



APPLICATION ACCEPTED: September 30, 2014  
ADMIN. MOVED AT APPLICANTS REQUEST  
BOARD OF ZONING APPEALS: June 10, 2015 @ 9:00 a.m.

# County of Fairfax, Virginia

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June 3, 2015

## STAFF REPORT

**SPECIAL PERMIT AMENDMENT SPA 79-D-141-02**

### DRANESVILLE DISTRICT

**APPLICANT/OWNER:** McLean Islamic Center

**STREET ADDRESS:** 8800 Jarrett Valley Drive, Vienna, 22182

**TAX MAP REFERENCE:** 29-1 ((1)) 10A

**LOT SIZE:** 1.67 acres

**F.A.R.:** 0.073

**ZONING DISTRICT:** R-1

**PLAN MAP:** Residential, 1-2 du/ac

**ZONING ORDINANCE PROVISION:** 8-301

**SPECIAL PERMIT PROPOSAL:** Amend previously approved special permit for a place of worship to permit a change in permittee and site modifications.

### STAFF RECOMMENDATION:

Staff recommends approval of SPA 79-D-141-02 subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

*Laura B. Arseneau*

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals (BZA). A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

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

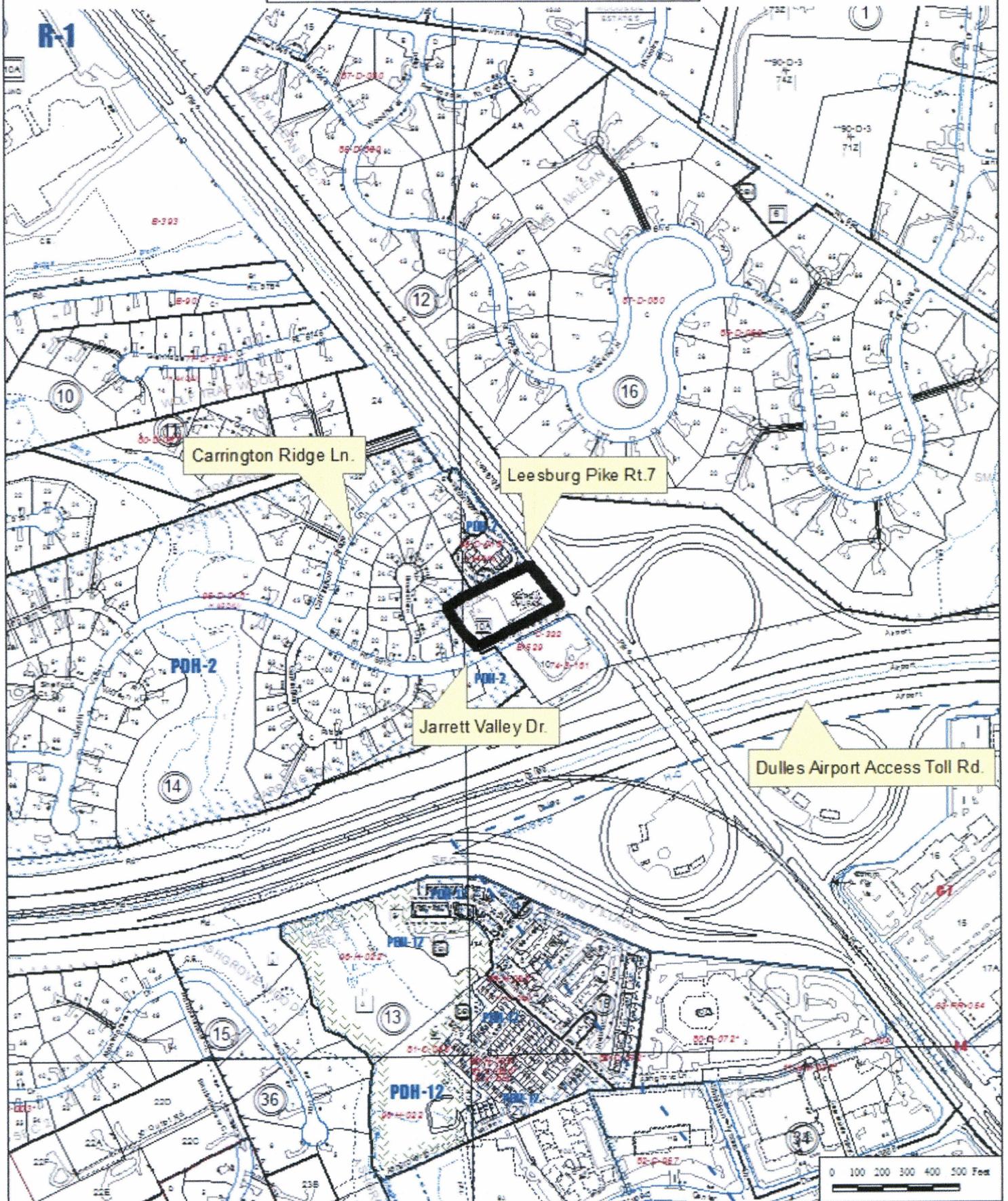
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505**



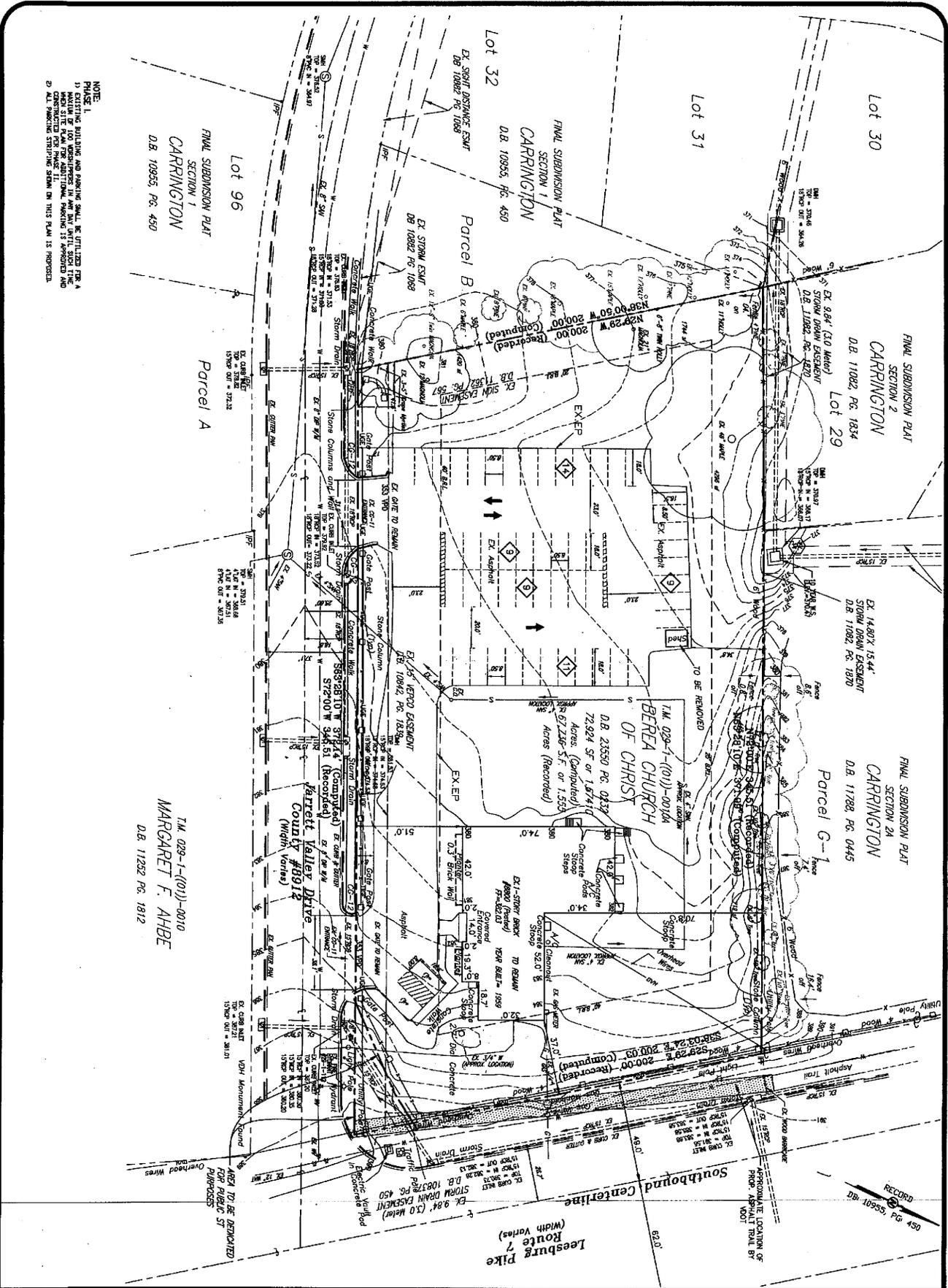
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit Amendment

SPA 79-D-141-02  
MCLEAN ISLAMIC CENTER







NOTE:  
 PHASE I  
 1) EXISTING BUILDING AND PARKING SHALL BE UTILIZED FOR A  
 MAXIMUM OF FOUR MONTHS IN AN EFFORT TO COMPLETE THE  
 CONSTRUCTION FOR PHASE II. ALL WORK SHALL BE COMPLETED  
 2) ALL PROPOSED STRIPING SHALL BE IN THIS PLAN IS PROPOSED.

FINAL SUBDIVISION PLAT  
 SECTION 1  
 CARRINGTON  
 D.B. 10955, PG. 450

T.M. 029-1-(01)-0010  
 MARGARET F. AHBE  
 D.B. 11232 PG. 1812

DATE	6/24/2014
SCALE	1" = 20'
DRAWN BY	CAB/AV
CHECKED BY	MM
DRAWING NO.	828
SHEET	2 OF 6

**PROFESSIONAL DESIGN GROUP, INC.**  
 4124 WALNEY ROAD, SUITE M  
 CHANTILLY, VIRGINIA 20151  
 ENGINEERS, SURVEYORS, CONSULTANT  
 PHONE (703) 631-2344  
 FAX (703) 376-2102



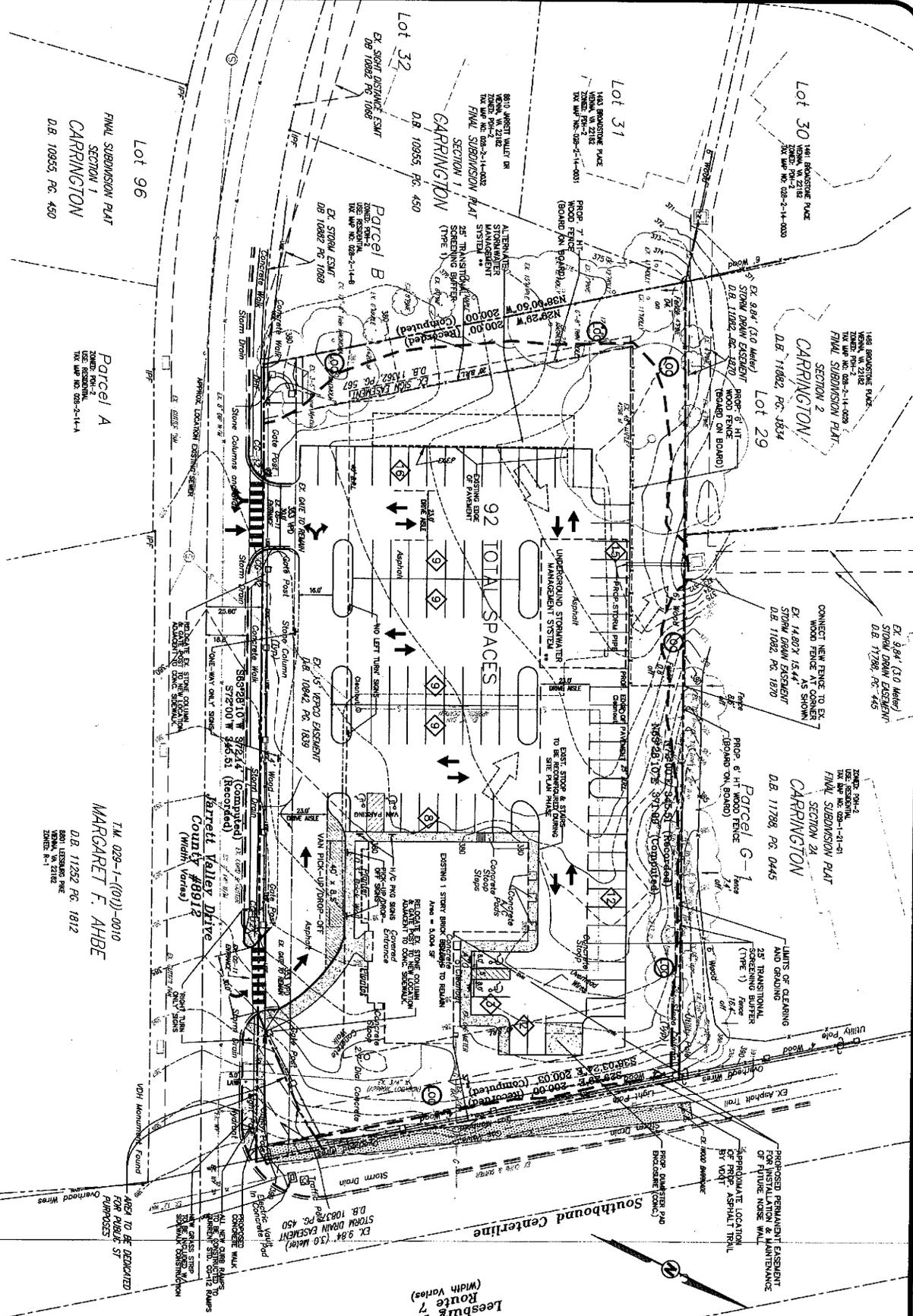
SPECIAL PERMIT AMENDMENT PLAN PHASE I  
**8800 JARRETT VALLEY DRIVE  
 MCLEAN ISLAMIC CENTER**  
 DRANESVILLE DISTRICT  
 FAIRFAX COUNTY, VA

