



APPLICATION ACCEPTED: April 23, 2010  
PLANNING COMMISSION: July 29, 2010  
BOARD OF SUPERVISORS: not scheduled

# County of Fairfax, Virginia

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July 14, 2010

## STAFF REPORT

APPLICATIONS SE 2010-HM-008

HUNTER MILL DISTRICT

**APPLICANT:** Trustees of the Mount Pleasant Baptist Church

**ZONING:** R-1

**PARCEL(S):** 15-4 ((1)) 27, 28, 29 and 32

**ACREAGE:** 6.23 acres

**FAR:** 0.09 (Overall Development)

**PLAN MAP:** Mixed Use

**SE CATEGORY:** Category 3: Church with a child care center/  
nursery school

**PROPOSAL:** Approval of a special exception to permit an existing church with 490 seats and a child care center/nursery school with 99 students. *This application would replace a special permit approved for a church with a child care center/nursery school. No changes are proposed to those existing facilities, except to permit the removal of a single family dwelling on Tax Map 15-4((1)) 28.*

### STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2010-HM-008, subject to the proposed development conditions contained in Appendix 1.

William O'Donnell

Staff recommends approval of a modification of the transitional screening yard requirements and a waiver of the barrier requirements along all lot lines in favor of the existing vegetation as depicted on the SE Plat.

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.

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.

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.

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.

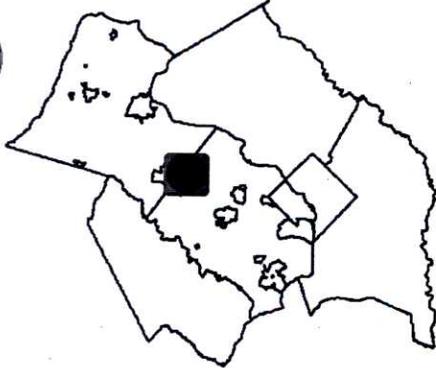
O:\wodonn\ZED\Special Exceptions\Mt Pleasant Baptist Church SE 2010-HM-008\Mt Pleasant Baptist Church SE 2010-HM-008\_Staff\_Report\_Cover.doc



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).

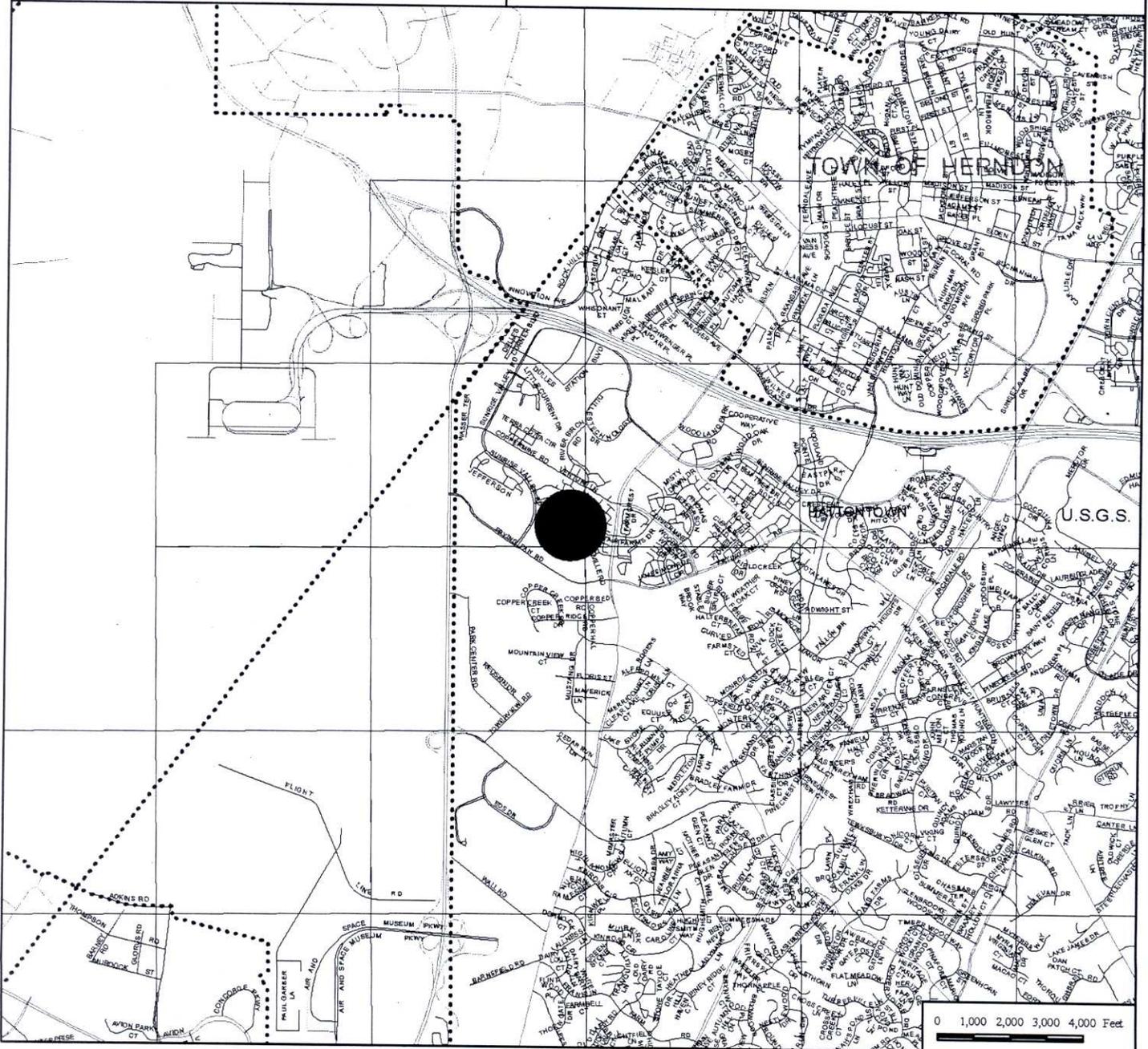
# Special Exception

SE 2010-HM-008



Applicant: TRUSTEES OF THE MOUNT PLEASANT BAPTIST CHURCH  
Accepted: 04/23/2010  
Proposed: CHURCH WITH PRIVATE SCHOOL OF GENERAL EDUCATION AND CHILD CARE CENTER  
Area: 6.23 AC OF LAND; DISTRICT - HUNTER MILL

Zoning Dist Sect: 03-0104  
Art 9 Group and Use: 3-15  
Located: 2516 SQUIRREL HILL ROAD  
Zoning: R-1  
Plan Area: 3,  
Overlay Dist:  
Map Ref Num: 015-4 /01/ /0027 /01/ /0028  
/01/ /0029 /01/ /0032



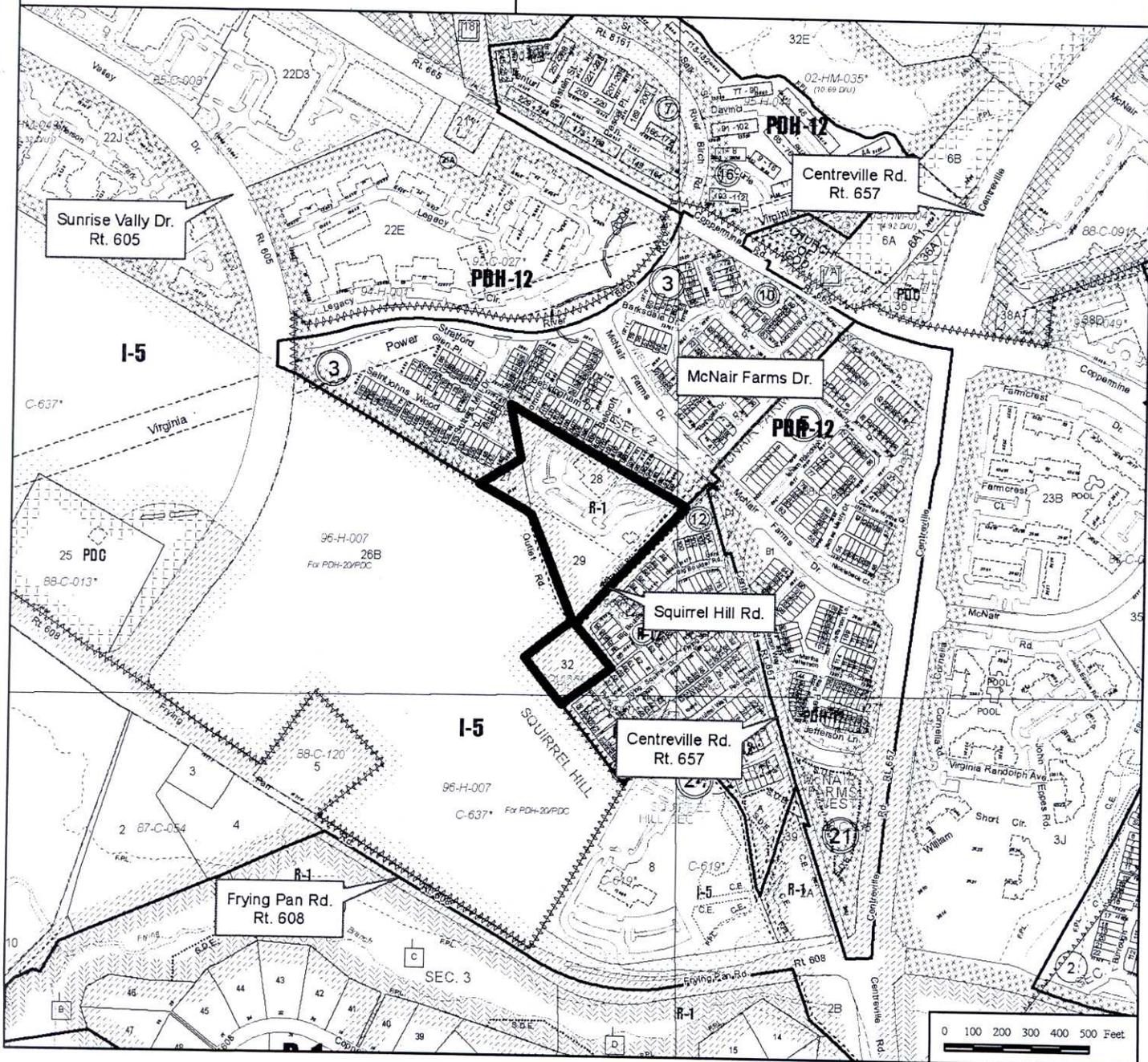
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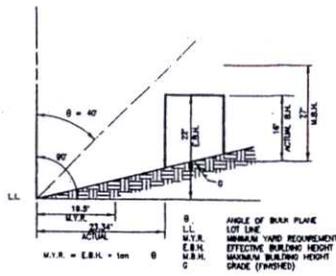


