

STATEMENT OF JUSTIFICATION

Zoning Map Amendment Petition & Special Exception Application

Temple Baptist Church

Loudoun County Tax Parcels ##79-62-1 (MCPI #088-37-1171), 79-62-2 (MCPI#088-47-1916), Portion of 79-62-3 (MCPI #088-47-3765); ±20.93 acres

July 30, 2009

I. Description of Application

Temple Baptist Church, of Herndon, Virginia (hereinafter, the “Church” or “Applicant”) is the owner of four separate parcels of record in Loudoun County, consisting of approximately 31.9 acres located at the northwest corner of Waxpool Road (Route 625) and Ashburn Village Boulevard (Route 2020), including a 0.3 acre strip located on the east side of Ashburn Village Boulevard, and more particularly described as Loudoun County Tax Parcels ##79-62-1, 79-62-2, 79-62-3 and 79-62-4 (MCPI ##088-37-1171, 088-47-1916, 088-47-3765, and 087-17-7312, respectively). These four parcels are zoned Planned Development-Commercial Center-Community Center (“PD-CC-CC”) and Townhouse-Multifamily Residential (“R-16”) under the Revised 1993 Loudoun County Zoning Ordinance (hereinafter, “Zoning Ordinance”) in accordance with ZMAP 2006-0003 and SPEX 2007-0004 (Morley Corner).

The Applicant recently purchased all four properties and is presently processing a Boundary Line Adjustment (“BLA”) to separate the 10.97-acre R-16 portion of the four parcels from the existing 20.93-acre PD-CC-CC portion and create a new 1.74-acre parcel. The Applicant is seeking a Zoning Map Amendment Petition (“ZMAP”) application for the approximately 20.93-acre PD-CC-CC portion of the four parcels (hereinafter, “Subject Property”) in order to:

- (1) Rezone approximately 19.19 acres of the Subject Property to the Planned Development-Office Park (“PD-OP”) zoning district to construct a church, private school accessory to the church (subject to the accompanying and concurrent special exception application), playground, and child care center associated with the church, a private park with lighted athletic fields and tennis/basketball courts for active recreation with an accessory pavilion/concession/bathhouse, and a site for a small auxiliary ministries/maintenance building; and
- (2) Rezone approximately 1.74 acres of the Subject Property to the Planned Development-Commercial Center-Neighborhood Center (“PD-CC-NC”) zoning district in order to permit a 22,500 square foot neighborhood retail component to serve the church and private school, the residential component of Morley Corner,

and the employment uses across Ashburn Village Boulevard from the Subject Property.

The 10.97-acre, R-16 portion of the four parcels is not included in this application. While the proposed church, athletic fields, and child care will be permitted uses within the PD-OP district under Sections 4-303(X), (P), and (Y) of the Zoning Ordinance, respectively, the proposed private school use necessitates a special exception application under Section 4-304(S) of the Zoning Ordinance. Accordingly, the Church is also seeking a special exception approval concurrent with the rezoning application to permit a private school accessory to the church.

The Subject Property is located in the Ashburn Community of the Suburban Policy Area and is governed under the policies of the Revised General Plan (“RGP”) and the Countywide Transportation Plan (“CTP”). The RGP designates the Subject Property for Keynote Employment uses.

In addition to the single family attached residential component of the Morley Corner rezoning located on the north side of the Subject Property, the property to the west of the Subject Property is currently developed with a mix of townhouse and single family detached units (Farmwell Hunt), while property to the south across Waxpool Road is the dedicated open space area that is part of the Regency single family detached residential community. A Masonic lodge is also located to the south of the Subject Property across Waxpool Road, while the “Ashburn Center” property to the east—across Ashburn Village Boulevard—is developing with office and commercial uses. Retail uses located in the vicinity of the Subject Property include the Ashburn Town Square shopping center and the Pipeline Plaza, commercial areas.