NO.	DATE	DESCRIPTION	BY
1	02/23/15	REV. DRIVEWAY LAYOUT	HM/NO
2	04/17/15	LFMD + PARKING REV.	HM/NO
3	05/20/15	LFMD + TRANSPORT COMMENTS	HM/NO

REVISION BLOCK

NOTE:  
D ALL PROPOSED STOPS WILL BE INCLUDING BOARDERS

⇐ DENOTES OVERLAND RELIEF



Parcel A  
ZONED RPH-2  
USE RESIDENTIAL  
EX. 10935, PG. 450

T.W. 029-1-(001)-0010  
MARGARET F. AHBE  
D.B. 11292 PG. 1812

**PROFESSIONAL DESIGN GROUP, INC.**  
4124 WALNEY ROAD, SUITE M  
CHANTILLY, VIRGINIA 20151  
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FAX (703) 376-2122



SPECIAL PERMIT AMENDMENT PLAN PHASE II  
**8800 JARRETT VALLEY DRIVE  
MCLEAN ISLAMIC CENTER**  
DRAVESVILLE DISTRICT      FAIRFAX COUNTY, VA.

NO.	DATE	DESCRIPTION	BY
1.	02/23/15	REV. DRIVEWAY LAYOUT	HM/AO
2.	04/17/15	UFMD + PARKING REV.	HM/AO
3.	05/20/15	UFMD + TRANSPORT COMMENTS	HM/AO

DRAWING NO: **828**  
SHEET **3** OF **6**

LEGEND

SYMBOL	DESCRIPTION	AREA	TOTAL
○	EXISTING TREE TO BE SAVED & PROTECTED IN PLACE, DEPENDING ON THE TREE'S HEALTH AND LOCATION	500	500
○	PROPOSED TREE TO BE PLANTED FOR LANDSCAPING	850	850
○	UNIDENTIFIED/UNKNOWN SPECIES TREE	100	1100
○	CANOPY TREE - Category I	180	300
○	CANOPY TREE - Category II	200	500
○	EXPANDED TREE - Category III	150	420
○	EXPANDED TREE - Category IV	200	1800
○	PROPOSED SHRUBS, PERENNIALS & GRASSES		1200

Parcel B  
 92 TOTAL SPACES  
 UNDERGROUND STORMWATER MANAGEMENT SYSTEM  
 ALTERNATIVE STORMWATER MANAGEMENT SYSTEM (TYPE 1)  
 25' TRANSITIONAL SCREENING BUFFER (TYPE 1)  
 25' TRANSITIONAL SCREENING BUFFER (TYPE 1)

Lot 30  
 148 PROPOSED PACE  
 SECTION 2  
 FINAL SUBDIVISION PLAT  
 D.B. 74822 PG. 4834

Parcel G-1  
 D.B. 11788 PG. 0445

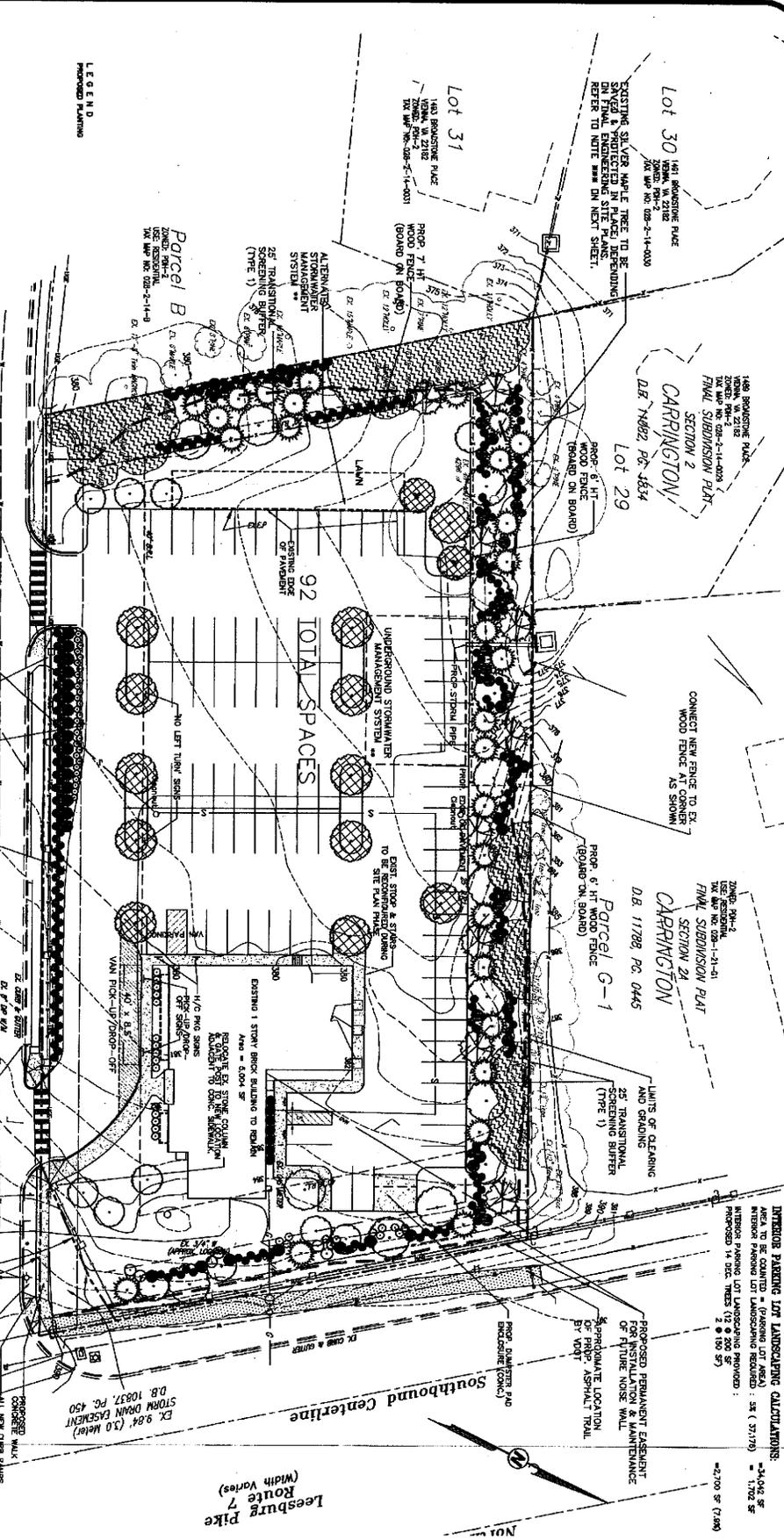
Parcel G-2  
 D.B. 11788 PG. 0445

Parcel G-3  
 D.B. 11788 PG. 0445

Parcel G-4  
 D.B. 11788 PG. 0445

Parcel G-5  
 D.B. 11788 PG. 0445

Parcel G-6  
 D.B. 11788 PG. 0445



INTERIOR PARKING LOT LANDSCAPING CALCULATIONS:  
 AREA TO BE COMPLETED (PARKING LOT AREA) = 1,702 SF  
 INTERIOR PARKING LOT LANDSCAPING REQUIRED: 3% (51.17%) = 1,702 SF  
 PROPOSED 14 DEC TREES (12 @ 200 SF & 2 @ 100 SF) = 2,800 SF

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3.	05/20/15	UFMD + TRANSPORT COMMENTS	HM/JO

J.M. 029-1-(001)-0010  
 MARGARET F. AHBE  
 D.B. 11222 PG. 1812  
 6801 LEBBURG PIKE  
 VINTAGE, VA 22128

Barrett Valley Drive  
 County #8912  
 (Width Varies)

Leeburg Pike  
 Route 7  
 (Width Varies)

Southbound Centerline

PROPOSED PERMANENT EASEMENT OF FUTURE HOSE WALL APPROPRIATE LOCATION OF FUTURE ASPHALT TRAIL BY 100'

EXISTING 1 STORY BRICK BUILDING TO REMAIN  
 AREA = 6,000 SF  
 1/2" PINS SIZES  
 REDUCE 1/2" FOR THE COLUMN  
 REDUCE 1/2" FOR THE COLUMN  
 REDUCE 1/2" FOR THE COLUMN

EX. 9-64' (30 Meter)  
 STORM DRAIN EASEMENT  
 D.B. 10837 PG. 450

PROPOSED PERMANENT EASEMENT OF FUTURE HOSE WALL APPROPRIATE LOCATION OF FUTURE ASPHALT TRAIL BY 100'

PROPOSED PERMANENT EASEMENT OF FUTURE HOSE WALL APPROPRIATE LOCATION OF FUTURE ASPHALT TRAIL BY 100'

PROFESSIONAL DESIGN GROUP, INC.  
 4224 WALNUT ROAD, SUITE M  
 CHANTILLY, VIRGINIA 20151  
 ENGINEERS, SURVEYORS, CONSULTANT  
 PHONE (703) 631-2344  
 FAX (703) 378-2102

LANDSCAPE PLAN  
 8800 JARRETT VALLEY DRIVE  
 MCLEAN ISLAMIC CENTER  
 BRANESVILLE DISTRICT  
 FAIRFAX COUNTY, VA

REVISION BLOCK

NO.	DATE	DESCRIPTION	BY
1.	02/23/15	REV. DRIVEWAY LAYOUT	HM/JO
2.	04/17/15	UFMD + PARKING REV.	HM/JO
3.	05/20/15	UFMD + TRANSPORT COMMENTS	HM/JO

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**THIS SHEET TO BE USED FOR LANDSCAPING PLAN PURPOSES ONLY**

1. ALL EFFORTS WILL BE MADE TO SAVE THE EXISTING 45' S.W. QUARTER LOTS IN THE SOUTHWEST CORNER OF THE PROJECT FOR FUTURE USE TO BE DETERMINED AT A LATER DATE. THE SOUTHWEST CORNER OF THE PROJECT IS NOT TO BE USED FOR LANDSCAPING PLAN PURPOSES ONLY.

