



FAIRFAX COUNTY

APPLICATION FILED: August 26, 2005
APPLICATION AMENDED: December 2, 2005
BOARD OF ZONING APPEALS: January 10, 2006

TIME: 9:00 a.m.

V I R G I N I A

January 3, 2006

STAFF REPORT

SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 89-M-041-02

MASON DISTRICT

APPLICANT: Trustees of the Full Gospel First Church of Washington

ZONING: R-2

LOCATION: 6401, 6405, 6407 and 6415 Lincolnia Road

ZONING ORDINANCE PROVISION: 3-203

TAX MAP: 72-1 ((1)) 59, 59B, 59C and 59D

LOT SIZE: 4.35 acres

F.A.R.: 0.19

PLAN MAP: Residential 1-2 du/ac

SPA PROPOSAL: Amend SP 89-M-041 previously approved for a church to permit a child care center, building addition, an increase in land area and other site modifications.

STAFF RECOMMENDATION: Staff recommends approval of SPA 89-M-041-02, subject to the development conditions contained in Appendix 1.

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

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

SPA 89-M-041-2

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.



American with Disabilities Act (ADA); Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334.

DESCRIPTION OF THE APPLICATION

Special Permit Request: Amend Special Permit 89-M-041-01, previously approved for a church, to increase the subject property's land area from 3.89 acres to 4.35 acres, enlarge the existing church building, and add a child care facility for 80 children.

	<u>Existing</u>	<u>Proposed</u>
Size:	3.89 acres	4.35 acres
Parking:	84 spaces	140 spaces
FAR:	0.19	0.19
Number of Seats:	250	250
Church and Child Care Center Employees:	3 Church employees	Child Care Center, 8 employees; Church, 11 employees
Gross Floor Area:	20,900 square feet	36,575 square feet
Enrollment (Child Care Center):	None.	80 children total maximum daily enrollment
Proposed Child Care hours:	None.	Weekdays, 7:00 a.m. - 6:00 p.m.

Waivers and Modifications:

A modification of the transitional screening and a waiver of the barrier requirement are requested along the eastern and a portion of the southern and western boundaries of the property, as shown on the Special Permit Plat.

LOCATION AND CHARACTER

Existing Site Description: The subject property is located at the southwest corner of the intersection of Lincolnia Road and Braddock Road. The easternmost portion of the site is developed with a 20,900 square-foot church surrounded by a parking lot. South of the church building is a stormwater dry pond, and an underground filtration system with an inlet from the adjacent parking lot that empties into the dry pond. Adjacent to the dry pond's western side is a grass swale containing a small playground with a picnic table, a jungle gym/slide, merry-go-round, sandbox and several toy, riding animals mounted on heavy-gauge coils. Approximately 22

feet from the boundary of the western property line is a single-family house, proposed to be demolished. North of the single-family house is a four-foot by five-foot box culvert connecting the swale to an outlet on the western boundary of the property. A flood plain easement traverses the site in an east-west direction on the southern portion of the property. In the northwestern portion of the property are two single-family homes approximately 70 feet apart, situated parallel to Lincolnia Road. The home to the east is proposed for demolition to accommodate Phase II of the planned church building expansion; and the one to the west is proposed to remain and will serve as the residence of the church's pastor. Access to the site is provided approximately 95 feet from the western boundary of the property along Lincolnia Road, as well as from Braddock Road, just north of its intersection with Brookside Drive.

BACKGROUND

Site History:

On October 31, 1989, the Board of Zoning Appeals approved Special Permit SP 89-M-041 for a church and related facilities on the application property.

On July 22, 1993 and September 3, 1993, Notices of Violation were issued indicating that a joint inspection by the Zoning Enforcement Branch of the Department of Planning and Zoning (DPZ) and the Public Utilities and Urban Forestry Branches of the Department of Public Works and Environmental Management (DPWES) revealed that the property was not in compliance with conditions of Special Permit SP 89-M-041. The inspection found that two sheds and an asphalt parking area for 15 vehicles, neither of which was shown on the approved special permit plat, had been added. In addition, the required landscaping for the site was incomplete and an unauthorized clearing of all the property located outside the approved limits of clearing and grading had occurred. The notices also indicated that the six foot-high wood barrier fence shown on the approved plat had not been constructed along the entire length of the western property boundary; and that the grading of the swale and installation of the required stormwater drainage structures under Braddock Road had not been undertaken.