II. Applicant Background

Located just east of the Loudoun/Fairfax line along Dranesville Road in the Herndon area of Fairfax County, the Temple Baptist Church has been active for over 30 years providing western Fairfax and eastern Loudoun families with traditional Sunday School, morning and evening worship services on Sundays, visitation in hospitals and homes, youth functions, Bible study, prayer breakfasts, and related religious events. Over the past two decades, the church has also engaged in spiritual, educational, and medical missionary work abroad in Africa, Latin America, and the Caribbean. The Church operates an outreach ministry and provides Spanish worship services, educational programs, and other associated activities for Northern Virginia’s expanding Hispanic population. The Church also operates a private Kindergarten through grade 12 school that is known for its academic excellence. To accommodate the Church’s expanding congregation and increasing proportion of members who live in Loudoun County, as well as considering the Church’s desire to provide additional community-related functions and ministries, the Church acquired the Subject Property in 2009 for purposes of relocation and expansion in Loudoun County.

The educational program is an integral aspect of the Church's ministry, and the Church presently operates the Temple Baptist School (hereinafter, the "School"), a private, non-denominational Christian school located at the existing Herndon location of Temple Baptist Church. The School offers a quality academic education in a spiritual atmosphere for approximately 230 students and offers education for grades Kindergarten through 12th grade. Enrollment is open to church families and, as room permits, other families who ascribe to the school's statement of faith. Students are taught by trained educators, most of whom hold at least one master's degree, and at present, the School's class sizes are well below national averages for public and private education. The student-teacher ratio for elementary school classes ranges from 22-to-1 to 12-to-1, while high school ratios range from 18-to-1 to 5-to-1 for some advanced courses.

The School's existing facility includes classrooms, indoor and outdoor recreation spaces, and an auditorium. The Temple Baptist School is accredited by the Commonwealth of Virginia through the American Association of Christian Schools and the North American Christian School Accrediting Association, both of which are approved by the Virginia Council of Private Education. Increased enrollment pressures and the need for additional space have forced the School to find a long-term solution in connection with the Church's expansion goals. Accordingly, the Church is proposing that a private school, accessory to the church, be permitted on the Subject Property within the proposed church building with a concurrent special exception application.

III. Project Justification: Church and Related School Uses

The proposed church, private school with child care, neighborhood retail, and private recreation uses will allow nearby residents to live close to places of worship, learning, and retail services, and would provide a greater land use balance within the community. The area in the vicinity of the Subject Property has seen marked residential and commercial growth in recent years, and the proposed uses will provide needed civic, commercial, and open space uses for the Ashburn community.

The Applicant plans to construct the proposed uses in four phases. Phase I will include the construction of the lighted recreational playing fields, tennis and basketball courts, and the Auxiliary Ministries/Maintenance Building; Phase II will include construction of a 2,400 s.f. outdoor chapel/concession stand and the majority of the main church/school building; Phase III will include the addition of the Kindergarten space and playground as well as a 4,903 s.f. gymnasium expansion to the main church/school building; and Phase IV will include the addition of a 5,217 s.f. Fellowship Hall and main auditorium balcony to the main church/school building.

A. Proposed Church

Pursuant to Section 4-303(X) of the Zoning Ordinance, the Church proposes to develop a 140,000 square foot two-story church/school building with a 1,450 seat, 13,303 s.f. main auditorium, playground, and numerous classrooms. When completed, the proposed church structure will have a combined Floor-Area Ratio (“FAR”) of 0.17 (well below the by-right permitted FAR of 0.4. As is currently the case, the Church will offer a variety of activities for the public and congregants on Sundays, Wednesdays, and Thursdays.

The RGP states that civic uses in business areas should “primarily serve the immediate community” and “due to their small size, design, and limited ancillary activities (traffic, parking, noise, or similar activity) are compatible with the surrounding...business uses” (Revised General Plan, Glossary, p. G-2). The proposed church will allow nearby residents to live close to their place of worship with civic uses included in the Keynote Employment area land use mix. The Subject Property is located at the southwestern edge of the Keynote Employment area, which makes a proposed use mix of civic, retail, and open space uses appropriate as a transition between the primary Keynote Employment area office uses and the residential uses located to the west of the Keynote Employment area. The Subject Property is not located along one of the county’s major commercial corridors, as is the case with the other Keynote Employment areas, and the area beyond the Subject Property is developed primarily as residential communities.