Item	Description	Quantity	Unit	Notes
A.1	Tree Preservation Targets and Statements			See 13-00773 for list of required trees and statement of preservation plan.
B. Tree Category Requirements				
B1	Identification of trees	877,86.00	Sq. Ft.	13-00773
B2	Subtotal area of trees to be preserved	3400	Sq. Ft.	13-00773
B3	Subtotal area of trees to be removed	0	Sq. Ft.	13-00773
B4	Adjusted area of trees to be preserved	877,86.00	Sq. Ft.	13-00773
B5	Adjusted area of trees to be removed	0	Sq. Ft.	13-00773
B6	Percentage of 1/2-acre tree canopy preserved	30%	%	13-00773
B7	Percentage of 1/2-acre tree canopy removed	0%	%	13-00773
B8	Adjusted area of trees to be preserved	877,86.00	Sq. Ft.	13-00773
B9	Adjusted area of trees to be removed	0	Sq. Ft.	13-00773
C. Tree Preservation				
C1	Total area of trees to be preserved	877,86.00	Sq. Ft.	13-00773
C2	Total area of trees to be removed	0	Sq. Ft.	13-00773
C3	Total area of trees to be preserved	877,86.00	Sq. Ft.	13-00773
C4	Total area of trees to be removed	0	Sq. Ft.	13-00773
C5	Total area of trees to be preserved	877,86.00	Sq. Ft.	13-00773
C6	Total area of trees to be removed	0	Sq. Ft.	13-00773
C7	Total area of trees to be preserved	877,86.00	Sq. Ft.	13-00773
C8	Total area of trees to be removed	0	Sq. Ft.	13-00773
C9	Total area of trees to be preserved	877,86.00	Sq. Ft.	13-00773
C10	Total area of trees to be removed	0	Sq. Ft.	13-00773

**Notes**

- ALL LANDSCAPE PLANT MATERIALS SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD OF HEDERBY AND QUANTITY OF PLANTS, TREES TO HAVE AND TREE SPECIES OR VARIETY.
- LANDSCAPE PLANT MATERIALS SHALL BE PLANTED IN THE ASSOCIATION OF THE NATIONAL SOCIETY OF LANDSCAPE ARCHITECTS, THE NATIONAL SOCIETY OF LANDSCAPE ARCHITECTS, THE NATIONAL SOCIETY OF LANDSCAPE ARCHITECTS, THE NATIONAL SOCIETY OF LANDSCAPE ARCHITECTS.
- NO LANDSCAPING MATERIAL MAY BE PLANTED WITHIN 4 FEET OF ANY FIRE HOUSING OR SPARK CONNECTION.
- NO TREES MAY BE PLANTED WITHIN 4 FEET OF ANY FIRE HOUSING OR SPARK CONNECTION.
- SPRINKLER WHICH ARE UNCHARGED IN NATURE SHALL BE A MINIMUM OF 1/2" IN DIAMETER AND SHALL BE PLANTED IN THE TIME OF PLANTING.
- CONTRACTOR TO COORDINATE WITH URBAN FORESTRY BRANCH OF THE LANDSCAPING SERVICE DIVISION AT THE PROJECT.
- PROVIDED BY LANDSCAPER.

Buffer Area and Landscaping Requirements	Required	Proposed
Buffer Area - North	Transitional Screening 8' - 25' width	Buffer Type F
Buffer Area - South	Transitional Screening 8' - 25' width	Buffer Type F
Buffer Area - East	Transitional Screening 8' - 25' width	Buffer Type F
Buffer Area - West	Transitional Screening 8' - 25' width	Buffer Type F

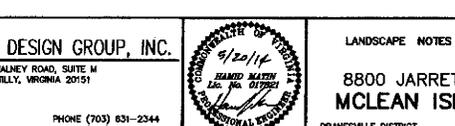
Property Line	Required	Proposed
North	10' Buffer	10' Buffer
South	10' Buffer	10' Buffer
East	10' Buffer	10' Buffer
West	10' Buffer	10' Buffer

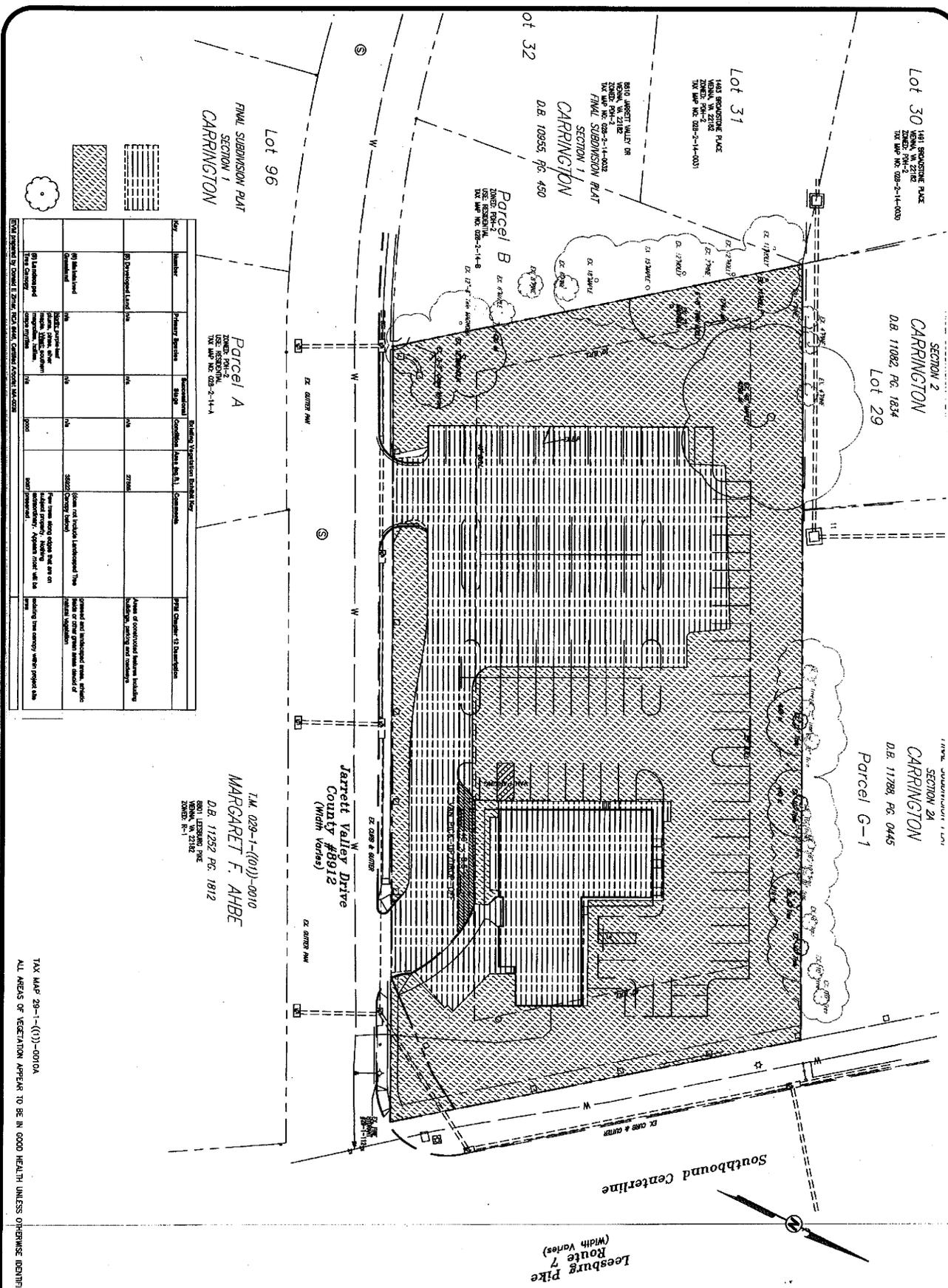
**Professional Design Group, Inc.**

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LANDSCAPE NOTES AND COMPUTATIONS  
 8800 JARRETT VALLEY DRIVE  
 MCLEAN ISLAMIC CENTER  
 DRANESVILLE DISTRICT  
 FAIRFAX COUNTY, VA

NO.	DATE	DESCRIPTION	BY
1.	02/23/15	REV. DRIVEWAY LAYOUT	HM/NO
2.	04/17/15	REV. DRIVEWAY LAYOUT	HM/NO
3.	05/20/15	URUD. + TRANSPORT COMMENTS	HM/NO





Lot 30  
1411 BROADSTONE PLACE  
VENNA, VA 22182  
TAX MAP NO. 029-2-1-1-003

Lot 31  
1413 BROADSTONE PLACE  
VENNA, VA 22182  
TAX MAP NO. 029-2-1-1-003

Parcel B  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel A  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-1  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-2  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-3  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-4  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-5  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-6  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-7  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-8  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-9  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-10  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Item	Number	Priority	Remarks	Condition	Notes
1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
7	7	7	7	7	7
8	8	8	8	8	8
9	9	9	9	9	9
10	10	10	10	10	10

Parcel A  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel B  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-1  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-2  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-3  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-4  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-5  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-6  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-7  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-8  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-9  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-10  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Jarrett Valley Drive  
County #8912  
(Width Varies)

Leesburg Pike  
Route 7  
(Width Varies)

Southbound Centerline

Parcel A  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel B  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-1  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-2  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-3  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-4  
ZONED R-1  
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Parcel G-5  
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TAX MAP NO. 029-2-1-1-003

Parcel G-9  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

Parcel G-10  
ZONED R-1  
TAX MAP NO. 029-2-1-1-003

TAX MAP 29-1-(1)-001A  
ALL AREAS OF VEGETATION APPEAR TO BE IN GOOD HEALTH UNLESS OTHERWISE IDENTIFIED.

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EXISTING VEGETATION MAP  
8800 JARRETT VALLEY DRIVE  
MCLEAN ISLAMIC CENTER  
DRAHMSVILLE DISTRICT  
FAIRFAX COUNTY, VA.

DATE: 02/21/15  
DRAWN BY: CHB/15  
CHECKED BY: CHB/15  
SCALE: 1" = 20'  
JOB NO.: 828  
SHEET 5 OF 6

NO.	DATE	DESCRIPTION	BY
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2	04/17/15	UFMD + PARKING REV.	HM/YO
3	05/20/15	UFMD + TRANSPORT COMMENTS	HM/YO

REVISION BLOCK



## **DESCRIPTION OF THE APPLICATION**

The applicant seeks to amend special permit SP 79-D-141, previously approved for a place of worship, to permit a change in permittee and development conditions as well as site modifications to allow an increase in parking spaces. There will be no new construction or exterior alterations to the existing building.

A copy of the special permit plat titled "8800 Jarrett Valley Drive, McLean Islamic Center" prepared by Hamid Matin, P.E., dated June 24, 2014 and revised through May 20, 2015, is included at the front of the staff report. A detailed description of the request begins on Page 3.

## **SPECIAL PERMIT AMENDMENT**

The applicant is requesting approval of a special permit amendment for a previously approved place of worship to permit a change in permittee and development conditions, along with minor site modifications. The applicant proposes two phases for development. Phase I will consist of upgrading the interior of the existing church only. The maximum number of worshipers during Phase I will be 100 and the parking lot will remain unchanged with the existing 52 parking spaces maintained. Phase II includes an expansion to 200 worshippers and an increase to 92 parking spaces. Additional site improvements during Phase II include additional plantings and fencing to provide enhanced transitional screening and barriers, a change in vehicular circulation and new signage. The applicant will also dedicate right-of-way along Route 7 for a future noise wall, as required by the Virginia Department of Transportation (VDOT).

The applicant also proposes to offer religious education classes and community uses in the building.

### **Hours of Operation, Estimated Number of Attendees/Employees:**

<u>Hours of Operation:</u>	9:00 a.m. - 10:00 pm, 7 days a week 9:00 a.m. – 11:00pm, special events/ holidays
<u>Monday-Thursday:</u>	80 worshipers
<u>Fridays:</u>	200 worshipers
<u>Saturday-Sunday:</u>	100 worshipers/students
<u>Prayer Service Times on Friday:</u>	11:00 a.m., 12:30 p.m., and 2:00 p.m.
<u>Employees:</u>	2 employees

### **Waivers and Modifications**

The applicant is requesting a modification of the transitional screening requirement on the southern property line along Jarrett Valley Drive. The

applicant is proposing to retain existing vegetation along in that location and to supplement with additional plantings. Additional discussion of the modification request is provided in a later section of this report.

