APPLICATION ACCEPTED: April 24, 2007
BOARD OF ZONING APPEALS: July 17, 2007
TIME:9:00 a.m.

County of Fairfax, Virginia

July 10, 2007

STAFF REPORT

SPECIAL PERMIT APPLICATION SPA 95-H-062-03

HUNTER MILL DISTRICT

APPLICANT:	Trustees of the Mount Pleasant Baptist Church
ZONING:	R-1
LOCATION:	2516 Squirrel Hill Road
ZONING ORDINANCE PROVISION:	3-103
TAX MAP:	15-4 ((01)) 27-28
LOT SIZE:	4.28 acres
F.A.R:	0.13
PLAN MAP:	Mixed Use
SP PROPOSAL:	Amend SP 95-H-062 previously approved for church with private school of general education, child care center, and nursery school to permit modification of development conditions.

STAFF RECOMMENDATION: Staff recommends approval of SPA 95-H-062-03 ONLY with the adoption of the Proposed Development Conditions in Appendix 1.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/

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.

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**.

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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:	A request to amend SP 95-H-062 previously approved for church with a private school of general education, child care center, and nursery school to permit modification of development conditions to allow the removal of a historic dwelling on the site by deleting Development Condition 18.
Site size:	4.28 acres
Number of Seats In sanctuary:	490 seats
Hours of Operation:	7:30 a.m. to 1:00 p.m. & 3:30 p.m. to 5:30 p.m., Sunday through Friday 8:00 a.m. to 1:00 p.m., Saturday School of General Education: 8:30 a.m. to 3:30 p.m. Nursery school: 8:30 a.m. to 6:00 p.m. Child care center: 6:00 a.m. to 6:00 p.m.
Employees:	14

Waivers and Modifications:

There are no waivers or modifications being requested by the applicant.

LOCATION AND CHARACTER

Existing Site Description: The subject property is located on the northwestern side of Squirrel Hill Road, west of Old Centreville Road and south of River Branch Road. The site is irregular in shape and the majority of the property is open and flat. A mixed stand of deciduous and evergreen trees is located along the northwestern and western property lines. Large individual trees exist along the eastern lot line.

The site is developed with a church containing 21,968 square feet, which includes a main floor and the basement area. Associated parking lots are located to the south, east and west side of the building. The north boundary is shared by a townhouse neighborhood. The north side yard is treed with evergreen landscape trees. Also on the site is an historic two-story detached dwelling, constructed in1884-

1885, and a 90 foot long, three foot high stone wall built around the time of the dwelling. An informal gravel parking lot serves the dwelling.

Surrounding Area Description:

Direction	Use	Zoning	Plan
North	Townhouses	PDH-12	Residential 1-2 du/ac; residential, up to 1 du/ac
South	Undeveloped	R-1, I-5	Residential up to 1 du/ac; Residential 20 du/ac
East	Townhouses	PDH-12	Residential up to 1 du/ac
West	Townhouses/Open Space	PDH-12/R-1	Parkland

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area II, McLean Planning District
Planning Sector: Balls Hill Community Planning Sector (M4)
Plan Map: Residential; 1-2 du/ac

There is no site-specific text regarding the subject parcel contained within the Comprehensive Plan. The Comprehensive Plan recommends that the area be developed to encourage a cohesive mixture of residential and non-residential uses which provide convenience to those who live and work in the area. Development in this land unit should provide for the incorporation of possible future transit related facilities and pedestrian access to transit.

ANALYSIS

Special Permit Plat (Copy at front of staff report)

Title of SP Plat: Mount Pleasant Baptist Church

Prepared By: KJ & Associates

Dated: May, 2000, revised through July 21, 2000

Proposal:

To amend an approved special permit for an existing church with a private school of general education, child care center and nursery school to permit the deletion of Development Condition 18 which requires the retention of a historic single family dwelling located on the property. The applicant proposes to remove the dwelling. There are no other changes requested with the application.

