



# FAIRFAX COUNTY

**APPLICATION FILED:** November 30, 2005  
**BOARD OF ZONING APPEALS:** February 14, 2006  
**TIME:** 9:00 a.m.

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V I R G I N I A

**February 7, 2006**

## **STAFF REPORT**

**SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 82-A-039-4**

### **BRADDOCK DISTRICT**

**APPLICANT:** Providence Presbyterian Church: Providence Nursery School, Inc., a Virginia Non-profit Corporation; National Capital Presbytery, Inc., a DC non-profit corporation

**ZONING:** R-1

**LOCATION:** 9001, 9005, & 9019 Little River Turnpike

**ZONING ORDINANCE PROVISIONS:** 3-103

**TAX MAP:** 58-4 ((1)) 1, 58-4 ((8)) 1, 2

**LOT SIZE:** 6.24 acres

**F.A.R.:** 0.06

**PLAN MAP:** Public Facilities (Parcel 58-4 ((1)) 1)  
Residential; 1-2 du/ac (Parcels 58-4 ((8)) 1, 2)

**SP PROPOSAL:** Amend SP 82-A-039 previously approved for a church, child care center and private school of general education to permit deletion of the private school of general education, addition of a nursery school, building addition, increase in land area, and site modifications.

**STAFF RECOMMENDATION:** Staff recommends approval of SPA 82-A-039-4 subject to the proposed 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. The Board of Zoning Appeals' decision does not become final until the day following the next official meeting day of the BZA, but not less than eight (8) days, whichever is the latter, unless the BZA waives this requirement. 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 or TTY 711 (Virginia Relay Center).

## DESCRIPTION OF THE APPLICATION

**Special Permit Request:** Amend SP 82-A-039 previously approved for a church, child care center and private school of general education to permit deletion of the private school of general education and addition of a nursery school, building addition, increase in land area and site modifications. The increase in land area would be the addition of two vacant parcels, Lots 1 and 2, totaling 1.01 acres. There is no proposed increase in the number of seats or in the number of children currently attending the child care center. A nursery school is currently operating.

The proposed building addition would consist of one-story, 9,256 sq. ft. classroom and multi-purpose space. Additional site modifications include the addition of parking lot landscaping and reconfiguring of the parking area, as well as the addition of a landscaped berm in the front yard of the existing building.

**Size:** 5.23 acres existing, addition of Lot 1 (58-4 ((08)) 1), and Lot 2 (58-4 ((08)) 2) equaling 1.01 acres, 6.24 acres total

27,801 sq. ft. existing bldg., addition of 9,256 sq. ft., 37,057 sq. ft. total

**Parking:** 180 spaces (181 existing, net loss of 1 space)

**FAR:** 0.12 (net reduction with addition of land area, current FAR 0.13)

**Number of Seats:** 450 seats

**Hours of Operation:** 9:00 am to 3:30 pm, Monday through Friday

**Number of Children:** 70 (no change)

### Waivers and Modifications:

- Modification of the transitional screening requirements along all property lines to permit the existing vegetation to satisfy the requirement, with supplemental plantings as shown on the SPA Plat.
- Modification to the barrier requirement along the southern, eastern, and western property lines to permit the existing fencing to remain.
- Waiver of the barrier requirement along the northern property line

## LOCATION AND CHARACTER

### Existing Site Description:

The property is located on the south side of Little River Turnpike, between Hunt Road and Elizabeth Lane. The property is developed with a church and child care center, which is also functioning as a nursery school. The previously approved private school is no longer operating on the property. The periphery of the site is wooded. The property is accessed via two entrances, a service drive from Little River Turnpike, which terminates at the property entrance, as well as a gated, "Sunday-only" access from the cul-de-sac terminus of Doveville Lane. Parking is provided in the southern and eastern portions of the property. The vacant parcels being added to the subject property are heavily wooded, and include a stream and trail internal to the property.