**NOTES:**

1. THE PROPERTY SHOWN HEREON IS LOCATED ON FAIRFAX COUNTY TAX ASSESSMENT MAP NO. 15-4-(11), PARCELS 27 & 28.
2. THE PROPERTIES SHOWN HEREON IS NOW IN THE NAME OF MT. PLEASANT BAPTIST CHURCH TRUSTEES AS RECORDED IN DEED BOOK #826, PAGE 82, AND DEED BOOK #754, PAGE 876, AMONG FAIRFAX COUNTY, VIRGINIA LAND RECORDS.
3. THE PROPERTIES SHOWN HEREON ARE ZONED R-1.
4. **PF** - DENOTES IRON PIPE FOUND  
**RS** - DENOTES IRON ROD SET  
**OE** - DENOTES OVERHEAD ELECTRIC  
**OT** - DENOTES OVERHEAD TELEPHONE
5. NO TITLE REPORT FURNISHED. THIS PLAN IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.
6. EDGE OF PAVEMENT TO CENTERLINE DISTANCE, VARIES.
7. PROPERTY SERVED BY PUBLIC WATER, PROPOSED SEWER HOOKUP TO FAIRFAX COUNTY SEWER.
8. **F.A.R. CALCULATIONS:**  
 MAXIMUM FLOOR AREA = 24,022 SQ. FT.  
 LOT AREA = 186,137 SQ. FT.  
 F.A.R. = 0.13 (0.15 ALLOWANCE)

9. TOPOGRAPHY BY L. CARL GARDNER, FIELD RUN 2/11/96.
10. BOUNDARY SURVEY BY RINKER-DETHLEF & ASSOC., 5-24-1985
11. MINIMUM YARD REQUIREMENTS: FRONT YARD 40' SIDE YARD 30' REAR YARD 25'
12. **PARKING TABULATIONS:**  
**REQUIRED PARKING:**  
 I.O. 11-106.3 0.18 SPACES PER CHILD FOR CHILD CARE CENTER.  
 I.O. 11-106.4 1 SPACE PER 4 SEATS IN PRINCIPAL PLACE OF WORSHIP  
 I.O. 11-106.5 1 SPACE PER FACILITY X 2 PLUS SUFFICIENT ADDITIONAL SPACES  
 CHURCH (400 SEATS/4) 123 SPACES  
 ACADEMY (4 TEACHERS X 2 + 2) 10 SPACES  
 CHURCHG. AND NURSERY (50 CHILDREN X 0.18) 10 SPACES  
**TOTAL PARKING SPACES REQUIRED 143 SPACES**  
**PROVIDED PARKING:**  
 CHURCH PARKING LOT 125 SPACES  
 SEWER PARKING LOT ALONG FENCELINE 6 SPACES  
**TOTAL PARKING SPACES PROVIDED 129 SPACES**  
 INCLUDING 5 HANDICAPPED  
**NOTE: A SHARED PARKING REQUEST WILL BE MADE BY THE CHURCH FROM FAIRFAX COUNTY SEWER.**

13. THIS PROPERTY DOES NOT LIE WITHIN AN RPA.
14. THIS PROPERTY DOES NOT LIE WITHIN A FLOOD PLAIN.
15. THIS PROPERTY DOES NOT LIE WITHIN AN EOC.
16. NO TRAILS REQUIRED BY COMPREHENSIVE PLAN.
17. NO DRIVES ON SITE.
18. EXISTING TWO STORY FRAME DWELLING/OFFICE - 2,054 INCLUDED IN F.A.R. CALCULATIONS. (1,027 SF FOOT PRINT X 2 STORES).
19. BUILDING SETBACK COMPLIES WITH ANGLE OF BULKPLANE REQUIREMENTS AND SIDE YARD SETBACK.
20. COMPLIANCE WITH APPLICABLE EMPA, STORM WATER MANAGEMENT, WAKERS REQUESTED PURSUANT TO APPROVAL OF AGREEMENT WITH ADJACENT PROPERTY OWNER, (PARCEL 22B).
21. EXISTING VEGETATION AS DESIGNATED HEREON WILL SERVE AS "EXISTING VEGETATION MATRIX" REQUIREMENTS.
22. TRANSITIONAL SCREENING: 1 TO BE MAINTAINED ALONG NORTHERN PROPERTY LINE.
23. A TRANSITIONAL SCREENING MODIFICATION HAS BEEN REQUESTED TO ALLOW EXISTING VEGETATION TO SERVE AS TRANSITIONAL SCREENING.
24. TRANSITIONAL SCREENING ALONG NORTHERN BOUNDARY LINE PURSUANT TO COP/TOP.
25. A LETTER OF ERROR IN BUILDING LOCATION HAS BEEN FILED WITH THIS APPLICATION.



**DETAIL ANGLE OF BULK PLANE (NOT TO SCALE)**

**AREA TABULATION**

PARCEL 27: 0.63 ac.
PARCEL 28: 3.65 ac.
<b>TOTAL AREA: 4.28 ac.</b>

Application No. SPA 95-4-062-2

APPROVED SE/SF PLAT

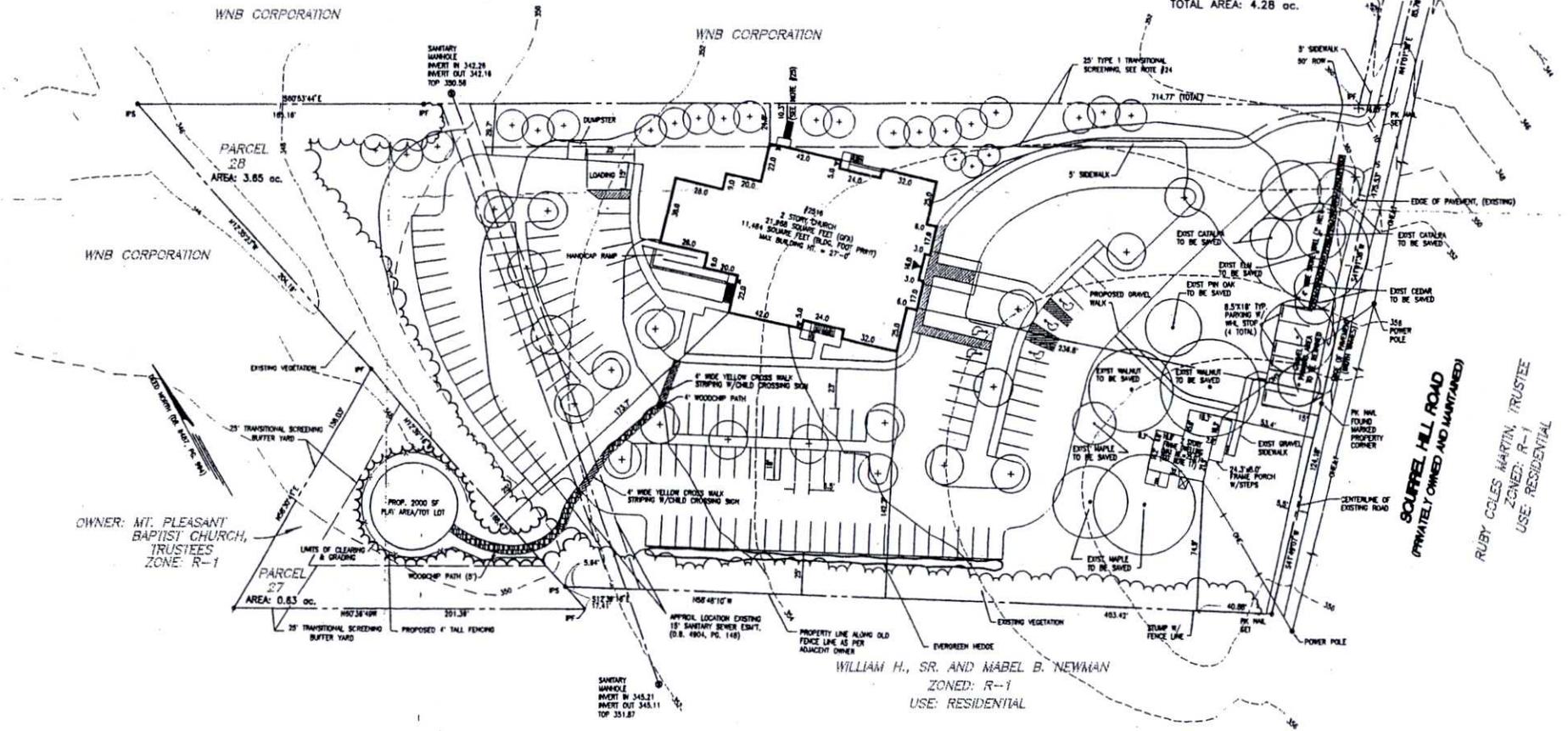
SEE DEVELOPMENT CONDITIONS

Date of (P/C) Approval 8/15/2000

Staff Coordinate Phyllis Wilson

Sheet 1 of 1

RECEIVED  
 Department of Planning & Zoning  
 JUN 07 2000  
 Zoning Evaluation Division



