



APPLICATION FILED: June 6, 2007  
APPLICATION AMENDED: August 17, 2007  
PLANNING COMMISSION: November 29, 2007  
BOARD OF SUPERVISORS: not scheduled

# County of Fairfax, Virginia

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November 15, 2007

## STAFF REPORT

### SPECIAL EXCEPTION APPLICATION SE 2007-MA-021

#### MASON DISTRICT

<b>APPLICANT:</b>	Ghana-American Community Association
<b>ZONING:</b>	I-5
<b>PARCEL(S):</b>	81-1 ((19)) 2
<b>ACREAGE:</b>	1.49 acres
<b>FAR:</b>	0.42
<b>OPEN SPACE:</b>	15%
<b>PLAN MAP:</b>	Industrial
<b>SE CATEGORY:</b>	Category 3
<b>PROPOSAL:</b>	Public Benefit Association

#### STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2007-MA-021, 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 proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

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

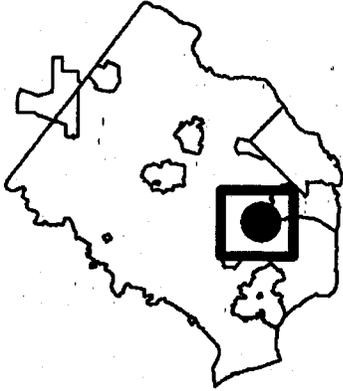
For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.



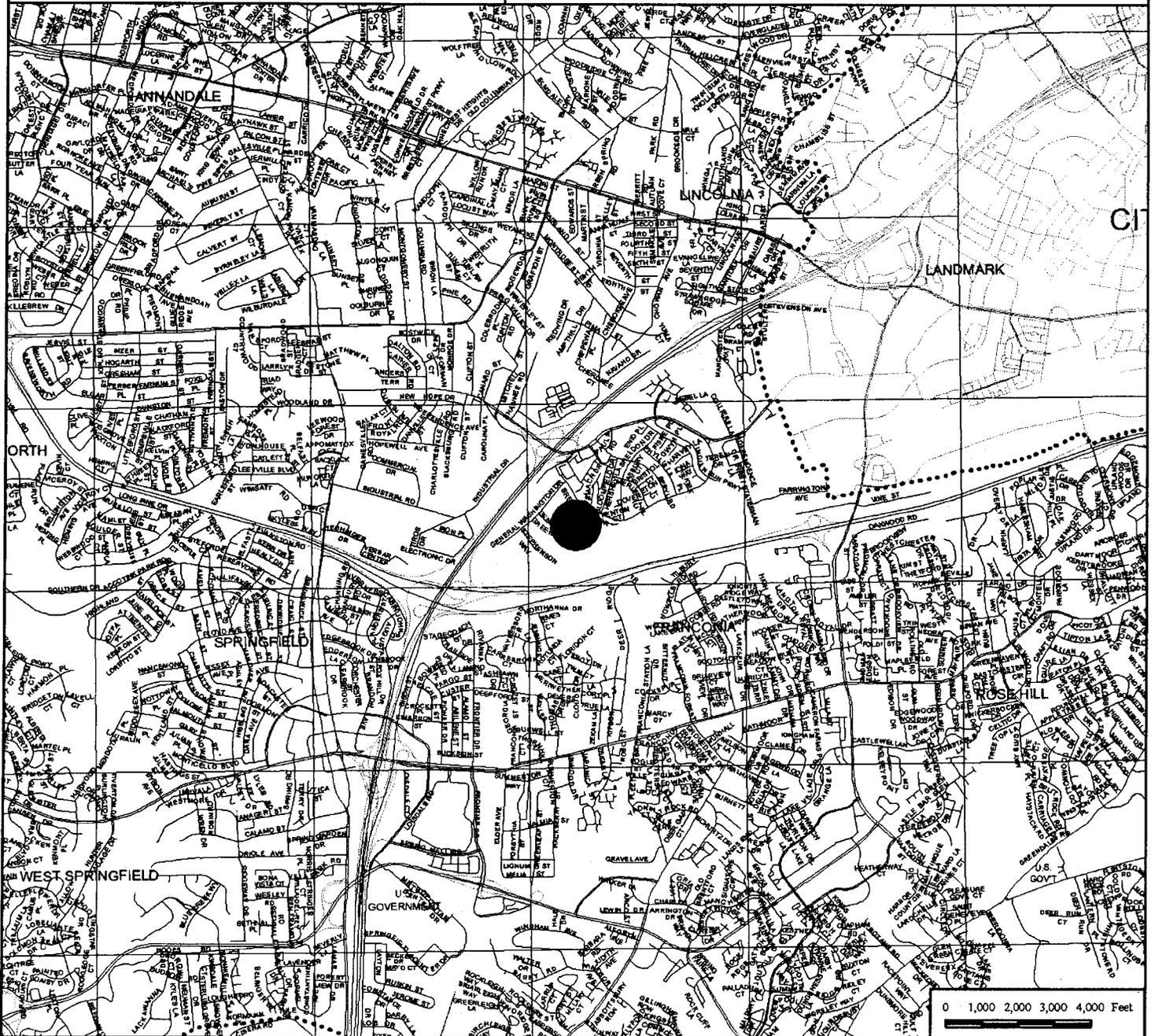
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Exception

SE 2007-MA-021



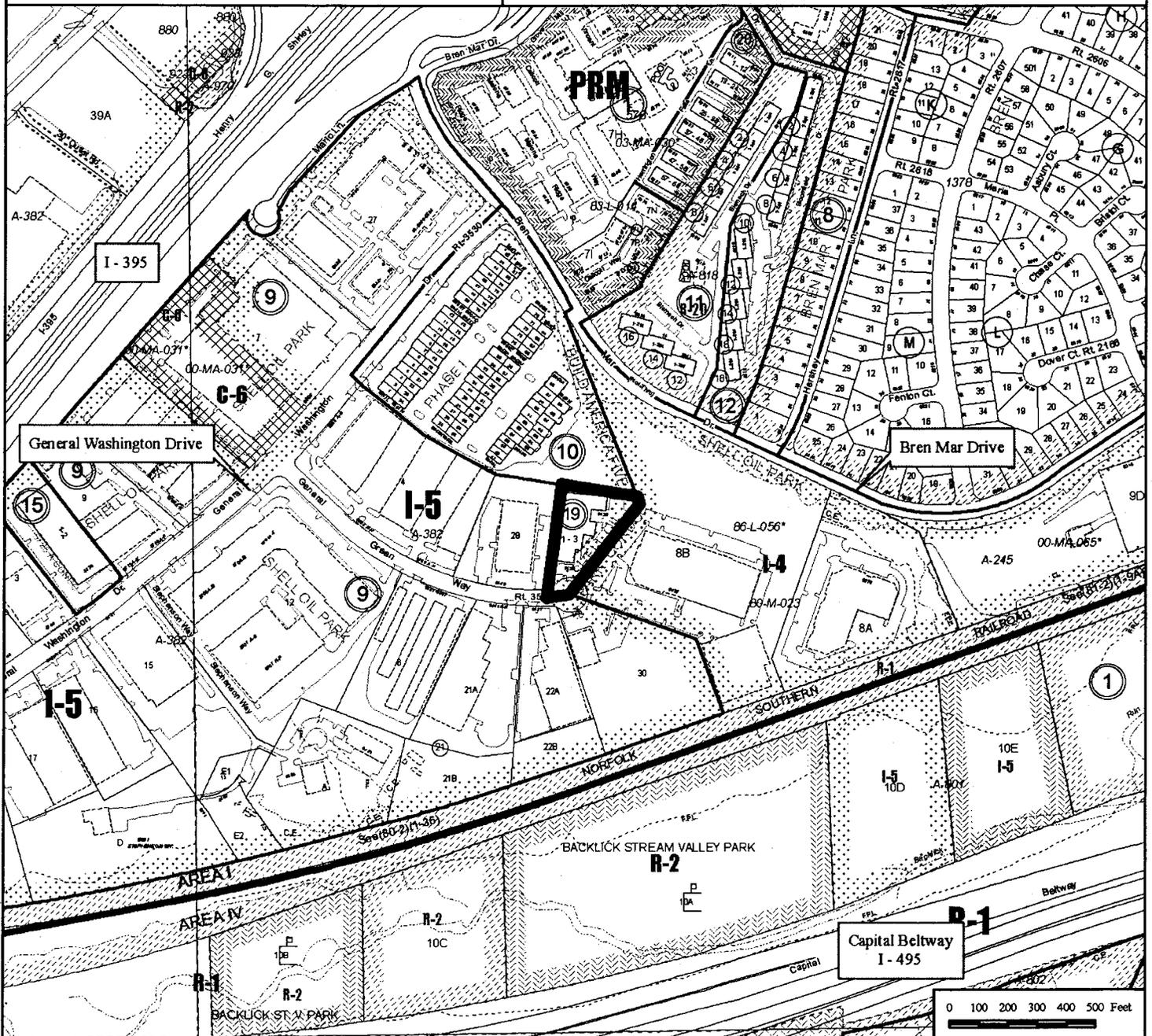
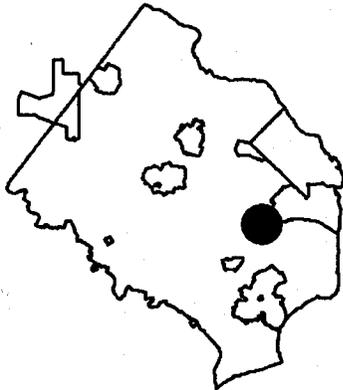
Applicant: GHANA-AMERICAN COMMUNITY ASSOCIATION  
Accepted: 07/06/2007  
Proposed: PUBLIC BENEFIT ASSOCIATION  
Area: 1.49 AC OF LAND; DISTRICT - MASON  
Zoning Dist Sect: 05-0504  
Art 9 Group and Use: 3-07  
Located: 6424 GENERAL GREEN WAY  
Zoning: I- 5  
Plan Area: 1,  
Overlay Dist:  
Map Ref Num: 081-1- /19/ /0002