BACKGROUND

Application	Date	Use	BZA Action*
SP 95-H-062	March 27, 1996	Church & Related Facilities, Childcare Center, Nursery School	Approved
SPA 95-H-062	April 9, 1997	Church & Related Facilities to permit an increase in gross floor area	Approved
SPA 95-H-063-2	August 15, 2000	Church & Related Facilities to permit and error in building location	Approved

*Approved with development conditions. A copy of the Resolution and Plat approved in conjunction with SPA 95-H-062-2 is attached in Appendix 4.

Site History:

The Fairfax County History Commission listed the historic dwelling that is located on site, known as the Keyes House, on the Fairfax County Inventory of Historic Sites on November 6, 1985.

The Keyes House was built circa 1884/85 by a founding member of the church, Henry Cook. According to an article written by Deacon Phillip Bush in Stories From Floris, Cook donated the land for the original meeting place of the congregation. The house is the last remaining structural evidence of a once thriving nineteenth century African-American community. The only other remaining building from that community, the New Floris Colored School, an Inventory Site, was demolished during the winter of 2006.

The original 1996 Special Permit, SP 95-H-062, provides no information on the circumstances regarding the Keyes House. However, SPA 95-H-062-2 states in Development Condition 18 that: “The historic single family dwelling on the property shall remain and may be used for offices/classrooms. If the dwelling is used for residential use, it shall only be used as the residence of the pastor or a member of the church staff who functions as caretaker for the property.”

In May 2002, Pastor James L. Graham, Jr. wrote to Barbara Byron, Director, ZED, requesting that the Keyes House be demolished because he believed the dwelling was not historical and was economically irreparable. Barbara Byron replied that this action would require an SPA to delete the condition requiring the retention of the house.

In October 2003, Howard Lambert, a member of the Board of Trustees of Mt. Pleasant Baptist Church, contacted staff from the Department of Planning and Zoning (DPZ) regarding possible uses of the building. Several possible uses for the Keyes House were suggested that would acquiesce with Development Condition 18. In October 2004, the church asked the History Commission to endorse demolition. The History Commission declined to endorse demolition.

Several members of the Commission toured the Keyes House in November 2004. They found that it was structurally sound, although in severe disrepair requiring extensive renovation.

In February 2005, staff from the Fairfax County Park Authority made an assessment of the property and took extensive photo documentation of the Keyes House. During this time, the History Commission did not provide a decision on the church's request again that the Commission support demolition of the Keyes House.

Despite historical records provided to the applicant, the church does not believe the building historically significant to the degree that it should be renovated, maintained or used for classroom or church-related office space.

Over the past twelve years the Keyes House has deteriorated. Without a viable use, building upkeep and maintenance was not a church priority. Therefore, the Keyes House is in a state of disrepair.

Heritage Resource Analysis (Appendix 5)

Discussion

Staff considers the demolition of historic properties very carefully to avoid setting precedent for other historically significant structures in the County. Precedent is a strong historic preservation tenet. Therefore, it is always of great concern that any action which could be considered precedent-setting be thoroughly addressed. Staff believes there are instances whereby permitting the demolition of a historic property could be seen as precedent setting. These instances are discussed fully in the Heritage Resource Analysis included as Appendix 5.

Properties listed on the Inventory or otherwise known to be historically and/or architecturally significant have unique characteristics and varying circumstances. Because each historic property and its circumstance are unique, any request for demolition of a historic property must be considered on a case-by-case basis. For this reason, staff does not believe that conceding to demolition in one case should be considered precedent-setting.

Staff has used Sect. 7 of the Zoning Ordinance, Historic Overlay Districts as a guide in reviewing the request to remove the condition and permit demolition of the Keyes House. Sect. 7-204 (5) (D) discusses four reasons that should be considered in making a determination on whether a historic building should be razed or demolished. These reasons are included on Page 4 of Appendix 5. Staff believes that only reason 3 applies to this application, i.e. would retention of the building help preserve and protect a historic place or area of historic interest in the County. The Keyes House is the last remnant of the nineteenth century built environment of the African-American community in Floris. The other elements that made up this historic place and area of historic interest are gone. Demolishing the Keyes House would mean the loss of the last structural remnant of this community.

