referenced case. Please include this affidavit dated 6/2/21, which bears my initials and is numbered 160017b, when you prepare the staff report.

Thank you for your cooperation.

Attachment

cc: (w/attach) Julia Nichols, Planning Technician I (Sent via e-mail)
    Zoning Evaluation Division
    Department of Planning and Zoning
SPECIAL EXCEPTION AFFIDAVIT

DATE: June 2, 2021

I, Lynne J. Strobel, attorney/agent, do hereby state that I am an applicant’s authorized agent listed in Par. 1(a) below.

(check one) [ ] applicant
[ ] applicant’s authorized agent listed in Par. 1(a) below

in Application No.(s): SEA 93-Y-036-02

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.)

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>RELATIONSHIP(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trustees of Fairfax Church of Christ</td>
<td>3901 Rugby Road, Fairfax, VA 22033</td>
<td>Applicant/Title Owner of Tax Map 45-2 ((2)) 31 and 32A</td>
</tr>
</tbody>
</table>

Trustees/Agents:
- Chad Patterson
- Brian K. Bosley
- Lori Windham

Agents: Jill D. Bitgood
- Philip L. McKinney
- W. Paul Wert
- David Thornton Bell

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

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

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).
Special Exception Attachment to Par. 1(a)

DATE: June 2, 2021

for Application No. (s): SEA 93-Y-036-02

(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.)

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<tr>
<td>Walsh, Colucci, Lubeley &amp; Walsh, P.C.</td>
<td>2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201</td>
<td>Attorneys/Planners/Agent</td>
</tr>
<tr>
<td>M. J. Wells and Associates, Inc.</td>
<td>1420 Spring Hill Road, Suite 610 Tysons, VA 22102</td>
<td>Transportation Consultant/Agent</td>
</tr>
<tr>
<td>Agents: William F. Johnson Kevin R. Fellin Brian J. Horan Andrew C. Buntua Lester E. Adkins, III</td>
<td></td>
<td></td>
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<td>BGW Architects II, PC</td>
<td>2909 Washington Boulevard Ogden, UT 84401</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>TNT Environmental, Inc.</td>
<td>13996 Parkeast Circle, Suite 101 Chantilly, Virginia 20151</td>
<td>Consultant/Agent</td>
</tr>
<tr>
<td>Agent: Avinash M. Sareen</td>
<td></td>
<td></td>
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(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 Attachment to Par. 1(a)

DATE: __________ June 2, 2021 __________
(enter date affidavit is notarized)

for Application No. (s): SEA 93-Y-036-02
(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.)

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DATE: June 2, 2021

(enter date affidavit is notarized)

for Application No. (s): SEA 93-Y-036-02

(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

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M. Catharine Puskar
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Michael J. Coughlin
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NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Samuel Engineering, Inc.
8450 E. Crescent Parkway, Suite 200
Greenwood Village, CO 80111

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)
Claudia R. Samuel
Everod Valentine Samuel

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

(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.
DATE: June 2, 2021
(enter date affidavit is notarized)

for Application No. (s): SEA 93-Y-036-02
(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)

None

(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: June 2, 2021
(enter date affidavit is notarized)

for Application No. (s): SEA 93-Y-036-02
(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.
SPECIAL EXCEPTION AFFIDAVIT

DATE: June 2, 2021

for Application No. (s): SEA 93-Y-036-02

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:

Lynne J. Strobel, attorney/agent

Subscribed and sworn to before me this 2 day of June 2021, in the State/Comm. of Virginia, County/City of Arlington.

My commission expires: 11/30/2023
Via E-Mail and Hand Delivery

Tracy D. Strunk, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning and Development  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

Re: Proposed Rezoning and Special Exception Amendment  
Fairfax County Tax Map Reference: 45-2 (2) 31 and 32A  
Applicant: Trustees of Fairfax Church of Christ

Dear Ms. Strunk:

Please accept this letter as a statement of justification for a proposed rezoning and special exception amendment.

Fairfax Church of Christ (the “Church”) is located on approximately 5.86 acres identified among the Fairfax County tax assessment records as 45-2 (2) 32A (Parcel 32A). The Church has been located on Parcel 32A since 1972. While initially established prior to the requirement for special permit or special exception approval, the Church has been the subject of several land use approvals. Most recently, the Board of Supervisors (the “Board”) approved SEA 93-Y-036 on September 30, 1996. The approval permits the continued operation of a church and nursery school subject to development conditions. The Applicant has subsequently acquired an adjacent property identified among the Fairfax County tax assessment records as 45-2 (2) 31 (Parcel 31).

The Applicant proposes the consolidation and rezoning of Parcel 31 and Parcel 32A (collectively the “Subject Property”) from the R-1 District to the R-2 District, and a special exception amendment to add land area and permit the construction of improvements. The Subject Property is surrounded on the east, west and south by single family homes zoned primarily to the R-5 and PDH-5 Districts. The Fairfax County Parkway is located to the north. Located in the Sully Magisterial District, the Subject Property contains a total of approximately 7.72 acres.

The Subject Property is located in Land Unit L within the Fairfax Center Area in the Area III Comprehensive Plan (the “Plan”). Land Unit L is described as containing stable residential
subdivisions and institutional uses. Specifically, the Subject Property is located in Sub-unit L-1. Sub-unit L-1 is planned for residential development at a density of two (2) dwelling units per acre at the baseline level and five (5) dwelling units per acre at the overlay level. The Applicant’s proposal to rezone the Subject Property from the R-1 District to the R-2 District is in general conformance with the recommended baseline density of the Plan. Places of worship are typically viewed as community-serving uses compatible with residential development and are consistent with the Plan’s recommendation for a predominately residential use in the area with supporting services.

The Church is currently comprised of a single building located on Parcel 32A that contains approximately 36,077 square feet of gross floor area. The existing building includes a sanctuary, various meeting rooms, and offices. The Applicant proposes to make improvements to the existing building and re-establish a nursery school that previously operated in the building. The site improvements, including accommodation of the nursery school will be constructed as a first phase of development. The Applicant’s proposed improvements in Phase One consist of the following:

- Three small additions to the existing building;
- A portion of the existing building will be removed at the rear and reconstructed as two stories; and
- A new outdoor play area.