# Special Exception

SE 2007-MA-021

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Accepted: 07/06/2007  
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**A GLOSSARY OF TERMS FREQUENTLY  
USED IN STAFF REPORTS MAY BE  
FOUND AT THE BACK OF THIS REPORT**

**DESCRIPTION OF THE APPLICATION**

**Proposal:** The applicant, the Ghana-American Community Association, seeks approval of a Category 3 Special Exception to operate a welfare and social network for Ghanaian-American immigrants in Northern Virginia as a public benefit association within an existing warehouse building on the subject property. The applicant proposes to convert a previously approved 3,845 square foot church use (place of worship) within a portion of the existing 8,645 square foot warehouse Unit 2 to a public benefit association use. The site is located at 6424 General Green Way between the existing warehouse Units 1 and 3. No new construction or additional parking is proposed.

The proposed special exception use is limited to the 3,845 square foot portion of warehouse Unit 2. The remainder of the site may be redeveloped with other uses permitted in the I-5 District.

**Hours:** Friday: 9:00 a.m. to 2:00 a.m.  
Saturday: 12 noon to 2:00 a.m.  
Sunday: 9 a.m. to 10 p.m.

**Employees:** Five (5) employees will be on-site at any one time

**Waivers/Modifications:** No waivers or modifications requested

Copies of the proposed development conditions, applicant's affidavit, and applicant's statement of justification are contained in Appendices 1 through 3 of this report.

**LOCATION AND CHARACTER**

**Site Description:**

The subject property consists of one parcel located in the Beltway South Industrial Area at 6424 General Green Way. This parcel is developed with one industrial warehouse building consisting of three separate units. The applicant proposes to operate the special exception use in a 3,845 square foot portion of the existing 8,645 square foot warehouse Unit 2 located between warehouse

Units 1 and 3. One access point is provided from General Green Way. Surface parking is available along the eastern boundary line and sidewalks exist along the southern boundary and the frontage of the property.

The site is bounded by Bren Mar Business Park to the north, the U.S. Securities and Exchange office building to the north and east, and industrial uses to the south and west. See the table below for the zoning and Plan designations of these uses.

**Surrounding Area Description:**

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Industrial Warehouse (Bren Mar Business Park)	I-5	Industrial
<b>South</b>	Industrial Warehouse	I-5	Industrial
<b>East</b>	Office (U.S. Securities and Exchange)	I-5	Industrial
<b>West</b>	Industrial Warehouse	I-5	Industrial

**BACKGROUND**

On August 13, 1984, Site Plan 1381-SP-16-3, entitled "Shell Oil Park, Lot 11" was approved for three warehouse buildings containing a total gross floor area (GFA) of 26,890 square feet and a floor area ratio (FAR) of 0.41. No rezoning, special exception, special permit or variance applications property apply to the property.

On June 7, 2004, Parking Reduction Study 001381-PKS-010-1 was approved for a parking reduction of 48.3 percent for Shell Oil Park Lot 11 based on a shared parking analysis for existing office and warehouse uses on the site and a proposed church use (place of worship) in a portion of warehouse Unit 2. Several conditions were imposed. A copy of the Board Matters and Action Item is included in Appendix 4.

On April 2, 2007, a notice of violation was issued for the subject property. The Zoning Administration Division determined that the proposed use is considered a private club and public benefit association, which is permitted in an I-5 District as a Category 3 Special Exception. The applicant is seeking approval of this Category 3 Special Exception Use. See Appendix 5 for a copy of the notice of violation.

**COMPREHENSIVE PLAN PROVISIONS** (Appendix 6)

**Plan Area:** Area I

**Planning District:** Lincolnia

**Planning Sector:** Beltway South Industrial Area, Land Unit E

**Plan Map:** Industrial Uses

**Plan Text:**

Fairfax County Comprehensive Plan, 2007 Edition, Area I, Lincolnia Planning District, L3-Bren Mar Park Community Planning Sector Area as amended through 9-11-2006, Land Unit E, Beltway South Industrial Area page 31 states:

“The southwestern part of Bren Mar Park is developed as the Shell Oil Park and is planned primarily for industrial uses which minimize transportation impacts on Edsall Road. The Shell Oil Park comprises Land Unit E of the Beltway South Industrial Area (Figure 17). Present uses within this land unit include light industrial, office and retail uses. Industrial uses and retail uses, which are compatible with the area’s industrial character, such as large furniture stores, are planned for intensities up to 0.50 FAR. Additional office use should be limited within the area due to the area’s single point of access to Edsall Road. Any future development or use of existing buildings should: 1) retain an industrial scale and character; 2) have relatively low trip generation characteristics; 3) maintain adequate vehicular access and safety within this area; and 4) future development should be designed in a manner that inhibits cut-through traffic in the adjacent residential community. If future development is located adjacent to residential areas, substantial screening and buffering should be provided to minimize any visual impacts. As an option, higher intensities up to 0.60 FAR may be appropriate for consideration if the development improves or maintains adequate vehicular access, circulation and safety within the area, and provides adequate parking on-site.”

**ANALYSIS**

**Special Exception (SE) Plat** (copy at front of staff report)

**Title of SE Plat:** Special Exception Plat – Part of Unit 2 CJM Condominium

**Prepared By:** Cervantes and Associates, P.C.

**Original and Revision Dates:** August 14, 2007

The SE Plat consists of one sheet that includes a vicinity map, abbreviations table, a curve table, general notes, parking tabulations, and a zoning bulk regulations table. The following features are depicted on the SE Plat.