Due to the fact that this is the last structural remnant of the nineteenth century African-American Floris community, the historic setting and cultural landscape have been destroyed. There is no context to which the house contributes; it is an isolated element that bears no relationship to its surroundings. The historic place and area of historic interest, the nineteenth century built environment of the African-American community in Floris, is no longer visible and intact.

Recommendation

Staff has struggled with this request. After much deliberation and with much concern, staff reluctantly reached the conclusion to concede to the Church's request to remove Development Condition 18 and, if approved by the Board of Zoning Appeals (BZA), permit demolition of the Keyes House.

As required for property containing historic structures, this request was presented to the History Commission at its June 6, 2007 meeting. At that meeting, the History Commission made recommendations on the application to regrettably concur with staff's recommendation to permit demolition of the Keyes House and to support five points of mitigation for the loss of this historic structure as recommended by staff. The five mitigation points are:

1) At the request of the Park Authority Resource Stewardship Branch Manager, the Keyes stone at the entrance to the basement be donated to the Park Authority, and staff from the Park Authority be allowed to access the site to remove the stone;

2) The church be required to fund interpretative signage to be placed on the site. Signage to be coordinated with the Park Authority Resource Stewardship Branch;

3) Upon the determination of the Urban Forester, the church be required to retain and maintain the trees, and/or shrubs and other landscape features in the area surrounding the Keyes House. The exact dimensions of the area to be recorded in consultation with DPZ;

4) The stone wall adjacent to the Keyes House and to the old Squirrel Hill Road be retained and maintained at least as long as the current use continues; and,

5) The area surrounding the Keyes House be retained and maintained in perpetuity as open space. The exact dimensions of the area to be recorded in consultation with DPZ. The area shall not be built upon and no structure requiring a building permit shall be erected. The area shall not be paved for parking or graded or the land disturbed in anyway so as to change its use from open space.

In addition to the five points outlined above, the History Commission recommended a sixth point of mitigation requiring retention of the house foundation and/or building footprint subject to the recommendations for this mitigation by a sub-committee responsible for inspecting the site.

The recommendations of staff, including the five mitigation points and the additional sixth mitigation point were approved by the History Commission by a vote of 10-8 to support removal the house. Development conditions have been added to address the first five mitigation points.

On June 19, 2007, the History Commission sub-committee visited the Keyes House in order to formulate a recommendation for requiring retention of the house foundation and/or building footprint. The sub-committee will present its finding at the next Commission meeting on July 11, 2007. Staff finds the mitigation to require retention of the house foundation and/or building footprint discussed by the History Commission consistent with accepted historic preservation practices and commends the Commission for identifying mitigation that furthers its mission. In this case, however, staff has concern that this condition imposes special care to remove and maintain a structural element for a situation where it is not warranted. Staff refers to the criteria listed in Section 7-204 (5) (D) of the Zoning Ordinance (included in the Appendix 5) as a guide in reviewing the request to permit demolition: (1) Is the building of such architectural or historical interest that its removal would be to the detriment of the public interest? (2) Is the building of such old and unusual or uncommon design, texture and material that it could not be reproduced or be reproduced only with great difficulty?

Because staff does not find that the Keyes House meets these criteria, staff does not believe that imposing a condition to retain the house foundation and/or building footprint is warranted. At this point, staff has included Development Conditions related to the five mitigation points. After the History Commission meeting on July 11, 2007, staff will determine whether any additional development conditions are needed.