**CHARACTER OF THE SITE AND SURROUNDING AREA**

The subject property is developed with a single story place of worship that contains 4,793 square feet of gross floor area and has an approved occupancy of 200 people, which was formally established via special permit in 1979.



Figure 1- Aerial View of Property

A 52 space parking lot is located to the west of the building. There are two

vehicular entrances into the parking lot from Jarrett

Valley Drive. Evergreen vegetation is planted along the eastern perimeter of the site along Leesburg Pike. Deciduous and mature evergreen vegetation are located along the western perimeter, adjacent to the single family homes on Broadstone Place.

A wood and stone fence is located along the southern property line and a wood fence is located along the eastern property line.

The subject property is located on a corner lot at northwest corner of the intersection of Leesburg Pike and Jarrett Valley Drive. The surrounding land uses are listed in the following table:

SURROUNDING AREA DESCRIPTION		
Direction	Use	Zoning
North	Residential, Private open space	PDH-2
South	Residential, Single Family Detached (across Jarrett Valley Drive)	R-1
East	VDOT ROW for exit ramp from Toll Road	n/a
West	HOA owned open space	R-1

## Background

- **1959-** A place of worship was established on the property by-right, based on the Zoning Ordinance in effect at that time.
- **1960s-** An addition to the place of worship was constructed by-right on the property based on the Zoning Ordinance in effect at that time. Staff believes that after this expansion took place that the number of seats was increased to 200 in light of the documentation mentioned earlier in this report (Appendix 4).
- **July 31, 1979-** The Board of Zoning Appeals (BZA) approved SP 79-D-141 (aka S-141-79) to permit building additions to the existing church, to consist of a new roof on part of the building and a large addition. The addition was never completed; however, this Special Permit brought the church under special permit approval with development conditions and still governs the existing church building. It appears that during this expansion the number of seats was increased to 200. The Zoning Administrator reported to the Board of Zoning Appeals at the time that "there will be no change in the sanctuary capacity, which has seating for 200 persons" (Appendix 4). The memorandum further states that the applicant must provide an additional 10 parking spaces as the zoning requirements had been changed to provide a ratio of 1 parking space per 4 seats instead of 1 parking space per 5 seats. A copy of the approved resolution, approved plat and documentation are included in Appendix 5.
- **July 1, 2003-** The BZA approved SPA 79-D-141 to amend SP 79-D-141, to permit a child care center, nursery school and building addition. In addition, the BZA carried forth the maximum occupancy limit of 200 seats. Construction never commenced and the use was not established within the 30 month deadline given (January 1, 2006). Therefore the special permit amendment expired and is no longer valid. A copy of the approved resolution and plat is included in Appendix 5.
- **September 27, 2004-** The Department of Planning and Zoning staff responded to an interpretation request from the applicant to modify the transitional screening along Jarrett Valley Drive approved with SPA 79-D-141 (Appendix 6). The applicant noted that the proposed trees were located in a 15 foot wide Dominion Virginia Power easement, which is not permitted; therefore they were proposing to provide shrubs. Staff found that the proposed revision was in substantial conformance with the approved SPA 79-D-141 plat and the request was approved.
- **June 6, 2006-** The BZA approved an additional time request for one year which extended the time to establish the use and complete construction to January 1, 2007 (Appendix 7). There is no record of the use being established by that time. Therefore, the restrictions for a place of worship on this property revert to the previous approval of SP 79-D-141.

The existing building and expansion have been used as a place of worship since the 1960s. Staff has confirmed that the last service in this place of worship occurred in August 2013.

**Comprehensive Plan Provisions**

<b>Plan Area:</b>	II
<b>Planning District:</b>	McLean Planning District
<b>Planning Sector:</b>	Wolf Trap Community Planning Sector (M7)
<b>Plan Map:</b>	Residential, 1-2 du/ac

**Description of SPA Plat:*****Existing Layout/Vehicle Access/Circulation***

The applicant's Special Permit Amendment Plat shows the existing 4,793 square foot place of worship building and addition located on the eastern portion of the site. Vehicular access is provided from Route 7 via Jarrett Valley Drive. Two vehicle access points are provided on the southern property line of the site along Jarrett Valley Drive.

A 52 space parking area is located to the west of the building. A large open grassy area is located between the building and the parking area and extends behind the rear of the building.

***Existing and Proposed Parking***

The parking tabulations on Sheet 1 of the SPA Plat show that the existing parking area meets the ordinance requirement for religious assembly. The 200 seats generate the need for 50 spaces, a ratio of four seats per one parking space.

The applicant is proposing to provide 100 seats and 52 parking spaces in Phase I, which is a ratio of 1.92 seats to 1 parking space. In Phase II, the applicant is requesting 200 seats and 92 parking spaces, a ratio 2.17 to 1.

Two handicapped parking spaces are proposed to the west of the building and two handicapped spaces will be provided to the northeast of the building, for a total of four.

***Proposed Pedestrian Circulation***

A concrete walkway is proposed around the perimeter of the building. A proposed sidewalk along the front of the building will connect to the existing sidewalk along Jarret Valley Drive. The SPA plat also shows a proposed sidewalk expansion from the eastern vehicular entrance on Jarret Valley Drive east to the pedestrian walkway along Route 7.

### ***Landscaping and Open Space***

While no minimum open space requirement is specified for a place of worship in the R-1 District in the Zoning Ordinance, the applicant is providing 35% (0.58 acres), primarily through the preservation of the northern and western portions of the site. Sheet 4 of the SPA Plat shows the proposed planting concept for the site, which includes in the transitional screening areas along all property lines and parking lot landscaping. Significant landscape plantings consisting of evergreen and deciduous understory trees and additional shrubs are provided around the periphery of the limits of clearing and along the northern property line.

The planting plan on Sheet 5 of the SPA plat shows the applicant will exceed the tree canopy cover and interior parking lot planting requirements. Modifications of the transitional screening and barrier requirements are being requested along the southern property line of the site. These are discussed in greater detail in the Urban Forestry analysis and waivers sections, below.

### ***Existing and Proposed Stormwater Management***

Currently, there are no stormwater management facilities on the property and stormwater flows from the site via sheet flow to an existing yard inlet located on an adjacent property to the north. As part of this application the applicant will be installing a stormwater management system.

The stormwater management (SWM) narrative on Sheet 6 of the SPA Plat indicates that stormwater for the site will be accommodated by an underground detention and infiltration facility that ties into an existing close pipestem for the Carrington Subdivision via an underground pipe. That system ultimately outfalls into the Old Courthouse Spring Branch with a pipe extension to an existing yard inlet located on the adjacent property to the north of the site. Final approval of the stormwater management system for adequate quantity and quality (BMPs) controls will be made by the Department Public Works and Environmental Services (DPWES) at the time of site plan review.

## **ANALYSIS**

### **Transportation Analysis (Appendix 8)**

#### *Phase II Construction and Extension of Route 7 Left Turn Lane*

Upon initial review, staff was concerned about adequate vehicle storage space provided in the left turn lane from Route 7 westbound to Jarrett Valley Drive. If the increase in left turns at this intersection were to exceed the storage capacity of the turn lane, vehicles could back up westbound traffic on Route 7.

In order to address this concern and mitigate the effect of the additional trips, Staff recommended that Phase II of the applicant's proposed construction, which

includes the expanded parking area, and increase to 200 seats be predicated on the completion of VDOT's Route 7 bridge construction project over the Dulles Toll Road. This project, estimated completion in winter 2018, will extend the left turn lane from Route 7 westbound onto Jarrett Valley Drive. The storage space for turning vehicles will be increased to 400 feet, and it is staff's opinion that this additional capacity will adequately accommodate the increased traffic from the Phase II expansion to 200 seats and 92 parking spaces. Accordingly, development condition has been proposed that limits the expansion of the parking area and increase in worshippers until the Route 7 bridge project is complete. With the exception of this condition, staff believes that this concern has been satisfactorily addressed.

#### *Right-In-Only Entrance*

The existing easternmost entrance is located approximately 90 feet from Route 7. Staff recognized that the traffic could create a vehicular cue waiting to enter the property along Jarrett Valley Drive that could backup onto Route 7.

In order to ameliorate this condition, FCDOT recommended that this access point be restricted to right turns in only. The applicant has agreed to this restriction and proposes to reconstruct the entrance and provide signage to preclude all other movements except for the right-in. With the adoption of this development condition, staff believes this concern has been satisfactorily addressed.

#### *Right of Way Easement*

The Virginia Department of Transportation (VDOT) has proposed the installation of a noise wall along Route 7 and right of way at the corner of Route 7 and Jarrett Valley Drive.

Staff recommends that the permanent easement and right-of-way dedication be provided at the time of site plan approval. A development condition has been included to this effect.

#### *Sidewalk Extension*

Staff also notes that the applicant proposes a 5 foot wide sidewalk from the corner of Route 7 and Jarrett Valley Drive to the northernmost right-in-only entrance. Staff supports the sidewalk extension.

### **DPWES- Urban Forestry Management Division (Appendix 9)**

#### *Transitional Screening*

Staff notes that the applicant is requesting a modification of the transitional screening and barrier requirements along the southern, northern, and eastern property boundaries in favor of the existing vegetation and plantings as shown on the SPA plat. Staff has included a development condition that memorializes this

modification. Additional discussion of the request is proposed in the waivers section of this report.

#### *Preservation of Silver Maple Tree*

Staff also recommended that the applicant preserve and protect a 48-inch diameter silver maple tree in the northwest portion of the property. Staff has included a development condition to ensure preservation and protection of the tree.

### **DPWES- Stormwater (Appendix 10)**

#### *Water Quality Control*

DPWES found that the applicant has yet to provide adequate documentation that the proposed storm water management system will adequately provide water quality control for this site. However, these calculations can be provided during site plan review and with the delineation of an alternate location for the stormwater management system shown on the plan, staff believes these issues have been addressed. Staff has proposed a development condition that if the proposed low-impact BMPs do not meet water quality requirements, additional BMPs shall be incorporated during site plan review in substantial conformance with the special permit amendment plat.

#### *Downstream Drainage System*

Staff found that an outfall narrative is provided, but that no computations are provided. Staff asks that a detailed outfall narrative be provided during site plan analysis. This will need to be provided during site plan review.

### **Comprehensive Plan Analysis (Appendix 11)**

#### *Best Management Practices (BMP)*

Staff recommends that implementation of BMPs include recharging of groundwater, preservation of open space, and contribution to ecological diversity by the creation of wetlands. Staff notes however, there are other acceptable solutions and believes the applicant is providing adequate BMPs by providing an underground stormwater management system.

### **Land Use Analysis**

The property is surrounded on the west and south by residential dwellings and to the west by private open space abutting detached residential dwellings. As a community use, places of worship are permitted in residential zoning districts by special permit or special exception and are generally compatible with residential areas. It is staff's opinion that the proposal is in conformance with the Comprehensive Plan recommendations for the area.

**OTHER ZONING ORDINANCE PROVISIONS**

<b>R-1 DISTRICT REGULATIONS</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Lot Size</b>	36,000 square feet	1.67 acres
<b>Lot Width</b>	150 feet	200 feet
<b>Building Height</b>	60 feet	Less than 60 feet
<b>Front Yards</b>	50° ABP but not less than 40 feet	37 feet <sup>1</sup> to front property line along Route 7; 51.0 feet to front property line along Jarrett Valley Drive
<b>Side Yard</b>	45° ABP but not less than 20 feet	70.8 feet
<b>Rear Yard</b>	45° ABP but not less than 25 feet	> 25 feet
<b>FAR</b>	Maximum of 0.15	0.073
<b>Parking</b>		
<b>Parking Spaces</b>	Phase 1-25 spaces Phase 2- 50 spaces <sup>2</sup>	Phase 1- 52 spaces Phase 2- 92 spaces

1. The church was legally constructed in 1959, with a legal addition in the 1960s, prior to the effective date of the ordinance.

2. The required parking for a place of worship is one space per four seats.

As shown in the previous chart, the proposal conforms to the minimum bulk regulations for the R-1 District.

