




# STAFF REPORT COVER SHEET

April 20, 2022

<b>Addresses:</b>	324 Nutley Street NW	<b>Case Number:</b>	PF-694890 and PF-525783
<b>Public Meeting Date:</b>	4/20/2022	<b>Applicant:</b>	Fairfax County Public Schools
<b>Board/Commission:</b>	Board of Zoning Appeals	<b>Owners:</b>	School Board of Fairfax County
<b>Existing Zoning:</b>	RS-12.5	<b>Existing Land Use:</b>	Governmental
<b>Brief Summary of Request:</b>	Request to Board of Zoning Appeals for a conditional use permit for renovation and expansion of Louise Archer Elementary School. Request includes temporary construction classrooms during construction.		
<b>Site Improvements:</b>	Applicant proposes removing existing modular classroom and trailers and renovating and expanding elementary school.		
<b>Size of Property:</b>	8.13 acres		
<b>Public Notice Requirements:</b>	Advertisement for two successive weeks of meeting in a newspaper having paid general circulation in the Town prior to Board of Zoning Appeals meeting	Advertisement for BZA meeting, scheduled for April 20, 2022, to be published on April 6, 2022 and April 13, 2022.	
	Written notice by registered or certified mail of hearing to property owners of subject site and property owners/agents/occupants abutting and immediately across from subject site at least 5 days prior to public hearing	14 certified postcards to be sent on April 8, 2022 to adjacent, abutting and immediately across the street property owners/agents/ occupants and subject property owners notifying them of the BZA public hearing.	
	Posting of the property at least ten days prior to the public hearing	One sign posted in front of lot along Nutley Street NW on April 8, 2022 with date of Board of Zoning Appeals hearing.	
<b>Brief Analysis</b>			
<p><b>PROPERTY HISTORY</b></p> <p>The subject site consists of the existing elementary school, Louise Archer Elementary School, and associated fields.</p> <p><b>COMPATIBILITY WITH THE COMPREHENSIVE PLAN</b></p> <p>The Future Land Use Plan shows the property as governmental. The Comprehensive Plan encourages renovations and additions to schools as opposed to use of trailers and modular classrooms (Page 102).</p> <p><b>COMPATIBILITY WITH THE ZONING ORDINANCE</b></p> <p>Renovation and expansion of the school is permitted by the Town Code, specifically sections Section 18-210.G. Modifications of requirements related to lot coverage, tree canopy coverage, loading spaces, parking lot lights and parking lot entrance widths is permitted by Sections 18-256 and 18-257 of the Town Code.</p>			
<b>Attachments:</b>	CUP Justification Statement <input checked="" type="checkbox"/> Site Plan <input checked="" type="checkbox"/> Floor Plans, Elevations, Renderings <input checked="" type="checkbox"/> Previous CUP Orders <input checked="" type="checkbox"/> Temporary Classroom and Restroom Plans <input checked="" type="checkbox"/> Planning Commission Chair Recommendation <input checked="" type="checkbox"/>		

ITEMS NO. 1

Consideration of conditional use permit for renovation and expansion of Louise Archer Elementary School, located at 324 Nutley Street NW, in the RS-12.5, Single-Family Detached Residential zone.

*Introductory Comments & Background:*



Figure 1 – Louise Archer Elementary School, Existing

Louis Archer Elementary School, addressed as 324 Nutley Street, NW is located on 8.13 acres of land on the west side of Nutley Street, NW, in the block between its intersection with Knoll and Orchard Streets, NW. The southerly and southwesterly lines of the parcel delineate the common boundary line between the elementary school and James Madison High School, as well as the corporate boundary between the Town and Fairfax County. Adjoining properties include the Sons and Daughters Cemetery to the west, and residential parcels along Orchard Street, NW, to the north of the school property. The property is zoned RS-12.5, Single-Family Detached Residential (reference zoning map).