B. Proposed Private School Accessory to the Church Use

Pursuant to Section 4-304(S) and 4-303(Y) of the Zoning Ordinance, the Church proposes a private school use accessory to a church with child care uses to serve grades Kindergarten through 12th grade within the proposed church facility. Over the past 15 years, the County has doubled its number of public schools and more than tripled its enrollment, to approximately 56,312 students during the 2008-2009 academic year. Despite the recent housing market decline, enrollment has consistently exceeded administrative projections, and school officials are predicting continued enrollment expansion in the coming years. Nearly one-third of Virginia’s school enrollment increase will occur in Loudoun County, with much of this growth occurring in public schools in the Ashburn and Brambleton areas. Provision of a private school on the Subject Property will help alleviate existing and future overcrowding at County public schools.

The proposed private school will serve 500 students nearly doubling the number served by the existing Temple Baptist School in Herndon (discussed above) and will use the classrooms and other facilities contained within the church building and the Auxiliary Ministries Building. The Church anticipates that approximately 150 to 200 students will also receive before- and after-school child care, in conjunction with the Temple Baptist School’s regular education activities. Co-location of school and worship uses on a single, large site will increase convenience for residents and reduce the number and length of vehicle trips area residents must currently make to church and parochial schools. The

proposed hours of operation will be Monday through Friday, 7:00 a.m. until 6:00 p.m. The proposed outdoor recreation fields will be lighted and used by the Church and school for related outdoor sporting events, and it is anticipated that the Church and school's teams will play against other private schools and non-church affiliated teams. Included in the proposed athletic fields is a 2,400 s.f. pavilion, which will provide bathrooms and a small concession stand.

The Keynote Employment land use mix envisions the inclusion of civic and open space uses within the Keynote Employment, with no maximum amount of land area devoted to these uses specified. Since the proposed educational use is compatible with the permitted church use, and since the Keynote Employment's preferred implementing zoning district, PD-OP, includes both the church use and private school accessory to the church use in the permitted and special exception use lists, the proposed private school use accessory to the church is consistent with RGP policies. This is especially true when viewing the proposed use and Subject Property in the broader context of the Keynote Employment corridor rather than on an individual site basis.

C. Proposed PD-CC-NC Zoning/Neighborhood Retail Use

The Applicant is proposing to rezone approximately 1.75 acres of the Subject Property from the PD-CC-CC zoning district to the PD-CC-NC zoning district in order to develop an approximately 22,500 square foot retail/general business use pad site. The internal roadway configuration creates this land bay, which is not usable by the church for its purposes and will provide a small-scale retail use convenient for the church school users, the adjacent residents, and the employment users across Ashburn Village Boulevard. Concurrent with this request, the Applicant is seeking a zoning modification ("ZMOD") to permit location of buildings, parking, outdoor storage, areas for collection of refuse or loading areas no closer than 20 feet along the northern property boundary of the proposed PD-CC-NC portion of the Subject Property to the adjacent existing R-16 zoning district.

While no tenant/user has yet been identified, it is hoped that the proposed small-scale commercial center to serve the convenience needs of the surrounding residential neighborhoods and the planned R-16 future residential zone to the north. The Revised General Plan's Keynote land use mix provides for a maximum of 10 percent of land within a Keynote Employment area to be dedicated to Commercial Retail and Service uses, and the proposed PD-CC-NC zoning satisfies this criteria.

D. Proposed Auxiliary Ministries/Maintenance Building Site

The Applicant is proposing a 20,000 square foot building site in the northwestern portion of the proposed PD-OP zone for a various church ministries, youth center as well as athletic field maintenance/storage. The building will include a 1,520 s.f. main auditorium with seating for 150 congregants, a youth fellowship hall, Sunday School classrooms, and a church vehicle maintenance facility.

IV. Environmental & Open Space Considerations

The Subject Property has previously been cleared of significant vegetation; however, some environmental features remain, including floodplain, wetlands, moderately steep slopes and forested areas. Most of the forest resources—located within the areas of the wetlands, floodplains, and moderately steep slopes—will remain along the western boundary of the Subject Property. An unnamed tributary to Beaverdam Run lies along the western and northern boundary of the site, which has minor floodplain, wooded area, moderately steep slopes and predicted wetlands associated with it, and will be preserved as a natural open space area.