**Waivers/Modifications**

Modification of the landscaping buffer requirement and transitional screening requirements along Jarrett Valley Drive in favor of the plantings shown on the SPA plat.

The applicant is limited to the type and height of landscaping used for transitional screening due to an existing Dominion Power easement. Staff believes that the existing and proposed vegetation, along with the large off-site evergreen trees, located on the residential property south of Jarrett Drive, provide adequate screening and do not create an adverse effect on the development of adjacent land. Therefore, staff supports the modification.

## ZONING ORDINANCE REQUIREMENTS

### Special Permit Requirements (Appendix 13)

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

### General Standards (Sect. 8-006)

*1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.*

The Comprehensive Plan recommends low density single family, detached in a residential use in the vicinity of the site. Places of worship are permitted in residential areas with special permit approval. The proposed place of worship meets the required intent of the Comprehensive Plan in a residential district. Staff believes that the scale of the proposed use is 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.*

The purpose and intent of the R-1 Zoning District is to promote residential uses and to allow other selected uses, including places of worship that are compatible with the character of the district. Staff believes that with the adoption of the development conditions, the proposed place of worship is compatible with the residential character of the district and is therefore in harmony with the general purpose and intent of the R-1 District.

*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.*

The proposed use will be located within an existing one-story former church structure on a corner lot. No exterior changes are proposed to the existing place of worship building. In addition, the applicant is complimenting existing transitional screening with additional landscaping along all property lines. The applicant is requesting modifications of in the transitional screening and buffering requirement along the southern property line due to limited space to install landscaping and existing screening on neighboring properties. Staff supports this modification request.

<b>Transitional Screening and Barrier Requirements</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
<b>North (PDH-2 attached)</b>	T/S 1 - 25 feet in width, planted with evergreen trees or a mixture of evergreen and deciduous trees	25 foot screening buffer (proposed in phase II)
<b>PDH-2 Detached</b>	None	25 foot screening buffer-landscaping and fencing (proposed in phase II)
<b>East (Ramp to Toll Road)</b>	None	Landscaped plantings as shown on the plat
<b>West (PDH-2, open space)</b>	None	25 foot screening buffer-landscaping and fencing (proposed in phase II)
<b>South (R-1, single family residential detached)</b>	None	Landscaping in the form of shrubs as shown on plat
<b>Barrier</b>		
<b>North (PDH-2 Single Family Residential, Attached)</b>	Barrier A- a 42-48 inch wall, brick or architectural block faced on the side facing the existing use Or Barrier B- A 42-48 inch solid wood or otherwise architecturally solid fence	6 foot high wood fence
<b>PDH-2 Single Family Residential, Detached</b>	None	6 foot high wood fence
<b>South (R-1, single family residential detached)</b>	None	Existing 4 foot high fence to remain
<b>East (Ramp to toll Road)</b>	None	Existing 4 foot high fence to remain
<b>West (PDH-2, open space)</b>	None	6 foot high wood fence

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.*

The applicant has provided a traffic analysis and a parking management plan (PMP) that has been reviewed by transportation staff. It should be noted that the PMP was provided voluntarily by the applicant, but is not a requirement.

The Parking Management Plan (PMP) outlines their methodology for reducing trips and minimizing the effect of any increased vehicular traffic on the neighborhood (Appendix 12). The PMP proposed by the applicant includes:

- Appointment of a Transportation Coordinator and volunteers, who will be present on the subject property during all Friday prayer service and anytime more than 50 cars are anticipated to be present. The Traffic Coordinator will assist with minimizing or eliminating vehicular cues on Jarrett Valley Drive.
- Provision the Transportation Coordinator's name and contact information to the nearby homeowners associations and Dranesville District Supervisor.
- Restriction of parking on the subject property to vehicles with two or more occupants only, except disabled or elderly.
- Provision of a shuttle bus or other method to bring worshippers in from off-site locations.
- Prohibition of congregants parking on Jarret Valley Drive or nearby neighborhood streets.

It should be noted that staff does not make a recommendation or formally approve the proposed PMP, but has included a development condition which ensures the applicant will have a parking management plan. In order to provide flexibility to adapt as conditions warrant, a development condition is proposed which requires the applicant to maintain the parking management plan, but does not dictate the precise terms. The condition makes clear, however, that the objective of the PMP is to mitigate negative effects on the surrounding neighborhood from any spillover of parking and traffic.

Overall, staff finds that the application meets transportation and parking requirements outlined in the zoning ordinance. Staff believes that the timing of the worship services during midday on Fridays, the amount of time between each service for entrance and exit of traffic, the right turn-in only access point mentioned earlier, and restricting the increase of parking spaces and worshippers after the Route 7 bridge expansion project, will mitigate any traffic related concerns. Staff believes that the imposition of the development conditions ensure any increase in vehicular traffic will be not be hazardous or conflict with either the existing or anticipated traffic in the neighborhood.

*5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.*

The applicant is proposing additional landscaping and screening along all property lines that comply with the Zoning Ordinance. The applicant is requesting waivers along Jarrett Valley Drive for transitional screening and barrier requirements. Staff supports the waiver requests and believes the applicant meets this provision.

*6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.*

The R-1 Zoning District does not specify an open space requirement, therefore, General Standard 6 is not applicable; however, it should be noted that the applicant has committed to preserving 35% of the site as open space.

*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.*

Staff believes that the applicant can satisfactorily provide the requisite stormwater information during the site plan review process. Staff has proposed a development condition that if necessary, additional BMPs shall be installed during site plan and that are in substantial conformance with the special permit plat.

The applicant has met all utility, parking and loading requirements.

*8. Signs shall be regulated by the provisions of Article 12.*

Staff has proposed a development condition restating that the site is governed by the sign provisions of Article 12 and notes that the applicant has not requested an increase or modification to those requirements. As such, staff finds this standard has been satisfied.

### **Standards for all Group 3 Uses (Sect. 8-303)**

In addition to the general standards set forth in Sect. 8-006 above, all Group 3 special permit uses shall satisfy the following standards:

*1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however subject to the provisions of Sect. 8-607, the maximum building height for a Group 3 use may be increased.*

No changes are proposed to the existing structure. The structure meets the zoning ordinance setbacks and bulk regulations with the exception of the northeast corner. The existing building is located 37.0 feet from the eastern property line along Leesburg Pike. The building was constructed in 1959, with an addition in the 1960s, and staff has confirmed through aerial photography records that the building has existed in the current location for at least 15 years and is therefore its location is vested.

*2. All uses shall comply with the performance standards specified for the zoning district in which located.*

The use complies with the performance standards for the R-1 District, as demonstrated above.

*3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.*

With the adoption of the proposed development conditions, it is staff's opinion that the standards for Group 3 uses have been met.

## **CONCLUSION AND RECOMMENDATION**

Staff concludes that the application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions.

Staff acknowledges the community concerns about the increase in traffic to the site including the inadequacy of storage of the left turn lane from Route 7 to Jarrett Valley Drive, the potential spillover of vehicles into the through lanes of Route 7 and also parking along Jarrett Valley Drive.

The maximum capacity of 200 worshippers on-site was established before 1979 (likely in the 1960s) and continually reaffirmed and approved with both the special permit application and the subsequent special permit amendment application in 2003. In addition, the 200 worshipper capacity has dictated the number of parking spaces throughout the property's history, with the existing 50 spaces having been required by the zoning ordinance and approved in 1979 and 2003. Since 2003, staff has requested that any new application for a place of worship increase the amount of parking on site as average capacity for vehicles at places of worship has decreased to about 2.6 people per car. Therefore, the increase in on-site parking (without any concomitant increase in building size or worship capacity) is viewed as a positive change to the site.

In addition, the applicant has provided traffic studies to demonstrate that the proposed traffic impact on the Jarrett Valley and Route 7 intersection will not decrease the level of service at the intersection or with the turn lane. Staff has worked with the applicant to alter the vehicular circulation from Jarrett Valley to a right-turn-in only at the eastern access to reduce the possibility of vehicles into the through lanes of Route 7. Lastly, the applicant voluntarily provided a parking management plan which demonstrates how they will mitigate negative traffic impacts on the neighborhood.

The applicant has proposed additional BMPs to address stormwater quality concerns and additional landscaping and fencing for transitional screening.

Overall, staff believes that with the implementation of the development conditions, any staff concerns related to traffic impacts, stormwater runoff and quality, and transitional will be successfully mitigated.

For these reasons, staff recommends approval of SPA 79-D-141-02, subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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

### **Appendices**

1. Proposed Development Conditions
2. Statement of Justification
3. Affidavit
4. Memorandum to the BZA dated July 25, 1979
5. SP 79-D-141 and SPA 79-D-141 Approved Resolutions and Plat
6. September 27, 2004 Interpretation Letter
7. Additional Time Request approved by the BZA on June 6, 2006
8. Transportation Comments
9. Urban Forestry Comments
10. DPWES-SDID Stormwater Comments
11. Comprehensive Plan Comments
12. Applicant's Proposed Parking Management Plan
13. Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SPA 79-D-141-02****June 3, 2015**

If it is the intent of the Board of Zoning Appeals to approve SPA 79-D-141-02 located on property described as Tax Map 29-1 ((1)) 10A to amend SP 79-D-141 previously approved for a place of worship, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions incorporate and supersede all previous development conditions.

1. This approval is granted for the place of worship location only, at 8800 Jarrett Valley Drive, and is not transferable to other land without further action of this Board.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit amendment plat titled, "8800 Jarrett Valley Drive, McLean Islamic Center" prepared by Hamid Matin, P.E., dated June 24, 2014 and revised through May 20, 2015, and approved with this application as qualified by these development conditions.
3. A copy of this Special Permit 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.
4. This special permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with the approved special permit amendment (SPA) 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 Applicant shall provide onsite storm water detention and best management practices in accordance with the requirements of the Public Facilities Manual unless waived or modified by DPWES. These facilities shall be constructed in the general locations shown on the Special Permit Plan. The location of these facilities shall not encroach into any required areas of Transitional Screening of result in the displacement of any existing or proposed vegetation as shown on the Special Permit Plat.

6. During Phase I, the maximum number of seats (or equivalent spaces for worshippers) in the main area of worship shall not exceed 100 and the minimum number of parking spaces provided shall be 52 as shown on the SPA plat.
7. Phase II of the special permit amendment shall not commence until the Route 7 bridge project over the Dulles Toll Road is completed and the left turn lane from Leesburg Pike westbound to Jarrett Valley Drive is extended and opened to traffic.
8. After Phase II is completed, the maximum number of seats (or equivalent space for worshippers) in the main worship area shall not exceed 200 and the minimum amount of parking spaces shall be 92 as shown on the SPA plat.
9. Friday prayer services shall occur between 11:00 a.m. and 2:30 p.m., with a minimum 60-minute interval between each service.
10. Operating hours shall be from 9:00 a.m. to 10:00 p.m., 7 days a week and 9:00 a.m. to 11:00 p.m., during holidays and special events.
11. Board directs the Director of DPWES to modify the Transitional Screening and Barrier requirements along the southern, northern and eastern property boundaries in favor of that shown on the SPA plat. In addition, the Applicant shall install all transitional screening and barriers as shown on the SPA plat prior to issuance of the non-residential use permit.
12. The applicant shall designate the 48 inch diameter maple tree at the northwest portion of the site for protection and preservation.
13. Parking lot landscaping shall be provided in accordance with Article 13 of the Zoning Ordinance.
14. The applicant shall restrict the easternmost vehicular entrance (approximately 90 feet from Route 7) on Jarrett Valley Drive to right turn in only.
15. The applicant shall provide ancillary easements and right-of-way to the County or Virginia Department of Transportation, as appropriate, at the corner of Jarrett Valley Drive and Route 7 for road widening and noise wall purposes at the time of site plan approval.
16. All parking for the special permit use shall be located on the property. Parking for the special permit use on surrounding streets shall be prohibited.
17. The applicant shall prepare and maintain a Parking Management Plan (PMP) to regulate the use of the parking area and mitigate or eliminate any off-site parking on Jarrett Valley Drive or the surrounding neighborhoods. A copy of the PMP shall be kept on file with the Special Permit and Variance Branch of the Zoning Evaluation Division of the Department of Planning and Zoning and with the Dranesville District Supervisor's Office. The Applicant shall adhere to the

Parking Management Plan, which shall include, at a minimum, the following provisions:

- The appointment of a transportation coordinator and volunteers to direct traffic.
- The distribution of a point of contact for the McLean Islamic Center shall be distributed to the neighboring homeowners associations and to the Dranesville District Supervisor.
- The prohibition of congregants from parking on Jarrett Valley Drive or neighboring streets.
- The provision of a shuttle bus or some other means to allow members to be brought to the site from off-site locations.