**SQUIRREL HILL ROAD**  
 (PRIVATELY OWNED AND MAINTAINED)

RUBY CECIL MARTIN, TRUSTEE  
 ZONED: R-1  
 USE: RESIDENTIAL

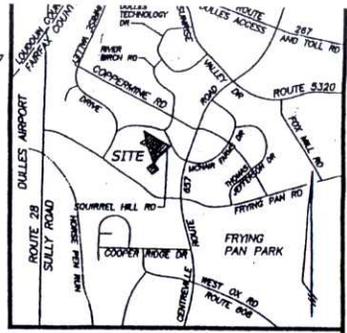
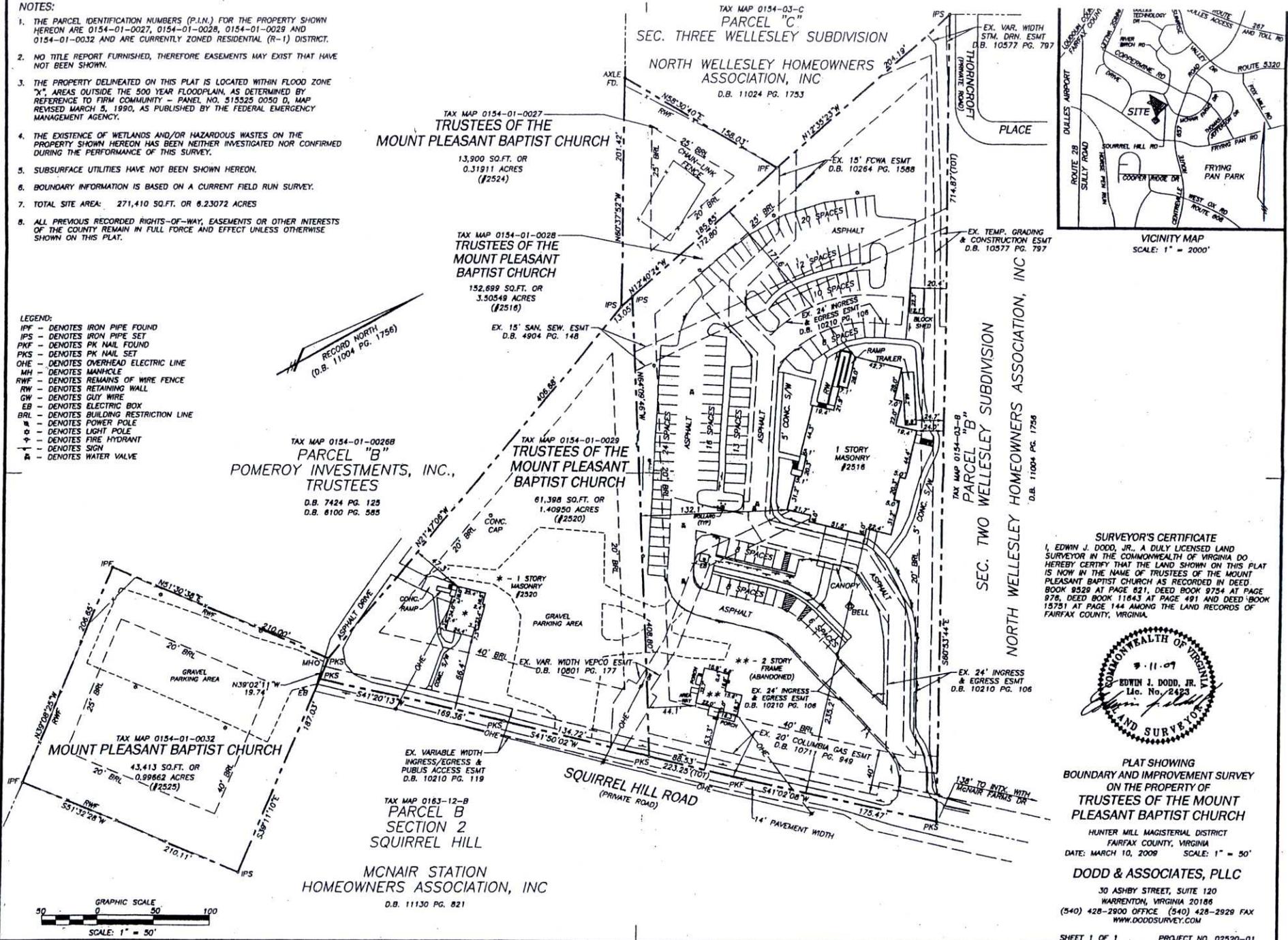
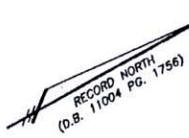
WILLIAM H., SR. AND MABEL B. NEWMAN  
 ZONED: R-1  
 USE: RESIDENTIAL

**NOTES:**

1. THE PARCEL IDENTIFICATION NUMBERS (P.I.N.) FOR THE PROPERTY SHOWN HEREON ARE 0154-01-0027, 0154-01-0028, 0154-01-0029 AND 0154-01-0032 AND ARE CURRENTLY ZONED RESIDENTIAL (R-1) DISTRICT.
2. NO TITLE REPORT FURNISHED, THEREFORE EASEMENTS MAY EXIST THAT HAVE NOT BEEN SHOWN.
3. THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED WITHIN FLOOD ZONE "X" AREAS OUTSIDE THE 500 YEAR FLOODPLAIN, AS DETERMINED BY REFERENCE TO FIRM COMMUNITY - PANEL NO. 515525 0050 D, MAP REVISED MARCH 5, 1990, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
4. THE EXISTENCE OF WETLANDS AND/OR HAZARDOUS WASTES ON THE PROPERTY SHOWN HEREON HAS BEEN NEITHER INVESTIGATED NOR CONFIRMED DURING THE PERFORMANCE OF THIS SURVEY.
5. SUBSURFACE UTILITIES HAVE NOT BEEN SHOWN HEREON.
6. BOUNDARY INFORMATION IS BASED ON A CURRENT FIELD RUN SURVEY.
7. TOTAL SITE AREA: 271,410 SQ.FT. OR 6.23072 ACRES
8. ALL PREVIOUS RECORDED RIGHTS-OF-WAY, EASEMENTS OR OTHER INTERESTS OF THE COUNTY REMAIN IN FULL FORCE AND EFFECT UNLESS OTHERWISE SHOWN ON THIS PLAT.

**LEGEND:**

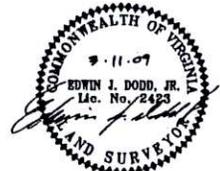
- IPF -- DENOTES IRON PIPE FOUND
- IPS -- DENOTES IRON PIPE SET
- PKF -- DENOTES PK NAIL FOUND
- PKS -- DENOTES PK NAIL SET
- OHE -- DENOTES OVERHEAD ELECTRIC LINE
- MH -- DENOTES MANHOLE
- RWF -- DENOTES REMAINS OF WIRE FENCE
- RW -- DENOTES RETAINING WALL
- GW -- DENOTES GUY WIRE
- EB -- DENOTES ELECTRIC BOX
- BRL -- DENOTES BUILDING RESTRICTION LINE
- ⊙ -- DENOTES POWER POLE
- ⊙ -- DENOTES LIGHT POLE
- ⊕ -- DENOTES FIRE HYDRANT
- ⊕ -- DENOTES SIGN
- ⊕ -- DENOTES WATER VALVE



VICINITY MAP  
SCALE: 1" = 2000'

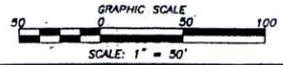
SEC. TWO WELLESLEY SUBDIVISION  
 NORTH WELLESLEY HOMEOWNERS ASSOCIATION, INC  
 D.B. 11004 PG. 1758

**SURVEYOR'S CERTIFICATE**  
 I, EDWIN J. DODD, JR., A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA DO HEREBY CERTIFY THAT THE LAND SHOWN ON THIS PLAT IS NOW IN THE NAME OF TRUSTEES OF THE MOUNT PLEASANT BAPTIST CHURCH AS RECORDED IN DEED BOOK 8529 AT PAGE 821, DEED BOOK 9754 AT PAGE 976, DEED BOOK 11643 AT PAGE 491 AND DEED BOOK 15751 AT PAGE 144 AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA.



PLAT SHOWING  
 BOUNDARY AND IMPROVEMENT SURVEY  
 ON THE PROPERTY OF  
 TRUSTEES OF THE MOUNT  
 PLEASANT BAPTIST CHURCH

HUNTER HILL MAGISTERIAL DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 DATE: MARCH 10, 2008 SCALE: 1" = 50'  
**DODD & ASSOCIATES, PLLC**  
 30 ASHBY STREET, SUITE 120  
 WARRENTON, VIRGINIA 20186  
 (540) 428-2900 OFFICE (540) 428-2928 FAX  
 WWW.DODDSURVEY.COM



**A GLOSSARY OF TERMS FREQUENTLY  
USED IN STAFF REPORTS WILL BE  
FOUND AT THE BACK OF THIS REPORT**

**DESCRIPTION OF THE APPLICATION**

The applicant requests approval of a special exception to replace an existing special permit (approved for a church with a child care center/nursery school) and to continue the church and child care center/nursery school use with no changes to those uses; the applicant requests approval to remove a single family dwelling located on Tax Map 15-4 ((1)) 28. In addition, two parcels (Tax Maps 15-4((1)) 29, and 32) that were not included in the original special permit have been purchased by the church and are proposed to be included in the special exception; no development is proposed on these parcels at this time.

The proposed hours of operation for the church and child care center/nursery school would not change:

Church Administrative Staff: 6:00 a.m. to 7:00 p.m. (Mon. - Fri.)

Church Ministry Events:

6:00 a.m. to 9:30 p.m. (Mon. - Fri)

7:00 a.m. to 9:30 p.m. (Sat. and Sun.)

Private School of Gen. Education: 8:30 a.m. to 3:30 p.m. (Mon. - Fri.)

Child care center: 6:30 a.m. to 6:00 p.m. (Mon. – Fri.)

No additional employees are proposed. The proposed development conditions, the Applicant's Affidavit, and the Statement of Justification are contained in Appendices 1, 2 and 3 respectively.

**Waivers and Modifications:**

Modification of the transitional screening yard requirements and a waiver of the barrier requirements along all lot lines in favor of the existing vegetation depicted on the SE Plat

**LOCATION AND CHARACTER**

**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 on Tax Maps 15-4((1)) 27, 28, 29, and 32. 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 an existing 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 sides of the building. A small 1-story single family detached dwelling unit is located on southwest portion of Tax Map 15-4((1)) 29 and is proposed to remain. A historic 2-story detached dwelling (constructed in 1884-1885) and a 90 foot long, three foot high stone wall built around the time of the dwelling are located on the southwest corner of Tax Map 15-4((1)) 28; the house is proposed to be demolished. An informal gravel parking lot currently serves the dwelling and is proposed to remain. One access point is provided for the church off Squirrel Hill Road.

The chart below provides the land use, zoning and current plan for surrounding properties.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single Family Attached	PDH-12	Mixed Use
South	Single Family Attached Vacant	R-12 I-5	Mixed Use
East	Single Family Attached	PDH-12	Mixed Use
West	Single Family Attached and Vacant	PDH-12/I-5	Mixed Use

## BACKGROUND

On March 27, 1996, the Board of Zoning Appeals approved SP 95-H-062 to permit a church and related facilities, a child care center and a nursery school.