The building additions will result in an increase of 8,632 square feet of gross floor area, or a total of 44,209 square feet of gross floor area in Phase One. The total proposed square footage consists of 36,077 square feet of existing improvements, the removal of 3,958 square feet from the building, and the addition of 12,590 square feet. The Phase One improvements may be constructed at one time or phased based on funding. The height of the church building will be a maximum of 35 feet. The Applicant will also construct a number of site improvements, such as ADA accessible sidewalks, additional access, foundation plantings, and stormwater management. Interior building modifications will facilitate re-establishment of the nursery school, and also improve the existing facilities, such as a relocated and improved kitchen. An existing playground will remain and a new outdoor play area is proposed to accommodate the nursery school. The existing 254 parking spaces, primarily located behind the existing building, will remain. The improved facilities are intended to benefit the Church’s existing congregation, as well as the community, and not increase Church membership.

As a second phase of development, the Applicant proposes improvements to Parcel 31, which is currently developed with a single-family home. The Applicant will remove the existing improvements and construct a gymnasium with 10 new parking spaces, resulting in a total of 264 parking spaces on the Subject Property. The additional parking spaces provide convenient and proximate parking to the proposed gymnasium. The proposed gymnasium will be approximately 15,160 square feet of gross floor area with a height of approximately 40 feet. Access will be provided by the Church’s existing internal drive aisle, and the existing curb cut from Parcel 31 to
to Rugby Road will be removed and the area of the existing driveway revegetated. The gymnasium will be operated and used by the Church for recreation activities and meetings. Community residents who are not Church members may use the gymnasium on a case-by-case invitation basis through a reservation system.

Upon completion of Phase Two, the total development on the Subject Property will be 59,869 square feet of gross floor area, or a .18 FAR. The Fairfax County Zoning Ordinance (the "Zoning Ordinance") permits non-residential uses in the R-2 District to have an FAR up to .2. Therefore, the Applicant’s proposal is in conformance with Zoning Ordinance limitations.

The disturbance associated with the site and building improvements on Parcel 32A will be minimal. An existing conservation easement is located along the Subject Property’s Rugby Road frontage and at the periphery of Parcel 32A. The conservation easement includes a number of large mature trees and will not be modified. The Applicant has thoughtfully designed the proposed gymnasium on Parcel 31 to minimize its impact on adjacent property owners. The building will be constructed in a previously disturbed area. In addition, the building will be set back from Rugby Road with minimal disturbance along the frontage. Setbacks in excess of Zoning Ordinance requirements will be provided. The setback to the closest property line is 54 feet, which is more than double the Zoning Ordinance requirement. In addition, the gymnasium will be adjacent to open space that is owned by a homeowners association, and not an individual homeowner. Overall, the Applicant has designed its improvements to maximize tree preservation and minimize any visual impact on the surrounding neighborhoods.

In accordance with the Zoning Ordinance requirements of Section 9-011, please accept the following information regarding the Applicant’s proposal.

- The use of the Subject Property will be a place of worship consistent with the existing Church on Parcel 32A. The place of worship will provide religious services, religious education and other programs typically found in association with a place of worship such as community outreach and charitable activities. A nursery school with extended child care will operate within the Church building. The nursery school will serve children ages 2½ through 5 years. The Subject Property will include a gymnasium as a separate freestanding building that will primarily be used by Church members.

- The hours of operation are proposed as follows:

  - Church: Services –
    Sunday – 8:00 a.m. to 12:00 p.m.
    Wednesday – 6:00 p.m. to 9:00 p.m.

  - Office –
    Monday through Friday – 8:30 a.m. to 4:30 p.m.
The Church will also hold funerals, weddings, receptions, baptisms and other special religious services as necessary to serve its congregation. The Church will also have various meetings in the evening such as Bible study and committee meetings.

- Nursery School: Monday through Friday – 6:30 a.m. to 6:30 p.m.

- Gymnasium: By reservation on an as-needed basis. The use of the gymnasium is expected to be primarily in the evenings during the week and on weekends. The gymnasium is not expected to operate during Church services. While the gymnasium may be used by the nursery school for recreation, it is not anticipated to be used during the operating hours of the nursery school.

The Church currently has a sanctuary with 760 seats. The seating capacity of the sanctuary will remain the same. Approximately 300 families are members of the Church and on an average Sunday approximately 500 to 600 individuals will be in attendance at services and Bible classes. The maximum daily enrollment for the nursery school is proposed to be 200 children. The gymnasium will have playing courts for basketball, volleyball, and other recreational sports. In addition, the gymnasium will include meeting space for the Church. Approximately 150 individuals may be expected to use the gymnasium at any one time.

The Church is served by a lead minister, a Church administrator, and additional ministers and administrative support staff who oversee various programs for children, students and families. The nursery school will be operated by up to 25 staff members. The gymnasium will be managed by the Church and a staff member will maintain a schedule of activities.

Wells + Associates has completed a trip generation analysis of the existing and proposed uses. The uses are forecasted to generate a total of approximately 161 weekday a.m. peak hour trips, 165 weekday p.m. peak hour trips, 1,201 weekday vehicle trips per day, 410 Sunday peak hour trips, and 920 Sunday vehicle trips per day. When accounting for existing approvals, these trips represent an increase of 101 weekday a.m. peak hour trips, 100 weekday p.m. peak hour trips, and 689 weekday vehicle trips per day. As the number of sanctuary seats will remain the same, there is no anticipated trip increase on Sunday. According to VDOT, the level of trip increase does not constitute a significant impact on the adjacent and surrounding street network. In addition, the drop-off and pick-up times for the children will be staggered across a few hours in the morning and the evening to accommodate family needs and parent work schedules. This will lessen any impacts on the surrounding street network. A one-way drop-off and pick-up circulation plan is proposed for the nursery school that will ensure child safety while accommodating vehicle queues on the Subject Property.
The Church’s membership primarily comes from the surrounding area or a radius of approximately fifteen (15) miles. Congregation members primarily live in Fairfax, Chantilly, Centreville and the western portion of Fairfax County. The Applicant anticipates that the nursery school will serve the surrounding community, including Church members.

The existing Church building is constructed of brick with a flat roof in a traditional architectural style and all additions will be constructed of the same building materials. It is anticipated that the gymnasium will be constructed of brick similar to the existing building with a flat roof.

The Applicant is not aware of any hazardous or toxic substances located on the Subject Property.

The proposed development conforms to the provisions of all applicable ordinances, regulations, adopted standards, and any applicable conditions except for the following requests:

- A modification of transitional screening requirements along the western, eastern, and southern boundaries of the Subject Property and a waiver of the barrier requirements along all property lines in accordance with Zoning Ordinance Sections 13-305.7 and 13-305.12 in favor of existing conditions. A modification will allow for the preservation of existing mature trees and the planting of supplemental vegetation. The existing and proposed vegetation will provide a buffer that meets the intent of transitional screening requirements. A barrier is not needed to provide screening due to existing mature vegetation that will be supplemented, and significant setbacks from the improvements to the property line.