#### Site Layout

The layout consists of one parcel developed with an industrial warehouse building and associated surface parking. The building has an F-shaped configuration and is located along the western property boundary. Surface parking is located to the east of the building. Three individual units exist in the building with four different uses and/or tenants. These uses include office, warehouse, and assembly space. The applicant proposes to operate a special exception use in a 3,845 square foot portion of the existing 8,645 square foot warehouse Unit 2 located between warehouse Unit 1 and 3. No new construction or additional parking is proposed.

#### Access and Parking

One access point exists from General Green Way and leads to a surface parking lot located along the southern and eastern boundary lines. Forty-eight (48) surface parking spaces are provided. As previously discussed in the background, a parking reduction study was approved on the site for a church and warehouse uses. This study reduced the parking requirement by approximately 48.3 percent, to 48 parking spaces, with several conditions (see Appendix 4). No additional parking spaces are proposed with this application.

#### Open Space and Landscaping

As previously discussed, the applicant proposes a special exception use within a previously approved warehouse building. No new construction or landscaping is proposed. The Zoning Ordinance requires 15 percent open space on the site. The approved Site Plan 1381-SP-16-3, entitled "Shell Oil Park, Lot 11," indicates that 9,737 square feet of landscaping, or 15 percent is provided. This open space includes several evergreen trees located along the entire eastern boundary of the site.

#### Stormwater Management

No enhancements to existing stormwater management facilities are proposed.

#### **Land Use Analysis**

No land use issues were identified.

**Transportation Analysis (Appendix 7)**

The Department of Transportation reviewed this application and commented that there may not be adequate parking on the site. Currently, there are three existing uses on the site, which include an office use and two warehouse uses. A church use was also previously approved as part of one of the warehouse uses on the site. The Zoning Ordinance requires 45 parking spaces for the office and warehouse uses and 48 spaces for the church use. A parking reduction of 48.3 percent based on the analysis of the parking requirements for church, warehouse and office uses on the site and a shared use parking study was approved with several conditions. The conditions are listed in Appendix 4, which include: 1) a minimum of 48 parking spaces on the site, 2) the church use was limited to 192 seats, and 3) additional uses on the site were not permitted without submission of a new parking study.

The applicant proposes to convert 3,845 gross square feet of church use in warehouse Unit 2 to a public benefit association use; this change involves no new construction. The Zoning Ordinance does not have specific parking standards for a public benefit association; however, historically parking for lodges, private clubs and public benefit associations has been provided at a rate of 1 space per 3 members. The SE Plat depicts 192 members in the parking tabulation for the proposed Ghana-American Association. If it is determined that the Zoning Ordinance parking requirement for a public benefit association is most similar to the parking required for a private, civil, fraternal club or lodge, then parking shall be provided at a rate of 1 space per 3 members.

At a parking rate of 1 space per 3 members, the proposed membership requires 64 parking spaces instead of the 48 parking spaces previously approved for the church use and results in an increase in the total number of required parking spaces on the site from 93 to 109 parking spaces. As a result, the proposed increase is beyond the scope of the approved parking reduction study on the site. Staff is concerned that there is not enough parking available to support the conversion of the uses without adding additional parking or reducing the proposed membership. Staff recommends development conditions to require the submission of a revised parking study in accordance with the applicable requirements of the Zoning Ordinance and to limit the membership to a number determined by the parking study. Imposition of these development conditions will satisfy staff's concerns.

**Environmental Analysis**

No environmental impacts were identified.

**ZONING ORDINANCE PROVISIONS (Appendix 8)**

<b>Bulk Standards I-5</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	20,000 square feet	64,904 square feet
Lot Width	100 ft.	>100 ft.
Max. Building Height	75 ft.	19 ft
Front Yard	45° ABP, but not less than 40 ft.	53 ft
FAR	0.50	0.42
Open Space	15% landscaped open space	15%
Parking Spaces	45 spaces for office and warehouse <u>64 spaces for public benefit association</u> 109 total spaces	48 spaces
<b>Transitional Screening and Barrier Requirements: none required</b>		

According to the Bulk Standards chart, the site conforms to all of the standards of the I-5 District except for parking. As previously discussed, the Zoning Ordinance requires 109 spaces for the proposed public association use and the existing uses on the site. A parking reduction study was previously approved to allow a parking reduction of 48.3 percent of the parking spaces for the existing uses and the previously approved church use. The applicant proposes to convert the church use into a public benefit association use, which requires more parking than a church use. No construction or additional parking is proposed. Staff recommends development conditions to require the submission of a revised shared parking study in accordance with the applicable requirements of the Zoning Ordinance and to limit the membership to a number determined by the parking study. Imposition of these development conditions will satisfy the requirements of the Zoning Ordinance.

**Waivers and Modifications:**

No waivers or modifications were requested.

**Other Zoning Ordinance Requirements**

The proposal is subject to two sections in the Zoning Ordinance, which include: 1) Sect. 9-006 (General Special Exception Standards), and 2) Sect. 9-304 (Standards for all Category 3 Uses). A brief discussion of the Zoning Ordinance requirements is as follows.

### Sect. 9-006: General Special Exception Standards

The General Special Exception Standards require the proposal to be in harmony with the adopted Comprehensive Plan and to be in harmony with the general purpose and intent of the applicable zoning district regulations. In addition, the general special exception standards require a finding of no significant negative impacts on surrounding properties and safe and adequate vehicular and pedestrian access provided on the site. The applicant proposes to convert a previously approved church use within an existing warehouse building into a public benefit association use. No new construction or additional parking is proposed. As previously discussed, staff is concerned that adequate parking is not available on the site. Staff recommends development conditions that require a revised parking study and a limitation of membership based on the parking study. Imposition of these development conditions will satisfy all of the General Special Exception Standards.

### Sect. 9-304: Standards for all Category 3 Uses

*Standard 1:* For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location. The proposed site is not a public use; therefore, standard 1 is not applicable.

*Standard 2:* Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located. The minimum lot size requirement in the I-5 industrial district is 20,000 square feet. The subject property is 64,904 square feet. This standard has been met.

*Standard 3:* Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased. As previously discussed, the site conforms to all of the standards of the I-5 District except for parking. Staff recommends a development condition that requires a revised parking study on the site. This standard will be met with the imposition of the development condition.

*Standard 4:* All uses shall comply with the performance standards specified for the zoning district in which located. The application is subject to the provisions of Article 14 of the Zoning Ordinance. This standard has been met.

*Standard 5:* Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans. The proposed development conditions indicate that the provisions of Article 17 will be met. This standard has been met.

### **Summary of Zoning Ordinance Provisions**

All applicable standards have been satisfied with the proposed development conditions.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Conclusions**

Staff concludes that the proposed conversion of a previously approved church use (place of worship) located in a 3,845 square foot portion of the existing 8,645 square foot warehouse Unit 2 to a public benefit association use is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

### **Recommendations**

Staff recommends approval of SE 2007-MA-021, 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 of Supervisors, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

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 Supervisors.