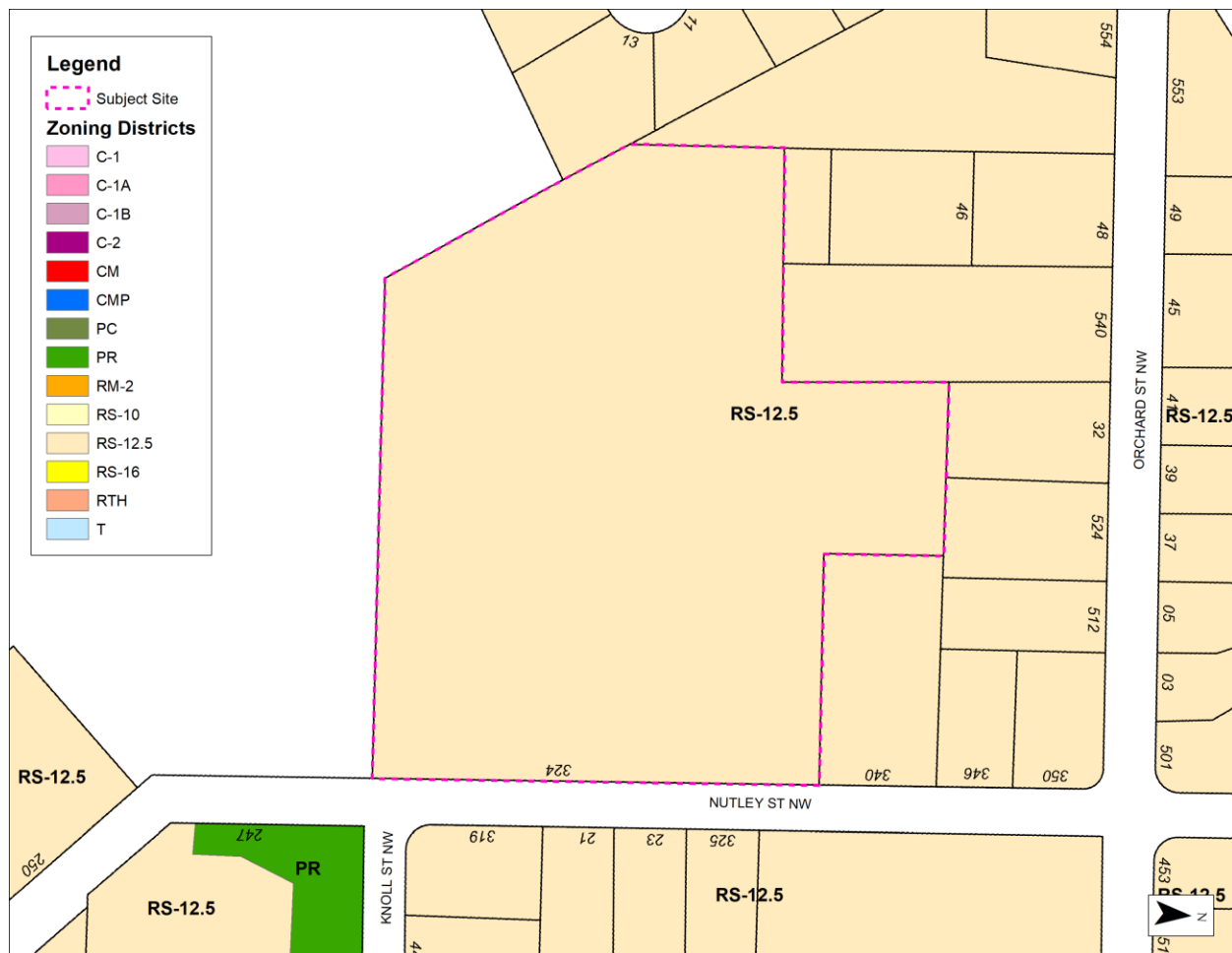


Figure 2 - Zoning Map

The original portion of the school was built in 1939 and has been expanded multiple times over its 83-year history. A more thorough history of the school, including its history as a public school for African American children, can be found with the [Application for “Registration of Historic Structure, Site or Place by the Town of Vienna.”](#) The Vienna Town Council placed Louise Archer Elementary School on the Town’s list of historic structures, sites or places at the January 24, 2022 Town Council meeting.

### ***Recent History:***

On April 20, 2005, the BZA approved a Conditional Use Permit (CUP) for a modular classroom for a ten-year time period, with an evaluation of the usefulness and overall condition of the modular classroom to occur at the end of the term. The modular classroom building is 66-foot by 180-foot in size and is located to the south of the main school building. It provides additional capacity to alleviate the overcrowding at the school. The modular classroom has a gross floor area of approximately 11,880 square feet and includes ten classrooms, restroom facilities, maintenance space, and ancillary storage space. The applicant at the time indicated that the life expectancy for the modular is 25 years, and that it is in good condition. The modular classroom replaced five of the then-eight existing classroom trailers located on the Property.