To avoid impacts on these water resources, environmentally sensitive features will be protected as they were in the Morley Corner rezoning. The Applicant is proposing a 25-foot minimum riparian buffer along the western portion of the Subject Property, as well as 15-foot Type 3 buffer plantings. The Applicant has also designed the Subject Property's proposed uses to remain outside the arrangement of wetlands, tree save, forested area and floodplain location in order to enhance water flow through the site and retain the integrity of the wetlands.

The Applicant is proposing approximately 10.4 acres of active and passive recreation space (or 49 percent of the Subject Property), which include active recreation playing fields, intervening landscaped open space, and a tot lot. This usable open space is proposed in accordance with Revised General Plan policies. The Phase 1 archaeological survey report submitted with the Morley Corner rezoning application demonstrates that testing of the property was conducted at 50' intervals, with the exception of areas that were poorly drained or previously disturbed (which were tested at 75' to 100' intervals). No archaeological sites were identified during the Phase 1 survey of the Subject Property. Artifacts that were recovered from two shovel test pits were considered "isolated finds" and additional work was not recommended by the consultant.

V. Transportation

The Subject Property is located in the northwest quadrant of Ashburn Village Boulevard (Route 2020) and Waxpool Road (Route 625), which provide direct access to the Dulles Greenway (Route 267), Route 28, and Route 7. Ashburn Village Boulevard is a four-lane divided major collector road. The CTP calls for this portion of Ashburn Village Parkway to contain a six-lane divided section with bicycle accommodations in a 120-foot right-of-way, with additional land dedication for turn lanes. Waxpool Road is a variable-width two- to four-lane facility in the vicinity of the Subject Property. The CTP calls for this portion of Waxpool Road to be a six-lane divided section with bicycle accommodations in a 90-foot right-of-way, with turn lanes required at all intersections. Site access will be accommodated through one entrance point on Ashburn Village Boulevard directly across from the planned future connection point of Red Rum Drive, which will connect to an entrance further north on Ashburn Village Boulevard. One right-in-right-out entrance/exit will be located at Waxpool Road.

The proffers for the Morley Corner rezoning will be constructed by the developer of the residential component by agreement between the Church and the residential developer. These improvements will include constructing Ashburn Village Boulevard as a four-lane divided roadway across the site frontage and constructing a two-lane half-section across the site frontage on Waxpool Road. Additionally, the Applicant will be contributing one-fourth the cost of constructing the signal for the Ashburn Village Boulevard/Waxpool Road intersection.

Based on the traffic study performed by Gorove/Slade Associates, Inc., as well as considering ITE rates, this proposal will generate approximately 543 new trips in the weekday morning peak hour, 238 new trips in the weekday afternoon peak hour, and approximately 1,040 new trips on the Sunday peak hour by 2012. Daily total traffic volumes for weekday and Sunday are 3,549 and 3,351, respectively. Except for Sunday peak hour, the proposed uses will generate far less trips than the permitted uses for the Subject Property approved in accordance with ZMAP 2006-0003 and SPEX 2007-0004 (Morley Corner), including approximately 121 fewer trips during the AM peak hour, 1,033 fewer trips during the PM peak hour, 8,447 fewer daily trips, and 3,722 fewer trips on Sunday.

VI. Zoning Map Amendment Review Criteria

Section 6-1211(E) of the Zoning Ordinance contains evaluation criteria for approval of ZMAP applications and, in considering this application, the following enumerated factors shall be given reasonable consideration. The Zoning Ordinance specifies that an applicant is to address each factor in its statement of justification (unless any such criteria are deemed inapplicable to the application). The following text in italics represents the Applicant's response to each factor:

(1) Whether the proposed zoning district classification is consistent with the Comprehensive Plan:

For reasons stated above, the proposed rezoning is consistent with the Revised General Plan. The proposed rezoning to the PD-OP zoning district better implements the planned Keynote Employment designation as the Subject Property is not located along one of the county's major commercial corridors, and the area surrounding the Subject Property, which are not designated as Keynote Employment has developed as residential communities. Civic uses are permitted in Keynote Employment areas, and the proposed church and school uses are specifically included in the definition of civic uses within the Revised General Plan. Being located at the edge of the Keynote Employment areas adjacent to areas designated as Residential, the civic and small retail uses serve as an appropriate transition between the employment and residential areas. The PD-OP zoning district is a favored zoning district through which to implement the Keynote Employment Policies. A church is a by-right use in the PD-OP zoning district.