## **APPENDICES**

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Parking Reduction Study 001381-PKS-010-1 Board Matters and Action Item
5. April 2, 2007 Notice of Violation
6. Comprehensive Plan Citations
7. Transportation Analysis
8. Applicable Zoning Ordinance Provisions
9. Glossary of Terms

**PROPOSED DEVELOPMENT CONDITIONS**

**SE 2007-MA-021**

**November 15, 2007**

If it is the intent of the Board of Supervisors to approve SE 2007-MA-021 located at Tax Maps 81-1 ((19)) 2 for use as a public benefit association pursuant to Sect. 5-504 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception 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 exception shall be in substantial conformance with the approved Special Exception Plat entitled "Special Exception Plat: Part of Unit 2 CJM Condominium", prepared by Cervantes and Associates, P.C., consisting of 1 sheet dated August 14, 2007 and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. The hours of operation shall be limited to Friday 9:00 a.m. to 2:00 a.m., Saturday 12 noon to 2:00 a.m., and Sunday 9 a.m. to 10 p.m.
5. Prior to the issuance of a Non-Residential Use Permit (Non-RUP), a revised shared parking study and/or parking reduction study shall be submitted and approved by DPWES that demonstrates that adequate parking is available on the site to convert the previously approved church use (3,845 sf) to a public benefit association use. Membership to the public benefit association shall be limited to the number determined by DPWES following the review of the parking study. A copy of the approved parking study shall be distributed to the Zoning Evaluation Division. The development conditions from the previous parking agreement as may be amended, are included by reference. (See Exhibit A.)

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

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 himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, eighteen (18) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or 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 exception. 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.

Board Agenda Item  
June 7, 2004

**ACTION - 1**

Parking Reduction for Shell Oil Park, Lot 11 (Mason District)

ISSUE:

Board approval of a 48.3 percent reduction in required parking for the Shell Oil Park, Lot 11, Tax Map Reference Number 081-1-009-0011; Mason District.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve a parking reduction of 48.3 percent for the Shell Oil Park, Lot 11, pursuant to Paragraph 4(B), Section 11-102 of the Fairfax County Zoning Ordinance (Zoning Ordinance), and based on an analysis of the parking requirements for church, warehouse and office uses on the site and a shared use parking study, on condition that:

1. A minimum of 48 parking spaces are provided on site at all times for the uses at Shell Oil Park, Lot 11.
2. A maximum of 192 people (seats) are permitted at church services and all vehicles associated with the church services must be parked on site.
3. The operating hours of the church shall be limited to: Mondays - Fridays, 9 p.m. to 12 a.m.; Saturdays, 2 p.m. to 2 a.m.; and Sundays, 10 a.m. to 6 p.m.
4. The current owners, their successors or assignees of the parcel identified as Fairfax County Tax Map #081-1-009-0011, shall submit a parking space utilization study for review and approval by the Board of Supervisors at any time in the future that the Zoning Administrator requests. Following review of that study, or if a study is not submitted within ninety days after being requested, the Board may rescind this parking reduction or require alternative measures to satisfy parking needs, which may include requiring all uses to comply with the full parking space requirements as specified in Article 11 of the Zoning Ordinance.
5. All parking utilization studies prepared in response to a request by the Zoning Administrator shall be based on applicable requirements of *The Code of the County of Fairfax, Virginia* (County Code) and the Zoning Ordinance in effect at the time of said parking utilization study submission.

Board Agenda Item  
June 7, 2004

6. Shared parking with any additional use(s) shall not be permitted without the submission of a new parking study prepared in accordance with the applicable requirements of the Zoning Ordinance and shall be subject to the Board of Supervisors approval.
7. All parking provided shall be in accordance with the applicable requirements of Article 11 of the Zoning Ordinance and the Fairfax County Public Facilities Manual (PFM), including the provisions referencing the Americans with Disabilities Act.
8. The conditions of approval of this parking reduction shall be recorded in the Fairfax County land records in a form acceptable to the County Attorney.

TIMING:

Board Action is requested on June 7, 2004.

BACKGROUND:

The Christian Life Development Center is proposing a church use in the Shell Oil Park, Lot 11, warehouse located at 6424 General Green Way in the Mason District. Hawknap Industries, Inc. owns the warehouse units which are managed by CJM Condominium Association. There are three existing uses: John C. Flood Company (general office use), Z Lights and Furniture (warehouse use), and Hawknap Manufacturing Industries, Inc. (warehouse use). The fourth use is the proposed Christian Life Development Center (church use) which will occupy the last vacant unit on this parcel. A total of 45 parking spaces are required for the existing uses and an additional 48 parking spaces are required for church use. The minimum code requirement is 93 parking spaces for the four uses proposed on this site and 48 parking spaces are available on the site. The applicant is, therefore, requesting that the Board reduce the parking requirements based on different hourly parking accumulations for the church use versus the other uses located on site. The Department of Public Works and Environmental Services (DPWES) has reviewed and recommends approval of this parking reduction request. DPWES has coordinated this review with the County Attorney.

The site is zoned I-5 and the church use is a by-right use on the parcel. The existing general office and warehouse uses are also by-right uses.

ENCLOSED DOCUMENTS:

Attachment I - Letter of Request Dated March 3, 2004, from Charles O. Dankwah, Director, Christian Life Development Center  
Attachment II - Shared Parking Analysis with Plans dated March, 2004 (Separate from package, for Board Members only)

Board Agenda Item  
June 7, 2004

STAFF:

Jimmie D. Jenkins, Acting Director, Department of Public Works and Environmental Services

Howard G. Guba, Deputy Director, Department of Public Works and Environmental Services

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: August 15, 2007  
 (enter date affidavit is notarized)

I, CHARLES OSEI DANKWAH, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)             applicant  
                           applicant's authorized agent listed in Par. 1(a) below            *96653a*

in Application No.(s): SE 2007-MA-021  
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

**(NOTE:** All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
GHANA-AMERICAN COMMUNITY ASSOCIATION	6424 GENERAL GREEN WAY ALEXANDRIA, VA 22312	APPLICANT/LESSEE
CHARLES O. DANKWAH	6420 GENERAL GREEN WAY ALEXANDRIA, VA 22312	AGENT FOR APPLICANT/LESSEE/TITLE OWNER
HAWKNAD REAL ESTATE LLC	6420 GENERAL GREEN WAY ALEXANDRIA, VA 22312	TITLE OWNER

(check if applicable)             There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.  
 \*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 15, 2007
(enter date affidavit is notarized)

96653a

for Application No. (s): SE 2007-MA-021
(enter County-assigned application number(s))

1(b). The following constitutes a listing\*\*\* of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)

HAWKNAD REAL ESTATE LLC
6420 GENERAL GREEN WAY
ALEXANDRIA, VA 22312

DESCRIPTION OF CORPORATION: (check one statement)

- [X] There are 10 or less shareholders, and all of the shareholders are listed below.
[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

CHARLES O. DANKWAH - MANAGING MEMBER
ISAAC O. DANKWAH - MEMBER
DANIEL K. DANKWAH - MEMBER
SALOME B. OWU - MEMBER
JOSEPH K. OSEI - MEMBER

(check if applicable) [X] There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

**Special Exception Attachment to Par. 1(b)**

DATE: August 15, 2007  
(enter date affidavit is notarized)

96653a

for Application No. (s): SE 2007-MA-021  
(enter County-assigned application number (s))

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

GHANA-AMERICAN COMMUNITY ASSOCIATION  
6424 GENERAL GREEN WAY  
ALEXANDRIA, VA 22312

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

PUBLIC BENEFIT ASSOCIATION

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF THE SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable)  There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 15, 2007  
(enter date affidavit is notarized)

96653a

for Application No. (s): SE 2007-MA-021  
(enter County-assigned application number(s))

1(c). The following constitutes a listing\*\*\* of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

(check if applicable) [ ] The above-listed partnership has no limited partners:

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 15, 2007  
(enter date affidavit is notarized)

96653a

for Application No. (s): SE 2007-MA-021  
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: August 15, 2007
(enter date affidavit is notarized)

96653a

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

[Handwritten signature]

(check one) [ ] Applicant [X] Applicant's Authorized Agent

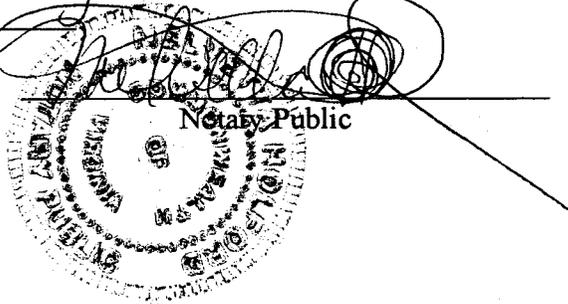
CHARLES O. DANKWAH, MANAGING-MEMBER

(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 15 day of August 2007, in the State/Comm. of VIRGINIA, County/City of FAIRFAX

ID# 255800

MELVETTA HOLFORD
NOTARY PUBLIC
Commonwealth of Virginia
My Commission Expires Oct. 31, 2009



My commission expires:

**HAWKNAD REAL ESTATE LLC****6420 General Green Way****Alexandria, VA 22312****Phone : 703-941-0444 Fax : 703-941-8784**Ghana-American Community Association

The purpose of this Special Exception Application is to convert the use of an existing place of worship to a use by a public benefit association, The Ghana-American Community Association. No new or additional construction work will be performed as a result of this conversion from a Place of Worship facility to a Public Benefits Association facility.