On April 9, 1997, the Board of Zoning Appeals approved SPA 95-H-062 to retain the existing church and related facilities and to permit an increase in gross floor area.

On August 15, 2000, the Board of Zoning Appeals approved SPA 95-H-062-2 to permit an error in building location to allow stairs attached to the church building to remain 10.3 feet from the side lot line. **See Appendix 4 for current conditions. Development Condition 18 requires the retention of a historic single family dwelling located on the property; the applicant now proposes to demolish the dwelling.**

On August 7, 2007, the Board of Zoning Appeals denied SPA 95-H-062-3, which requested a modification to the previously approved development conditions. The applicant requested to delete Development Condition 18 which required retention of a historic single family dwelling on the subject property.

### **COMPREHENSIVE PLAN PROVISIONS (Appendix 5)**

**Plan Area:** Area III, Dulles Suburban Center  
**Planning Sector:** Land Unit A  
**Plan Map:** Mixed Use

Fairfax County Comprehensive Plan, 2007 Edition, Area III, Dulles Suburban Center as amended through 3-9-2010, Land Unit A, p. 55-63; Land Use, recommendations, page 55:

. . . "Land Use

#### **General Land Unit Recommendations**

This land unit is planned for a complementary mix of land uses including office, hotel and support retail at .50 1.0 FAR, except as may be described in "Other Recommendations." Optional residential uses should be considered as part of mixed use projects or in accordance with the site specific and other recommendations set forth below. A cohesive mixture of residential and non residential uses should 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 Exception Plat (SE Plat) (Copy at front of staff report)**

**Title of SE Plat:** Mount Pleasant Baptist Church  
**Prepared By:** KJ & Associates and Dodd & Associates, PLLC  
**Original and Revision Dates:** Sheet 1 dated May, 2000, revised through July 21, 2000 and Sheet 2 dated March 11, 2009

#### **Description of SE Plat:**

The applicant requests approval of a special exception to replace an existing special permit (approved for a church with a child care center/nursery school) to continue the church and child care center/nursery school use with no changes. In addition, the applicant requests approval to permit modifications

of the previous development conditions to allow the removal of a wood frame dwelling located on Tax Map 15-4 ((1)) 28, and proposes to include two parcels (Tax Maps 15-4 ((1)) 29 and 32) that were not part of the original special permit.

The SE Plat consists of two (2) sheets.

- **Sheet 1** is the previously approved Special Permit Plat, which includes a title, general notes, FAR calculations, and parking tabulations for the approved church and child care center/nursery school uses on Tax Maps 15-4 ((1)) 27 and 28 (totaling 4.28 acres).
- **Sheet 2** shows the previously approved layout from Sheet 1 with the addition of Tax Maps 15-4 ((1)) 29 and 32 to the church property, which would increase the land area of the church property from 4.28 acres to 6.23 acres.

The graphic below shows an aerial of the subject property.



As shown on the aerial, the existing 21,968 square foot church and child care/nursery school building is located in the middle of Parcel 28 and is proposed to remain with no changes proposed to their existing uses, the number of employees or the hours of operation. A small historic 2-story single

family detached dwelling unit (constructed in 1884-1885) with an associated parking area is located on the southwest corner of Parcel 28; the house is proposed to be removed, but the parking will remain.

In addition, Parcel 29 and Parcel 32 are proposed to be added to the church property. No physical changes are proposed to those parcels. The small 1-story single family detached dwelling unit (approximately 1,404 square feet) located on the southwest portion of Parcel 29 and the existing gravel parking lot located on the northern portion of Parcel 32 would remain. The overall FAR for the subject property would decrease from 0.13 to 0.09 with the proposed consolidation of parcels.

#### Landscaping and Screening

- Transitional Screening Type 1 is required along all sides of the subject property, except for the portion of the western side which abuts the I-5 property. A modification of this requirement in favor of the existing vegetation was granted with the original approvals of the special permit applications.
- Barrier D, E or F is required along all sides of the subject property, except for the portion of the western side which abuts the I-5 property. A waiver of this requirement was granted with the original approvals of the special permit applications in favor of the good quality deciduous and evergreen trees are located along the northwestern and western property lines.

#### Access

- One access point from Squirrel Hill Road is provided for the church and child care/nursery school building on Parcel 28, the existing dwelling unit on Parcel 29 and the gravel parking lot on Parcel 32. The gravel parking lot serving the dwelling unit on Parcel 28 is proposed to be removed with the proposed demolition.

#### Stormwater Management

- The SE Plat does not provide any details about stormwater management on the site. Compliance with stormwater management requirements were addressed with the original approval of the special permit applications for the church.

## **ANALYSIS**

### **Land Use**

The proposed use and intensity are in harmony with the Comprehensive Plan recommendations for the site.

## **Environmental Analysis**

No environmental issues were identified with this application.

## **Heritage Resource Analysis (Appendix 6)**

### Site History for the 2-story detached dwelling of Parcel 28:

The Fairfax County History Commission listed the Keyes House, (located on the subject property at 2516 Squirrel Hill Road, on the southwest corner of Tax Map 15-4 ((1)) 28), on the Fairfax County Inventory of Historic Sites on November 6, 1985. The house was constructed circa 1884/85 by a founding member of the Mt. Pleasant Baptist 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 original Mount Pleasant Baptist Church, also on the Inventory and built circa 1882, was demolished in 1995/96. The Keyes 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 in Jan/Feb 2006. Over the past fourteen years the Keyes House has deteriorated and at a June 6, 2007 meeting, the Fairfax County History Commission made a recommendation to permit the demolition of the Keyes House contingent upon certain mitigation conditions being met. For more specific details regarding the history of the Keyes House, see Appendix 6.

### 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 when permitting the demolition of a historic property could be seen as precedent setting. These instances include:

#### 1) Fairfax County Inventory of Historic Sites:

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.

2) Mandated by a zoning action to be retained:

On August 15, 2000, the Board of Zoning Appeals approved SPA 95-H-062-2 subject to specific development conditions (see Appendix 4 for a copy of the conditions). Development Condition 18 requires the retention of a historic single family dwelling located on the property, but did not specifically require the property to be properly maintained.

3) Deterioration or demolition by neglect:

Staff does not believe that property condition should be a consideration. The condition of the property was brought on by neglect, effectively causing demolition by neglect. Permitting demolition of a historic property cannot be based on property condition in a situation when the property owner is responsible for that condition.

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 6. 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 longer any context to which the house contributes; it is an isolated element that bears no relationship to its current 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.

Issues:

After much deliberation, staff reached the conclusion to concede to the Mt. Pleasant Baptist Church's request to permit demolition of the Keyes House. Because demolishing the Keyes House will be the loss of the last structural remnant of the nineteenth century African-American community in Floris, staff believes that mitigation should be required. Staff recommends the following mitigation:

- 1) The Keyes stone at the basement should be donated to the Park Authority and the Park Authority should be allowed to access the site to remove the stone.
- 2) The church should be required to fund interpretative signage to be placed on the site. Signage should be coordinated with the Park Authority Cultural Resource and Protection Section.
- 3) Upon the determination of the Urban Forester, the church should be required to retain and maintain the trees, and/or shrubs and other landscape features in the area surrounding the Keyes House.
- 4) The stone wall adjacent to the Keyes House and to the old Squirrel Hill Road should be retained and maintained.
- 5) The area immediately surrounding the Keyes House should be retained and maintained in perpetuity as open space. This area should not be built upon and no structure requiring a building permit should be erected. The area should not be paved for parking or graded or the land disturbed in anyway so as to change its use from open space.

Development conditions have been written and included in Appendix 1 to address all of these recommendations. Imposition of the conditions will satisfy staff's concerns.

The History Commission reviewed the application at a June 2, 2010 meeting, but has not elected to reconsider the request or make a new recommendation at this time.

#### **Park Authority** (Appendix 7)

The Park Authority reviewed the application and indicated that they support the Heritage Resources recommendations.

#### **Urban Forest Management** (Appendix 8)

The Urban Forest Management Branch of DPWES reviewed the development plan and recommended the following:

- 1) Elements such as driveways, sidewalks, or other features proposed for demolition should be highlighted on the SE Plat,
- 2) Limits of disturbance should be provided on the SE Plat and should provide adequate clearance for the protection and preservation of existing trees that are to be preserved,

- 3) Locations of the base of existing trees within 25 feet of the proposed limits of disturbance should be identified on the SE Plat,
- 4) Tree protection fencing should be provided to protect existing trees during demolition operations,
- 5) A tree preservation narrative to describe any specific treatments, practices, specifications, or standards that will be used to manage existing trees on the site should be provided. The narrative should include, but is not limited to, the following:
  - proposed removal of any dead or potentially hazardous trees on the site,
  - proposed pruning to remove portions of trees that may be hazardous such as dead limbs or weak or diseased branches two inches in diameter and larger,
  - any maintenance practices, such as mulching or pruning designed to enhance the survivability of trees designated to be preserved on the site,
  - any application and/or documentation needed to review a proposal for Heritage, Specimen or Memorial status for any tree on the site,
  - Information, specifications, and graphical details relating to the timing, installation and maintenance of tree protection fencing and signage as provided in PFM Section 12-0703.1.
- 6) Species type, quantities, size at time of planting, and type of rootstock for any proposed tree used to replace any dead or potentially hazardous trees should be provided.

Development Conditions have been proposed which would require the applicant to 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. Imposition of the development conditions satisfies staff's concerns.

#### **Transportation Analysis** (Appendix 9)

No transportation issues were identified with this application

#### **Stormwater Management Analysis** (Appendix 10)

The SE Plat does not provide any details about stormwater management on the site. Compliance with stormwater management requirements were addressed with the original approval of the special permit applications for the church. In addition, staff was concerned that the SE Plat does not depict a limits of disturbance for the demolition of the Keyes House on Parcel 28.

Staff has written a development condition to ensure that the proposed demolition is performed in the least disruptive manner. Imposition of the proposed development conditions will satisfy staff's concerns.

### ZONING ORDINANCE PROVISIONS (Appendix 11)

The chart below compares the required bulk standards and the proposed improvements for the existing church and nursery school / child care use in the R-1 District.