- A modification of the requirement for a designated bicycle lane on Rugby Road consistent with existing conditions.

- A modification of current sight distance requirements for an existing left turn at the existing northern site entrance. The existing entrance was designed and approved under prior VDOT standards as shown on approved Site Plan 9023-SP-01-3. No changes are proposed to the existing entrance.

Lastly, the Applicant’s proposal is in conformance with the general standards for special exceptions found in Section 9-006 of the Zoning Ordinance. The Applicant meets the standards as follows:

- The place of worship, with the proposed improvements, and nursery school are in harmony with the recommendations of the Plan as described herein.
The proposed use is in harmony with the general purpose and intent of the applicable Zoning District regulations. The Applicant proposes to rezone the Subject Property to the R-2 District, which is intended to provide for residential uses and other uses that are compatible with the character of the R-2 District and the intent of the Zoning Ordinance. The Applicant proposes to continue the operation of a place of worship with a nursery school that will serve the needs of the community. The existing Church building and proposed gymnasium are designed at an appropriate height and scale to be compatible with surrounding residential development and consistent with the character of the R-2 District.

The proposed use will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the Plan. The surrounding properties are primarily developed with single-family homes zoned to the R-5 and PDH-5 Districts. Therefore, the Applicant’s proposal fits within the fabric of the surrounding area. The Applicant has incorporated appropriate setbacks and preserved existing vegetation that, with supplemental plantings, will result in appropriate buffers to the adjacent residential communities. In addition, the Church use does not generate typical impacts on peak traffic, and neither the place of worship nor the nursery school will generate noise or lighting that will adversely impact adjacent properties.

The proposed use will not generate hazardous pedestrian and vehicular traffic that will conflict with existing and anticipated traffic in the neighborhood. The Church will continue to be served by an existing access to Rugby Road which does not result in any cut-through traffic in adjacent residential neighborhoods. The drop-off and pick-up area for the nursery school is located at the rear of the Subject Property, which will prevent any vehicle stacking on Rugby Road. In addition, the arrival and departure of vehicles associated with the nursery school will be staggered. The Applicant also proposes a one-way vehicle circulation plan for the nursery school to facilitate entry and exit, which precludes use of Burning Bush Drive. In addition, the Church holds its services on Sunday, which does not conflict with typical peak hour vehicular trip generation. On-site improvements include ADA accessible sidewalks to facilitate pedestrian traffic.

The preservation of existing mature trees supplemented with landscaping will meet the intent of the provisions of Article 13 of the Zoning Ordinance.

The Applicant proposes to rezone the property to the R-2 District, which includes a minimum requirement of 25% open space in residential cluster developments. While there is no open space requirement associated with the proposed development, the Applicant’s layout results in approximately 50% open space.

The existing and proposed improvements will be served by adequate utilities, drainage, parking, loading and other necessary facilities. The Subject Property is served by public water and public sewer. As detailed on the generalized
development plan/special exception amendment plat, stormwater management will be provided in accordance with all current requirements, and parking is provided in excess of the requirements of Article 11 of the Zoning Ordinance.

- All signs meet the requirements of Article 12 of the Zoning Ordinance.

The Applicant’s proposal will provide needed improvements to an existing place of worship that was originally constructed in 1972. The improvements are intended to serve the existing Church congregation and not to increase its membership. The re-establishment of a nursery school with child care will benefit the Church congregation and the surrounding community. Pre-school education and child care are crucial to Fairfax County residents as many families rely on two incomes. In addition, the Applicant proposes the construction of a gymnasium for the benefit of its members and the community. The Church often accommodates homeowners’ association meetings, girl scouts, boy scouts, and other community groups. As such, the Church has an appreciation of the need for space to accommodate community activities. The improvements to the existing Church building and the proposed gymnasium have been thoughtfully designed to result in minimal disturbance to existing mature trees that surround the Subject Property. All of the proposed improvements will allow the Church to continue to serve its congregation as well as the surrounding community.

Should you have any questions regarding this application, or require additional information, please do not hesitate to contact me. I would appreciate the scheduling of a public hearing before the Fairfax County Planning Commission at your earliest convenience.

As always, I appreciate your consideration.

Very truly yours,

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

Lynne J. Strobel

LJS:kae
cc: Jill Bitgood
    Paul Wert
    Phil McKinney
    Andrew Billings
    Greg Miller
    Vince McHale
    Andrea Spruch
    William Johnson
DATE: June 1, 2021

TO: Tracy Strunk, AICP, Director
Zoning Evaluation Division, DPD

FROM: Kelly M. Atkinson, AICP, Chief
Environment and Development Review Branch, Planning Division, DPD

SUBJECT: Comprehensive Plan Environment Analysis:
RZ 2020-SU-014/SEA 93-Y-036-02
Trustees of Fairfax Church of Christ

The memorandum, prepared by Ellen Alster, includes citations from the Comprehensive Plan (“Plan”) that provide guidance for the evaluation of the above referenced applications for a Rezoning (RZ) and Special Exception Amendment (SEA), combined General Development Plan (GDP)/SEA plat dated February 26, 2021 and revised through May 3, 2021, and applicant’s draft proffers dated February 26, 2021 and revised through May 4, 2021. The extent to which the application conforms to the applicable guidance contained in the Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in conformance with Plan policies.

DESCRIPTION OF THE APPLICATION

The applicant, Trustees of the Fairfax Church of Christ, is requesting to consolidate and rezone two parcels from the R-1 to the R-2 zoning district and amend the previously approved Special Exception for a Place of Worship with a Nursery School to permit the addition of land area, site modifications, and an increase in Nursery School enrollment. The site modifications will occur in two phases. The first phase (Tax Map Parcel 45-2 ((2)) 32A) proposes to add 8,632 square feet of gross floor area to the existing 36,077 square foot place of worship, along with a new outdoor play area. Building access will also be improved and include accessibility ramps. The first phase will require minimal additional site disturbance beyond the limits of the existing built structure. Improvements during the second phase (Tax Map Parcel 45-2 ((2)) 31) will be more extensive and include the demolition of an existing residence to allow for the
construction of a new 15,160 square foot gymnasium and ten (10) additional parking spaces. Access to the new gymnasium will be provided from the existing parking lot on Parcel 32A; existing access to this parcel from Rugby Road will be removed. The subject property does not contain any areas designated as Resource Protection Area (RPA) or Environmental Quality Corridor (EQC).