### Surrounding Area Description:

Direction	Use	Zoning	Plan
North	single family detached residential	R-1	Residential
South	single-family detached residential	R-2	Residential
East	single-family detached residential (Lee Forest)	R-1	Residential
West	single-family detached residential (Hunter's Glen)	PDH-3	Residential

## BACKGROUND

### Site History:

The church was constructed in 1966 prior to the Zoning Ordinance Amendment requiring Special Permit approval for places of worship located in residential districts. On September 23, 1969, the Board of Zoning Appeals (BZA) approved Special Permit S-165-69 to allow the church to operate a preschool for children ages 3-5 years old. On October 16, 1974, this Special Permit was amended with application S-133-74 to change the name of the permittee to Providence Presbyterian Church and Providence Nursery School, Inc., and to increase the enrollment to 70 children. This is the nursery school (child care center) currently in operation at the church.

On May 15, 1982, the BZA approved SP 82-A-039 to permit an addition to the church parking lot, bringing the entire application under this special permit. On June 21, 1983, the BZA approved SPA 82-A-039-1 to permit the addition of lights, a fence and gate in the rear parking lot and the addition of a classroom trailer to the existing facilities. On

October 2, 1984, the BZA approved SPA 82-A-039-2 to permit an addition to the sanctuary and a classroom addition to the existing church. On September 7, 1989, the BZA approved SPA 82-A-039-3 to permit the addition of a private school of general education (the Trinity Christian School). A copy of the Resolution and plat approved in conjunction with SPA 82-A-039-3 is included as Appendix 4.

## COMPREHENSIVE PLAN PROVISIONS

**Plan Area:** Area I

**Planning Sector:** Annandale Planning District  
Wakefield Chapel Community Planning Sector (A7)

**Plan Map:** Public Facilities (existing parcel)  
Residential; 1-2 du/ac (new parcels)

## ANALYSIS

### Special Permit Amendment Plat (Copy at front of staff report)

**Title of SPA Plat:** Special Use Permit Amendment #82-A-039-4  
Providence Presbyterian Church

**Prepared By:** William R. Zink, Christopher Consultants

**Dated:** November 17, 2005, as revised through January 4, 2006

### Proposed Use:

The applicant requests approval to construct a building addition, permit a nursery school and childcare center for 70 children (no change), and increase land area.

The 9,256 square foot building addition is proposed to be located adjacent to the southwest corner of the 27,801 existing church building, located in the center of the site. The building addition will be 24 feet in height and be comprised of a multipurpose space, designed for use as a fellowship hall, gymnasium, classroom area, and administrative space. The proposed addition and existing church building will comprise a total of 37,057 square feet, with a reduction in FAR from 0.136 to 0.12. The reduction in FAR is attributed to the addition of Lots 1 and Lot 2, totaling approximately 1.01 acres in size. A conservation easement is purposed to be placed on the two lots brings the size of the application property to 44,000 square feet.

A nursery school and child care center will be located in the church. The hours of operation for these uses will be from 9:00 am to 3:30 pm, Monday through Friday. The application deletes the 72 children associated with the private school of general education, approved under SPA 82-A-039-3. These children will be associated with the addition of a childcare center and nursery school, with a maximum of 70 children and a

total of nine full time employees. Currently, there is a children's play area located in the southeast portion of the site which is well-shielded from noise and fenced-in.

The existing church contains 450 seats. The applicant is not seeking to increase the seating. The church is operated by 6 full-time employees and 5 part-time workers. The part-timers work primarily on Sundays.

The site is accessed via a service drive leading from Little River Turnpike (no change). The parking lot configuration is proposed to be altered. The proposed building expansion encroaches on the rear parking lot resulting in the elimination of 18 parking spaces. The parking lot located on the east side of the church will be restriped and two walkways will be added, resulting in the loss of one parking space. Nineteen additional parking spaces will be recaptured in the southeast corner parking lot located at the rear of the existing building. The area adjacent to the proposed building extension will be restriped resulting in 12 additional spaces. One parking area containing a total of 106 parking spaces is located southwest of the sanctuary. A second parking area containing 74 spaces is located along the eastern lot line for a total of 180 spaces.