<b>Bulk Standards (R-1 Zoning)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	36,000 square feet	6.23 acres
Lot Width	150 feet	Greater than 150 feet
Building Height	60 feet	27 feet
Front Yard	50° ABP, but not less than 40 ft	Church (Parcel 28): 235.2 feet SFD (Parcel 29): 66.4 feet
Side Yard	45° ABP, not less than 20 feet	Church (Parcel 28): 10.3 feet (an error in building location was granted with the approval of the Special Permit Application)* SFD (Parcel 29): 190 feet
Rear Yard	45° ABP, not less than 25 feet	Church (Parcel 28): 171.6 feet SFD (Parcel 29): 47.3 feet
FAR	0.15	0.09
Parking Spaces	Church: 123 Nursery School: 10 Child Care: 10 Total: 143	129 spaces (a shared parking request for the uses was granted by DPWES in the previous approval)**
<b>Transitional Screening and Barrier Requirements</b>		
<b>Direction</b>	<b>Required</b>	<b>Provided</b>
North, East and West (pt.) (Residential)	TS 1 (25 feet screening) Barrier D, E, or F	Existing vegetation, minimum of 15 feet in width; No barrier ***

\* On August 15, 2000, the Board of Zoning Appeals approved SPA 95-H-062-2 to permit an error in building location to allow the stairs attached to the church building to remain 10.3 feet from the side lot line.

\*\* Staff has proposed a development condition requiring that a shared parking agreement be updated and approved for the church and child care uses, if required by DPWES.

\*\*\* Modification of transitional screening and waiver of barrier requested

***Transitional Screening Modification:*** The applicant has requested a modification of the transitional screening to allow existing vegetation to be utilized, as shown on the SE Plat. The borders of the site are characterized by mature vegetation, and this modification was previously approved with the existing special permit. No changes are proposed to those portions of the site directly adjacent to residential uses. Staff does not object to the requested modification.

***Barrier Waiver:*** The Zoning Ordinance requires the transitional screening to be supplemented by chain-link or wood fencing or masonry walls. The applicant has requested a waiver of the barrier requirements. This waiver was previously approved with the existing special permit. No changes are proposed to those portions of the site directly adjacent to residential uses. Staff does not object to the requested waiver.

### **Other Zoning Ordinance Requirements:**

#### **Special Exception Requirements (Appendix 11)**

General Special Exception Standards (Sect. 9-006)

Category 3 Standards (Sect. 9-304)

Additional Standards for Child Care Centers and Nursery Schools  
(Sect. 9-309)

#### **General Special Exception Standards (Sect. 9-006)**

General Standard 1 requires that the proposed use at the specified location be in harmony with the adopted Comprehensive Plan. As stated in the Land Use Analysis and the Heritage Resource Analysis, staff believes the proposal is in general harmony with the Plan.

General Standard 2 requires that the proposed use be in conformance with the general purpose and intent of the applicable zoning district regulations. The R-1 District permits a church with a child care center and nursery school as a special exception use. The site is designed to be compatible with the adjacent residentially zoned land.

General Standard 3 requires that the proposed use be harmonious with and 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. It is staff's opinion, the location of the church and parking areas, coupled with the existing vegetation to the north, south and west would not hinder the existing use or future re-development of adjacent parcels.

General Standard 4 requires that the proposed use 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. Access for the site is provided from Squirrel Hill Road. An existing church, child care and nursery school use have been operating with a special permit since 1996. No changes are proposed to those uses with this application. Staff feels that this application will not create any hazardous traffic conditions.

General Standards 5, 6 and 7 require landscaping, screening, open space, adequate utility, drainage, parking and loading to be regulated in accordance with the Zoning Ordinance; however, the Board may impose more strict requirements for a given use than those set forth in the Ordinance. The applicant has met or exceeded the requirements of the Zoning Ordinance with the exception of the transitional screening and barrier requirements, which were modified in the previous special permit application. A shared parking request for the uses was granted by DPWES with the previous approval. Staff has written a development condition requiring that a shared parking agreement be updated for the church and child care uses. In staff's opinion these standards have been met with the imposition of the proposed development conditions.

#### *Category 3 Standards (Sect. 9-304)*

The Category 3 Standards require that the proposed development meet lot size and bulk requirements for the Zoning District, comply with performance standards, and be subject to site plan review. The proposed use meets these standards. While a site plan review may not be required, per the proposed conditions, landscape plans, tree preservation plans and limits of clearing and grading will be provided to Urban Forest Management and DPWES prior to the issuance of a demolition permit.

#### *Additional Standards for Child Care Centers and Nursery Schools (Sect. 9-309)*

The additional standards recommend the provision of outdoor recreation areas, sufficient vehicular and pedestrian access, and provision of the pick-up and delivery of all persons on the site. No changes are proposed to the child care and nursery school use on the site, which was deemed appropriate at the time the special permit was approved. Staff believes that the child care center and nursery school use continue to meet the standards.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Staff Conclusions**

As outlined in the Heritage Resource analysis, staff reviewed the request to demolish the historic single family dwelling on Tax Map 15-4((1)) 28 as part of

the special exception application to replace an existing special permit (approved for a church with a child care center/nursery school) and to continue the church and child care center/nursery school use with no changes. After much deliberation, staff reached the conclusion to support the Mt. Pleasant Baptist Church's request to permit demolition of the Keyes House. Because demolishing the Keyes House will be the loss of the last structural remnant of the nineteenth century African-American community in Floris, staff has proposed development conditions to mitigate its loss.

In staff's opinion, with the adoption of the proposed development conditions, the Special Exception application is in general harmony with the Comprehensive Plan and in conformance with all applicable Zoning Ordinance provisions.

### **Staff Recommendations**

Staff recommends approval of SE 2010-HM-008, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a modification of the transitional screening yard requirements and a waiver of the barrier requirements along all lot lines in favor of the existing vegetation as depicted on the SE Plat.

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. 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.

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.

### **APPENDICES**

1. Development Conditions
2. Affidavit
3. Statement of Justification
4. Previously approved Development Conditions
5. Comprehensive Plan Recommendations
6. Heritage Resource Analysis
7. Park Authority Analysis
8. Urban Forest Management Analysis
9. Transportation Analysis
10. Stormwater Management Analysis
11. Zoning Ordinance Provisions
12. Glossary

## PROPOSED DEVELOPMENT CONDITIONS

SE 2010-HM-008

July 14, 2010

If it is the intent of the Board of Supervisors to approve SE 2010-HM-008 located on 2516 Squirrel Hill Road (Tax Maps 15-4((1)) 27, 28, 29, and 32) to permit a church with a child care center/nursery school pursuant to Sect. 3-104, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions (those conditions carried forward from previous special permit approval are marked with an asterisk\*).

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. A copy of this Special Exception and the Non-Residential Use Permit (Non-RUP) 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.
3. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception amendment plat approved with the application, as qualified by these development conditions.
4. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception amendment shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "Mount Pleasant Baptist Church," prepared by KJ & Associates and Dodd & Associates, PLLC with Sheet 1 dated May, 2000, revised through July 21, 2000 and Sheet 2 dated March 11, 2009, 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.
5. The maximum seating capacity in the main area of worship shall be 490.\*
6. The combined maximum daily enrollment for the school of general education, child care center and nursery school shall be 99.\*
7. 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. The hours of operation for the child care center shall be 6:30 am to 6:00 p.m., Monday through Friday. \*

8. The play area/tot lot located on Lot 27 shall remain. The limits of clearing and grading, which were necessary to establish those facilities, shall continue to be strictly adhered to and shall not be expanded, in order to protect the surrounding vegetation.\*
9. If not already provided, landscaping and building foundation plantings shall be provided around the church 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 Urban Forest Management (UFM) for review and approval at the time of site plan review for the church. All landscaping plantings shall be continually maintained. Dead or dying landscape and foundation plantings shall be replaced with like-kind plants.\*
10. 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.\*
11. Any proposed lighting of the parking areas shall be in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. The combined height of the light standards and fixtures shall not exceed twelve (12) feet.\*
12. 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.\*
13. The existing four (4) foot wide stone wall located north of the Keyes House and adjacent to Squirrel Hill Road shall be retained and shall be maintained as long as the church and any associated uses are located on site. 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 SE Plat subject to the review and approval of Environmental Development Review Branch of Department of Planning and Zoning and the Fairfax County Department of Transportation.\*
14. Signs shall be permitted provided they are erected in accordance with Article 12 of the Zoning Ordinance.\*
15. Any trash dumpster located on the property shall be screened by a board-on-board fence, and/ or with plantings which shall completely screen the view of the dumpsters, subject to the approval of DPWES.\*
16. A demolition permit shall be obtained from DPWES prior to any demolition work commencing on the Keyes House. Prior to the issuance of a

demolition permit, limits of clearing and grading shall be provided around the Keyes House to ensure adequate protection and preservation of existing trees subject to review and approval by UFM, DPWES.

A certified arborist shall be contracted to prepare a tree preservation plan to protect and preserve existing trees, 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 to the satisfaction of UFM, prior to seeking a demolition permit.

A certified arborist shall also 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.

17. Prior to the issuance of a demolition permit for the Keyes House, staff from Fairfax County Park Authority (FCPA) Resource Stewardship Branch shall be notified and shall be allowed access to the house and the surrounding area prior, during, and immediately after the demolition work for purposes of documentation. Staff from the Fairfax County Park Authority (FCPA) Resource Stewardship Branch shall also be allowed access to the house to remove the Keyes stone located at the basement level and any other artifacts determined to be of historical significance.
18. Prior to the issuance of a demolition permit, historical interpretive signage shall be provided to the FCPA Resource Stewardship Branch to be placed on the site. Location, type and information on the signage shall be coordinated with the FCPA Resource Stewardship Branch.
19. The "island" that contains the Keyes House shall be retained 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 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 parking area depicted on the SE Plat, none of this open space area shall be paved or used for parking of vehicles.
20. All parking for this use shall be on site. If determined necessary by DPWES, prior to the issuance of a demolition permit, a revised shared parking study shall be submitted and approved by DPWES that demonstrates that adequate parking is available on the site for the church and the child care center / nursery school.
21. A maximum of twenty (20) child care center/nursery school children at any one time shall use the outdoor play area. 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.\*

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, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the proposed buildings. 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.

