



FAIRFAX COUNTY

APPLICATION FILED: June 30, 2005
BOARD OF ZONING APPEALS: December 6, 2005
MOVED AT APPLICANT'S REQUEST
TIME: 9:00 a.m.

V I R G I N I A

November 29, 2005

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SPA 98-M-050

MASON DISTRICT

APPLICANT: Trustees of Peace Evangelical Lutheran Church

ZONING: R-3

LOCATION: 6362 Lincolnia Rd.

ZONING ORDINANCE PROVISIONS: 3-303

TAX MAP: 72-1 ((1)) 52; 72-1 ((7)) 109,110

LOT SIZE: 4.41 acres

F.A.R.: 0.06

PLAN MAP: Public Facilities Use

SP PROPOSAL: To amend SP-M-050 previously approved for a church to permit correction to building height.

STAFF RECOMMENDATION: Staff recommends approval of SPA 98-M-050 only subject to the Development conditions included as Appendix 1. If it is the intent of the Board of Zoning Appeals to approve SPA 98-M-050, staff recommends that the approval be subject to the adoption of the Proposed Development Conditions 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 becomes final.

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.**



Americans 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:

A request to amend SP 98-M-050 previously approved for a church to permit a correction to the building height from 25 feet to 32.5 feet. No other changes are proposed with the application except the closure of the entrance from Lincolnia Road and additional transitional screening which was required with the approval of SP 98-M-050 and was never completed.

	<u>Existing & Proposed</u>												
Size:	4.41 acres												
Parking:	104 spaces												
FAR:	0.06												
Number of Seats:	280												
Gross Floor Area:	11,066 square feet												
Hours:	Hours of operation for worship services are proposed to continue as they currently exist, as noted below. Occasional unscheduled uses such as special meetings, weddings, funerals, and social events may occur.												
	<table> <tbody> <tr> <td>Informal Worship</td> <td>8:00 A.M., Sunday</td> </tr> <tr> <td>Education</td> <td>9:00 A.M., Sunday</td> </tr> <tr> <td>Worship</td> <td>10:30 A.M., Sunday</td> </tr> <tr> <td>African Immigrant Ministry</td> <td>12:30 P.M., Sunday</td> </tr> <tr> <td>Sanctuary open for prayer</td> <td>6:00 P.M., Wednesday</td> </tr> <tr> <td>Amharic Worship</td> <td>7:00 P.M., Saturday</td> </tr> </tbody> </table>	Informal Worship	8:00 A.M., Sunday	Education	9:00 A.M., Sunday	Worship	10:30 A.M., Sunday	African Immigrant Ministry	12:30 P.M., Sunday	Sanctuary open for prayer	6:00 P.M., Wednesday	Amharic Worship	7:00 P.M., Saturday
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Employees:	The church services are officiated by one (1) full-time Clergy. In addition there is one (1) full-time administrator and one (1) part-time custodian.												

Waivers and Modifications:

Waivers and modifications of both transitional screening requirements as well as barrier requirements are requested along the northern, eastern, and western lot lines in favor of landscaping improvements shown on the SPA plat, signed and dated October 31, 2005.

LOCATION AND CHARACTER

Existing Site Description:

The subject property is located on Lincolnia Road, north of I-95, and south of Old Columbia Pike. The site currently contains a church and surrounding parking lots. The existing church building is of brick construction. A one story brick dwelling, used as a parsonage, exists on the north corner of the site. A private driveway serving the dwelling is accessed from Oak Ridge Drive. The site is bounded on three sides by streets, with Lincolnia Road on the southwest boundary, Summit Place on the northwest boundary and Oak Ridge Drive on the northeast boundary. Separate ingress/egress points currently exist from each street onto the site. The major portion of the parking lot is located toward the northern end of the site. A paved drive connects this portion of the parking lot to a smaller lot located to the southwest of the church building. The site features ample open space and lawn. Existing trees and landscaping are thinly distributed throughout the site, with several groupings of landscaped trees near the church building.

BACKGROUND

Site History:

The original building permit was issued for the church in 1959. Other improvements and additions were added in 1966.

In 1969, a nursery school use as approved by the BZA with Special Permit S-164-69. The nursery school use was subsequently discontinued.

On August 2, 1988, the BZA approved SP 88-M-044 to permit over 6,000 square feet of building additions. Construction never commenced and the approved use subsequently expired.