A 10 foot wide storm sewer and sanitary sewer easement runs along the eastern boundary. The applicant is seeking modification of the transitional screening requirements along all property lines to permit the existing vegetation to satisfy the requirement, with supplemental plantings as shown on the SPA Plat. Currently, the site is screened by approximately 20 feet of vegetation to the east and west, and 25 feet to the south. A 120 foot long lawn area faces Little River Turnpike to the north. Also, the applicant requests modification to the barrier requirement along the southern, eastern, and western property lines to permit the existing fencing to remain. Currently, to the south and west a 6 foot high board on board fence is in place; to the east, a chain-linked fence exists. To the north, the applicant seeks a waiver as there is no barrier facing Little River Turnpike.

## **Land Use Analysis**

The Comprehensive Plan allows for non-residential uses requiring special permits if the applicant provides access to an arterial, demonstrate that the use is of a size and scale that will not adversely impact the character of the area in which it is located, and buffer and screen itself in excess of County ordinance requirements to adjoining residential properties. The church provides 20 feet of transitional screening to the east and west. There is no landscaping proposed for the northern lawn area. Staff does not believe that the existing vegetation satisfies this recommendation and has included development conditions to address this issue.

## **Environmental and Urban Forestry Management Analysis (Appendix 5)**

### **Issue: Tree save**

The applicant has proposed to preserve the two new lots as open space. A stream traverses the two lots and the remainder is covered with trees, providing a significant buffer between the church and the residential neighborhoods to the east. The applicant is proposing to reduce the size of the play and picnic areas in the southeast corner of the site to enlarge the parking area, which will result in the removal of several trees along the periphery. Preservation of the existing tree canopy to the extent possible in the area would help to maintain the natural buffer.

### **Resolution**

Several of the specimen trees and groupings of trees on this property can be preserved with minor to moderate design changes. The applicant has verbally indicated that measures will be taken to address tree save concerns, and that no trees will be unnecessarily removed. Furthermore, a development condition has been proposed which addresses this concern. With the adoption of proposed development conditions, this issue is resolved.

### **Issue: Noise**

In the Comprehensive Plan, Policy Plan, 2003 Edition, Environment section as amended through November 15, 2004, on pages 9 and 10, the Plan recommends as guidelines that outdoor play areas not receive over 65 decibels of sound. Currently there are two children's play areas located on the site; one is located in the southeast portion of the site, which is well-shielded from noise, and fenced-in. The other is located in the northwestern portion of the site, and exposed to traffic-generated noise along Little River Turnpike. This play area appears to receive a high amount of noise, and therefore should be shielded from the noise or the use should be discontinued.

### **Resolution**

The applicant has indicated that the northwest play area will not remain in use in the future. With the adoption of proposed development conditions, this issue is resolved.

### **Issue: Water Quality**

The area underneath the berm along Little River Turnpike contains an abandoned well and septic field. The applicant proposes to grade this area and has verbally indicated that the treatment of the abandoned well and septic field will comply with requirements of the Fairfax County Health Department. Staff requested that the applicant provide more detailed plans for this area as well as documentation of coordination with the Health Department.

### **Resolution**

A development condition requires that the applicant coordinate any changes in this area

with the Fairfax County Health Department. With the adoption of proposed development conditions, this issue is resolved.

### **Transportation Analysis** (Appendix 6)

#### **Issue: Trail connection**

The Comprehensive Plan recommends that an existing asphalt trail be continued across the frontage of the two new lots. The original SPA Plat did not depict this trail easement.

#### **Resolution**

A proposed development condition requires the provision of this trail. With adoption of the conditions this issue will be resolved.

#### **Issue: Right of way access**

Staff requested that the applicant dedicate right of way across the two new lots to match that existing across the existing church frontage, which appears to be 77 feet from the centerline of the eastbound lanes of Little River Turnpike.

#### **Resolution**

The applicant has verbally agreed to provide right of way access along both Lots 1 and 2. To ensure this agreement is realized, staff has provided development condition regarding the provision of right of way access along both Lots 1 and 2. With the adoption of the proposed development conditions, this issue is resolved.

### **ZONING ORDINANCE PROVISIONS**

<b>R-1 DISTRICT REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Bulk Regulations R-1</b>		
<b>Lot Size</b>	36,000 sq. ft.	6.24 acres
<b>Lot Width</b>	150 ft.	630 ft.
<b>Building Height</b>	60 ft.	27.5 ft.
<b>Front Yard</b>	50° ABP but not less than 40 ft.	70.3 ft.