Urban Forest Management Analysis (Appendix 6)

Discussion

Based on mitigation point three (3) above, staff requested that a Forester from Urban Forest Management (UFM) evaluate the trees in the open space area around the Keyes House. The Urban Forester found that several trees depicted on the special permit plat

approved in 2000 (and submitted with this request) have been removed. In addition, a 26 inch diameter black gum tree is located southeast of the Keyes House; however it is not shown on the plat. This is one of the more valuable trees on site and could date from the time of construction of the house. Demolition of the house could impact the existing trees, damaging roots, compacting soil in the root zones and/or inflicting mechanical injury to the above-ground parts of the trees. Several of the remaining trees shown "to be saved" around the house are in poor condition and may need to be removed or at least pruned. The Urban Forester has marked a copy of the special permit amendment plat delineating the above referenced trees. A copy has been attached with the memo.

In addition to evaluating the trees surrounding the Keyes House, the Urban Forester reviewed the site for compliance with the special permit amendment plat. The Forester found that:

- In several instances the tree line shown on the plat is not accurate. The trees depicted to be preserved between the tot lot and the parking lot do not exist and the tree preservation area between the western lot line and the parking lot is not as wide as shown on the plat;

- Several trees near the tot lot are dead or in very poor condition and should be removed to avoid risk of injury; and,

- Seven trees in the transitional screening yard and the parking lot are in poor condition and should be replaced. These trees exhibit dead tops and/or dead branches over the majority of the crown. These trees should be replaced to meet requirements for transitional screening and interior parking lot landscaping.

A copy of this portion of the plat marked by the Urban Forester has also been included with the memo.

Recommendations

Staff recommends that the applicant contract a Certified Arborist to prepare a tree preservation plan to protect and preserve existing trees worthy of preservation on the site during demolition of the existing structure. The plan should include limits of disturbance and location and type of tree protection. The plan should also include recommended activities designed to improve the health and increase the survival potential of trees to be preserved.

To meet parking lot landscaping and the modified transitional screening requirement approved under SPA 95-H-063-2, the seven trees identified on the attached plat should be replaced.

ZONING ORDINANCE PROVISIONS

All zoning regulations, including building requirements, and transitional screening and barrier requirements for the R-1 District were addressed in the previously approved

special permit amendment. As noted above, the dead/dying landscape trees in the parking lot and along the northeastern lot line identified by the Urban Forester should be replaced.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (Appendix 7)

- General Special Permit Standards (Sect. 8-006)
- Group 3 Standards (Sect. 8-303)
- Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship With a Child Care Center, Nursery School or Private School (Sect. 8-308)

Summary of Zoning Ordinance Provisions

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

CONCLUSIONS AND RECOMMENDATIONS

Staff conclusion

As outlined in the Heritage Resource discussion, staff has struggled with this request. Though the house is historically significant, there is no longer a context to which it contributes; the house is an isolated element that bears no relationship to its surroundings. With the original Mount Pleasant Baptist Church and the New Floris Colored School gone, the historic place and area of historic interest is no longer visible and intact. Therefore, staff reluctantly supports the deletion of Development Condition 18 and has included development conditions that address the five mitigation points suggested by staff and recommended by the History Commission. As stated previously, the History Commission will meet again on July 11, and at that time consider the sixth mitigation point; whether the foundation or building footprint should be retained. Conditions have also been added that address comments made in the Urban Forester's memo.

Recommendation

Staff recommends approval of the request for the reasons outlined above ONLY with adoption of the 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. Approved Development Conditions and Plat, SPA 95-H-062-2
5. Historic Preservation Analysis
6. Urban Forest Management Analysis
7. Applicable Zoning Ordinance Provisions Checklist

PROPOSED DEVELOPMENT CONDITIONS

July 10, 2007

If it is the intent of the Board of Zoning Appeals to approve SPA 95-H-062-03 located at Tax Map15-4 ((01)) 27-28, to amend SPA 95-H-062-02, previously approved for church with private school of general education, child care, and nursery school to permit modification of development conditions 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 (*). Minor edits have been made to conform to current standards. Edits have been underlined.