On January 26, 1999, the BZA approved SP 98-M-050 to permit the addition of a columbarium, modifications to the parking lot and additional landscaping. The columbarium was constructed and some of the changes were made to the parking lot. The entrance to the site from Lincolnia Road, identified on the plat to be closed, was not closed, and a portion of the required transitional screening and parking lot landscaping was not installed. A copy of the Resolution and plat approved in conjunction with SP 98-M-050 is included as Appendix 4.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Single Family Dwellings	R-3	Residential 2-3 du/ac Public Facilities
South	Church	R-3	
East	Single Family Detached Dwellings	R-3	Residential 2-3 du/ac
West	Single Family Detached Dwellings	R-3	Residential 2-3 du/ac

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area I, Lincolnia Planning District
Planning Sector: Pinecrest Community Planning Sector (L1)
Plan Map: Public and Institutional Uses

ANALYSIS**Special Permit Plat** (Copy at front of staff report)

Title of SP Plat: Special Permit Amendment Plat, Peace Lutheran Church
Prepared By: Burgess & Niple
SP Plat Dated: Signed and dated October 31, 2005

Proposed Use:

The applicant requests approval of an amendment to SP 98-M-050, approved by the Board of Zoning Appeals on January 26, 1999, to correct an error in building height notated as 25 feet on the approved special permit plat prepared by Bengtson, DeBell and Elkin, Ltd., dated February, 1998. The actual height of the structure is 32.5 feet. The discrepancy in height came to light when the applicant requested a determination that an increase in the height of the bell tower to house telecommunication facilities was in substantial conformance with the approved special permit. A copy of the interpretation letter is included as Appendix 5.

No other uses or changes to the church buildings are proposed, except closure of the site entrance from Lincolnia Road and additional transitional screening and parking lot landscaping approved in conjunction with SP 98-M-050, which as never completed.

Land Use Analysis

The Pinecrest sector of the Lincolnia District is largely developed as stable residential neighborhoods. The application and development plan have been evaluated according to the guidance of the Comprehensive Plan. The proposed use and intensity are in harmony with the Comprehensive Plan recommendations for this site. There are no significant design or compatibility issues posed by the development plan.

Issue: Removal of concrete deposit between the north parking lot and alley.

Concrete blocks are deposited on the lawn near the northern parking lot area. On the original submitted plat from 1998, this area reads: "ex. light pole to be removed". It appears that the removal of the light pole base was not completed.

Resolution:

The applicant has proposed to remove the concrete deposit. A development condition has been proposed which addresses this concern.

Issue: Lack of trees along the northwestern corner of the site, and southern and western lot lines.

The existing landscaping on the site does not match the proposed landscaping on the originally-submitted plat from 1998. Significant deficiencies exist along the northwestern corner of the site, and southern and western lot lines. Staff requested that the landscaping be planted as most of the plant material is required to meet parking lot landscaping and transitional screening requirements.

Resolution:

The applicant submitted a revised plat dated October 31, 2005, to address this issue by providing landscaping improvements generally in keeping with those originally proposed by the applicant under SP 98-M-050. Staff has included a development condition requiring the plant material to be installed within six months of the date of approval of the special permit amendment.

Transportation Analysis (Appendix 6)

Issue: Lincolnia Road entrance

An area at the southern end of the south parking lot remains paved, and functions as an entrance/exit to Lincolnia Road. However, the approved plat from SP 98-M-050 has this area labeled: "existing entrance to be closed." This entrance is not adequately wide to accommodate two vehicles passing by one another, does not meet the Virginia Department of Transportation entrance standards, and represents a significant safety hazard to motorists. Staff requested that the applicant remove this access as shown on the previously approved special permit plat.

Resolution:

The applicant has agreed to remove the pavement, as well as scarify and replant the area, thus removing the entrance. A development condition has been provided which addresses this concern.

Issue: Parking lot striping

Individual parking spaces are indistinguishable within the entire parking lot area. Staff recognizes that unclear parking lot striping can lead to circulation difficulties within a parking lot and requested that the parking lot be re-striped.

Resolution:

The applicant has agreed to re-stripe the parking lot. A development condition has been proposed which addresses this concern.

Issue: Parking lot landscaping

Parking islands are represented on the Special Permit plat for SP 98-M-050, yet have not been installed. Similarly, many include parking lot landscaping features such as trees that were never planted, which are a requirement of the Zoning Ordinance. Staff requested that the applicant remove pavement and plant the required vegetation.

Resolution

The applicant has agreed to install parking islands as represented on the approved special permit plat for SP 98-M-050 as well as provide landscaping for many of them. A development condition has been included to address this issue.