The Ghana-American Community Association is a Public Benefit Association that caters for the welfare of Ghanaian-American immigrants in the Northern Virginia area. Most of the Ghanaian-American immigrants work in low-paying jobs with no health or life insurance. As such, they depend on help from their social network within the community for survival in times of crisis. Specifically, the Ghana-American community comes together to help each other in times of need. The Ghana-American Community Association facility will be a focal point for meetings and community activities. The activities that will be conducted at the facility include:

- Fundraising to pay burial expenses
- Fundraising to pay medical bills and care for the seriously ill
- Weddings
- Funerals
- Family-type celebrations such as bridal shower or baby outdoorings.
- Church activities.

The days and hours of operation are as follows:

- Fridays, Saturdays, and Sundays only
- Friday hours are from 9:00 p.m. to 2:00 a.m.
- Saturday hours are from 12 noon. to 2:00 a.m.
- Sunday hours are from 9:00 a.m. to 10:00 p.m.

The operations of the Ghana-American Community Association will create five jobs as shown in the Table below:

**Table 1. Expected Employment**

<b>Position</b>	<b># of Employees</b>
Manager	1
Event Attendants	2
Cleaners	2
<b>Total</b>	<b>5</b>

**General Area to be Served:** The general area to be served by the use covers the Ghana-American communities in Fairfax County, Alexandria, Arlington, and Prince William County. The number of people at functions will range between 100 and 180, depending upon the function.

**Parking and Traffic Impact:** The Ghana-American Community Association is a successor to the Christian Life Development Center. The Association will occupy the same assembly space currently occupied by the Christian Life Development Center (CLDC). The CLDC facility is an approved place of worship that meets the current requirements of the Fairfax County codes. The hours of operation of the Ghana-American Community Association are off-peak hours, the same as the operational hours of the CLDC. As part of the permitting requirements, the CLDC carried out a Parking Study which showed that its operations at the above periods have no adverse impact on parking in the warehouse area. A copy of the parking distribution by time-of-day is attached. The Parking Study holds true today because all existing businesses still remain and no new business has come to the property. The estimate of the traffic impact is shown in the following three Tables:

**Table 2. Maximum Trip Generation**

<b>Land Use</b>	<b>Size (Gross Sq. Ft.)</b>	<b>Trip Rate<sup>1</sup></b>	<b>Daily Vehicle Trips</b>
Assembly Space	3,850 <sup>2</sup>	13.28/1000 GSF	52

1. Based on Institute of Transportation Engineers (ITE) Trip Generation Handbook-7<sup>th</sup> Edition, Trip Rates for Churches.

2. 6424 General Green Way is a mixed-use building. The gross floor area of the assembly space is 3,845 Sq. Ft. The remaining 4,800 Sq. Ft. is used by an unrelated company as a warehouse for furniture storage.

**Table 3. Distribution of Trips by Time of Day**

Day of Week	Peak-Hour Trips <sup>1</sup> AM	Peak-Hour Trips <sup>1</sup> PM	Operating Hours	Peak Trip Generation Hour
Monday- Thursday	Closed	Closed	Closed	Closed
Friday	Closed	45	9 p.m. - 2 a.m.	10: p.m. - 11 p.m.
Saturday	7	45	12 p.m. - 2 a.m.	10: p.m. - 11 p.m.
Sunday	45	7	9 a.m. - 10 p.m.	10: a.m. - 11 a.m.

1. Based on Institute of Transportation Engineers (ITE) Trip Generation Handbook-7<sup>th</sup> Edition, Trip Rates for Churches.

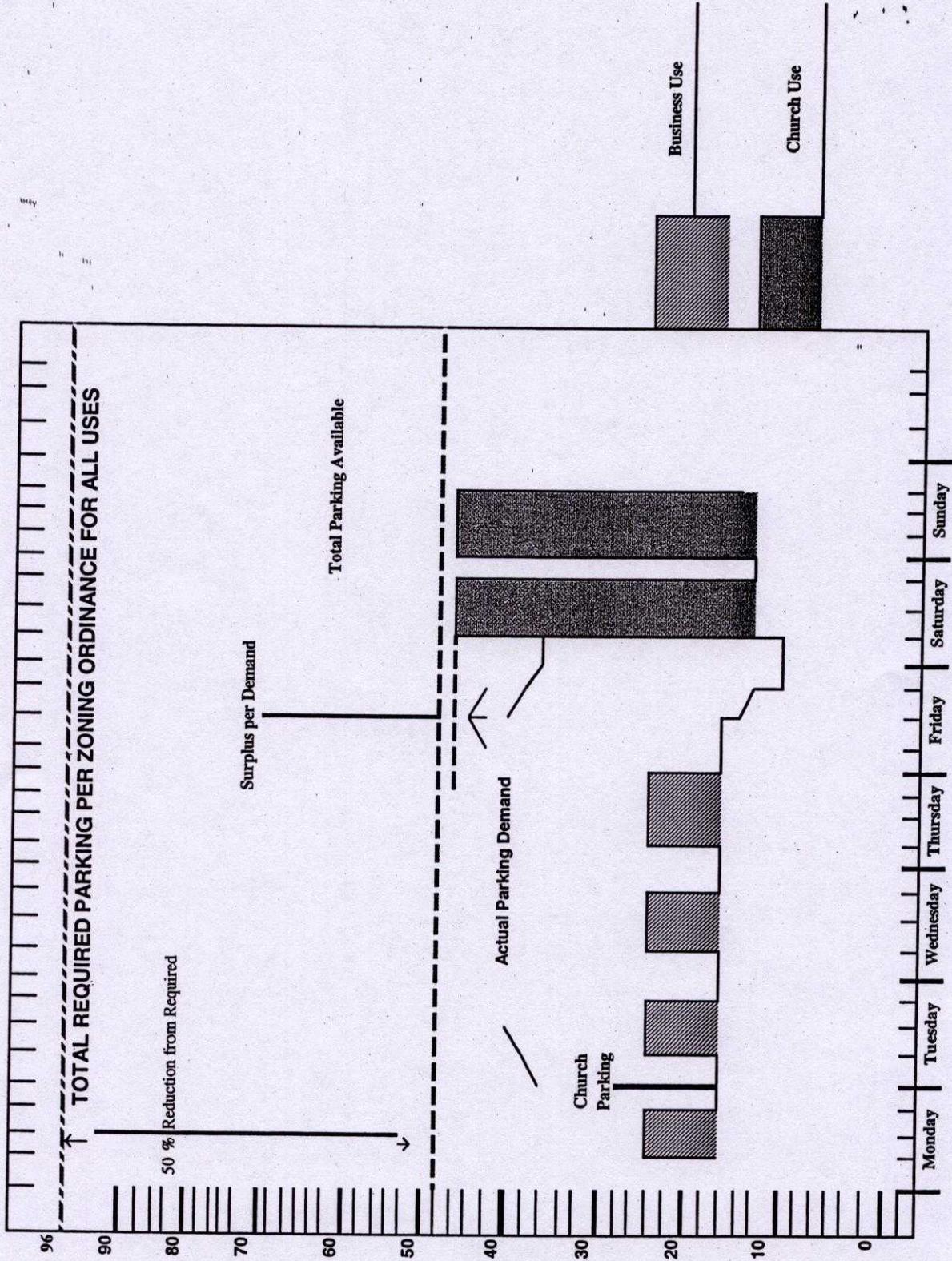
**Table 4. Daily Trips by Mode**

Mode	Number	Percentage
Private Car	52	100%

**Hazardous or Toxic Substances:** No hazardous or toxic substance will be generated, utilized, stored, treated or disposed as a result of the operations of the Ghana-American Community Association.