Figure 3 - Existing modular classroom



Figure 4 - Existing trailers

Concurrent with the BZA approval, the Town Council at their meeting on May 5, 2005, approved six site plan modifications associated with the CUP request for the placement of a modular classroom along with the continued use of two existing trailers which falls under a separate purview of the Town Council.

An extension of the conditional use permit was approved by the Board of Zoning Appeals on July 20, 2016 for a period of 5 years, and again in 2020, to expire on October 1, 2025. The 2020 order states the following:

*E. The agent is requesting continued use of the 66-foot by 180-foot modular classroom building. The planning and design of Louise Archer Elementary School renovation is currently underway with permitting expected to be completed by 2021. Construction is expected to occur between 2022 and 2025. Based on current enrollment for the school; the applicant requests approval to continue the use of the modular classroom during the proposed construction. Once school renovations are complete the modular and existing trailers will be removed from the Property.*

*And from the findings of the fact as determined above, the Board of Zoning Appeals makes the following conclusions of law:*

*The Board voted 7-0 to approve the application for a conditional use permit to expire October 1, 2025, from §18-210.G for continued placement of modular classroom associated with Louise Archer Elementary School, located at 324 Nutley St NW. Application filed by Fairfax County Public Schools.*

On December 10, 2018, Town Council voted 6-1 to extend approval of the two trailers located near the back of the building for another two years from the date of August 22, 2018 (the previous expiration date). The Town Council extended the approval of the trailers on a 5-2 vote on June 15, 2020 for another two years.

***Proposed Development Activities:***

The applicant is now proposing to renovate the existing school and add an addition. The existing school includes 44,972 square feet of floor area, as well as 11,550 square feet of floor area in the existing modular classroom, and the two trailers. The applicant proposes to renovate the existing structure and build a 48,000 square foot, two-story addition for a total of 92,972 square feet. The proposed two-story addition is to be built to the rear of the existing school on the eastern side of the site.

The applicant also proposes expanding the existing parking lot on the northern side of the site and adding a drop-off lot for parents on the southern side of the site (the current location of the modular classroom). The parking lot on the northern side will serve as the bus drop off location and parking for staff. A total of 105 parking spaces are proposed for the site, along with two loading spaces.





Figure 5 - Aerial Image of Existing Site on March 7, 2021





Figure 6 - Proposed Site Improvements with Addition

The addition and renovation are designed to accommodate a student population of 700 students and a staff population of 71 staff members. Currently, the student population is approximately 530 students.

Prior to construction, the applicant intends to remove the two trailers currently located to the rear of the school and install a temporary construction classroom addition on the existing softball fields (two sets of 4-classroom temporary modular buildings and restrooms). Packet materials detailing the temporary classroom have been included with this application. The location of the proposed temporary construction can be seen on Sheet C8.0 of the Site Plan Set. The applicant proposes removing the existing modular classroom by June 2024.

The zoning table below details the required and proposed area and zoning requirements.

Table 1 - Zoning Requirements			
	Required	Existing	Proposed
Setback from Nutley Street NW	Minimum 35' from property line	65.34'	65.34'
Setback from Interior Side Property Lines	Minimum 30' from property line	15' / 72.36'	102.15' / 72.36'
Setback from Rear Property Line	Minimum 35' from property line	276.1'	184.60'
Lot Coverage	Maximum 25%	32.3%*	53.47%
Tree Canopy Coverage	Minimum 20% for 20 year growth	12.8%	6.4%
Building Height	Maximum 35' from average front grade		34.43'
Parking Spaces	Code requirement for school auditorium seating only (no auditorium proposed for this project)	78	105 spaces (75 would be required per Fairfax County ordinance)

\*Staff notes that the lot coverage calculation from the 2005 site plan did not include an asphalt play area or sidewalks, regardless of width.

### ***Conditional Use Permit***

The renovation and expansion of the existing school requires a new conditional use permit. Per [Section 18-13.b](#), by reference [Section 18-22](#), and [Section 18-210.G](#), a conditional use permit is required for schools (private, elementary and high) of a noncommercial nature. A conditional use permit may be granted after considering the following criteria for the proposed use:

- (1) Will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
- (2) Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- (3) Will be in accord with the purposes of the Town's master plan.