Additional provision may be provided and existing provisions amended so long as the above minimum requirements are maintained.

18. Any proposed new lighting on the property shall be in conformance with the Performance Standards for Outdoor Lighting contained in Article 14 of the Zoning Ordinance and shall be designed to prevent glare on adjacent properties and roadways.
19. With the exception of special events approved by the Zoning Administrator subject to a Temporary Special Permit, outdoor loudspeakers, outdoor music, and outdoor events requiring acoustical enhancement shall be prohibited. No landscaping/mowing, deliveries, or trash removal will occur before 8:00 a.m. or after 8:00 p.m.
20. Wedding and funeral services are permitted; however, no wedding or funeral receptions may occur on the property.
21. Signage shall be in accordance with Article 12 of the zoning ordinance.
22. The applicant shall provide ancillary easements, to accommodate a sidewalk/trail, at no cost to the Board of Supervisors of approximately 15 feet in width along the Route 7 frontage.

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 as outlined above. 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.





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**WALSH COLUCCI  
 LUBELEY & WALSH PC**

April 21, 2015

**Via Hand Delivery**

Mrs. Laura Arseneau, Staff Coordinator  
 Fairfax County Department of Planning & Zoning  
 Zoning Evaluation Division  
 12055 Government Center, Suite 801  
 Fairfax, Virginia 22035-5509

**Re: Response to March 12, 2015 Staffing Comments & Community Comments  
 SPA 79-D-141-02 ("McLean Islamic Center")**

Dear Mrs. Arseneau,

On behalf of **McLean Islamic Center** (the "Applicant"), this letter provides a written response to the March 12, 2015 Staffing Comments as well as a list of objections we received from representatives of the Carrington Homeowner's Association ("Carrington HOA") on March 9, 2015. We thought it prudent to pass along the Carrington HOA comments as they raise issues which may be of interest to both staff and the Board of Zoning Appeals ("BZA"). Each comment is restated below in verbatim as we received them, and the Applicant's responses follow in bold text.

I note that, per an April 7<sup>th</sup> discussion we held with representatives of the Carrington HOA, the Applicant is awaiting suggested revisions to the Parking Management Plan ("PMP"). Consequently, the Applicant anticipates submitting a revised PMP under separate cover.

**STAFFING COMMENTS**

- 1) Development conditions will be to property owner only, not the applicant (new change in zoning ordinance)

**Applicant Response: Acknowledged.**

- 2) How long has it been since the site has been vacant?

**Applicant Response: Use of the Subject Property by the Berea Church of Christ for religious purposes has occurred within the last two years, with the most recent public services being offered on August 18, 2013. Accordingly, the existing special permit granted by the BZA pursuant to SP 79-D-141 remains valid.**

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- 3) Right turn in only lane- ensure that there is adequate striping to ensure this is right in only

**Applicant Response:** The Applicant has agreed to convert the easternmost entrance into a one-way entrance only. As depicted on the plan set, the Applicant is proposing one-way/entry signage and arrow markings, as well as reconfigured angled curbing to ensure ingress-only compliance.

- 4) Give a point of contact for the McLean Islamic Center to the neighbors

**Applicant Response:** The Applicant is amenable to a condition of approval requiring it to establish a neighborhood liaison committee to meet with interested neighbors from Carrington and Wolf Trap Woods to discuss and address neighborhood concerns regarding the operation of the Subject Property as it relates to impacts on the surrounding neighborhood. The neighborhood liaison committee shall annually publish a contact person and telephone number and provide the information to the Dranesville Supervisor's office.

- 5) Are you asking for a waiver of screening and barriers along the southern property line?

**Applicant Response:** The Applicant has requested four modifications as depicted on the special permit plat. For ease of understanding, the modifications are restated below to correspond with what is being proposed along each property line:

- On the Subject Property's eastern boundary along Route 7, the Applicant has requested a modification of the 40-foot minimum setback for structures to 37 feet to reflect existing conditions. This modification was previously granted by the BZA in the 2003 special permit amendment. While no transitional screening or barrier is required, the Applicant proposes a heavily-planted 20-foot wide buffer.
- On the Subject Property's southern boundary along Jarrett Valley Drive, the Applicant has requested a modification of the 10-foot minimum setback and modification of the required transitional screening to reflect existing conditions. This modification was previously granted by the BZA in the 2003 special permit amendment. Along this frontage, the Applicant proposes to supplement existing vegetation with additional plantings to the maximum possible.
- On the Subject Property's northern boundary adjacent to Stanbridge Place, the Applicant proposes plantings that satisfy the required transitional screening requirements. It is seeking a modification to relocate the required six-foot high board-on-board fence at the edge of the parking lot (where it is required to be located) to the top of the hill on the Subject Property to ensure a more effective fence/means of barrier. Additionally, and only if desired by the Carrington community, following construction of the fence, the Applicant is amenable to removing the existing fence that borders Stanbridge Place at

no cost to Carrington residents, thereby allowing Carrington residents access to the existing landscaping area on the Carrington HOA property.

- On the Subject Property's western boundary, the Applicant proposes plantings that exceed the required Transitional Screening Type 1 plantings. A six-foot high board-on-board fence is also proposed. The Applicant will also preserve two existing magnolia trees, three existing crape myrtles near Jarrett Valley Drive, and two existing holly trees.

All improvements will be conducted in conjunction with expansion of the parking lot (Phase II).

- 6) Staff would like to request that the permanent easement for the noise wall and the proposed right-of-way at the corner of Route 7 and Jarrett Valley Drive be dedicated at the time of site plan approval, by Phase I of the project, instead of Phase II.

**Applicant Response:** The Applicant is amenable to a condition of approval requiring the referenced noise wall easement to be dedicated prior to the issuance of a Non-RUP for the special permit use.

- 7) The proposed sidewalk at the intersection corner should be constructed to current standard, 5 feet concrete sidewalk with ADA curb ramps.

**Applicant Response:** Acknowledged; the proposed sidewalk will be constructed to current ADA standards.

- 8) In Phase 2, the applicant should reconstruct portion of the right-in-only entrance so that the entrance curb geometry functions as a right-in-only access. Staff thinks that striping alone is not sufficient. Signage for the right-in-only access is still preferred.

**Applicant Response:** The Applicant has agreed to convert this entrance into a one-way entrance only. As depicted on the plan set, the Applicant is proposing one-way/entry signage and arrow markings, as well as reconfigured angled curbing to ensure ingress-only compliance.

- 9) Is the van pickup location the same as the drop-off location? It is not shown in Sheet 3.

**Applicant Response:** As depicted on Sheet 3, the Applicant has designated a van pickup/drop-off location in front of the main church entrance.

- 10) FCDOT does not review the applicant's Parking Management Plan's goal monitoring progress. We provide cursory review of the Parking Management Plan in terms of its traffic impact and feasibility/practicality of the applicant's proposed plans. This should be corrected in the PMP and properly reflected in the condition.

**Applicant Response:** Acknowledged. The Applicant is amenable to a condition of approval which requires implementation of the PMP. The Applicant is not submitting a revised PMP with this submission, as it has requested suggested revisions from a representative of the Carrington Homeowner's Association. Upon receipt, the Applicant will revise and resubmit the PMP to staff's attention.

The Applicant does intend to include in its revised PMP that review of, and revisions to, the Parking Management Plan will be done administratively in conjunction with the Dranesville Supervisor, which may solicit the review and input of the Fairfax County Department of Transportation.

- 11) Staff does not support the applicant's response stating that if no suitable offsite parking location can be found, the number of attendees will remain limited by the number of parking spaces on the subject property's parking lot (page 4 of response letter). An agreement for offsite parking should be obtained as a condition of approval for the SPA application.

**Applicant Response:** The Applicant is no longer proposing an offsite parking location. The Applicant is amenable to a condition of approval which prohibits parking on neighborhood streets and that, if parking areas on the Subject Property are full, any additional attendees must be transported to the site using an Applicant-provided passenger van/bus. Pick-up locations for worshippers will vary depending on parishioner's work locations.

### **COMMUNITY COMMENTS**

- A) Proposal is not consistent with requirements of Fairfax County Zoning Ordinance.

**Applicant Response:** The Applicant disagrees. The proposed application is consistent with the Zoning Ordinance. The Applicant has requested four modifications as depicted on the special permit plat. For ease of understanding, the modifications are restated below to correspond with what is being proposed along each property line:

- On the Subject Property's eastern boundary along Route 7, the Applicant has requested a modification of the 40-foot minimum setback for structures to 37 feet to reflect existing conditions. This modification was previously granted by the BZA in the 2003 special permit amendment. While no transitional screening or barrier is required; but the Applicant proposes a heavily-planted 20-foot wide buffer.
- On the Subject Property's southern boundary along Jarrett Valley Drive, the Applicant has requested a modification of the 10-foot minimum setback and modification of the required transitional screening to reflect existing conditions. This modification was previously granted by the BZA in the 2003

special permit amendment. Along this frontage, the Applicant proposes to supplement existing vegetation with additional plantings to the maximum possible.

- On the Subject Property's northern boundary adjacent to Stanbridge Place, the Applicant proposes plantings that satisfy the required transitional screening requirements. It is seeking a modification to relocate the required six-foot high board-on-board fence at the edge of the parking lot (where it is required to be located) to the top of the hill on the Subject Property to ensure a more effective fence/means of barrier. Additionally, and only if desired by the Carrington community, following construction of the fence, the Applicant is amenable to removing the existing fence that borders Stanbridge Place at no cost to Carrington residents, thereby allowing Carrington residents access to the existing landscaping area on the Carrington HOA property.
- On the Subject Property's western boundary, the Applicant proposes plantings that exceed the required Transitional Screening Type 1 plantings. A six-foot high board-on-board fence is also proposed. The Applicant will also preserve two existing magnolia trees, three existing crape myrtles near Jarrett Valley Drive, and two existing holly trees.

All improvements will be conducted in conjunction with expansion of the parking lot (Phase II).

B) Proposal is not consistent with recommendations of Fairfax County Comprehensive Plan.

**Applicant Response:** Staff and the BZA have previously determined that a place of worship—even an expanded place of worship—is in conformance with the Comprehensive Plan in conjunction with the approval of the Berea Church of Christ's original 1979 special permit (S-141-79) and its proposed 2003 expansion under SPA 79-D-141.

This application proposes no changes, exterior modifications, or expansions to the existing church building. The only physical change is an expansion of the existing parking lot from 54 parking spaces to 92 parking spaces. It is noted that the Applicant has reduced the size of the proposed parking lot to provide no additional westward increase beyond the limits of the current parking lot. Given the additional landscaping, fencing, and site improvements, as well as the hour and number of worshipper limitations the Applicant is proposing, this request is in harmony with the Plan and is in keeping with the residential nature of the surrounding neighborhood.

The Applicant is also providing supplemental vegetation to the maximum contemplated under the Zoning Ordinance, addressing long-term stormwater management issues, agreeing to limitations on noise, lighting, business hours, and number of parishioners, implementation of an effective parking management plan,

**construction of sidewalk improvements, dedication of right-of-way for road improvements, and maintenance of an ornamental fence to provide an aesthetically-pleasing entrance to the Carrington community.**

C) Proposal is too intense:

1) Too many parishioners.

**Applicant Response: The current special permit imposes no limitation on the number of parishioners which may occupy the facility.**

**We note that the BZA has previously determined, through Condition 10 imposed in conjunction with the approval of SPA 79-D-141, that a 200-person limit on the number of parishioners per service is appropriate. Though SPA 79-D-141 has since expired, the Applicant is proposing to carry forward this limitation.**

**The Applicant also notes that the existing church predates the homes in the Carrington community, and is developed at a density far less than all surrounding properties. For example, the Subject Property is zoned R-1, which allows non-residential uses up to a 0.15 FAR. Existing and proposed improvements on the Subject Property result in a 0.073 FAR, which is significantly less than what is permitted by zoning. The Carrington community, by contrast, is zoned to the PDH-2 zoning district, which permits much greater intensity than the existing and proposed density on the Subject Property.**

2) Too many services.