LOCATION AND CHARACTER
The property is comprised of two parcels: Tax Map Parcel 45-2((2)) 31 and 32A. The property totals 7.65 acres of land and is located in the Sully Magisterial District. The subject properties are zoned R-1 and located in Land Unit L1 of the Fairfax Center Area of Area III of the Comprehensive Plan. The property is planned for 1-2 dwelling units per acre (du/ac). The site is surrounded by the R-5 zoned Kensington Square townhome community to the west and south; to the east of the subject property is the Fairwoods townhome community, zoned PDH-5. Burning Bush Drive forms the northern property boundary. The Fairfax County Parkway lies parallel to Burning Bush Drive, 150 feet to the north. The area between Burning Bush Drive and the Fairfax County Parkway is densely vegetated and serves as an effective buffer to the subject property as well as to other parcels in Land Unit L1. The applicable Comprehensive Plan citations for the subject properties are contained at the end of this report.

EXISTING CONDITION
The subject properties are located within the Water Supply Protection Overlay District (WSPOD) and within the Cub Run watershed, which is a contributing watershed to the Occoquan Reservoir. The place of worship, located at the intersection of Rugby Road and Burning Bush Drive on Parcel 32A, is sited twenty feet above Rugby Road and framed by a grassy slope and scattered mature trees of varying density. Most of this landscaped area is located in an existing conservation easement; conservation easements also encumber most of Parcel 32A not covered by building or parking lot. The existing place of worship is served by 254 parking spaces, most of which are located to the rear of the existing structure; paving consumes more than one third of this parcel. In contrast, the adjoining 1.84-acre parcel (Parcel 31), is densely covered with mature trees. An existing 1,470 square foot residence, sitting thirty feet above Rugby Road, is set back 340 feet from the road. Surrounded by the place of worship and by townhome communities, Parcel 31 is unique in its current state of development.

ENVIRONMENTAL ANALYSIS
This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Particular emphasis is given to opportunities provided by this application to conserve the County’s remaining natural amenities. Analysis of this application addresses the overall combined GDP/SEA plat, applicant’s draft proffers, and staff’s proposed development conditions for the subject property.
Stormwater Management

The Fairfax Center Area includes the headwaters for the Cub Run watershed, which is a tributary to the Occoquan Reservoir water supply. The careful control of stormwater management within these watersheds is essential to the protection of this water supply resource. Additionally, to ensure that water quality and water quantity are appropriately managed, Objective 2, Policy k of the Environment Policy Plan of the Comprehensive Plan promotes site design and low impact development (LID) techniques that reduce stormwater runoff volumes and peak flows, increase groundwater recharge, and increase the preservation of undisturbed areas. Developments are expected to optimize stormwater management and water quality controls through the use of innovative Best Management Practices and infiltration techniques, nonstructural Best Management Practices and bioengineering practices, and infiltration landscaping.

The Stormwater Management Narratives on Sheets 6 and 9 of the GDP/SEA plat notes stormwater runoff from the site flows in two directions. Most of the stormwater runoff flows to the southeast and is collected in an onsite storm sewer system before entering the Big Rocky Run storm sewer system along Rugby Road. The remaining stormwater runoff flows north, entering the Oxlick Branch storm sewer system on Burning Bush Drive. Both tributaries, Oxlick Branch and Big Rocky Run, eventually outfall to Cub Run.

Per the GDP/SEA plat, stormwater management, including both stormwater detention and water quality control, would be met onsite during both the first and second phases. As part of the first phase of construction, a roof drain system will be installed, which will direct stormwater runoff to a proposed underground detention facility (i.e. stormwater vault) at the southwest corner of the existing structure. A separate manufactured filtering device will treat stormwater after it exits the stormwater vault. A bioretention facility is proposed during the second phase to collect stormwater runoff generated by the new gymnasium and parking lot. Once treated, both the underground detention facility and bioretention facility will discharge runoff to the offsite storm sewer system, and eventually outfall to Big Rocky Run, a tributary of Cub Run. The applicant is also requesting permission to purchase offsite nutrient credits at time of site plan, if needed, to meet water quality requirements for on-site improvements.

While the stormwater concept depicted on the most recent GDP/SEA plat conforms to Comprehensive Plan guidance by providing two Low Impact Development (LID) measures, the applicant’s draft proffers only commit to installing one LID measure. Per Proffer #7:

“...Said plan will include the provision of on-site BMPs to meet the requirement of the Water Supply protection Overlay District (WSPOD) and include at least one Low impact Development (LID) practice, which may include but is not limited to a bio-retention facility as shown on the GDP/sea Plat. The Applicant will maximize on-site treatment to the fullest extent possible in consideration of on-site treatment to the fullest extent possible in consideration of on-site conditions and economics, but reserves the right to request off-site nutrient credits at time of site plan.”
Based on the applicant’s draft Proffer #7, staff is concerned that the bioretention facility is the only LID measure to be installed, which would not occur until the second phase; the timing of this phase of construction is unknown. The Comprehensive Plan (both for the Fairfax Center areas as well as in the Environment Policy Plan) includes language that recommends new development improve on past stormwater practices by providing water quantity and quality measures onsite. The existing place of worship was constructed under previous stormwater standards that did not include stormwater quality. (Stormwater quality was not considered until 1972 with the federal enactment of the Clean Water Act, which is the year the place of worship was built.) The proposed improvements provide the opportunity to upgrade stormwater management quantity and quality controls consistent with the goals of the Comprehensive Plan, and the applicant should meet these requirements fully onsite.

Staff recommends the applicant revise the draft proffers to meet stormwater management goals during all phases of development and commit to also installing the proposed roof drains, underground detention facility, and manufactured treatment device with the first phase of development. Staff also does not support the applicant’s request to purchase off-site nutrient credits at time of site plan. Staff finds this contrary to the intent of both the Fairfax Center Area Comprehensive Plan and WSPOD, which encourages the use of onsite water quality measures for onsite improvements. Until the applicant provides a proffer commitment to installing water quantity and quality measures in phase one and removes the proffer allowing the purchase of offsite nutrient credits, staff finds this application is not fully consistent with the Comprehensive Plan.

**Green Building**

New development within Fairfax Center must incorporate Green Building practices as outlined in Objective 13, policy B of the Environment Policy Plan, which states that new development “incorporate green building practices sufficient to attain certification through the LEED-NC or LEED-CS program or an equivalent program specifically incorporating multiple green building concepts, where applicable, and encourage an emphasis on energy efficiency and conservation.”

The Fairfax Center area is an area of expectation for formal, third party green building certification consistent with the Environment Policy Plan; the applicant should comply with this Policy for the proposed new gymnasium in phase two. In the draft proffers dated May 4, 2021, the applicant has not committed to attaining certification through the LEED-NC or LEED-CS program or an equivalent, with independent third-party verification; rather the applicant has proposed nine items related to green building practices (“soft commitments”).