*Chen A. A.*  
*7/2/07*

**Figure 1**  
**Existing Vrs. Projected Parking Demand**  
**per County Ordinance**



Board Agenda Item  
June 7, 2004

ACTION - 1

Parking Reduction for Shell Oil Park, Lot 11 (Mason District)

ISSUE:

Board approval of a 48.3 percent reduction in required parking for the Shell Oil Park, Lot 11, Tax Map Reference Number 081-1-009-0011; Mason District.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve a parking reduction of 48.3 percent for the Shell Oil Park, Lot 11, pursuant to Paragraph 4(B), Section 11-102 of the Fairfax County Zoning Ordinance (Zoning Ordinance), and based on an analysis of the parking requirements for church, warehouse and office uses on the site and a shared use parking study, on condition that:

1. A minimum of 48 parking spaces are provided on site at all times for the uses at Shell Oil Park, Lot 11.
2. A maximum of 192 people (seats) are permitted at church services and all vehicles associated with the church services must be parked on site.
3. The operating hours of the church shall be limited to: Mondays - Fridays, 9 p.m. to 12 a.m.; Saturdays, 2 p.m. to 2 a.m.; and Sundays, 10 a.m. to 6 p.m.
4. The current owners, their successors or assignees of the parcel identified as Fairfax County Tax Map #081-1-009-0011, shall submit a parking space utilization study for review and approval by the Board of Supervisors at any time in the future that the Zoning Administrator requests. Following review of that study, or if a study is not submitted within ninety days after being requested, the Board may rescind this parking reduction or require alternative measures to satisfy parking needs, which may include requiring all uses to comply with the full parking space requirements as specified in Article 11 of the Zoning Ordinance.
5. All parking utilization studies prepared in response to a request by the Zoning Administrator shall be based on applicable requirements of *The Code of the County of Fairfax, Virginia* (County Code) and the Zoning Ordinance in effect at the time of said parking utilization study submission.

Board Agenda Item  
June 7, 2004

6. Shared parking with any additional use(s) shall not be permitted without the submission of a new parking study prepared in accordance with the applicable requirements of the Zoning Ordinance and shall be subject to the Board of Supervisors approval.
7. All parking provided shall be in accordance with the applicable requirements of Article 11 of the Zoning Ordinance and the Fairfax County Public Facilities Manual (PFM), including the provisions referencing the Americans with Disabilities Act.
8. The conditions of approval of this parking reduction shall be recorded in the Fairfax County land records in a form acceptable to the County Attorney.

TIMING:

Board Action is requested on June 7, 2004.

BACKGROUND:

The Christian Life Development Center is proposing a church use in the Shell Oil Park, Lot 11, warehouse located at 6424 General Green Way in the Mason District. Hawknap Industries, Inc. owns the warehouse units which are managed by CJM Condominium Association. There are three existing uses: John C. Flood Company (general office use), Z Lights and Furniture (warehouse use), and Hawknap Manufacturing Industries, Inc. (warehouse use). The fourth use is the proposed Christian Life Development Center (church use) which will occupy the last vacant unit on this parcel. A total of 45 parking spaces are required for the existing uses and an additional 48 parking spaces are required for church use. The minimum code requirement is 93 parking spaces for the four uses proposed on this site and 48 parking spaces are available on the site. The applicant is, therefore, requesting that the Board reduce the parking requirements based on different hourly parking accumulations for the church use versus the other uses located on site. The Department of Public Works and Environmental Services (DPWES) has reviewed and recommends approval of this parking reduction request. DPWES has coordinated this review with the County Attorney.

The site is zoned I-5 and the church use is a by-right use on the parcel. The existing general office and warehouse uses are also by-right uses.

ENCLOSED DOCUMENTS:

Attachment I - Letter of Request Dated March 3, 2004, from Charles O. Dankwah, Director, Christian Life Development Center  
Attachment II - Shared Parking Analysis with Plans dated March, 2004 (Separate from package, for Board Members only)

Board Agenda Item  
June 7, 2004

STAFF:

Jimmie D. Jenkins, Acting Director, Department of Public Works and Environmental Services

Howard G. Gluba, Deputy Director, Department of Public Works and Environmental Services



# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

April 2, 2007

## NOTICE OF VIOLATION

### SHERIFF'S LETTER

Charles O. Dankwah  
6193 Deer Ridge Trail  
Springfield, VA 22150

Re: " " 6424 General Green Way  
Also known as 6420 General Green Way  
Subdivision: CJM Condo  
Tax Map Ref: 81-1 ((19)) 0002  
Zoning District: I-5

Dear Mr. Dankwah:

As a result of a zoning inspection conducted, on March 30, 2007, it has been determined that you are allowing uses of the property which are not in accordance with the current Non-RUP for a "Place of Worship". Specifically, you are allowing use of the facility for social events. This use is most similar to a PUBLIC BENEFIT ASSOCIATION which is defined in Article 20 of the Zoning Ordinance as:

An establishment of a private nonprofit organization, including fraternal organizations, which provide social, physical, recreational, educational, agricultural or benevolent services. Such establishment shall not be operated for the purpose of carrying on a trade or business, and no part of the net earnings shall inure to the benefit of any member of such organization or any other individuals; provided, however, that regular employees may be paid reasonable compensation for services rendered.

The occupancy and use of the above referenced property without having obtained the required Non-Residential Use Permit is a violation of Sect. 18-701 of the Fairfax County Zoning Ordinance, which states:

23-47

4-5-07

DATE 9:01

SAFETY

PRO

Stan G. Barry, Sheriff  
Fairfax County, VA

RECEIVED  
SHERIFF'S OFFICE  
APR 2 11 2007

SEARCHED  
SERIALIZED  
INDEXED  
FILED

INDEXED

SEARCHED

SERIALIZED

INDEXED

FILED

SERVING OFFICER

Not found

Served on Secretary of the Commonwealth

Placed on front door or such other door as appears to be the main entrance of usual place of trade, address listed above (Other authorized recipient, if found)

Delivered to family member (not temporary boarder or guest) age 16 or older at usual place of abode of party named above after giving information of its purpose. Last name, age or recipient and relation of recipient to party named above.

Delivered to a person in charge of usual place of abode of party named above during business hours and giving information of its purpose.

Delivered to party by personal service a copy was delivered to the party named above.

No occupancy or use shall be made of any structure hereinafter erected or of any premises hereinafter improved, and no change in use shall be permitted, unless and until a Residential or Non-Residential Use Permit has been approved in accordance with the provisions of this Part. A Residential or Non-Residential Use Permit shall be deemed to authorize and is required for both the initial and continued occupancy and use of the building or land to which it applies.