(2) Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate:

Since the Revised General Plan's adoption, the adjacent areas designated for residential use have been developed as residential communities. This significant residential development generates demand for the proposed civic and commercial uses. The proposed church, accessory private school with before- and after-school child care, neighborhood retail, and private recreation uses would allow nearby residents to live close to places of worship, learning, and retail services, and would provide a greater land use balance within the Ashburn community.

(3) Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity:

The proposed uses—church, private school (subject to concurrent special exception approval), and recreation uses—are civic uses that are encouraged within the Keynote Employment area, and the proposed retail use is an appropriate component of a balanced Keynote Employment area. The Church hopes that the proposed small-scale commercial center will serve the convenience needs of the surrounding employment users and residential neighborhoods. The proposed PD-OP and PD-CC-NC zoning is needed to accommodate the proposed uses and since those uses will be limited by proffer to the proposal, the PD-OP zoning as requested in this application is compatible with the uses located on the properties surrounding the immediate vicinity of the Subject Property. The proposed church, private school, park, and retail uses would generate less vehicular traffic and be more compatible with neighboring residential units than the mixed-use development approved under the Morley Corner rezoning.

(4) Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned:

The Subject Property is to be served by extensions of public water and sewer to the property at no cost to the County or Loudoun Water. The traffic study reports that Loudoun County in conjunction with VDOT is in the process of widening the existing two-lane section of Ashburn Village Boulevard from Faulkner Parkway to Unbridled Way to a four-lane median-divided road with a traffic signal at Ashburn Village Boulevard and Waxpool Road. Additionally, all of the proffers approved under the prior Morley Corner rezoning will be implemented with the development of the residential component of Morley Corner and with the proposed rezoning. The proposed rezoning will not affect school facilities, since no residential is included in the proposed rezoning. In fact, the accompanying concurrent special exception for a private school will alleviate demand for public school services by providing a cost-effective alternative to public school.

(5) The effect of the proposed rezoning on the County's ground water supply:

The proposed uses will be served by public water and sanitary sewer. Consequently, development of the Subject Property will not have adverse impacts on the County's groundwater supply.

(6) The effect of uses allowed by the proposed rezoning on the structural capacity of the soils:

Soil characteristics of the Subject Property are shown on the Existing Conditions Plat. Geotechnical studies performed at the time of site plan will propose any remedies, if needed, due to soil characteristics.

(7) The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas:

As stated above, and based on the traffic study performed by Gorove/Slade Associates, Inc., as well as considering ITE rates, this proposal will generate approximately 543 new trips in the weekday morning peak hour, 238 new trips in the weekday afternoon peak hour, and approximately 1,040 new trips on the Sunday peak hour by 2012. Daily total traffic volumes for weekday and Sunday are 3,549 and 3,351, respectively. Except for Sunday peak hour, the proposed uses will generate far less trips than the permitted uses for the Subject Property approved in accordance with ZMAP 2006-0003 and SPEX 2007-0004 (Morley Corner), including approximately 121 fewer trips during the AM peak hour, 1,033 fewer trips during the PM peak hour, 8,447 fewer daily trips, and 3,722 fewer trips on Sunday.

(8) Whether reasonably viable economic use of the Subject Property exists under the current zoning:

The existing PD-CC-CC zoning permits higher-density, mixed-use development that is less compatible with surrounding residential uses, and the development of church, school, neighborhood retail component, and private athletic fields would be more compatible with the existing and emerging residential land use pattern of the area in the vicinity of the Subject Property.

(9) The effect of the proposed rezoning on environmentally sensitive land or natural features, wildlife habitat, vegetation, water quality and air quality:

There are some environmentally sensitive areas including minor floodplain and moderately and very steep slope areas located along the western boundary of the Subject

Property. These areas are being preserved as open space under the proposed plan, as it was under the approved zoning for Morley Corner.