On May 13, 1994, a letter of interpretation was issued regarding the presence of the two sheds and 15 additional parking spaces on the site. It was determined that the two sheds, totaling 249 square feet and located adjacent to the south side of the parking area, were less than 5% of the building's total square footage and approved under the provisions of Section 8-004 of the Zoning Ordinance. However, Development Condition #6 restricted the number of parking spaces to a maximum of 68 spaces and required that all parking remain on site and within the area shown on the approved special permit plat. In order to increase the number of spaces on site, or to possibly use the parking facilities of Parklawn Elementary School, it was determined that approval of special permit amendment was required.

A subsequent special permit application, SPA 89-M-041, to permit 18 additional parking spaces and provide off site parking on Sundays at Parklawn Elementary School was approved by the Board of Zoning Appeals on July 27, 1999. This application also relocated the playground area from the southeast corner of the site to its present location; and made minor modifications to the previously approved landscaping. A copy of the Resolution and plat approved in conjunction with SPA 89-M-041 is included in Appendix 4.

Surrounding Area Description:

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Parklawn Elementary; Gas Station	R-3, C-5	Public Facilities, Governmental and Institutional; Commercial Retail
South	Vacant, Single Family Dwelling	R-2	Residential 1-2 du/ac
East	Vacant; Single Family Dwelling	R-2	Residential 1-2 du/ac
West	Single Family Dwelling; Vacant	R-2	Residential 1-2 du/ac

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

Plan Area: Area I, Lincolnia Planning District

Planning Sector: Pinecrest Community Planning Sector (L1)

Plan Map: Residential, 1-2 du/ac

Plan Text: 3. Parcel 72-1 ((1)) 59 in the southwestern quadrant of the intersection of Braddock Road and Lincolnia Road is planned for residential use at 1-2 dwelling units per acre and developed for institutional uses. As conditions for any future changes or redevelopment proposed for this site:

- Site development and provide screening and buffering to minimize the impact on adjacent areas planned for low-density residential use; and
- Design the development to be sensitive to the environmental constraints of the property, especially so as not to increase offsite storm drainage problems.

ANALYSIS

Special Permit Plat (Copy at front of staff report)

Title of SP Plat: Full Gospel First Church of Washington, Mason District, Fairfax County, Virginia, Special Permit Amendment

Prepared By: Philip C Champagne, Dewberry & Davis LLC

Dated: August 3, 2005, revised through November 30, 2005

Proposed Use:

The applicant requests approval to increase the property's land area from 3.89 acres to 4.35 acres by the addition of Lot 59B, expand the existing church building, and permit a child care center.

The 15,675 square-foot church building expansion is proposed to be located in the northern portion of the site, contiguous with the existing church building's northern façade. The sanctuary and fellowship hall are proposed as Phase I construction. The child care center and kitchen, as well as a 2,500 square-foot play area, will be implemented in Phase II. Total gross floor area for the site will be 36,575 square feet at an FAR of 0.19 at build out, including the approximately 1,329 square-foot house in the extreme northwestern quarter of the site, which will serve as the residence for the church's pastor.

The site is proposed to have two parking areas, containing a total of 140 parking spaces. The existing lot, situated in the northeastern corner of the site, contains 38 spaces. The remaining spaces will be provided in a lot proposed for the southwestern corner of the property, portions of which are located within stormwater and sewer easements. The appropriate number of parking spaces is planned to be provided with the construction of each phase.

As shown in the applicant's statement of justification, the child care center is proposed to have a maximum of 80 children and 8 employees. The center's proposed hours of operation are between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday.