**SPECIAL EXCEPTION AFFIDAVIT**

DATE: May 27, 2010  
 (enter date affidavit is notarized)

I, Willie Hassell, 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            108341a

in Application No.(s): SE 2010-HM-008  
 (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)
TRUSTEES OF MOUNT PLEASANT BAPTIST CHURCH	2516 SQUIRREL HILL ROAD HERNDON, VA. 20171	APPLICANT TITLE OWNER OF TM 015-4((1)) PARCELS 27, 28, & 29
PEGGIE SMITH, TRUSTEE	(SAME)	TRUSTEE/AGENT
HUGH D. BLACKWELL, TRUSTEE	(SAME)	TRUSTEE/AGENT
WILLIAM BLAND JR., TRUSTEE	(SAME)	TRUSTEE/AGENT
ROBIN H. JOHNSON, TRUSTEE	(SAME)	TRUSTEE/AGENT
MARION RIVERA, TRUSTEE	(SAME)	TRUSTEE/AGENT
SAMUEL E. NEWMAN SR., TRUSTEE	(SAME)	TRUSTEE/AGENT
MOUNT PLEASANT BAPTIST CHURCH	2516 SQUIRREL HILL ROAD HERNDON, VA. 20171	TITLE OWNER OF TM 015-4((1)) PARCEL 32
REV. DR. JAMES L. GRAHAM JR.	(SAME)	AGENT
WILLIE W. HASSELL II	(SAME)	AGENT

(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: May 27, 2010  
(enter date affidavit is notarized)

108341a

for Application No. (s): SE 2010-HM-008  
(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) N/A

**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 SHAREHOLDERS:** (enter first name, middle initial and last name)  
N/A

(check if applicable)  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 AFFIDAVIT

DATE: May 27, 2010  
(enter date affidavit is notarized)

108341a

for Application No. (s): SE 2010-HM-008  
(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)  
N/A

(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**)  
N/A

(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: May 27, 2010  
(enter date affidavit is notarized)

108341a

for Application No. (s): SE 2010-HM-008  
(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:  
N/A

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: May 27, 2010  
(enter date affidavit is notarized)

108341a

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:

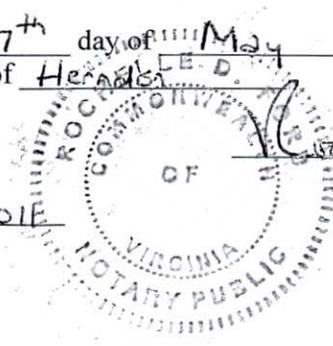
(check one) Willie W. Hassell II  
[ ] Applicant [x] Applicant's Authorized Agent

WILLIE W. HASSELL II, DIRECTOR OF ADMINISTRATION  
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 27<sup>th</sup> day of May, 2010, in the State/Comm. of Virginia, County/City of Herndon

Richard Ford # 7097804  
Notary Public

My commission expires: 31 March 2016





## **Mount Pleasant Baptist Church**

2516 Squirrel Hill Road ■ Herndon, VA 20171

Phone: (703) 793-1196 ■ Fax: (703) 793-1197

[www.mtpleasantbaptist.org](http://www.mtpleasantbaptist.org)

**Pastor: Rev. Dr. James L. Graham, Jr.**

June 9, 2010

Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

RE: Statement of Justification  
Special Exception Application  
Mount Pleasant Baptist Church  
2516 Squirrel Hill Road, Herndon, VA 20171  
Tax Map 15-4((1)) 27, 28, 29, 32

This letter serves as the statement of justification for the above referenced special exception application to consolidate the Church's property described on Tax Map 15-4((1)) 27, 28, 29, and 32.

Our Church serves the Washington metro area providing a Christian worship environment, and a Private School General Education and Child Care facility known as the Mt. Pleasant Baptist Church Christian Academy (MPBCCA). The Church was constructed using split brick with a poured cement basement. The Church employs both 22 full time and 8 part time staff. The staff hours are staggered and no more than 15 staff members are on site daily. The staff includes Ministers, Administrative Staff, Teachers, Sextants, and Musicians. Our hours of operation are as follows:

- ✚ Church Administrative Staff 6:00am – 7:00pm (Monday – Friday)
- ✚ MPBCCA Private School General Education – 8:30am – 3:30pm (Monday – Friday)
- ✚ Child Care (MPBCCA) – 6:30am – 6:00pm (Monday – Friday)
- ✚ Church Ministry Events
  - 6:00am – 9:30pm (Monday – Friday)
  - 7:00am – 9:30pm (Saturday & Sunday)

The consolidation of the properties requested in the Special Exception does not add additional traffic impact to the vicinity or general area. Church events are scheduled and supported by the church's Security and Parking Ministries to minimize traffic impact to the community. The greatest traffic impact to the area is during our Church Services on Sunday of which we have three worship services (8am, 10am, & 12noon), these services are supported by our Parking and

Security Ministries (occasionally augmented by Fairfax County Police Department) which controls the flow of traffic to minimize the impact to the surrounding community. The maximum seating capacity in the main area of worship is 490. We have and will continue to be sensitive to the needs of the community around us and make every effort to partner with the surrounding community on events and activities to enhance and grow our relationship.

The combined daily enrollment for our school of general education, child care, and nursery school will be 99. The play area/tot lot for the school is located as shown on the plat. At any given time a maximum of twenty (20) child care/nursery school children use the outdoor play area. During the hours of operation of the private school of general education, a maximum of ten (10) children at any one time will use the outdoor play area. The hours of operation for the private school of general education and the nursery are from 8:30 a.m. to 3:30 p.m., Monday through Friday. The hours of operation for the child care center are 6:30 a.m. to 6:00 p.m., Monday through Friday.

With this application, Mount Pleasant Baptist Church (MPBC) request the removal of a wood frame dwelling that is located on the Tax Map 015-4-01-0028 property. The dwelling is in disrepair and has been the subject of many instances of graffiti. The windows have been broken several times and are currently boarded to avoid any future incidences. It is extremely worn, has been condemned by the Fairfax County Health Department, and poses a health and safety hazard. The house has been broken into on several occasions, apparently by curious teenagers in the community. We would like to take a proactive approach to eliminate future break-ins that could lead to unwanted fires, drug traffic, and/or gang activity. The subject dwelling has been inspected and found structurally unsafe and irreparable. There are no hazardous or toxic items on the property. In a previous review of the Keyes House against the criteria listed in Section 7-204 (5) (D) of the Zoning Ordinance as a guide in reviewing a 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 produced only with great difficulty? The Zoning staff determined the need to retain the Keys House foundation and/or building footprint was not warranted.

To continue to help protect and enhance our community we respectfully request the removal of the house located on the Tax Map 0154-01-0028 property. We also request the consolidation of Tax Map sites 15-4 ((1)) 27, 28, 29 and 32.

Mount Pleasant Baptist Church believes that the application is in conformance with the General Standards for Special Exception and with the Comprehensive Plan and therefore, request a favorable recommendation and approval of the application by the Board of Supervisors.

Sincerely,

A handwritten signature in black ink, appearing to read "Willie W. Hassell II". The signature is fluid and cursive, with the first name "Willie" being the most prominent.

Willie W. Hassell II  
Director of Administration  
Mount Pleasant Baptist Church

**SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS**

MT. PLEASANT BAPTIST CHURCH, SPA 95-H-062-2 Appl. under Sect(s). 3-103 of the Zoning Ordinance to amend SP 95-H-062 previously approved for a church and related facilities to permit the addition of a private school of general education, child care center, nursery school, increase in land area and reduction in minimum yard requirements based on error in building location to permit stairs to remain 10.3 ft. from side lot line. Located at 2516 Squirrel Hill Rd. on approx. 4.28 ac. of land zoned R-1. Hunter Mill District. Tax Map 15-4 ((1)) 27 and 28. Ms. Gibb moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on August 15, 2000; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The applicant presented testimony indicating compliance with the requirements for a special permit.
3. The special permit request has a favorable staff report.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sect(s). 3-103 of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

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 projecting 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, 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.
19. 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.
20. 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.
21. 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.

It is noted that these development conditions incorporate and supersede all previous development conditions.

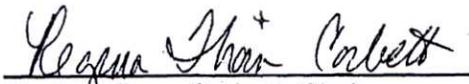
This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures,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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval\* unless the use has been established. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Mr. Hammack seconded the motion which carried by a vote of 6-0. Mr. Kelley moved to waive the 5 day waiting period. Ms. Gibb seconded the motion which carried by a vote of 5-0. Mr. Hammack was not present for the vote and Chairman DiGiulian was absent from the meeting.

\*This decision was officially filed in the office of the Board of Zoning Appeals and became final on August 15, 2000. This date shall be deemed to be the final approval date of this special permit.

A Copy Teste:



Regina Thorn Corbett, Clerk  
Board of Zoning Appeals

## LAND UNIT A

### CHARACTER

This land unit is bounded on the north by the Dulles Airport Access and Toll Road (DAAR), on the east by Centreville Road, on the south by Frying Pan Road, and on the west by Route 28, Washington Dulles International Airport and the Loudoun County line. Land Unit A encompasses the highest planned intensities in the Dulles Suburban Center (Figure 12). Figure 13 illustrates the relationship of the proposed transit station platform, and ¼ and ½ mile distances from this station platform, to Land Unit A.

This land unit consists of approximately 645 acres. Existing development includes Dulles Corner, developed with mid- and high-rise office and hotel uses; the low- and mid-rise office uses of the Dulles Technology Center; multi-family residential uses; and a number of single-family attached communities. There is also a substantial amount of vacant land, including a large area of farm land which was formerly in an agricultural and forestal district. The Merrybrook Run Stream Valley traverses the land unit and represents a constraint upon development and a natural open space amenity for the adjacent properties.

Transit improvements are proposed for the DAAR corridor. An Environmental Impact Statement (EIS) in tandem with input from the public and local stakeholders resulted in the Locally Preferred Alternative of extending Metrorail to the Washington Dulles International Airport and beyond. The extension would be carried out in two phases with the first phase proceeding to the west of Wiehle Avenue in Reston, and the second phase proceeding to Route 722 in Loudoun County. A transit station location is recommended in Land Unit A near the Route 28/DAAR interchange as part of the Route 28/CIT Transit Station Area (as shown in Figure 13).