<b>R-1 DISTRICT REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Side Yard</b>	45° ABP but not less than 20 ft.	51.7 ft.
<b>Rear Yard</b>	45° ABP but not less than 25 ft.	209 ft.
<b>FAR</b>	0.15	0.12
<b>Parking</b>		
<b>Parking Spaces</b>	Church: 113 spaces Child care center/nursery school: 14 spaces Total: 127*	180
<b>Transitional Screening</b>		
<b>North</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Approx. 120 ft. lawn with sparse existing landscaping
<b>East</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Existing deciduous vegetation and planted shrubs for extent of lot line, 20 ft. min. width
<b>West</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Existing deciduous vegetation and planted shrubs for extent of lot line, 20 ft. min. width
<b>South</b>	T/S 1 - 25 feet in width Planted with evergreen trees or a mixture of evergreen and deciduous trees	Existing deciduous vegetation and planted shrubs for extent of lot line, 18.9 ft. min. width
<b>Barrier</b>		
<b>North</b>	Barrier D, E or F	None
<b>South</b>	Barrier D, E or F	Existing 6 ft. wood fence

R-1 DISTRICT REGULATIONS	REQUIRED	PROVIDED
East	Barrier D, E or F	Existing 6 ft. chain-linked fence
West	Barrier D, E or F	Existing 6 ft. wood fence

\* = The required parking for a place of worship with 450 seats at one space per four seats, and 0.19 spaces per day care center child.

## WAIVERS/MODIFICATIONS REQUESTED

### Waiver/Modification:

**Basis:** Par. 3 of Sect. 13-304 states that transitional screening and barrier requirements may be waived or modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through the combination of architectural and landscaping techniques. The applicant is seeking modification of the transitional screening requirements and the barrier requirements along all property lines (waiver of barrier requirement to the north) to permit the existing vegetation and fencing to satisfy the requirements, with supplemental plantings as shown on the SPA Plat.

The church is surrounded by residential properties. The Zoning Ordinance requires that the applicant provide 25 feet of transitional screening along all lot lines. Currently, the church only provides 20 feet of transitional screening to the east and west, and existing vegetation is sparse in this area. Staff requested that the applicant provide supplemental vegetation along these lot lines to lessen the visibility of the new building, which is located 60 feet from the western lot line. Additionally, staff recommended that the applicant increase the landscaping proposed for the northern lawn area, particularly within the proposed berm located just north of the church. The applicant submitted a revised plat, dated January 4, 2006, in which transitional screening was increased marginally along the eastern boundary. A development condition requiring the applicant to provide additional vegetation has been proposed that would ensure adequate screening is provided along this lot line. There were no improvements submitted in the revised plat dated January 4, 2006, regarding landscaping to the northern portion of the site. Therefore, a development condition has been proposed which requires the applicant to adequately landscape the proposed berm and front lawn area.

## OTHER ZONING ORDINANCE REQUIREMENTS

*N:/varga/spa/providence/staffreport*

**Special Permit Requirements** (Appendix 7)

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sects. 8-303, 8-305)

**Summary of Zoning Ordinance Provisions**

Subject to the proposed development conditions, all applicable standards have been satisfied.

**CONCLUSIONS**

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions only with the implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

**RECOMMENDATIONS**

Staff recommends approval subject to 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.

**APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Approved Development Conditions and Plat, SPA 82-A-039-3
5. Environmental and Urban Forest Management Analysis
6. Transportation Analysis
7. Applicable Zoning Ordinance Provisions Checklist

**PROPOSED DEVELOPMENT CONDITIONS****February 7, 2006**

If it is the intent of the Board of Zoning Appeals to approve SPA 82-A-039-4 located on property described as Tax Map 58-4 ((1)) 1, 58-4 ((8)) 1, 2, to amend SP 82-A-039 previously approved for a church, child care center and private school of general education to permit deletion of the private school, addition of nursery school, building addition increase in land areas and site modifications 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 (\*). Minor edits have been made to conform to current standards. Edits have been underlined.