Soft commitments are only appropriate when an applicant is unable to obtain a certification for demonstrable reasons. These reasons could include a building that is too small to qualify or fit into an existing rating system, or a building with a use that is not eligible for a rating system, or a building that is not undergoing a full retrofit may use a soft commitment. Staff notes that the applicant could apply under the Earthcraft Light Commercial rating system, a local (Virginia based) green building certification program, that is equivalent to LEED. Without a commitment to LEED or an equivalent program such as Earthcraft, staff finds that this application is not consistent with the adopted Green Building Policy.
Regarding the proposed phase one improvements to the existing place of worship, staff is unable to provide green building guidance at this time, as the applicant has not provided sufficient information regarding the extent of interior and exterior building modifications. Staff notes the applicant is proposing 8,632 square feet of improvements to the existing place of worship in multiple locations. Therefore, a commitment to formal green building certification may not be appropriate based on the limited scope of these improvements, and soft commitments may be appropriate for these additions only. Staff encourages the applicant to incorporate green building practices related to energy and water conservation and other green building practices to the practical extent feasible to meet Comprehensive Plan guidance for the Fairfax Center area. Until the applicant provides additional detail for staff review, this application is not consistent with the adopted Green Building Policy.

Objective 13, policy G of the Environment Policy Plan encourages the provision of or readiness for charging stations and related infrastructure for electric vehicles within all new development and redevelopment proposals. Staff requested the applicant provide, at a minimum, the infrastructure necessary to accommodate future electrical vehicle parking; the applicant responded that this improvement was not economical or feasible for a place of worship.

Consistent with the Policy, staff recommends that the applicant provide, at a minimum, the infrastructure to support future electric vehicle charging for two percent of the total parking spaces. The proposed improvements will require the repaving and reconstruction of parking lot areas, which provides the opportunity to install the infrastructure for future electric vehicle charging, making stations less costly to install in the future.

In conclusion, the applicant does not meet the adopted Green Building Policy, as currently proposed. The applicant should commit to formal, third party green building certification for the proposed new gymnasium; provide more information to staff to review appropriate soft commitments for the proposed addition to the place of worship; and provide the infrastructure to support future electric vehicle charging for a minimum of two percent of the parking spaces.

**Tree Preservation/Landscaping**

Tree preservation, landscaping and improved stormwater quality are interrelated areas of focus in the Comprehensive Plan. Per Plan specific text for the Fairfax Center Area, regarding water quality, “the emphasis should be on LID techniques (also referred to as “green stormwater infrastructure”) that evapotranspire water, filter water through vegetation and/or soil, return water into the ground or reuse it. LID techniques of stormwater management should also be incorporated into new and redesigned streets, as well as parking lots, where allowed and practicable.” Preserving intact forested areas and installing new landscaping that will filter stormwater pollutants are two strategies that can be used to protect water quality.
Staff finds the landscape plan included on the GDP/SEA plat generally meets the intent of the Comprehensive Plan. The proposed gymnasium has been sited to the rear of Parcel 31, which allows significant tree preservation to occur along the frontage of Rugby Road. An existing driveway will also be removed and revegetated with native species. While the landscape plan meets the general intent of the Comprehensive Plan, staff has concerns that the applicant’s draft proffers provide insufficient and inadequate measures to ensure that Comprehensive Plan objectives are met. Staff recommends additional proffers related to the following topics:

- **Soil remediation and restoration.** Staff previously recommended the applicant provide soil remediation in the area where the existing driveway would be removed and restored with native vegetation. This involved scarification, soil remediation, and replanting with native species. A note on Sheet 5 makes general reference to soil remediation and restoration. Staff suggests that a proffer with detailed information about how this would be implemented should also be included. The proffer should include the following:
  
  o A minimum of 4” of topsoil or the equivalent organic material should be provided in all areas containing construction debris and rubble.
  o The Virginia Tech Soil Profile Rebuilding Standards, or an alternative comparable standard should be used. This would be determined at site plan approval in consultation with UFMD and the Environment and Development Review Branch of DPD (EDRB).
  o Profile rebuilding should take place only after site disturbance is complete, which includes all vehicle and equipment trafficking but before the replacement of topsoil.

Figure 1 below shows the area where this proffer would apply.
Landscaping. Objective 2 (Stormwater) of the Environment element of the Policy Plan recommends the minimization of the application of fertilizers, pesticides, and herbicides to lawns and landscaped areas. This is especially important since plan text for the Fairfax Center Area specifically mentions non-point source pollutants as a major contributor to water quality problems in the Occoquan Reservoir. Naturalized landscape plantings require fewer, if any, chemical applications and are able to filter stormwater pollutants. Turfgrass, on the other hand, has the potential to add additional stormwater pollutants. Staff recommends that mown turfgrass be limited to where it will be used for recreation. Since the existing place of worship on Parcel 32A already has large lawn areas, staff recommended a naturalistic landscaping approach for all new landscape areas, with plantings installed in continuous mulched beds rather than turf.

In the comment response letter dated May 4, 2021, the applicant indicated that the parking lot islands would have mulched beds and that transitional screening plantings would be installed in naturalized conditions. The applicant also indicated that while the areas south and west of the new gymnasium would have naturalized plantings as recommended by staff, managed turf would occur on the north and west sides of the new gymnasium and parking areas. Staff also notes conflicting and inconsistent information between the comment response letter, the GDP/SEA plat, and the draft proffers; specifically:

- The comment response letter states that transitional screening plantings will be installed in naturalized conditions and refers to Sheet 5 of the GDP/SEA plat. However, Sheet 5 of the GDP/SEA plat makes no reference to the landscape treatment in these areas.

- The GDP/SEA plat depicts twelve mature trees being preserved in the area between the place of worship and the proposed gymnasium and shows tree root zones coinciding with the limits of disturbance. Staff has concerns that an insufficient work area has been provided for the contractor and that the trees will be compromised during construction. Staff also finds turfgrass inadvisable in these areas. In addition to the stormwater concerns already discussed, watering strategies for turfgrass and for mature trees differ. No turfgrass currently exists in these areas; staff sees no apparent need for it to be introduced. See Figures 2 and 3 below.
Figure 2: Area between existing place of worship parking lot and proposed gymnasium. The plat shows this slope to be left as is, with the existing residence demolished to accommodate the construction of the proposed gymnasium. The comment response says that turfgrass will be used on this slope; this is inadvisable.