**Applicant Response: The current special permit imposes no limitation on the number of services which may be conducted at the facility. Churches and other places of worship have a variety of activities throughout the week that are accessory to the church function. Like many churches, the existing Berea Church of Christ offered two general worship services on Sundays, as well as Sunday School classes, Saturday prayer breakfasts, Wednesday evening choir rehearsals, church group meetings, as well as special events (e.g., major holiday celebrations, bridal and baby showers, weddings, etc.). This same type of activity is anticipated with this proposal, and the Applicant has enclosed a detailed schedule of anticipated activities and services. The Subject Property will not be used more heavily than what is contemplated under existing approvals.**

3) Too much paving (approximately 1.01 acres) and too many parking spaces.

**Applicant Response: No expansions are proposed to the existing church building; the Applicant is, however, proposing an expansion of the existing**

parking lot from 54 parking spaces to 92 parking spaces which results in an increase in impervious surface of 0.35 acres.

It is noted that the Applicant has reduced the size of the proposed parking lot to provide no additional westward increase beyond the limits of the current parking lot. There are four single family homes located adjacent to the Subject Property. These homes now vary in distance to the edge of the proposed parking lot between 85.76 feet (1489 Broadstone Place) and 151.58 feet (8810 Jarrett Valley Drive). The townhome units located along Stanbridge Place vary in distance to the edge of the proposed parking lot between 76.7 feet (1417 Stanbridge Place) and 111 feet (1415 Stanbridge Place), which includes an intervening alley street and parking spaces on the Carrington side. The proposed landscaping and fencing measures will far exceed any approved or previously-proposed measures and will provide an effective method of buffering and screening.

As noted in Number 1, above, full transitional screening and barrier requirements which exceed County requirements are being provided along the common property boundaries with the Carrington community.

Additionally, the Applicant is proposing an underground stormwater detention facility concurrent with the Phase II expansion that is appropriately sized and located to meet detention and outfall requirements and reduce flow from the Subject Property over existing conditions. This means that, even with the proposed Phase II parking lot expansion, the Applicant's proposal will result in a net decrease in downstream flooding over existing levels. The stormwater detention facility will also be designed to meet water quality and quantity requirements under the recently-adopted DEQ stormwater management regulations. As a result, the additional paving will have no environmental impacts and stormwater runoff conditions on the Subject Property will be in a better situation than under current conditions.

- 4) Too little screening.

**Applicant Response:** Minimal screening is provided today. As noted in the response to "A," above, the Applicant is providing landscaping and fencing which exceed County requirements along the Subject Property's northern and western boundaries adjacent to the Carrington community. The proposed landscaping and fencing measures will certainly exceed any approved or previously-proposed measures and will provide an effective method of buffering and screening.

- 5) Too much added traffic to the primary ingress/egress for the Carrington and Wolf Trap Woods communities, which is already operating dangerously over-capacity while the existing property is vacant.

**Applicant Response:** It has been a goal of this proposal to result in no change in Level of Service at the Jarrett Valley Drive/Route 7 intersection, or any of its approaches.

As noted in the Applicant's traffic study, the overall intersection operates at a Level of Service B with or without the proposed special permit use. This Level of Service is exceptional for Fairfax County, particularly given its proximity to Tysons Corner.

Current delays experienced making left-hand/westbound turns into, and left-hand/westbound turns out of, Jarrett Valley Drive originate not from the number of cars using Jarrett Valley Drive or U-turns at the traffic light, but rather from the fact that the Route 7 traffic signal is optimized to give priority to through-traffic along Route 7. This is a corridor-wide determination made by the Virginia Department of Transportation ("VDOT") that is similar to other secondary streets intersecting with Route 7.

This optimization means that the westbound left turn lane from Route 7 onto Jarrett Valley Drive would continue to operate at a Level of Service E under both the baseline conditions and the special permit uses, and any queues for westbound/U-turn traffic would not exceed available storage with or without the special permit uses.

Under current conditions, traffic turning left into Jarrett Valley Drive during the proposed Friday prayer service times experiences a delay of 75 seconds per vehicle. Under Phase I, traffic turning left into Jarrett Valley Drive during the proposed Friday prayer times is projected to experience a delay of 74.9 seconds per vehicle. Under Phase II, the delay is 69.7 seconds. As noted above, the Level of Service for these trips will not change.

Under current conditions, Jarrett Valley Drive traffic turning left onto westbound Rout 7 during the proposed Friday prayer service experiences a delay of 76.4 seconds per vehicle. Under Phase I, traffic turning left onto Route 7 during the proposed Friday prayer times is projected to experience a delay of 75.3 seconds per vehicle. Under Phase II, this delay is 75.3 seconds per vehicle. As noted above, the Level of Service for these trips will not change.

Consequently, the proposed use will result in an imperceptible change to existing traffic conditions and will not change the Level of Service for any turning movement at the Jarrett Valley Drive. The Applicant also notes that its analysis was based on a "worst case" assumption with overlapping Friday prayer services. The Applicant has, however, staggered its prayer times outside of the peak hour, and provided a one-hour gap between each prayer service to mitigate creating longer queues at this intersection.

D) Traffic adversely impacts Carrington residents:

- 1) Services on weekdays and weekday evenings will conflict with and exacerbate existing traffic issues on Rt. 7 and Jarrett Valley Drive. Left-hand turn from Rt. 7 to Jarrett Valley is operating at level of service E and more traffic will increase the lack of operations.

**Applicant Response:** The Applicant disagrees. All Friday prayer and Ramadan services will occur outside the morning and afternoon peak rush hour as well as outside school pickup/drop-off times. As noted in the Applicant's traffic studies, the proposed services will not result in any change in Level of Service at the Jarrett Valley Drive/Route 7 intersection or any of the individual approaches. The overall intersection operates at a Level of Service B with or without the proposed special permit use.

Any delays experienced making left-hand/westbound turns into, and left-hand/westbound turns out of, Jarrett Valley Drive originate not from the number of cars using Jarrett Valley Drive, but rather from the fact that the Route 7 traffic signal is optimized to give priority to Route 7. This optimization means that the westbound left turn lane from Route 7 onto Jarrett Valley Drive would continue to operate at a Level of Service E with or without the proposed special permit use. Further, any queues for westbound/U-turn traffic would not exceed available storage with or without the special permit uses.

- 2) Classes on Sundays could conflict with and exacerbate existing traffic issues associated with McLean Bible Church.

**Applicant Response:** The Applicant disagrees. McLean Bible Church has offered Sunday services at its present location since the early 2000s, coterminous with Sunday services and classes previously offered by the existing Berea Church of Christ. Therefore, there has been a church coexisting with McLean Bible Church for several years. While the Berea Church of Christ ceased public services in 2013, its special permit remains valid, and no increase in intensity of Sunday usage is contemplated with this request.

The Applicant has enclosed a detailed schedule of anticipated activities and services, including Sunday classes. The Applicant anticipates holding religious education classes on Sundays between 10:00 a.m. and 4:00 p.m., with expected attendance to be between 30 and 100 parishioners.

Assuming that the Berea Church had 200 worshippers, the total traffic generated on Sundays would be 370 vehicle trips. The total traffic generated by the Applicant's proposed activities on Sundays is 100 vehicle trips. Because the Applicant's primary worship day is Friday, the traffic impacts

created by this proposal are significantly less than what is contemplated by the existing church approvals.

As will be noted in the forthcoming revised PMP, the Applicant's appointed Transportation Coordinator, or his/her designee, will monitor and control exiting traffic at the westernmost driveway. If queues on Jarrett Valley Drive exceed 200 feet from the intersection of Route 7 and Jarrett Valley Drive, the Transportation Coordinator will ensure that vehicles exiting the Subject Property do not cause undue delays to nearby residents and non-congregant vehicles.

- 3) First entrance into site is too close to Rt. 7 and will cause access/operation issues on Jarrett Valley Drive and potentially impact thru traffic on Rt. 7.

**Applicant Response:** Elimination of this ingress point would increase the potential for traffic conflicts along Jarrett Valley Drive. This existing ingress-egress entrance has operated without incident during the lifespan of the existing church. It is located approximately 100 feet from Route 7, and there are no known sight distance, separation, or traffic conflict issues with the easternmost entrance to the Subject Property.

Due to concerns raised by staff, however, the Applicant has agreed to convert this entrance into a one-way entrance only. As depicted on Sheet 3 of the plan set, the Applicant is proposing one-way/entry signage and arrow markings, as well as reconfigured angled curbing to ensure ingress-only compliance.

The driveway is 25 feet wide in front of the church entrance, and the Applicant has depicted an 8.5-foot wide drop-off/pickup location with sufficient passing space (16.5 feet in width) for vehicles to safely access the parking lot.

Pursuant to the Applicant's forthcoming revised PMP, the Transportation Coordinator will direct traffic to the second entrance to ensure that the easternmost entrance is not blocked and inbound queuing along Jarrett Valley Drive does not occur.

- 4) Parking management plan is vague, difficult to implement, difficult to enforce and imposes a burden upon Carrington residents to become enforcement officer.

**Applicant Response:** The Applicant disagrees. It has previously proposed a detailed, implementable, and enforceable Parking Management Plan and is proposing that it be included as an exhibit to the conditions of approval. It will be updating this plan and submitting it under separate cover. Additionally, if parking issues arise on Jarrett Valley Drive or other residential streets, the Applicant would support the imposition of a parking

**permit system through the County's Residential Permit Parking District Program.**

E) Stormwater Management:

- 1) Flow from the site causes flooding and therefore any use of the property must remediate current issues.

**Applicant Response: Agreed. Stormwater runoff conditions on the Subject Property will be in a better situation than under current conditions. The Applicant is proposing an underground stormwater detention facility concurrent with the Phase II expansion that is appropriately sized and located to meet detention and outfall requirements and reduce flow from the Subject Property over existing conditions. The stormwater detention facility will also be designed to meet water quality and quantity requirements under the recently-adopted DEQ stormwater management regulations.**

**This means that, even with the proposed Phase II parking lot expansion, the Applicant's proposal will result in a net decrease in downstream flooding over existing levels. The Applicant is not seeking any waivers of onsite stormwater management.**

- 2) Any increase in impervious area will exacerbate flooding and therefore all storm water remediation measures must be addressed. No waivers are appropriate.

**Applicant Response: Due to the measures noted in Number E.1 above, all stormwater management remediation measures will be addressed without any waivers.**

- 3) Current proposal indicates use of regional pond might be an option. Clarity is required.

**Applicant Response: The Applicant has revised the plan set to clarify that it will not use the regional pond, and that the proposed underground detention facility will be installed concurrent with Phase II.**

F) Ramadan:

- 1) Potential impact is services every night for a month is extreme and distinct from other proposed services. Specific limitations need to be imposed during this time frame.