1. This approval is granted to the applicant only, Providence Presbyterian Church; Providence Nursery School, Inc., a Virginia Non-profit Corporation; National Capital Presbytery, Inc., a DC Non-profit Corporation, and is not transferable without further action of this Board, and is for the location indicated on the application, 9001, 9005, & 9019 Little River Turnpike, 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 William R. Zink of Christopher Consultants, dated November 17, 2005, as revised through January 4, 2006.\*
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 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. The seating capacity in the main area of worship shall not exceed 450.\*
6. Parking shall be provided as depicted on the Special Permit Plat. All parking shall be on site.
7. The total maximum daily enrollment of children enrolled in the child care center/nursery school shall not exceed 70.
8. The hours of operation for the child care center/nursery school shall be limited to 9:00 am to 3:30 pm, Monday through Friday.
9. Transitional screening shall be modified along all lot lines to permit existing vegetation to satisfy the requirements, but shall be supplemented as shown on

the plat, with the following modifications:

- Additional plantings shall be provided along the western lot line adjacent to the building addition to meet the intent of Transitional Screening 1;
  - Landscaping shall be provided on the proposed berm northwest of the existing church building and in the area to be graded and seeded after removal of the well. Landscaping shall include ornamental trees, shrubs and understory plantings to soften the appearance of the graded areas and the parking and building areas.
- The size, species and location of plantings shall be provided in consultation with Urban Forest Management (UFM).
10. Foundation plantings and shade trees shall be provided around the proposed building addition to soften the visual impact of the structures. The species, size and location shall be determined in consultation with UFM and DPWES.
  11. Parking lot landscaping shall be provided in accordance with Article 13 of the Zoning Ordinance.
  12. The barrier requirement shall be waived along the northern lot line. The barrier requirement shall be modified along the southern, eastern, and western lot lines to permit the existing six-foot high wood and chain-linked fences to satisfy the requirements.
  13. The limits of clearing and grading shall be the minimum amount feasible as determined by DPWES and shall be no greater than shown on the special permit plat, particularly in the southeastern picnic area. Prior to any land disturbing activity, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements shall be submitted to DPWES, including UFM, for review and approval. Prior to any land disturbing activities, a pre-construction conference shall be held on-site between DPWES, including the Urban Forester, and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, tree protection measures, and the erosion and sedimentation control plan to be implemented during construction.
  14. Existing healthy vegetation shall be preserved along the eastern lot line as depicted on the SP Plat. Additionally, notwithstanding that which is shown on the Plat, the Applicant shall install evergreen shrubbery (Inkberry and Hybrid Holly or a type recommended by the Urban Forester) between the abutting Lots (98, 99, and 100 as shown on the SP Plat) and the "existing chain link fence" shown on the Plat along the eastern parking lot. Said plantings shall be installed for the purpose of screening views of the parking lot from the houses located on Lots 98, 99, and 100.
  15. Any proposed new lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of

Article 14 of the Zoning Ordinance. All lighting shall be full cut-off luminaries and shall be controlled by timers (except for security lighting). No new uplighting of landscaping, signage or architecture shall be provided.

16. The treatment of the abandoned well and septic field shall comply with requirements of the Fairfax County Health Department.
17. Subject to Virginia Department of Transportation (VDOT) and the Department of Public Works and Environmental Services (DPWES) approval, the applicant shall dedicate and convey in fee simple to the Board of Supervisors, right-of-way up to 77 feet from the centerline along Lots 1 and 2 frontages to Little River Turnpike as shown on the SP plat. Dedication shall be made at the time of site plan review or upon demand of either Fairfax County or VDOT, whichever should occur first. The limits of the proposed conservation easement shown on the SP Plat for Lots 1 and 2 shall be adjusted at site plan review so as to exclude this Right-of-Way dedication and an area ten feet in width adjacent to such dedication area.
18. The existing asphalt trail shall be continued across the frontage of Lots 1 and 2, and designated by a painted stripe on the shoulder of the service drive, as determined by the Department of Transportation (DOT).
19. The applicant shall obtain a sign permit for any proposed sign in accordance with the provisions of Article 12 of the Zoning Ordinance.
20. All garbage or trash shall be picked up at the entrance to the church on the access road parallel to Little River Turnpike or at an appropriate location on the church property near the building.\*

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 this 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 prosecuted. 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.