Figure 3: Area between existing place of worship parking lot and proposed gymnasium. The plan shows the existing trees on the slope to be preserved, with the proposed gymnasium to the edge of the top of the slope.
Staff also recommends restoration methods be included in the applicant’s draft proffers. Restoration measures could include a specified number of tree seedlings planted in 5-foot tubes, to prevent deer browse and to prevent seedlings from being overtaken by invasive species; regular maintenance of planting tubes; replacement plantings, as needed; invasive species management for newly seeded areas and tree preservation areas; and erosion control measures on slopes. Replanting and restoration assistance can also be obtained from the Northern Virginia Soil and Water Conservation District.

Staff finds the applicant’s proposal is not fully consistent with the Comprehensive Plan and recommends the applicant provide a stronger commitment to natural landscape approaches and restoration measures for all disturbed areas.

CONCLUSION AND RECOMMENDATIONS

Staff finds that the GDP/SEA Plat generally conforms to environmental guidance in the Comprehensive Plan for the Fairfax Center Area as well as to the Environment element of the Policy Plan for water quantity, water quality, and landscaping; however, the applicant’s draft proffers are inadequate in ensuring that this guidance is fully met. Additionally, the applicant’s draft proffers are not consistent with the adopted Green Building Policy, as noted above. Staff recommends the applicant include the following commitments in the draft proffers to ensure Plan Objectives are fully met.

- Commit to LID measures in both phases, i.e. the roof drain system, underground stormwater chamber and manufactured filter device in the first phase, and the bioretention facility in the second phase;
- Remove reference to offsite nutrient credits;
- Provide formal third party green building certification for the proposed new gymnasium;
- Provide more information to staff to review appropriate soft commitments for the proposed additions to the place of worship;
- Provide infrastructure to support future electric vehicle charging for a minimum of two percent of the parking spaces; and
- Commit to natural landscape approaches that would include: soil remediation; all new plantings installed in mulched beds using a natural landscaping approach (no additional turfgrass areas); and restoration measures for all disturbed areas.
COMPREHENSIVE PLAN CITATIONS

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following.

In the Fairfax County Comprehensive Plan, 2017 Edition, Area III, Fairfax Center Area, Overview, as amended through November 17, 2020, the Plan states:

Much of the Fairfax Center Area is located within the Occoquan Reservoir watershed. In addition, a portion of the Difficult Run watershed is contained within the area. The Difficult Run watershed area is characterized by low-density development and is particularly sensitive to the impact that development makes on water quality, wildlife habitats and preservation of flora and fauna. The entire watershed has been identified as a significant environmental resource by the Board of Supervisors under the county's “Adopt a Stream” Program. Many initiatives are underway to reclaim and preserve this watershed.

Environment

Land development in the Fairfax Center Area has the potential to adversely affect environmental resources, and therefore the evaluation of land development proposals should include a set of environmental considerations. Redevelopment also has the potential to improve downstream water resources through improved on-site stormwater management practices. Environmental policies for the Fairfax Center Area are tailored to protect remaining high-quality environmental resources in this area.

Water Quality

The Fairfax Center Area includes the headwaters for four watersheds that contain a variety of environmental resources: Difficult Run, Cub Run, Little Rocky Run, and Popes Head Creek. All of these watersheds except Difficult Run are tributaries to the Occoquan Reservoir water supply, and the careful control of stormwater management within these watersheds is essential to the protection of this water supply resource. With respect to the Difficult Run watershed, land use and water quality considerations are also of importance (as they are in all of the area’s watersheds) within the context of watershed planning and implementation—Fairfax County has devoted significant efforts and resources to improve water quality and stream ecosystem health within all of the watersheds in the county. In addition, several stream segments of Difficult Run have been identified by the Virginia Department of Environmental Quality as having one or more water quality impairments per Section 303(d) of the Clean Water Act (as have been stream segments downstream of the other watersheds in the Fairfax Center Area). Once a water body is listed as impaired, a Total Maximum Daily Load (TMDL) report must be developed to identify the sources causing the water quality impairment, the pollutant reduction needed and responsible parties. Stormwater runoff volumes and energy contribute to downstream impairments, and therefore the control of stormwater runoff from upstream areas within all of the watersheds in the Fairfax Center Area can have benefits in addressing the impairments in downstream areas.
Development in the Fairfax Center Area has impacted the ability of the headwaters to fulfill the functional role in maintaining water quality by altering the naturally occurring intermittent streams, changing the natural topography, and replacing porous landscapes with impervious surfaces. The combined effects of these activities has induced increased scouring of stream channels and an influx of water pollutants. Earthwork, reduction in vegetation cover, and increased rate of run-off resulting from the use of impervious surface materials can result in erosion and increased sedimentation of the stream system. Water quality, stream profiles, and vegetated wildlife habitats along stream edges may be adversely affected. There are numerous available techniques of siting, construction methods and water quality management practices, including stormwater best management practices, better site design and low impact development techniques (see the Environment section of the Policy Plan, Objective 2, Policy k) and preservation and/or restoration of the stream valley Environmental Quality Corridor (EQC) system, that can support the preservation and enhancement of water resources. One or more of these techniques should be used in all development projects within the area. Redevelopment of previously developed sites provides opportunities to improve upon existing stormwater management measures and for installation of advanced stormwater management techniques.

Due to its watershed divide location, the Fairfax Center Area streams are small with intermittent channels predominating. Much of the area is relatively flat with some shallow soils. Freshwater wetlands are most likely to be present where hydric soils are found, particularly within floodplains and other areas near streams. The Fairfax Center Area also has areas of upland hardwoods. Wildlife is evident in the stream channels, the wetlands, forested areas, and meadows. Due to road construction and land development, much of the habitat is fragmented. The ecological resources of this area should be enhanced through the development process by restoring an enlarged EQC system that incorporates headwater streams, wetlands, and connected patches of upland hardwoods and other habitat types. All wetlands are to be preserved in their natural state, or their loss fully mitigated, ideally within the watershed.

There is also a need to protect the water and environmental quality of the Occoquan basin area. The Occoquan basin drains approximately 20 percent of the total area of Fairfax County. The reservoir stores water for a large percentage of the Northern Virginia population. Even though the present overall intensity of development within the Occoquan basin is relatively low, water quality levels in the basin are worsening, due to increasing development throughout the multi-jurisdiction watershed. Further influx of development into the area will be detrimental to water quality and wildlife habitats unless environmentally sensitive site development measures are utilized. Protection of water resources should be pursued through effective stormwater management and best management practice techniques that will reduce pollutant runoff and, where practicable, reduce stormwater runoff volumes. Every effort should be made to assure that streams will not flood and cause damage to neighborhoods and homes due to future construction in undeveloped areas. Stormwater infrastructure should be designed to ensure that runoff from a developing site will not adversely affect any neighboring sites.