Land Use Analysis

The Comprehensive Plan recommends residential uses with a density of 1-2 du/acre, and provides specific language regarding the church site. As shown on the preceding page and in Appendix 7, the Plan suggests that any future changes to the site be accompanied by screening and buffering to minimize the impact on the adjacent low-density, residential areas. It also prescribes that development be sensitive to the environmental constraints of the property so as to not increase offsite storm drainage problems.

Issue: Screening and Landscaping

The applicant is requesting a waiver of the barrier requirement and a modification of the transitional screening requirements along the western boundary line in the extreme northwestern portion of the property, and along the eastern and southern borders that form the extreme southeastern corner. The applicant has requested the waiver and modification in the northwestern portion of the property due to the existence of the single-family dwelling that encroaches 10 feet into the 25-foot transitional screening yard. Staff supports a modification of this 25 foot transitional screening yard to allow the 15 foot screening yard depicted on the Special Permit Amendment Plat. Regarding the waiver/modification of the transitional screening requirements in the grassy, southeastern portion of the property (with a minimum width of 85 feet) due to the existence of the sanitary sewer and stormwater easements constraining the planting of additional vegetation, staff believes that additional, water-tolerant plantings could be successfully planted in the swale outside of these easements. Therefore, a development condition has been added requiring additional plantings.

Issue: Trails

The Countywide Trails Plan Map depicts a major trail (defined as asphalt or concrete, 8 feet or more in width) along the site's Braddock Road frontage. The special permit amendment plat depicts an asphalt path that only extends along a portion of the frontage.

Resolution:

The applicant has agreed to extend the asphalt path shown on the special permit amendment plat further south, along the entire portion of Braddock Road. A development condition (#10) stating this path will extend the entire length of Braddock Road has been included in Appendix I.

Environmental and Stormwater Analysis (Appendix 5)**Issue: Stormwater Management**

As previously stated, the Comprehensive Plan contains specific language requiring development to be sensitive to the environmental constraints of the site in order not to increase offsite storm drainage problems, which have already been reported. The subject site currently contains a significant amount of impervious surface, and aspects of the church expansion will be occurring in areas which are not already impervious.

Resolution

The Department of Public Works and Environmental Services (DPWES) has asked that a flood plain study establishing a 100-year flood plain and storm drainage easement for the natural channel within the property's boundaries be submitted during the site plan submission phase. This study needs to adequately analyze the capacity of the existing culverts under Braddock Road. In the event that flooding extends beyond the limits of the existing storm drainage easement, drainage improvements shall be made on site by either retrofitting the existing pond or upgrading the size of the existing culverts

underneath Braddock Road. Additionally, the capacity of the downstream receiving channel shall be analyzed up to a point of a major floodplain or 100 times the drainage area from the site. Development condition #17 has been included to ensure that these conditions are satisfied.

Issue: Landscaping

Staff requests that the applicant look for opportunities to increase landscaping, including the installation of landscaping islands enhanced by biofiltration and underdrains, to areas where new parking is proposed.

Resolution

A development condition requiring increased landscaping, as determined feasible by DPWES, has been included in Appendix I.

Transportation Analysis (Appendix 6)

There are no transportation issues associated with this proposal.

ZONING ORDINANCE PROVISIONS

R-2 DISTRICT REGULATIONS	REQUIRED	PROVIDED
Lot Size	18,000 sq ft.	4.35 acres
Lot Width	125 feet (corner lot)	Approx. 410 feet (Braddock Road) Approx. 445 feet (Lincolnia Road)
Building Height	60 feet maximum	40 feet
Front Yard <ul style="list-style-type: none"> • single-family detached dwelling • other structures 	35 feet 45° ABP but not less than 35 feet (40 feet with	32 feet* 75 feet (Braddock Road) 58 feet (Lincolnia Road)

R-2 DISTRICT REGULATIONS	REQUIRED	PROVIDED
	a 40 foot building)	
Side Yard <ul style="list-style-type: none"> • single-family detached dwelling • other structures 	15 feet 40° ABP but not less than 15 feet (34 feet with a 40 foot building)	15 feet 115 feet and 142 feet
Rear Yard <ul style="list-style-type: none"> • single-family detached dwelling • other structures 	25 feet 40° ABP but not less than 25 feet (34 feet with a 40 foot building)	302 feet 142 feet
FAR	0.20	0.19
Parking		
Parking Spaces	Church: 63 Child Care Center: 16 Single-family detached: 2 Total: 81 spaces**	140 spaces

* The setback is affected by a 20-foot right-of-way dedication that took place on May 25, 1966 Therefore, Section 2-417 of the Zoning Ordinance, which permits a 20% reduction of the minimum yard, applies.