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application, 2516 Squirrel Hill 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 plat prepared by KJ & Associates, dated May, 2000, as revised through July 21, 2000, 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 is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Environmental Management. Any plan submitted pursuant to this special permit shall be in substantial conformance with the approved Special Permit plat and these development 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 seating capacity in the main area of worship shall be 490.*

6. ~~Upon issuance of a Non-Residential Use Permit,~~ The combined maximum daily enrollment for the school of general education, child care center and nursery school shall be 99.*

7. ~~Upon issuance of a Non-Residential Use Permit,~~ The hours of operation for the private school of general education and the nursery school shall be 8:30 a.m. to 3:30 p.m., Monday through Friday. Upon issuance of a Non-Residential Use Permit, the hours of operation for the child care center shall be 6:00 am to 6:00 p.m., Monday through Friday. *

8. The play area/tot lot shall be located as shown on the plat. The limits of clearing and grading, necessary to establish those facilities, shall be strictly adhered to and construction shall be completed in the least destructive manner possible to the

surrounding vegetation, to the satisfaction of DPWES.*

9. Transitional Screening 1 shall be modified along all property lines as shown on the special plat in order to allow the existing vegetation to remain and satisfy this requirement. Dead or dying trees within all the transitional screening areas shall be removed and replaced as necessary. Replacement trees shall be like-kind and shall measure a minimum of six (6) feet in height. The barrier requirement shall be waived along all lot lines.*

10. Landscaping and building foundation plantings shall be provided around the proposed structure in order to enhance the visual appearance of the building. An evergreen hedge shall be provided along the border of the parking lot along the southern property line in order to prevent the glare of automobile headlights from impacting adjacent residences. The landscaping, foundation plantings and evergreen hedge shall be shown on a Landscape Plan which shall be provided to the County Urban Forester for review and approval at the time of site plan review. All landscaping plantings shall be continually maintained. Dead or dying landscape and foundation plantings shall be replaced with like-kind plants.*

11. Interior and peripheral parking lot landscaping shall be provided in accordance with the provisions of Sect. 13-201 and 13-202 of the Zoning Ordinance.*

12. Any proposed lighting of the parking areas shall be in accordance with the following:
-The combined height of the light standards and fixtures 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 project beyond the facility.*

13. Stormwater Best Management Practices (BMPs) shall be provided as determined by the Department of Public Works and Environmental Services (DPWES) at the time of site plan review.*

14. The applicant may seek vacation/abandonment of the existing prescriptive right-of-way and if such is abandoned, may create a private ingress/egress easement of forty-four (44.0) feet in width from McNair Farms Drive to the entrance of the church property and transitioning to twenty-four (24.0) feet and remaining 24.0 feet in width thereafter to the termination of Squirrel Hill Road at Lot 32. Access from McNair Farms Road to the church entrance shall be constructed and maintained in accordance with the Public Facilities Manual (PFM) standards, either by the church or others, not by Fairfax County or the Virginia Department of Transportation. Right-of-way to 25 feet of the centerline of Squirrel Hill Road from the site entrance to the northern property line shall be dedicated to the Board of Supervisors in fee simple at the time of site plan approval or upon demand, whichever occurs first. A fifteen (15) foot cross section from the centerline to the face of curb from the site entrance north to McNair Farms Drive shall be dedicated for public street purposes as approved by the Director, DPWES. Construction of a twelve (12) foot cross section from the centerline to a ditch section of the east side of Squirrel Hill Road shall be provided from the site's entrance north to future McNair Farms Drive extended, as determined

by VDOT. South of the entrance, dedication to the Board of Supervisors, in fee simple, to 25 feet from centerline of Squirrel Hill Road shall be provided upon request by the County or VDOT for any imminent roadway project to improve the road. If construction is not completed by the applicant along the entire frontage of the site, ancillary easements to 15 feet of the proposed property line shall be provided at the time of dedication of the right-of-way.*