### RECOMMENDATIONS

#### Land Use

##### **General Land Unit Recommendations**

This land unit is planned for a complementary mix of land uses including office, hotel and support retail at .50-1.0 FAR, except as may be described in "Other Recommendations." Optional residential uses should be considered as part of mixed-use projects or in accordance with the site-specific and other recommendations set forth below. A cohesive mixture of residential and non-residential uses should 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.

A core area within Land Unit A is envisioned as a transit station mixed-use area and has been designated as part of the Route 28/CIT Transit Station Area. It includes high density residential uses, of relatively greater land use intensity and urban scale than most other areas in the Dulles Suburban Center. In addition to the higher intensities, the highest urban design standards are envisioned for this area. As planned, this core is large enough for the development of an urban concentration of uses, yet small enough to promote pedestrian circulation throughout the area. The pedestrian network should link the residential areas, community facilities and employment centers to any future transit site. The Urban Design Guidelines in the Reston-Herndon Suburban Center and



# County of Fairfax, Virginia

## MEMORANDUM

DATE: 21 June 2010

**TO:** Billy O'Donnell, ZED Coordinator

**FROM:** Linda Cornish Blank, Historic Preservation Planner *LCB*

**SUBJECT:** SE 2010-HM-008; Mount Pleasant Baptist Church  
Heritage Resource Comment

**Planning Location:** Fairfax County Comprehensive Plan, 2007 Edition, Area III, Dulles  
Suburban Center as amended through 3-9-2010, Land Unit A, p. 55-63;  
Land Use, recommendations, page 55:

... "Land Use

### General Land Unit Recommendations

This land unit is planned for a complementary mix of land uses including office, hotel and support retail at .50-1.0 FAR, except as may be described in "Other Recommendations." Optional residential uses should be considered as part of mixed-use projects or in accordance with the site-specific and other recommendations set forth below. A cohesive mixture of residential and non-residential uses should 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." . . .

**Heritage Resource Issue:** This application request to permit demolition of the Keyes House, a historic single family dwelling, is essentially the same as the 2007 application to amend SP 95-H-062.

Staff finds no change in circumstances from the 2007 SP application. Staff finding remains unchanged from 2007. The following is an update to the 2007 heritage resource memo.

### Background:

1. The Fairfax County History Commission listed the Keyes House, located on the property at 2516 Squirrel Hill Road 15-4 ((1)) 28, on the Fairfax County Inventory of Historic Sites on November 6, 1985.
2. The original Special Permit application, 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."
3. The original 1996 Special Permit file does not provide any information on the circumstances for retaining the Keyes House. There is no indication of either the community's or the church's stance on retaining the house.

Department of Planning and Zoning  
Planning Division  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5509  
Phone 703-324-1380  
Fax 703-324-3056  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



4. Zoning staff recommended denial of the original Special Permit application, SPA 95-H-062-2 in 1996.
5. 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 a SPA to delete the condition requiring the retention of the house. The Pastor was given thirty days to appeal the decision; there is no record of any appeal.
6. In October of 2003 Howard Lambert, a member of the Board of Trustees, contacted Linda Blank, Preservation Planner, regarding the property. Linda suggested possible uses and options. In October 2004 the church asked the History Commission to endorse demolition. The History Commission declined to endorse demolition. They offered several alternate suggestions to demolition. One History Commissioner offered to help the church research the building.
7. Several members of the Commission toured the house in November 2004. They found that it was structurally sound, although in severe disrepair requiring extensive renovation. They reached no consensus and made no recommendation to the Commission.
8. In February 2005, Michael Rierison, then Branch Manager, Fairfax County Park Authority, made an assessment of the property, took extensive photo documentation and provided several recommendations for consideration by the Commissioners who toured the house.
9. Commissioners who toured the house did not come to a consensus regarding Mr. Rierison's recommendations. Some did not respond, others were conflicted, one came to a final conclusion.
10. No recommendation was brought to the full Commission. The Commission was at an impasse and did not provide a decision on the Church's request that the Commission support demolition of the Keyes house.
11. The church does not find the building historically significant. Staff does not agree with this finding. It 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 also 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 in Jan/Feb 2006. The cultural landscape of the area has been eroded over time; the context is lost.
12. The original Mount Pleasant Baptist Church, also on the Inventory and built circa 1882, was demolished in 1995/96. The church indicated that a county feasibility study called for the removal of the building.
13. Over the past fourteen years the Keyes House has deteriorated. Without a viable use, building upkeep and maintenance was not a church priority. Neglecting the building effectively causes its demolition.
14. At its June 6, 2007 meeting, the Fairfax County History Commission made recommendation on the application request to remove the development condition and permit demolition of the Keyes House contingent upon certain mitigation conditions being met.
15. Staff advised the History Commission at its June 2, 2010 meeting of the current SE application.

**Heritage Resource Comment:**

1. Precedent: Staff has concern that permitting the demolition of a historic property could be considered as setting a precedent. Precedent is a strong historic preservation tenet. It is always of

great concern that any action which could be considered precedent setting be thoroughly addressed. Staff believes there are three instances whereby permitting the demolition of a historic property could be seen as precedent setting. The three are for properties:

- 1) Listed on the Fairfax County Inventory of Historic Sites or the National Register of Historic Places
- 2) Mandated by a Zoning action to be retained
- 3) That have not been maintained and allowed to deteriorate; demolition by neglect

Fairfax County Inventory of Historic Site: 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.

Development Condition: A property owner is aware of a development condition prior to the action of the Board of Zoning Appeals in a zoning case. The development condition imposed on an applicant to retain a historic property has proven to be inadequate. In order to ensure good stewardship of historic properties, a development condition must require that the property be both retained and maintained. Without requiring that a historic property be maintained, we are not providing for its long term protection.

Deteriorated property: Staff does not believe that property condition should be a consideration. The condition of the property was brought on by neglect effectively causing demolition by neglect. Permitting demolition of a historic property cannot be based on property condition in a situation when the property owner is responsible for that condition.

2. Consideration: Staff has used Section 7 of the Zoning Ordinance, Historic Overlay Districts as a guide in reviewing the request to permit demolition of the Keyes House.

Section 7-204 (5) (D) reads as follows: "In reviewing an application for a Building Permit to raze or demolish a building or structure, the ARB shall review the circumstances and the condition of the structure or part proposed for demolition and make its determination based on consideration of any or all of the following criteria:

- (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?
- (3) Would retention of the building help preserve and protect a historic place or area of historic interest in the County?
- (4) Does the building or structure contribute to the significance of the district?"

As stated earlier, the condition of the property was brought on by neglect effectively causing demolition by neglect. In reviewing the request, staff finds the condition of the property to not be a factor. Staff finds that only #3 of the four items listed above from Section 7-204 (5) (D) of the Zoning Ordinance applies to the Keyes House.

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.

**Heritage Resource Recommendation:**

Staff has struggled with this request. After much deliberation and with much concern, staff has reluctantly reached the conclusion to concede to the Mt. Pleasant Baptist Church's request to permit demolition of the Keyes House. Because demolishing the Keyes House will be the loss of the last structural remnant of the nineteenth century African-American community in Floris, staff finds that mitigation should be required.

Staff recommends the following mitigation:

- 1) The Keyes stone at the basement be donated to the Park Authority. The Park Authority Cultural Resource and Protection Section 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 Cultural Resource and Protection Section.
- 3) Upon the determination of Urban Forestry Management, the church be required to retain and maintain the trees, and/or scrubs and other landscape features in the area surrounding the Keyes House. The exact dimensions of the area to be recorded be done in consultation with Urban Forestry Management.
- 4) The stone wall adjacent to the Keyes House and to the old Squirrel Hill Road be retained and maintained as long as the current use continues.
- 5) The area surrounding the Keyes House shall be retained and maintained in perpetuity as open space. The exact dimensions of the area to be recorded in consultation with Urban Forestry Management, Park Authority Cultural Resource and Protection Section and 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.

**Fairfax County History Commission:**

Given the History Commission's extended involvement with this property, Staff advised the Commission of this SE application at its June 2, 2010 meeting. If the Commission chooses to make recommendation on this application, recommendation would be made at its July 7 meeting. Staff would forward the recommendation under separate cover to the Planning Commission..

The History Commission made recommendation at its June 6, 2007 meeting on the prior special permit application to permit demolition of the Keyes House. At that time, the Commission concurred with staff recommendation to permit demolition of the Keyes House, endorsed the five point mitigation as recommended by staff listed above and added a sixth point of mitigation

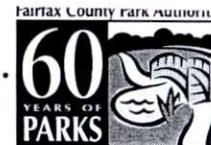
requiring retention of the house foundation and/or building footprint subject to the recommendations for this mitigation by a sub-committee responsible for inspecting the site.

The development condition dated July 31, 2007 for SPA 95-H-062-3 which resulted from the recommendation by the History Commission sub-committee read as follows:

“30. Within 60 days following removal of the Keyes House to grade, the applicant shall: 1) erect four permanent corner markers a maximum of 18 inches in height composed of concrete, or comparable material similar to those shown in Attachment 1, to designate the footprint of the original dwelling at a cost of materials not to exceed \$500. The location and type of the markers shall be coordinated with FCPA Resource Stewardship Branch; and 2) retain in situ the at-grade foundation materials, below grade structural elements and the basement/cellar below grade and shall fill in the basement/cellar and bury these materials and elements in situ with dirt.. The corner markers shall be retained and maintained in perpetuity in the passive open space area designated in development condition #26.”



# FAIRFAX COUNTY PARK AUTHORITY



## M E M O R A N D U M



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

**FROM:** Sandy Stallman, Manager   
Park Planning Branch, PDD

**DATE:** June 16, 2010

**SUBJECT:** SE 2010-HM-008, Trustees of Mount Pleasant Baptist Church  
Tax Map Number: 15-4((1)) 27, 28, 29, 32

### BACKGROUND

The Park Authority staff has reviewed the proposed Special Exception Plan dated March 11, 2009, for the above referenced application. The shows the consolidation of parcels and demolition of an existing single-family dwelling known as the Keyes House.

### COMPREHENSIVE PLAN CITATIONS

**1. Heritage Resources (The Policy Plan, Heritage Resources, Objective 1, p. 3)**

**“Objective 1: Identify heritage resources representing all time periods and in all areas of the County.”**

“Policy a: Identify heritage resources well in advance of potential damage or destruction.”