Further, and in accordance with Sect. 18-707 of the Zoning Ordinance as stated below, the Non-RUP for this location as a "Place of Worship" is hereby revoked due to the misrepresentation of fact in the application for the Non-RUP that the facility would be used as a "Place of Worship" when in fact it has been rented to the community at large for various functions. Specifically, Sect 18-707 of the Zoning Ordinance permits:

**18-707 Revocation of Permit**

The Zoning Administrator may revoke an approved Residential or Non-Residential Use Permit when it is determined that such approval was based on a false statement or misrepresentation of fact by the applicant, or as provided for in Part 9 below.

Further, a public benefit association is a Category 3 Special Exception use in the I-5 district. Therefore, the use of this property absent an approved Special Exception from the Fairfax County Board of Supervisors is in violation of Par. 1 of Sect. 2-304 of the Zoning Ordinance which states:

**2-304 Special Exception Uses**

1. No use of a structure or land that is designated as a special exception use in any zoning district shall hereafter be established, and no existing use shall hereafter be changed to another use that is designated as a special exception use in such district, unless a special exception has been approved by the Board and the use has been established in accordance with the provisions of Article 9.

Based on the above information, this letter will serve as official notice for you to clear this violation. Compliance can be accomplished vacating the premises until such time as you have obtained the required special exception from the Board of Supervisors, and/or the requisite Non-Residential Use Permit.

Specific instructions and requirements relative to the Non-Residential Use Permit can be obtained by contacting the Zoning Permit Review Branch, 12055 Government Center Parkway, Fairfax, Virginia, telephone 703-222-1082, between the hours of 8:00A.M. and 4:30 P.M., Monday through Friday.

Charles O. Dankwah

April 2, 2007

Page 3

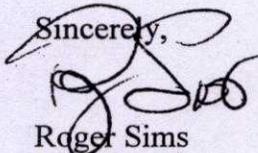
Specific instructions and requirements relative to the Category 5 Special Exception can be obtained by contacting the Zoning Evaluation Division, 12055 Government Center Parkway, Fairfax, Virginia, telephone 703-324-1290, between the hours of 8:00A.M. and 4:30 P.M., Monday through Friday.

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, written statement setting forth the decision being appealed, date of decision, the grounds for the appeal, how the appellant is an aggrieved party and any other information you may wish to submit and a \$375.00 filing fee. Once an appeal application is accepted, it is scheduled for public hearing and decision before the BZA.

Failure to comply, with this Notice, shall result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance.

Should you have any questions regarding this notice or need additional information, please do not hesitate to contact me at 703-324- 1318 or 703-324-1300.

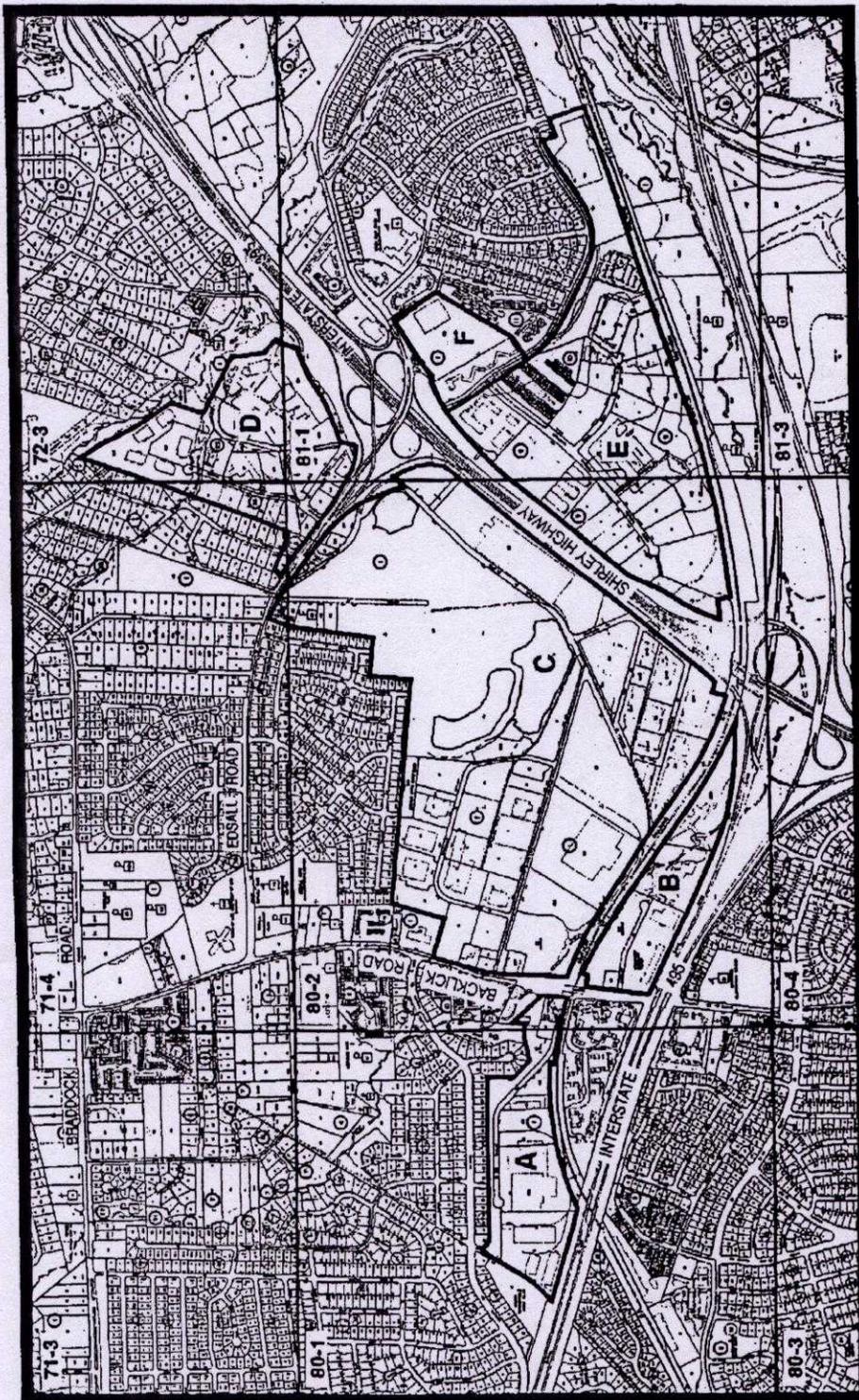
Sincerely,



Roger Sims

Property Maintenance and Zoning Enforcement Supervisor

JRS/seg



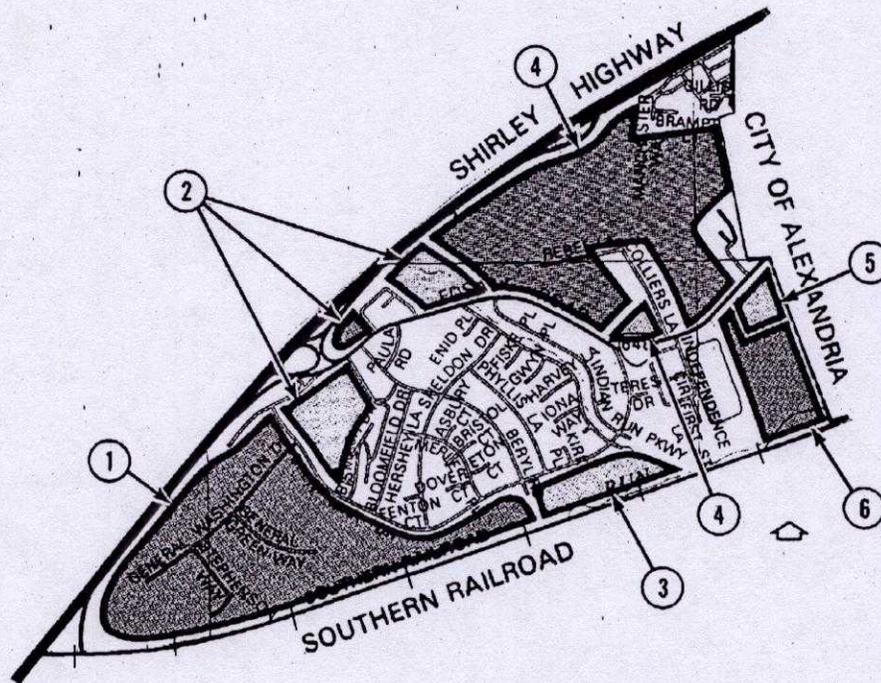
**BELTWAY SOUTH INDUSTRIAL AREA  
LAND UNITS**

Note: See the Annandale Planning District for recommendations pertaining to Land Units A-D of the Beltway South Industrial Area.