15. In order to minimize disturbance to the existing stone wall on the site, the site entrance shall be maintained in the location, design and dimensions shown on the plat. The stone wall shall be preserved to the maximum extent feasible.*

16. Signs shall be permitted provided they are erected in accordance with Article 12 of the Zoning Ordinance.*

17. Any trash dumpster located on the property shall be screened by a board-on-board fence, or with plantings which shall completely screen the view of the dumpsters, subject to the approval of DPWES.*

~~18. The historic single family dwelling on the property shall remain and may be used for offices/classrooms. If the dwelling is used for residential use, it shall only be used as the residence of the pastor or a member of the church staff who functions as caretaker for the property.*~~

18. There shall be one hundred and twenty-nine (129) parking spaces provided as shown on the special permit plat. Additional parking for all proposed uses may be permitted to the satisfaction of the Department of Public Works and Environmental Services (DPWES). All parking for this use shall be on site.*

19. Limits of clearing and grading shall be as shown on the special permit plat and shall be subject to review and approval by the Urban Forestry Branch, DPWES.*

20~~. Upon issuance of the Non-Residential Use,~~ A maximum of twenty (20) child care center/nursery school children at any one time shall use the outdoor play area. Upon issuance of the Non-Residential Use, during the hours of operation of the private school of general education, a maximum of ten (10) children at any one time shall use the outdoor play area.*

21. A demolition permit shall be obtained from DPWES prior to any demolition work commencing on the Keys House.

22. Prior to the application for a demolition permit for the Keyes House, staff from the Fairfax County Park Authority (FCPA) Resource Stewardship Branch shall be allowed access to the house to remove the Keyes stone.

23. Staff from FCPA Resource Stewardship Branch shall be notified prior to demolition of the Keyes House and shall be allowed access to the House and the surrounding area prior, during, and immediately after the demolition work for purposes of documentation.

24. Within 180 days of BZA approval of the special permit amendment, funding at a maximum amount of $2000, shall be provided to FCPA Resource Stewardship Branch to provide interpretative signage to be placed on the site. Location, type and information on the signage shall be coordinated with the Resource Stewardship Branch.

25. The four (4) foot wide stone wall north of the Keyes House and adjacent to the old Squirrel Hill Road shall be retained and the wall shall be maintained as long as the church and any associated uses are located on site

26. The “island” that contains the Keyes House shall be retained in perpetuity as a passive open space area. The open space shall include the entire “island” from the southern lot line of Lot 28 to the northern end of the stone wall. This passive open space area may contain such uses for passive recreation as walking paths, benches or picnic table and temporary uses such as tents for weddings and other church related events. Except for the four (4) parking spaces depicted on the special permit amendment plat, none of this open space area shall be paved or used for parking of vehicles. No structures, rather they require a building permit or not shall be put on the island except as noted by these conditions.

27. Prior to approval of a demolition permit for the Keyes House, a Certified Arborist shall be contracted to prepare a tree preservation plan to protect and preserve existing trees, including the 26 inch black gum identified on Attachment 1, worthy of preservation on the open space island surrounding the Keyes House. The plan shall include limits of disturbance, and location and type of tree protection. The plan shall also include recommended activities designed to improve the health and increase the survival potential of the trees to be preserved, which shall be implemented. The applicant shall gain written approval from Urban Forest Management (UFM), Department of Public Works and Environmental Management (DPWES) that the tree preservation plan is complete as required prior to seeking a demolition permit.

28. A Certified Arborist shall be on site at all times during demolition of the Keyes House and shall ensure that all measures recommended in the plan are instituted and followed during the entire demolition process.

29. The seven landscape trees in the parking lot and transitional screening area identified by the Fairfax County Urban Forester on the plat included as Attachment 1 shall be replaced. Size and variety of plant material shall be determined in consultation with Urban Forestry Management.

It is noted that 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.

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 a demolition

permit has been obtained. The Board of Zoning Appeals may grant additional time to obtain a permit 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.