- (10) Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base:**

The portion proposed for the PD-CC-NC district provides economic development activity as part of the proposed rezoning, which will enlarge the tax base and provide employment. The civic uses will be tax exempt, since they are part of a church use. However, the private school proposed under the accompanying concurrent special exception will help to alleviate the County's tax burden by providing an alternative to families using the public school services. Additionally, the school provides employment.

- (11) Whether the proposed rezoning considers the needs of agriculture, industry, and businesses in future growth:**

The proposed rezoning complies with the Keynote Employment designation of the property under the Revised General Plan. The Revised General Plan takes into account the needs of agriculture, industry and businesses in future growth.

- (12) Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies:**

The proposed rezoning complies with the Keynote Employment designation of the property under the Revised General Plan with retail and civic uses proposed for the property. The Revised General Plan considered the current and future requirements of the community as to land for various purposes as determined by population and economic studies undertaken at the time of adoption of the Revised General Plan.

- (13) Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County:**

The proposed rezoning complies with the Keynote Employment designation of the property under the Revised General Plan with civic and retail uses proposed for the property. The Revised General Plan designations encourage the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.

(14) Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the County:

The proposed rezoning complies with the Keynote Employment designation of the property under the Revised General Plan with retail and civic uses proposed for the property. The Revised General Plan designation considers the trends of growth or changes, employment and economic factors, the need for housing, and probable future economic and population growth of the County.

(15) The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County:

No housing is proposed in this application, consistent with the Keynote Employment designation.

(16) The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance:

The environmentally sensitive areas on the property are being preserved as open space. Other than the environmentally sensitive areas, no natural, scenic, archaeological or historic features of significant importance are located on the property.

VII. Special Exception Review Criteria

Section 6-1310 of the Zoning Ordinance contains evaluation criteria for approval of SPEX applications and, in considering this application, the following enumerated factors shall be given reasonable consideration. The Zoning Ordinance specifies that an applicant is to address each factor in its statement of justification (unless any such criteria are deemed inapplicable to the application).

A) Whether the proposed special exception is consistent with the Comprehensive Plan.

For reasons discussed above, the proposed special exception is consistent with the Revised General Plan. The proposed special exception request is to permit a private Kindergarten through grade 12 school, as ancillary use to the proposed use of the site for church purposes. As the proposed church use is a permitted use under the PD-OP zoning district, the proposed use to be considered under the special exception application is limited to consideration of the proposed ancillary school to that of the permitted church use. The before and after school care programs that will be run by the school also is a permitted use in the PD-OP zoning district as a day care use. However, this permitted use will only be implemented if the private school use is permitted for the property. The Keynote Employment designation anticipates the necessity of civic uses to create

successful Keynote Employment communities. Therefore, the private school use is consistent with the Revised General Plan as a civic use component of the Keynote Employment area. Furthermore, civic uses are permitted in Keynote Employment areas, and the proposed school use is specifically included in the definition of civic uses within the Revised General Plan. Public school enrollment has consistently exceeded projections, and school officials are predicting continued enrollment expansion in the coming years. Further, the private school use will help to alleviate existing and future overcrowding at County public schools.

B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

The proposed use will meet all requirements of the Fire Code in order to provide for fire safety and control and will be constructed in conformance to all applicable codes, industry and utility standards, and government rules and regulations.

C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

The proposed private school use proposed for the site will not generate noise that would have a negative impact on others in this vicinity. Substantial buffer areas are provided between the outdoor recreation areas to be used by the school and the adjacent residential community to the west.

D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.

All lighting for the structures and parking will be appropriately shielded, directed downward and inward towards the property.

E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.

The site is located at the edge of the Keynote Employment area, and is adjacent to the residential communities. These residential and mixed-use communities are compatible with the proposed private school as is the employment area across Ashburn Village Boulevard.

F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.

The Special Exception proposal is for a private school ancillary to a church. The Applicant is proposing a variable-width 15- to 20-foot Type 3 landscape buffer in accordance with County standards and will appropriately buffer the Subject Property in

relation to surrounding properties. Additionally, the floodplain located along the western boundary provides a substantial natural open space buffer area.

- G) Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.**

The existing stands of trees primarily are located in the floodplain area along the western property boundary, which is being preserved as open space. There are no known endangered plant or animal species on the Subject Property, nor are there any known significant historic or archaeological features on the Subject Property.