**FIGURE 17**

Figure 16 indicates the geographic location of the following land use recommendations for this sector.

1. The southwestern part of Bren Mar Park is developed as the Shell Oil Park and is planned primarily for industrial uses which minimize transportation impacts on Edsall Road. The Shell Oil Park comprises Land Unit E of the Beltway South Industrial Area (Figure 17). Present uses within this land unit include light industrial, office and retail uses. Industrial uses and retail uses, which are compatible with the area's industrial character, such as large furniture stores, are planned for intensities up to 0.50 FAR. Additional office use should be limited within the area due to the area's single point of access to Edsall Road. Any future development or use of existing buildings should: 1) retain an industrial scale and character; 2) have relatively low trip generation characteristics; 3) maintain adequate vehicular access and safety within this area; and 4) future development should be designed in a manner that inhibits cut-through traffic in the adjacent residential community. If future development is located adjacent to residential areas, substantial screening and buffering should be provided to minimize any visual impacts. As an option, higher intensities up to 0.60 FAR may be appropriate for consideration if the development improves or maintains adequate vehicular access, circulation and safety within the area, and provides adequate parking on-site.
2. Commercial development near I-395 needs to be limited to the existing commercially-zoned parcels that are located along Edsall Road between Bren Mar Drive and Indian Run Parkway. The portion that is near the intersection of Bren Mar Drive and Edsall Road, parcels 81-1((1))7A and 7D, is a part of the Beltway South Industrial Area and is identified as Land Unit F. Land Unit F is planned for retail use and has an option for residential use up to 30-40 du/ac, as shown in the Land Unit F specific language in the Beltway South Industrial Area section of the Annandale Planning District.
3. The vacant tract south of the Bren Mar Subdivision, between Indian Run and the industrially-zoned tract to the west, (Tax Map 81-1((1))9, is zoned for industrial use. Approximately ten acres of the tract is in floodplain, which may present significant environmental constraints to development. This portion of the tract is planned to be left in a natural state. Active recreational uses would be suitable on the remaining acreage.
4. The tract of land north of Edsall Road, west of the City of Alexandria and south of I-395, is planned for residential development at 2 to 2.5 dwelling units per acre to be compatible with the adjacent Bren Mar Park neighborhood and in recognition of environmental and access constraints. As an option, residential development at a density of 2.5 to 5 units per acre may be appropriate if the following conditions are met:
  - Parcels remain substantially consolidated;
  - The project is well designed, has a mix of housing types that is sensitive to the environmental constraints of the site is provided;
  - Preserve heritage resources;
  - Maximize environmental protection of slopes and floodplains; minimize the visual impact on the Bren Mar Park and Landmark Mews communities; and
  - Dedicate approximately 70 acres of undisturbed land along Turkeycock Run, and other areas adjacent to the residential development, to the Fairfax County Park.



LAND USE RECOMMENDATIONS  
GENERAL LOCATOR MAP

FIGURE 16



# County of Fairfax, Virginia

## MEMORANDUM

DATE: August 16, 2007

**TO:** Regina Coyle, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Angela Kadar Rodeheaver, Chief *AKR by CAA*  
Site Analysis Section  
Department of Transportation

**FILE:** 3-5 (SE 2007-MA-021)

**SUBJECT:** Transportation Impact

**REFERENCE:** SE 2007-MA-021; Hawknad Real Estate, LLC  
Traffic Zone: 1404  
Land Identification Map: 81-1 ((19)) 2.

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application based on a plat dated June 25, 2007. The applicant proposes to convert the use of an existing place of worship to a use by a public benefit association, The Ghana-American Community Association. This change in use involves no new or additional construction work. The gross floor area of the assembly space is 3,845 square feet. The remaining 4,800 square feet of the building is used by an unrelated company as a warehouse for furniture storage. Days and hours of operation will be: Friday from 9 pm to 2 am, Saturday from 12 noon to 2 am, and Sunday from 9 am to 10 pm.

The activities to be conducted include: weddings, funerals, family type celebrations and church activities. There are only 48 parking spaces available and with the activities envisioned to occur, parking may not be adequate on site.

AKR/LAH/lah

cc: Michelle Brickner, Director, Office of Site Development Services, DPW&ES

**9-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

**9-304 Standards for all Category 3 Uses**

In addition to the general standards set forth in Sect. 006 above, all Category 3 special exception uses shall satisfy the following standards:

- NA 1. For public uses, it shall be concluded that the proposed location of the special exception use is necessary for the rendering of efficient governmental services to residents of properties within the general area of the location.
- 2. Except as may be qualified in the following Sections, all uses shall comply with the lot size requirements of the zoning district in which located.
- 3. Except as may be qualified in the following Sections, all uses shall comply with the bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Category 3 use may be increased.
- 4. All uses shall comply with the performance standards specified for the zoning district in which located.
- 5. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

### GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

**ABANDONMENT:** Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of-way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

**ACCESSORY DWELLING UNIT (OR APARTMENT):** A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

**AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT:** Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

**AGRICULTURAL AND FORESTAL DISTRICTS:** A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

**BARRIER:** A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

**BEST MANAGEMENT PRACTICES (BMPs):** Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

**BUFFER:** Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

**CHESAPEAKE BAY PRESERVATION ORDINANCE:** Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

**CLUSTER DEVELOPMENT:** Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

**COUNTY 2232 REVIEW PROCESS:** A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

**dBA:** The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

**DENSITY:** Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

**DENSITY BONUS:** An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

**DEVELOPMENT CONDITIONS:** Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

**DEVELOPMENT PLAN:** A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

**EASEMENT:** A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

**ENVIRONMENTAL QUALITY CORRIDORS (EQCs):** An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

**ERODIBLE SOILS:** Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

**FLOODPLAIN:** Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

**FLOOR AREA RATIO (FAR):** An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

**FUNCTIONAL CLASSIFICATION:** A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

**GEOTECHNICAL REVIEW:** An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

**HYDROCARBON RUNOFF:** Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

**IMPERVIOUS SURFACE:** Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

**INFILL:** Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

**INTENSITY:** The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

**Ldn:** Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

**LEVEL OF SERVICE (LOS):** An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

**MARINE CLAY SOILS:** Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

**OPEN SPACE:** That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

**OPEN SPACE EASEMENT:** An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

**P DISTRICT:** A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

**PROFFER:** A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

**PUBLIC FACILITIES MANUAL (PFM):** A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

**RESOURCE MANAGEMENT AREA (RMA):** That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**RESOURCE PROTECTION AREA (RPA):** That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

**SITE PLAN:** A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

**SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP):** Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

**STORMWATER MANAGEMENT:** Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

**SUBDIVISION PLAT:** The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

**TRANSPORTATION DEMAND MANAGEMENT (TDM):** Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

**TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS:** This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

**URBAN DESIGN:** An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

**VACATION:** Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road, right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

**VARIANCE:** An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

**WETLANDS:** Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers.

**TIDAL WETLANDS:** Vegetated and nonvegetated wetlands as defined in Chapter 1.16 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

**Abbreviations Commonly Used in Staff Reports**

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		