### **Staff Analysis**

- Criteria 1: Staff does not find that the proposed changes to the site will likely adversely affect the health and safety of the persons residing or working in the neighborhood. The applicant has proposed revising the circulation of the site to better accommodate buses, parents dropping off their children, visitors and staff members. Additionally, staff notes that the applicant has held several community meetings over the last couple of years, seeking input and feedback on the proposed addition and site alterations. The applicant has also met with Board of Architectural Review and Town Council several times to discuss the proposed renovation/addition.



- Criteria 2: Staff does not find that the expansion will likely be detrimental to the public welfare or injurious to property or improvements in the neighborhood. Staff does note that there are light poles being installed in the new parking lot on the north side of the site, but the lighting plan (Sheet C16) does demonstrate that the lights will be shielded from the abutting residential properties. Additionally, initial concerns from staff about the entrance to the new parking lot on the southern side of the site have been addressed with the alignment of the new entrance with Knoll Street NW, along with a stop sign and bar at the intersection of Knoll Street NW and Nutley Street NW.
- Criteria 3: Staff finds that the proposed renovation and expansion of Louise Archer Elementary School is consistent with the Town's Comprehensive Plan (also referred to as the master plan). The proposal includes the removal of modular classrooms and trailers and the permanent expansion of the school. The Comprehensive Plan has a couple of references to the Town's goal to replace trailers and modular classrooms (see references below and on next page).

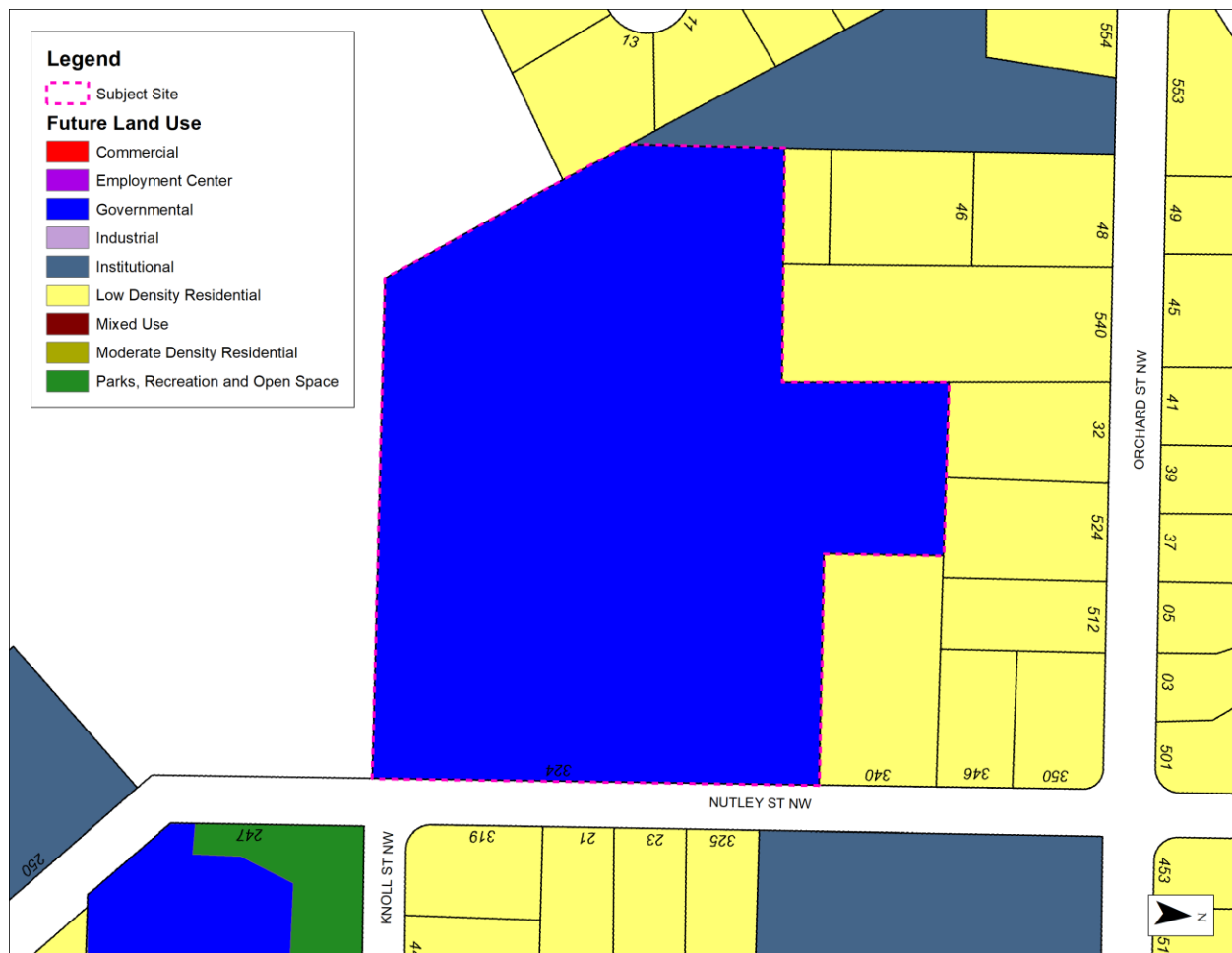
#### [Chapter 6 – Community Facilities and Services](#)