**2. Heritage Resources (Comprehensive Policy Plan, Heritage Resources Objective 3, page 4)**

**“Objective 3: Protect significant historical resources from degradation or damage and destruction by public or private action.”**

#### Cultural Resources Impact:

These parcels were subjected to archival review and were found to have had three architectural sites. These sites appear to be late 19th and early 20th century structures, and are on the Virginia Department of Historic Resources (VDHR) architectural sites listing follows: On Parcel 27 was the Corum House, VDHR architecture number 029-0229, which no longer exists. Parcel 28 contains the Keyes House (ca. 1884-1885), listed on the Fairfax County Inventory of Historic

Sites, and VDHR architecture number 029-0337. On Parcel 29 stands the Newman House, VDHR architecture number 029-0336. Parcel 32 was the location of the Floris Colored School which was demolished in winter of 2006 after the building was deemed unsalvageable, VDHR number 029-0226.

The Historic Preservation Planner at the Department of Planning and Zoning is in consultation with the Trustees of the Mount Pleasant Baptist Church regarding their request to demolish the Keyes House. The Park Authority will support the Historic Preservation Planner's decision in this matter.

FCPA Reviewer: Andy Galusha  
DPZ Coordinator: William O'Donnell

Copy: Cindy Walsh, Director, Resource Management Division  
Liz Crowell, Manager, Cultural Resource Management & Protection Section  
Chron Binder  
File Copy



# County of Fairfax, Virginia

## MEMORANDUM

June 8, 2010

**TO:** William J. O'Donnell Jr. AICP, Planner II  
Zoning Evaluation Division, DPZ

**FROM:** Hugh Whitehead, Urban Forester II *HCW*  
Forest Conservation Branch, DPWES/UFMD

**SUBJECT:** Forest Conservation Branch comments and recommendations

**RE:** Mount Pleasant Baptist Church, SE 2010-HM-008

I have reviewed the above referenced Special Exception application stamped as received by the Zoning Evaluation Division on May 24, 2010. The following comments are based on this review and a site visit conducted on June 7, 2010.

1. **Comment:** Existing mature trees are located on the subject lot near the structure proposed for demolition. Impacts to above and below ground parts of these trees could occur during demolition operations.

**Recommendation:** Require the following information and additions to the plan to enhance the survivability of existing trees given the potential impacts of demolition operations, and address any potential hazards posed by existing trees on the site:

- a. Indicate other elements such as driveway, sidewalk, or other features proposed for demolition with this application.
- b. Show proposed limits of disturbance on the plat that provide adequate clearance for the protection and preservation of existing trees to be preserved.
- c. Show the location of the base of existing trees within 25 feet of the proposed limits of disturbance.
- d. Show the location of proposed tree protection fencing to protect existing trees during demolition operations.
- e. Provide a tree preservation narrative to describe any specific treatments, practices, specifications, or standards that will be used to manage existing trees on the site. The narrative should include, but is not limited to, the following:
  - proposed removal of any dead or potentially hazardous trees on the site
  - proposed pruning to remove portions of trees that may be hazardous such as dead limbs or weak or diseased branches two inches in diameter and larger
  - any maintenance practices, such as mulching or pruning designed to enhance the survivability of trees designated to be preserved on the site

Department of Public Works and Environmental Services  
Land Development Services, Urban Forest Management Division  
12055 Government Center Parkway, Suite 518  
Fairfax, Virginia 22035-5503  
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769  
www.fairfaxcounty.gov/dpwes



Mount Pleasant Baptist Church  
SE 2010-HM-008  
June 8, 2010  
Page 2 of 2

- any application and/or documentation needed to review a proposal for Heritage, Specimen or Memorial status for any tree on the site
  - information, specifications, and graphical details relating to the timing, installation and maintenance of tree protection fencing and signage as provided in PFM Section 12-0703.1
- f. Provide species, quantities, size at time of planting, and type of rootstock for proposed trees to replace any dead or potentially hazardous trees removed on the site.

If there are any questions, please contact me at (703)324-1770.

HCW/  
UFMID #: 150000

cc: RA File  
DPZ File





# County of Fairfax, Virginia

## MEMORANDUM

DATE: July 12, 2010

**TO:** Regina Coyle, Director  
Zoning Evaluation Division

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

**SUBJECT:** Transportation Impact

**FILE:** 3-5 (SE 2010-HM-008)

**REFERENCE:** SE 2010-HM-008; Trustees of Mt. Pleasant Baptist Church  
Land Identification: 15-4 ((1)) 27, 28, 29, and 32

The following comments reflect the position of the Department of Transportation, and are based on the applicant's Statement of Justification dated June 9, 2010 and Special Exception Plat sealed March 11, 2009. Because this review is based in part on the information submitted, use of the site in accordance with this information should be a condition of approval.

The applicant is seeking permission to remove an existing historic structure from the site of an existing Church. The Church has now consolidated all properties served by Squirrel Hill Road. There are no significant transportation issues associated with the application.

AKR/CAA

Michelle Brickner, Director, Office of Site Development Services, Department of Public Works and Environmental Services.



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** May 11, 2010

**TO:** Billy O'Donnell, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Beth Forbes, Stormwater Engineer *By*  
Environmental and Site Review Division  
Department of Public Works and Environmental Services

**SUBJECT:** Special Exception Application #SE 2010-HM-008, Mt. Pleasant Baptist Church, Plat dated March 10, 2009, LDS Project #9470-ZONA-001-1, Tax Map #15-4-01-0027, -0028 & -0029, Hunter Mill District

We have reviewed the subject application and offer the following stormwater management comments.

The applicant has not provided a Stormwater Information Sheet (LTI 06-06). The limits of disturbance are not depicted on the plat (ZO 9-011 paragraph 2.M).

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. Water quality controls are required for this redevelopment (PFM 6-0401.2B), if not waived. No controls are depicted on the plat.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

Stormwater detention is required (PFM 6-0301.3) if not waived. A detention facility is not depicted on the plat. Since there will be a decrease in impervious area, the detention requirement will be met once adequate outfall is demonstrated (LTI 21-88).

Site Outfall

An outfall narrative has not been provided (ZO 9-011.2.J(2)(c)).

Please contact me at 703-324-1720 if you require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES  
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES  
Zoning Application File

Department of Public Works and Environmental Services  
Land Development Services, Environmental and Site Review Division  
12055 Government Center Parkway, Suite 535  
Fairfax, Virginia 22035-5503  
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



## FAIRFAX COUNTY ZONING ORDINANCE

- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
    - (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
    - (b) the maximum permitted FAR for the zoning district shall not be exceeded.
- C. For all approved special exception uses, any request for an addition shall require the provision of written notice by the requester in accordance with the following:
- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
  - (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved special exception, such modification shall require the approval of an amendment to the special exception in accordance with Sect. 014 below or a new special exception.

#### 9-005 **Establishment of Categories**

For purposes of applying specific conditions upon certain types of special exception uses, and for allowing special exception uses to be established only in those zoning districts which are appropriate areas for such uses, all special exception uses are divided into categories of associated or related uses, as hereinafter set forth in this Article 9.

#### 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:

## SPECIAL EXCEPTIONS

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.

**9-007**

### **Conditions and Restrictions**

In addition to those standards set forth in this Article, the Board, in approving a special exception, may impose such conditions and restrictions upon the proposed use as it may deem necessary in the public interest to secure compliance with the provisions of this Ordinance and to protect the viability of the implementation of the adopted comprehensive plan. Such conditions or restrictions may include but need not be limited to a time limitation on the length of the exception in accordance with the provisions of Sect. 008 below and may require the posting of a guarantee or bond in a reasonable amount by the applicant.

**9-008**

### **Time Limitations, Extensions, Renewals**

In addition to the time limits set forth in this Article, the Board may require, as a condition of the approval of any special exception, that it shall be approved for a specified period of time; that it may be subsequently extended for a designated period by the Zoning Administrator; or that it may be periodically renewed by the Board. The procedure of granting an extension or renewal shall be as presented in Sections 012 and 014 below.

## FAIRFAX COUNTY ZONING ORDINANCE

alternative facilities and/or services in existence or approved for construction, and the present and projected utilization of specialized treatment equipment available to persons proposed to be served by the applicant.

- B. Any proposed specialized treatment or care facility has or can provide for a working relationship with a general hospital sufficiently close to ensure availability of a full range of diagnostic and treatment services.
  - C. The proposed facility will contribute to, and not divert or subvert, implementation of a plan for comprehensive health care for the area proposed to be served; such consideration shall take into account the experience of the applicant, the financial resources available and projected for project support and operation, and the nature and qualifications of the proposed staffing of the facility.
- 3. All such uses shall be designed to accommodate service vehicles with access to the building at a side or rear entrance.
  - 4. No freestanding nursing facility shall be established except on a parcel of land fronting on, and with direct access to, an existing or planned collector or arterial street as defined in the adopted comprehensive plan.
  - 5. No building shall be located closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-A through R-4 District.
  - 6. In the R-E through R-5 Districts, no such use shall be located on a lot containing less than five (5) acres.
  - 7. For hospitals, the Board of Supervisors may approve additional on-site signs when it is determined, based on the size and nature of the hospital, that additional signs are necessary in order to provide needed information to the public and that such signs will not have an adverse impact on adjacent properties. All proposed signs shall be subject to the maximum area and height limitations for hospital signs set forth in Article 12. All requests shall show the location, size, height and number of all signs, as well as the information to be displayed on the signs.

9-309

### **Additional Standards for Child Care Centers and Nursery Schools**

- 1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed.
  - For the purpose of this provision, usable outdoor recreation area shall be limited to:
    - A. That area not covered by buildings or required off-street parking spaces.
    - B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.

SPECIAL EXCEPTIONS

- C. Only that area which is developable for active outdoor recreation purposes.
  - D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.
2. All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

Number of Persons	Street Type
1-75	Local
76-660	Collector
660 or more	Arterial

- 3. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.
- 4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

9-310

**Additional Standards for Private Schools of General Education and Private Schools of Special Education**

- 1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area for a private school of general education shall be of such size that:
  - A. 200 square feet of usable outdoor recreation area shall be provided for each child in grades K-3 that may use the space at any one time, and
  - B. 430 square feet of usable outdoor recreation area shall be provided for each child in grades 4-12 that may use the space at any one time.

Such usable outdoor recreation area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

- A. That area not covered by buildings or required off-street parking spaces.
- B. That area outside the limits of the required front yard.
- C. Only that area which is developable for active outdoor recreation purposes.

## 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 116 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		