**The required parking for a place of worship with 250 seats at one space per four seats, and 0.19 spaces per day care center child.

Standard	Required	Provided
Transitional Screening		

Standard	Required	Provided
North (school)	none	Landscaping with a minimum width of 10 feet.
South (single family residential)	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	25-foot wide transitional screening yard with existing vegetation supplemented with large and medium evergreen trees running 193 feet along the southwestern property line. Along the southeastern portion of the property line, modification of transitional screening is requested in favor of a grassy area containing intermittent trees, with a minimum width of 85 feet.
East (single family residential)	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Existing vegetation, with a mixture of deciduous and ornamental trees is proposed, at a minimum width of 25 feet.
West (single family residential)	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	25-foot wide transitional screening yard with existing vegetation supplemented with large and medium evergreen trees (screening yard is bisected by box culvert outlet). A waiver of transitional screening requirement is requested in the extreme north-western corner of the site.
Barrier		
North (school)	None	None
South (Single family residential)	Barrier D, E or F	None (waived with SP-89-M-041)

Standard	Required	Provided
East (Single family residential)	Barrier D, E or F	Existing 6-foot high solid wood fence.
West (Single family residential)	Barrier D, E or F	None

WAIVERS/MODIFICATIONS REQUESTED

Waiver/Modification: A modification of the transitional screening requirements and a waiver of barrier requirements are requested along the southeastern and northwestern property lines in favor of that shown on the Special Permit Amendment Plat.

Basis: As previously stated, the applicant has requested a waiver/modification in the northwestern portion of the property due to the existence of the single-family dwelling that encroaches 10 feet into the 25-foot transitional screening yard. Staff supports a modification of the 25 foot transitional screening yard to allow the 15 foot screening yard depicted on the Special Permit Amendment Plat. The applicant has also requested a waiver/modification of the transitional screening requirements in the grassy, southeastern portion of the property (with a minimum width of 85 feet) due to the existence of sanitary sewer and stormwater easements that constrain the planting of additional vegetation Staff believes that additional, water-tolerant plantings could be successfully planted in the swale outside of the aforementioned easements, and has added a development condition (#17) to this effect.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 7)

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sect. 8-303)
- Additional Standards for Churches with a Child Care Center (Sect. 8-308)

Summary of Zoning Ordinance Provisions

Staff believes that the subject application has satisfied all applicable standards with the adoption of the development conditions contained in Appendix 1.

CONCLUSIONS

Staff concludes that the subject application is in harmony with the Comprehensive Plan and applicable Zoning Ordinance provisions, subject to the adoption of the proposed development conditions contained in Appendix 1.

RECOMMENDATIONS

Staff recommends approval of the proposed use subject to the development conditions contained in Appendix 1 of the Staff Report.

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

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

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Resolution and Plat for SPA 89-M-041
5. Comprehensive Plan Citations/Land Use and Stormwater Analyses
6. Transportation Analysis
7. Applicable Zoning Ordinance Provisions

REVISED PROPOSED DEVELOPMENT CONDITIONS

JANUARY 10, 2005

If it is the intent of the Board of Zoning Appeals to approve SP 2005-M-041-02, located at Tax Map 72-1 ((1)) 59, 59B, 59C, and 59D previously approved for a church to permit an enlargement of the church building, increase the land area, and add a child care facility pursuant to Section 3-103 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit are marked with an asterisk (*).