- H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.**

The Subject Property contains a number of environmental features, including floodplain, wetlands, moderately steep slopes and forested areas. Most of the forest resources are located within the areas of the wetlands, floodplains, and moderately steep slopes. An unnamed tributary to Beaverdam Run lies along the western and northern boundary of the site, which has minor floodplain, wooded area, moderately steep slopes and predicted wetlands associated with it. These environmentally sensitive features will be protected as they were in the Morley Corner approvals under ZMAP 2006-0003 and SPEX 2007-0004.

- I) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.**

The proposed school will be located in the Ashburn community of the Suburban Policy Area, centrally located to a large number of residential communities. The high growth rate in Loudoun County has been accompanied by concurrent growth in the demand for educational services. The proposed special exception would contribute to the availability of these important services and promote the welfare of the public by providing a mechanism to meet the demand for school services within the County and will provide fully accredited educational opportunities to for approximately 500 students each year at no cost to the County.

- J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.**

As discussed above, the Subject Property will be adequately served by the existing road network. The traffic study, prepared by Gorove Slade Associates, Inc., notes a substantial decrease in the vehicle trips as a consequence of the retail, church and private school

uses over the build-out of the site as permitted under the prior Morley Corner approvals under ZMAP 2006-0003 and SPEX 2007-0004.

- K) Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.**

A new structure will be constructed to house the proposed private school, which will meet all code requirements of Loudoun County.

- L) Whether the proposed special exception will be served adequately by essential public facilities and services.**

The private school will be served adequately by the existing public facilities and services. Central utilities have been extended to the site by the applicant.

- M) The effect of the proposed special exception on groundwater supply.**

The proposed private school use will be served adequately by existing public water and sewer services through the proposed Temple Baptist Church. Central utilities will be extended to the site by the Applicant.

- N) Whether the proposed use will affect the structural capacity of the soils.**

No negative impact on the structural capacity of the soils is anticipated and construction will be accomplished in accordance with the requirements of the Facilities Standards Manual ("FSM").

- O) Whether the proposed use will negatively impact orderly and safe road development and transportation.**

As stated above, the trips generated by the proposed use will be adequately and safely served by the existing road network, as well as by the proposed road improvements outlined in the traffic study and the implementation of the proffers approved under the Morley Corner rezoning. The traffic study noted a decrease in the vehicle trips as a consequence of the proposed uses over the build out of the site as a PD-IP proposal. The proposal includes trail connections to the site to further reduce vehicle trips.

- P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.**

The proposed private school will employ approximately 56 staff members. Child care and school services are needed in this rapidly expanding area to meet the needs of current

and future residents. Although a private school associated with a church will not enlarge the tax base, it will help to alleviate the tax burden by providing a cost-effective alternative to the public school to Loudoun families.

Q) Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

This school with before and after school child care uses will require approximately 56 staff members. Child care and school services are needed in this rapidly expanding area to meet the needs of current and future residents.

R) Whether adequate on and off-site infrastructure is available.

Central utilities will be extended to the site by the Applicant. The traffic study noted a substantial decrease in the vehicle trips as a consequence of the proposed church use over the build-out of the site as approved under the prior Morley Corner approvals under ZMAP 2006-0003 and SPEX 2007-0004. The proposal includes trail connections to the site to further reduce vehicle trips.

S) Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.

The Applicant does not anticipate any odors that will be generated by the proposed private school use.

T) Whether the proposed special exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.

Because the Subject Property has direct access to Waxpool Road and Ashburn Village Boulevard, construction access to the site can be accomplished without any impact upon residential neighborhoods and school areas.

VIII. Conclusion

For the foregoing reasons, Temple Baptist Church respectfully submits that the Subject Property should be rezoned to the PD-OP and PD-CC-NC zoning districts and should be granted special exception approval for private school uses accessory to a church.

The Applicant's proposal reduces the amount of vehicular trips currently anticipated under the current zoning for the property with the proposed church and private school accessory to the church uses. This proposal also includes improvements that mitigate transportation impacts and impacts to environmental features, and creates usable open space in accordance with

Revised General Plan policies. Temple Baptist Church looks forward to working with Loudoun County on this application.