Nonpoint source pollution has been identified as a major contributor to water quality problems in the Occoquan Reservoir. The impact of nonpoint source pollution is related to impervious cover and stormwater runoff volumes. As development becomes more intense and higher percentages of the land surface are paved, pollution concentrations in the urban stormwater runoff increase drastically. This nonpoint source pollution can be reduced by the implementation of BMPs. All projects in the area must comply with stormwater management and best management practice requirements as adopted by the Board of Supervisors. A range of practices and strategies are available to satisfy these requirements. There should be an emphasis on better site design and low impact development (LID) techniques (see the Environment section of the Policy Plan, Objective 2, Policy k) in order to minimize the adverse impacts of stormwater runoff.
Point source discharges of pollutants have not been a concern in this area. However, if any such discharges are proposed, they should be studied carefully within the planning process in order to ensure protection of water resources from any water quality degradation.

High water quality should continue to be promoted in the Fairfax Center Area through land use and structural controls. The following guidelines are suggested to achieve this objective:

- **Per the Environment section of the Policy Plan, Objective 2, Policy l, pursue protection of stream channels and associated vegetated riparian buffer areas along stream channels upstream of Resource Protection Areas (as designated pursuant to the Chesapeake Bay Preservation Ordinance) and Environmental Quality Corridors.**

- **Encourage the expansion of EQCs beyond the minimum stream valley components by incorporating adjacent areas with natural features worthy of protection and encourage increased on site open space compliance above minimum requirements.**

- **Ensure that proposed new development and redevelopment provides onsite measures for water quality and quantity controls. Coordination of stormwater management controls among multiple development sites may also be effective in achieving stormwater management goals in an efficient manner. In some instances, new development may present an opportunity to contribute to one or more proposed projects noted in the watershed management plans.**

- **Environmentally-friendly stormwater design should be an integral design principle that is part of the conceptual stage of site development, recognizing that stormwater management measures may be phased with development. The stormwater design should first seek to minimize the effect of impervious cover, followed by the application of stormwater reuse, retention, detention, extended filtration and, where soils and infrastructure allow, infiltration to improve downstream waters. Coordination of stormwater management controls among multiple sites may also be effective in achieving stormwater management goals in an efficient manner. Stormwater management and water quality controls should be optimized for all future development projects consistent with the scale of such projects.**

- **Stormwater management and water quality controls for development and redevelopment should be designed to return water into the ground where soils are suitable or reuse it, where allowed. Stormwater quantity and quality control measures should be provided with the goal of reducing the total runoff volume and/or significantly delaying its entry into the stream system. In furtherance of stream protection and/or restoration through replication of natural hydrologic conditions, the emphasis should be on LID techniques (also referred to as “green stormwater infrastructure”) that evapotranspire water, filter water through vegetation and/or soil, return water into the ground or reuse it. LID techniques of stormwater management should also be incorporated into new and redesigned streets, as well as parking lots, where allowed and practicable.**

- **At a minimum for any application at the overlay level, stormwater management measures and/or downstream improvements should be pursued to optimize site-specific stormwater management and/or stream protection/restoration efforts, consistent with the adopted watershed management plan(s) that is/are applicable to the site. Such efforts should be designed to protect downstream receiving waters by reducing stormwater runoff volumes and peak flows from existing and proposed impervious surfaces to the maximum extent
practicable, consistent with watershed plan goals.

Soils

Problem soils are found in much of the Fairfax Center Area. The eastern portion of the Fairfax Center Area contains rock formations in which naturally occurring fibrous asbestos may occur. Also, shrink-swell clays occur in the eastern and far western portions of the Fairfax Center Area. Development proposals should detail how these concerns will be mitigated. Highly erodible soils are also found adjacent to small tributaries on steep slopes. These conditions create constraints for development. Highly erodible soils and steep slopes along stream valleys make watershed preservation an essential concern.

Green Building Practices

Future development and redevelopment within the Fairfax Center Area should promote increased quality of life for the public and improve the quality of natural resources by employing sustainability in planning and design. The Policy Plan’s Environment Section provides guidance for green building practices applicable to Suburban Centers and includes sustainable practices such as the achievement of the U.S. Green Building Council’s Leadership in Energy Environmental Design (LEED) certification or equivalent third-party certification. To achieve development at the high end of the density/intensity range, high quality, innovative green building practices are expected.

[Page 77]

LAND UNIT L

CHARACTER

This land unit is located north of Lee-Jackson Memorial Highway and is bisected by the Fairfax County Parkway. It extends northward toward Ox Hill Road and westward to just beyond Rugby Road. The land unit contains the stable Fairwoods townhouse subdivision with a density of approximately 5 dwelling units per acre. Further west is part of the Murray Farms single-family detached subdivision. This land unit also contains institutional uses.

RECOMMENDATIONS

Land Use

Sub-unit L1

Baseline: Residential use at 2 dwelling units per acre
Overlay: Residential use at 5 dwelling units per acre

This sub-unit contains the portion of the former Murray Farms subdivision located south of the Fairfax County Parkway and is planned for residential use at 5 dwelling units per acre at the overlay level. This includes the Kensington Parc and Kensington Square neighborhoods, developed under the same conditions for development that applied to the portion of Murray Farms in UP8 Lee-Jackson Community Planning Sector (Upper Potomac Planning District).
The remainder of the sub unit contains the stable Fairwoods residential townhouse subdivision developed at a density of approximately 5 dwelling units per acre.

In the Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment, as amended through December 3, 2019, the Plan states:

[Pages 3-5]

“Objective 1:  Preserve and improve air quality.

... 

“Policy c.  Support air quality improvement through tree preservation, tree planting and sensitive landscaping practices. Support and encourage the following during the reviews of development proposals:

- Maximization of tree preservation consistent with planned land use and good silvicultural practices.

- Maximization of tree planting/tree cover restoration consistent with planned land use and good silvicultural practices.

- Pursuit of energy-conscious landscaping efforts such as the planting of trees to provide shading of buildings during the summer months.

- Pursuit of landscaping practices that optimize the planting of native species of trees, shrubs and other vegetation in a manner that minimizes the need for mowing and other maintenance activities, particularly during the hotter months of the year.

- Minimization of applications of pesticides with reactive VOC content through integrated pest management approaches to pest control.

Policy d.  Support energy conservation, minimization of indoor air pollution and other green building practices consistent with Objective 13 of this section of the Policy Plan.”