ZONING ORDINANCE PROVISIONS

R-3 DISTRICT REGULATIONS	REQUIRED	PROVIDED
Bulk Regulations R-3		
Lot Size	10,500 sq ft.	192,099 square feet (4.41 acres)
Lot Width	105 feet	325 feet approximately
Building Height	60 feet maximum	32.5 feet

R-3 DISTRICT REGULATIONS	REQUIRED	PROVIDED
Front Yard	40 degrees Angle Bulk Plane, not less than 30 ft.	287 feet
Side Yard	35 degrees Angle Bulk Plane, not less than 10 ft.	57.8 feet
Rear Yard	35 degrees Angle Bulk Plane, not less than 25 ft.	Not applicable
FAR	0.25 maximum	0.06
Parking		
Parking Spaces	70 spaces	104 spaces

Standard	Required	Provided
Transitional Screening		
North (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 supplemental trees, as depicted on the SPA Plat
South (church)	None	Existing vegetation, with supplemental trees, as depicted on the SPA Plat
East (single family residential)	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Existing trees

Standard	Required	Provided
West (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 supplemental trees, as depicted on the SPA Plat
Barrier		
North (single family residential)	Barrier D, E or F	None
South (church)	None	N/A
East (single family residential)	Barrier D, E or F	None
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 northern, eastern, and western boundaries in favor of the conditions as proposed on the SPA Plat, dated October 31, 2005.

Basis: There are no new buildings or uses proposed with this application and the main church building already exists at a height of 32.5 feet. Staff supports the modification as requested.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 7)

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

Summary of Zoning Ordinance Provisions

Staff believes that the subject application has satisfied all applicable standards with the adoption of the development conditions outlined below.

CONCLUSIONS

Staff concludes that the subject application is in harmony with the Comprehensive Plan and applicable Zoning Ordinance provisions as outlined above only with the adoption of the development conditions.

RECOMMENDATIONS

Staff recommends approval of the proposed church with adoption of all Proposed 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 Approved in Conjunction with SP 98-M-050
5. Telecommunications Facility Interpretation Letter
6. Transportation Analysis
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**November 29, 2005**

If it is the intent of the Board of Zoning Appeals to approve SPA 98-M-050 located at Tax Map 72-1 ((1)) 52; 72-1 ((7)) 109, 110, pursuant to Section 3-303 of the Fairfax County Zoning Ordinance to amend SP 98-M-050 previously approved for a church to permit correction to building height, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Those conditions carried forward from the previous special permit are marked with an asterisk. Minor edits have been made to these conditions to conform to currently terminology. Edits have been underlined.

1. This approval is granted to the applicant only, Trustees of Peace Evangelical Lutheran Church and is not transferable without further action of this Board, and is for the location indicated on the application, 6362 Lincolnia Road, 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 amendment plat prepared by Burgess & Niple, signed and dated October 31, 2005, and 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. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit, shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.*
5. All signs, existing and proposed, shall be in conformance with Article 12 of the Fairfax County Zoning Ordinance.*
6. The maximum number of seats in the main area of worship shall be limited to 280 seats.*
7. The number of parking spaces provided shall satisfy the requirements set forth in Article 11 and shall be a minimum of 70 parking spaces. Parking spaces shall not number more than 104 spaces. All parking for this use shall be on site, as shown on the Special Permit Plat.*
8. Transitional screening and barriers shall be modified in favor of that shown on the Special Permit Amendment Plat except that all evergreen plant material shall be a minimum of six (6) feet in height at the time of planting, and eleven (11)

additional evergreen trees shall be planted north and northeast of the parking lot adjacent to Oak Ridge Drive as shown on the special permit plat approved in conjunction with SP 98-M-050.

9. Parking lot landscaping shall be provided as depicted on the special permit amendment plat.
10. Lighting located on the application site shall focus onto the subject property only. If necessary, appropriate lighting shields shall be installed to prevent high intensity glare from projecting onto adjacent residential property. Any new lights that may be installed on the site shall be limited to a maximum of twelve (12) feet in height and shall be provided in accordance with the performance standards contained in Par. 9, Outdoor Lighting Standards, of Art. 14 of the Zoning Ordinance.*
11. The concrete deposit located in the lawn near the northern parking lot area shall be removed.
12. The pavement of the entrance drive from Lincolnia Road shall be removed, and the area shall be scarified and replanted with grass and/or other ornamental vegetation.
13. The parking lot shall be re-stripped as denoted on the special permit amendment plat.
14. All plant material shall be planted and improvements completed as outlined in Conditions 8, 9, 11, 12, and 13 above, and an inspection made by the staff coordinator and/or Branch Chief of the Special Permit/Variance Branch, ZED, within six (6) months of approval of this special permit amendment, and prior to issuance of a new Non-RUP (if needed), or this special permit shall be null and void.

These conditions incorporate and supersede all previous conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six (6) months after the date of approval unless the use has been established. The Board of Zoning Appeals may grant additional time to establish the use 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.