1. This approval is granted to the applicant only, Full Gospel First Church of Washington, and is not transferable without further action of this Board, and is for the location indicated on the application, 6401, 6405, 6407 and 6415 Lincolnia Road, (4.35 acres), and is not transferable to other land. *
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by approved with this application, as qualified by these development conditions.*
3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.*
4. This Special Permit Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.*
5. The maximum number of seats in the main area of worship ~~seating capacity for the Full Gospel First Korean Church of Washington shall be limited to a total of 250.~~*
6. Parking shall be provided as shown on the Special Permit Plat. All parking shall be on site, except that off-site parking may be permitted during Sunday services only, and shall be confined to the Parklawn Elementary School, subject to the existing, express consent of the school and to the continued approval of an off-site shared parking arrangement by DPWES.*
7. Transitional Screening and landscaping shall be provided as shown on Sheet 2 of the Special Permit Plat. All landscaping shown on the approved plat and required with these development conditions shall be subject to the review and approval of Urban Forestry Management of DPWES.*

8. The barrier requirement shall be waived except for the fencing shown adjacent to Braddock Road on the special permit plat.*
9. Stormwater management shall be implemented and maintained as required by DPWES to detain stormwater runoff on the site, and may include, but not be limited to, the provision of an on-site stormwater detention pond as shown on the plat, and/or contribution to off-site drainage projects downstream or other measures as deemed appropriate in accordance with County ordinances as determined by DPWES to alleviate flooding problems related to this site and the adjacent Braddock Road culvert.*
10. A trail within a public access easement shall be provided along the ~~entire length Braddock Road in accordance with the Countywide Trails Plan and Article 17 of the Zoning Ordinance~~ frontage of Braddock Road from the terminus of the existing trail easement to the southern property line, unless waived at the time of site plan. If waived, funds shall be placed in escrow with DPWES to be used by DPWES for the extension of the trail to the southern property line at such time as a trail is constructed along the frontage of the adjacent parcel (Tax Map 72-1 ((1)) Parcel 56) to the south. The amount of the escrowed funds shall be determined by DPWES using County bonding estimates.
11. Any proposed lighting of the parking area shall be in accordance with the following:
 - The combined height of ~~the~~ each light standards and fixture shall not exceed twelve (12) feet.
 - The lights shall focus directly onto the subject property.
 - Shields shall be installed, if necessary, to prevent the light from projecting beyond the facility or off the property.*
12. No outside public speakers or public address system shall be permitted.*
13. Signs shall be permitted in accordance with Article 12 of the Zoning Ordinance.*
14. In order to restore a natural appearance to the swale depicted on the special amendment plat in the southeastern corner of the subject site, a landscape plan shall be submitted as part of the first submission of the Full Gospel First Church of Washington site plan. The plan shall show the restrictive planting easement for the swale, and extensive landscaping appropriate for the conditions in all areas outside of the restrictive planting easement, to the maximum extent feasible. Number, size and species of all plant material shall be determined in consultation with Urban Forest Management.
15. Upon issuance of a new non-RUP, the total maximum daily enrollment in the child care center shall not exceed 80.
16. The child care center's maximum hours of operation shall be 7:00 A.M. to 6:00 P.M., Monday through Friday.

17. A floodplain study to establish the hundred-year floodplain and storm drainage easement for the natural channel within the site shall be submitted to DPWES for review and approval. The study shall adequately analyze the capacity of the existing culverts under Braddock Road. In the event that flooding extends beyond the limits of the existing storm drainage easement, drainage improvements shall be made on-site by either retrofitting the existing pond or upgrading the size of the existing culverts underneath Braddock Road as determined by DPWES. The capacity of the downstream receiving channel, up to the point of a major floodplain or 100 times the drainage area from the site, shall also be adequately analyzed.
18. The dwelling on Tax Map 72-1 ((1)) Parcel 59B shall be used only as a residence and occupied only by an employee or member of the church and his/her family.

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

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently pursued. Commencement of Phase I shall establish the use as approved pursuant to this special permit as outlined above. The Board of Zoning Appeals may grant additional time 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 permit. 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.