[Pages 7-9]

“Objective 2:  Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a.  Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the county’s best management practice (BMP) requirements.

Policy b.  Update BMP requirements as newer, more effective strategies become available.
Policy c. Minimize the application of fertilizers, pesticides, and herbicides to lawns and landscaped areas through, among other tools, the development, implementation and monitoring of integrated pest, vegetation and nutrient management plans.

Policy e. Update erosion and sediment regulations and enforcement procedures as new technology becomes available. Minimization and phasing of clearing and grading are the preferred means of limiting erosion during construction.

Policy h. Protect water resources by maintaining high standards for discharges from point sources.

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the county’s streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.

- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.

- Where feasible, convey drainage from impervious areas into pervious areas.

- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements.

- Where appropriate, use protective easements in areas outside of private residential lots as a mechanism to protect wooded areas and steep slopes.

- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with county requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with county requirements.

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with state guidelines and regulations.”

[Page 18]

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way.

Policy c: Use open space/conservation easements as appropriate to preserve woodlands, monarch trees, and/or rare or otherwise significant stands of trees, as identified by the county.”

[Pages 20-22]

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

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

- Environmentally-sensitive siting and construction of development;

- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the Policy Plan);

- Optimization of energy performance of structures/energy-efficient design;

- Use of renewable energy resources;
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products;

- Application of best practices for water conservation, such as water efficient landscaping and innovative wastewater technologies, that can serve to reduce the use of potable water and/or reduce stormwater runoff volumes;

- Reuse of existing building materials for redevelopment projects;

- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris;

- Use of recycled and rapidly renewable building materials;

- Use of building materials and products that originate from nearby sources;

Reuse, preservation and conservation of existing buildings, including historic structures; Encourage commitments to implementation of green building practices through certification under established green building rating systems for individual buildings (e.g., the U.S. Green Building Council’s Leadership in Energy and Environmental Design for New Construction [LEED-NC®] or the U.S. Green Building Council’s Leadership in Energy and Environmental Design for Core and Shell [LEED-CS®] program or other equivalent programs with third party certification). An equivalent program is one that is independent, third-party verified, and has regional or national recognition or one that otherwise includes multiple green building concepts and overall levels of green building performance that are at least similar in scope to the applicable LEED rating system. Encourage commitments to the attainment of the ENERGY STAR® rating where available. Encourage certification of new homes through an established residential green building rating system that incorporates multiple green building concepts and has a level of energy performance that is comparable to or exceeds ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs.

...
KMA: EBA
DATE: 12/29/2020

TO: Emma Estes, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Development

FROM: Yosif Ibrahim, P.E.,
Senior Engineer III, North Branch
Site Development and Inspections Division (SDID)
Department of Land Development Services (LDS)

SUBJECT: RZ 2020-SU-014/SEA 93-Y-036-02; Fairfax Church of Christ; LDS Project No. 5605-ZONA-001-1; Tax Map No 045-2-((02))-0031 & 0032A; Sully District

The subject application has been reviewed and the following stormwater management observations are offered:

Chesapeake Bay Preservation Ordinance (CBPO) Chapter 118
There is no Resource Protection Areas (RPA) on the subject property.

Floodplain Regulations Zoning Ordinance 2-415 and 2-903
There is no floodplain on the subject property.

Stormwater Management Requirements Chapter 124
The applicant proposes the use of Storm-Tech underground vault to meet the stormwater management requirements for phase 1 (Disturbed area=0.74 acre); and Level II Bioretention facility for phase 2 (Disturbed areas=0.97 acres). The stormwater management narrative also indicates the possibility of purchasing off-site nutrient credit in lieu of on-site quality control measures. The following should be noted:

1. Because the subject site is located within the Water Supply Overlay District Nutrient credit is not allowed and the applicant shall revise the water quantity control requirements to ensure that the post-developed projected pollutant load from each phase shall be reduced by 50% (PFM 6-0401.2).

2. While the majority of phase 2 disturbed areas are forested in good hydrologic conditions, the site tabulation on the VRRM spreadsheet showed managed turf (0.74 acres). The
VRRM computations for phase 2 shall be revised to reflect the existing land use conditions.

3. The viability of Level II bioretention facility to provide detention and quality control for the 0.97 acres disturbed areas shall be verified. This shall include preliminary soil investigation to ensure depth to bedrock and groundwater tables requirements are met. In addition, if the proposed Bioretention facility provide runoff reduction, a field infiltration testing shall be provided.

4. To demonstrate adequate sizing of the underground vault and bioretention facility in meeting detention requirements, the approximate TR55 method shall be provided to ensure that the proposed storage and footprints are adequate. This would help in reducing the risk of proffer interpretation during future site plan submissions.

Please contact me at 703-324-1720 or Yosif.ibrahim@fairfaxcounty.gov, if you have any questions or require additional information.

cc: Shannon Curtis, Chief, Watershed Assessment Branch, Stormwater Planning Division (SWPD), Department of Public Works and Environmental Services (DPWES)
    Catherine Torgersen, Planner IV, SWPD-DPWES
    Shahab Baig, Chief, North Branch, SDID, LDS
    Zoning Application File
DATE: June 16, 2021

TO: Emma Estes, Staff Coordinator
    Zoning Evaluations Division, DPD

FROM: Rachel Jackson-Roth, Urban Forester II
      Forest Conservation Branch, DPWES

SUBJECT: Fairfax Church of Christ
         RZ 2020-SU-014
         SEA 93-Y-036-02

I have reviewed the Statement of Justification, Special Exception Amendment Plat, draft proffers all dated February 26, 2021 and Generalized Development Plan signed and sealed February 26, 2021. The following comments and recommendations are based on this review.

1. Comment: All outstanding UFMD comments have been addressed with this submission.

   Recommendation: UFMD recommends approval of the application.

RJR/

UFMDID #: 290243
Additional Standards for Child Care Centers and Nursery Schools

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

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

A. That area not covered by buildings or required off-street parking spaces.

B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.

C. Only that area which is developable for active outdoor recreation purposes.

D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

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

<table>
<thead>
<tr>
<th>Number of Persons</th>
<th>Street Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-75</td>
<td>Local</td>
</tr>
<tr>
<td>76-660</td>
<td>Collector</td>
</tr>
<tr>
<td>660 or more</td>
<td>Arterial</td>
</tr>
</tbody>
</table>

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.
8-303 Standards for all Group 3 Uses

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

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

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

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

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

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

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

1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed.
9-006 Special Exception General Standards

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

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

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

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

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

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

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

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

8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.
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 to 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, 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 rezoning 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 be 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 15.1-451) 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

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