“To discourage long-term reliance on temporary mobile classrooms, the Town typically grants conditional use permits with limited time periods for these facilities, and works with Fairfax County to facilitate their replacement with “brick” expansions (page 102 of Comprehensive Plan).”

Objective 1 – Provide cost-effective public facilities and services that fully meet applicable public health, safety, and environmental needs and standards (page 108 of Comprehensive Plan)

- Ensure that school trailers have the necessary conditional use, occupancy, and health and safety permits, and encourage the Fairfax County public school system to replace school trailers with permanent classrooms.

The site itself is also shown as a governmental use on the [Future Land Use Map](#) (page 38 of Comprehensive Plan). The renovation and expansion of the school does not change its governmental use.



### *Site Plan Modifications of Requirements*

The applicant is requesting several modifications of requirements as part of their site plan submittal. These modifications may be requested per Section 18-256 and 18-257 of Chapter 18 of the Town Code. The applicant is requesting the following modifications of requirements:

- Lot Coverage (per Section 18-24.E and 18-15.F)
  - Code allows a maximum of 25% lot coverage
  - Applicant proposes 53.47% lot coverage
- Tree Canopy Coverage (per Section 252.E)
  - Code requires a minimum of 20% tree canopy coverage
  - Applicant proposes 6.4% canopy coverage
- Site Entrance Width Requirement (per Section 18-134.B)
  - Code requires a minimum width of 25 feet and a maximum width of 35 feet
  - Applicant proposes widths of 37 feet and 47 feet
- Loading Space Requirement (per Section 18-132)
  - Code requires loading space length of 15 feet for every 50 feet of building width

- Applicant proposes two loading spaces with a total depth of 25 feet and width of 27 feet
- **Parking Lot Lights (per Section 18-135)**
  - Code limits parking lot lights to being 10-feet tall when the parking lot is abutting residential zoning districts
  - Applicant proposes 25-foot tall lights

Planning Commission recommended approval of the requested modifications to the Town Council. Town Council will consider the modifications of requirements at their regular meeting on March 21, 2022.

***Required Board Approvals / Planning Commission Recommendations:***

Per Section 18-210-211, the Board of Zoning Appeals is tasked with considering the request for the Conditional Use Permit for the school use, after holding a public hearing, and after receiving a recommendation by the Planning Commission.

The Planning Commission, at the regular meeting on February 23, 2022, recommended on a 7-0 vote that the Board of Zoning Appeals approve the requested conditional use permit.

**Relevant Regulations:**

**Town Code**

Sec. 18-209. - Use permit subject to certain conditions.

The board of zoning appeals may issue a use permit for any of the uses enumerated in section 18-210 in response to an application therefor, provided the use for which the permit is sought:

- (1) Will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
- (2) Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- (3) Will be in accord with the purposes of the Town's master plan.

In granting any use permit, the board of zoning appeals may impose such conditions as it may deem in the public interest, including limiting the duration of a permit, and as will ensure that the use will conform to the foregoing requirements and that it will continue to do so, and may require a guarantee or bond to insure that the conditions imposed are being and will continue to be complied with. The board may revoke a use permit if the board determines that there has not been compliance with the terms and conditions of the permit. No permit may be revoked except after notice and hearing as provided by Code of Virginia, § 15.2-2204.



**Virginia State Code**

§ 15.2-2309. Powers and duties of boards of zoning appeals.

6. To hear and decide applications for special exceptions as may be authorized in the ordinance. The board may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

No special exception may be granted except after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.