**Applicant Response: It is common for religious institutions, including churches, temples, and synagogues, to offer evening religious services, liturgies, rites, observances, and sacraments throughout the year. Unlike faiths which have a variety of evening holy observances throughout the**

**calendar year, there are no other evening observance dates aside from Ramadan that generate the need for evening services.**

**The Applicant is proposing that its Friday and Ramadan prayer services be limited and occur outside of the PM peak rush hour/high traffic times. It is proposing only one 1.5-hour evening prayer service during the month of Ramadan, with the prayer service occurring either between 8:00 p.m. and 9:30 p.m. or between 9:00 p.m. and 10:30 p.m. depending on the lunar calendar.**

**The lunar month of Ramadan moves back approximately 11 days every year. Between the years 2015 and 2030, for example, the Applicant's Ramadan prayer service will occur between 9:00 p.m. and 10:30 p.m.; between 2030 and 2037, the evening prayer service will occur between 8:00 p.m. and 9:30 p.m.; between 2038 and 2047, the evening prayer service will occur between 9:00 p.m. and 10:30 p.m.**

**The Applicant will provide potluck suppers prior to each Saturday and Sunday Ramadan service. No suppers or food service will be provided before Ramadan prayers during weekdays. Accordingly, all evening prayers and related activities will occur outside of the afternoon peak rush hour. The Applicant has reviewed the traffic data for the evening 8:00 p.m. to 9:00 p.m. and has concluded that the left turn movements do not exceed storage capacity and the intersection operates at an adequate Level of Service.**

**The Applicant has collected traffic data at the intersection of Route 7 and Jarrett Valley Drive between the hours of 7:00 p.m. and 9:30 p.m. The Applicant also obtained traffic signal timing data and Synchro Model information from VDOT for the 8:00 p.m. to 9:00 p.m. hour to match the peak Ramadan Hour. The Applicant's traffic study was based upon 200 worshippers. The Applicant then added the anticipated Ramadan trips to the existing traffic counts and ran the Synchro model. The results for the existing conditions and the conditions with Ramadan is as follows:**

PM OFF Peak Hour 8PM - 9PM (Cycle Length = 140 seconds)										
Intersection		Existing (2015)					Phase II 2016			
Jarrett Valley Dr & Leesburg Pike (Rte 7)	Approach	Lane Group	LOS	Storage /Link	Back of Queue (ft)	Delay (sec)	LOS	Storage/ Link	Back of Queue (ft)	Delay (sec)
	EB	EBT	B	771'	198	10.8	B	771'	210	11.5
	EB Approach		B			10.8	B			11.5
	WB	WBL	E	320'	159	67.2	E	320'	203	67.5
		WBT	A	591'	277	5.3	A	591'	261	4.6
	WB Approach		B			10.0	B			11.0
	NB	NBL	E	443'	4	65.8	E	443'	13	67.1
		NBR	E	443'	0	65.4	E	443'	0	66.6
	NB Approach		E			65.4	E			66.6
	SB	SBL	E	374'	33	69.2	E	374'	36	68.5
		SBLT	E	374'	30	69.0	E	374'	36	68.4
	SB Approach		E			69.1	E			68.4
	Overall LOS/Delay			E/12.0			E/12.6			

As noted above, the left turn lane queue lengths are less than the available storage and the overall intersection levels of service remains the same as in the existing conditions.

G) Miscellaneous:

- 1) Has 1979 Special Permit expired (has use ceased for 2 years or more)? If so, this is not an SPA but rather a new special permit.

**Applicant Response:** Use of the Subject Property by the Berea Church of Christ for religious purposes has occurred within the last two years, with the most recent public services being offered on August 18, 2013. Accordingly, the existing special permit granted by the BZA pursuant to SP 79-D-141 remains valid. The Applicant also notes that neither the initial implementation nor the continued validity of the 1979 special permit was at issue during the County's approval of the 2003 special permit amendment (SPA 79-D-141), which recognized the ongoing validity of the 1979 special permit.

- 2) Lighting must take into account topography of surrounding homes.

**Applicant Response:** The Applicant is amenable to a condition of approval specifying that any new outdoor lighting: (1) shall be in conformance with the Performance Standards for Outdoor Lighting contained in Article 14 of the Zoning Ordinance, including directing lighting downward and inward to the Subject Property; and (2) that all exterior lighting, with the exception of security lighting, will be low-level in nature (e.g., bollard lighting), and will be extinguished no later than 11:00 p.m. daily.

In addition to the foregoing, the Applicant is providing landscaping and fencing which exceed County requirements along the Subject Property's

**northern and western boundaries adjacent to the Carrington community. The proposed landscaping and fencing measures will certainly exceed any approved or previously-proposed measures and will provide an effective method of buffering and screening.**

**To address security concerns raised by the Carrington HOA, the Applicant is amenable to a condition of approval requiring it to install low-level bollard lighting prior to the Applicant's receipt of a Non-RUP for Phase I.**

- 3) Applicant must adequately screen the site, particularly any increase in parking area.

**Applicant Response: As noted above, minimal screening is provided today. As noted in the response to "A," above, the Applicant is providing landscaping and fencing which exceed County requirements along the Subject Property's northern and western boundaries adjacent to the Carrington community. The proposed landscaping and fencing measures will certainly exceed any approved or previously-proposed measures and will provide an effective method of buffering and screening.**

- 4) Noise associated with use of site must be indoors.

**Applicant Response: With the exception of special events for those uses approved by the Zoning Administrator through a Temporary Special Permit (e.g., community festivals), all noise generated by the proposed use will be located indoors. The Applicant is amenable to a condition of approval requiring the prohibition of outdoor loudspeakers, calls to prayers, outdoor music, and outdoor events requiring acoustical enhancement. Additionally, no landscaping/mowing or deliveries/trash removal will occur before 8:00 a.m.**

- 5) Hours of operation must be strictly set forth for all days of the week.

- i. Main services are on Fridays, but a member can come any time to pray.

**Applicant Response: Like many churches, temples, and synagogues, the facility will remain open throughout the week for members to pray. Similar to a prayer chapel in a church or synagogue which is open throughout each day of the week, the facility will be open daily for quiet prayer/reflection. Normal business hours will be from 9:00 a.m. until 10:00 p.m. daily, with extended hours for staff. Unlike other area mosques, and with the exception of Friday and Ramadan prayers, no formal prayer services are proposed throughout the week. Consequently, the numbers of visitors throughout any given day is expected to be nominal. The practical effect, much like Christian worship on Sundays, is**

**that the vast majority of the facility's visitors will not come to pray except on Fridays.**

- ii. Proposal for weekend use must be very limited.
- a. Marriages/Funerals/Special Events:

**Applicant Response: The Applicant will provide ordinary and customary functions that are regularly found at other places of worship in Fairfax County, including weddings and funerals. No wedding/funeral receptions will take place. The Applicant is amenable to a condition of approval to this effect, and that any weddings or funerals shall be limited to 50 people.**

- b. Religious Classes:

**Applicant Response: As noted in the Statement of Justification, religious study is likely to occur between 10:00 a.m. and 4:00 p.m. on Saturdays and Sundays.**

- c. Educational Classes:

**Applicant Response: As noted in the enclosed building usage summary, educational education classes are anticipated to occur between 10:00 a.m. and 4:00 p.m. on Saturdays and Sundays. In response to concerns raised by the Carrington HOA, the Applicant will not provide information technology ("IT") classes on the Subject Property.**

- d. Third Party Facility Rental:

**Applicant Response: As noted in the Statement of Justification, the Applicant may make its facility available for community uses found at other places of worship in Fairfax County (e.g., homeowner association meetings, Interfaith meetings, First Aid classes, English as a Second Language classes, etc.). The Applicant is amenable to a condition of approval requiring such usage to terminate by 10:30 p.m. and that such events shall be limited to those that can be parked entirely on-site. The Applicant is also amenable to a condition of approval prohibiting commuter parking on the Subject Property.**

Please feel free to call me directly at (571) 209-5775 should you have any questions.

Sincerely,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.



Andrew A. Painter

Enclosures

Cc: Dr. Ahmed Elrefai  
Mr. Mohsin Alikhan  
Mr. Hamid Matin, P.E., Professional Design Group, Inc.  
Mr. Joe Mehra, PE, PTOE, MCV Associates, Inc.  
Lynne J. Strobel, Esq., Walsh Colucci  
Martin D. "Art" Walsh, Esq., Walsh Colucci  
J. Randall Minchew, Esq., Walsh Colucci  
Matthew J. Allman, Esq., Walsh Colucci

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## ANTICIPATED WEEKLY BUILDING USAGE SUMMARY

### Daily Operations

- Office hours are from 9:00 a.m. until 10:00 p.m. daily, with extended hours for staff as needed
- Similar to a chapel being open during the day for prayer/reflection, there is no formal schedule for daily prayers
- Expected visitors to be nominal
- Meant to be quiet and intimate setting for daily prayer and reflection, similar to an open chapel in a church or a synagogue

### Friday Congregational Prayer – Main “Peak” Usage

- Three one-hour 30 minute prayer services (11:00 a.m., 12:30 p.m., and 2:00 p.m.) on Fridays with one-hour intervals between each prayer session
- This represents the most-attended worship service day
- Estimated number of congregants: 200 maximum per service

### Ramadan Night Prayers

- Occurs each evening for one month during holy month of Ramadan
- Estimated nightly attendance of 150 parishioners
- One 1.5-hour service outside of rush hour, with services occurring either between 8:00 p.m. and 9:30 p.m. or between 9:00 p.m. and 10:30 p.m. depending on the lunar calendar (Ramadan moves back by about 11 days every year):
  - o Between 2015 and 2030: Services to occur between 9:00 p.m. and 10:30 p.m.
  - o Between 2031 and 2037: Services to occur between 8:00 p.m. and 9:30 p.m.
  - o Between 2038 and 2047: Services to occur between 9:00 p.m. and 10:30 p.m.
- No suppers/food service before weekday prayers; potluck suppers before each Ramadan service on Saturdays and Sundays

### Weekend Religious Education

- Between 10:00 a.m. and 4:00 p.m. on Saturdays and Sundays
- Expected attendance between 30 and 100 parishioners each weekend day
- Potluck dinner once a month

### Weekly Fellowship Meetings

- Weekly evening gathering between 7:00 p.m. and 9:00 p.m.
- Expected attendance between 20 and 30 parishioners
- These are group discussions for religious learning in small groups that would be analogous to Bible study groups

**MIC Organization Meetings**

- As-needed evening gathering between 7:00 p.m. and 9:00 p.m.
- Expected attendance between 10 to 15 parishioners
- These are leadership & committee meetings to discussion operations, programming, financials, etc.



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**WALSH COLUCCI  
LUBELEY & WALSH PC**

February 23, 2015

**Via Hand Delivery**

Barbara C. Berlin, Director  
Zoning Evaluation Division  
Fairfax County Department of Planning & Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

**Re: Revised Statement of Justification  
McLean Islamic Center (the "Applicant")  
Application for Category 3 Special Permit Amendment  
8800 Jarrett Valley Drive, Vienna, Virginia 22182  
Fairfax County Tax Map #29-1 ((1)) 10A (the "Subject Property")**

Dear Ms. Berlin:

On behalf of the Applicant, please accept the following as a revised statement of justification for a special permit amendment application to amend SP 79-D-141, previously approved for a place of worship, to permit a change in permittee and minor site modifications pursuant to § 3-103 (2) and 8-301 (2) of the Zoning Ordinance of Fairfax County, Virginia (the "Zoning Ordinance"). The Applicant is the contract purchaser and eventual operator of the proposed use, which is presently owned by the Berea Church of Christ.

The Subject Property comprises approximately 1.67 acres and is located just west of Tysons Corner in the southwestern quadrant of the intersection of Leesburg Pike (Route 7) and Jarrett Valley Drive (Route 8912) in the Dranesville Magisterial District of Fairfax County. The Subject Property is presently improved with an approximately 5,004-square foot church. Existing vegetation is scattered along the northern perimeter of the site adjacent to Leesburg Pike. The Subject Property is zoned to the R-1 zoning district pursuant to § 3-100 et seq. of the Zoning Ordinance. In the R-1 district, religious facilities are permitted through approval of a Category 3 special use permit for institutional uses pursuant to § 8-301 (2) of the Zoning Ordinance.

The existing church was constructed in the 1950s. A significant addition was constructed in the 1960s prior to the Zoning Ordinance Amendment which requires places of worship to obtain special permits in the R-1 zoning district. The Subject Property received approval of a special permit, SP 79-D-141, from the Board of Zoning Appeals ("BZA") in 1979 to permit building alterations, to construct a new roof on part of the then-existing building, and a large addition. The construction was never completed. In 2003, the BZA approved special permit amendment SPA 79-D-141, which allowed for a 4,730-square foot church expansion and

ATTORNEYS AT LAW

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operation of a child care center. It is my understanding that the special permit amendment has since expired; however, the 1979 special permit still governs the Subject Property. The Subject Property continues to be used by the Berea Church of Christ as a place of worship.

The Subject Property is located in the M7 Wolf Trap Community Planning Sector of the McLean Planning District in the Area II Comprehensive Plan (the "Plan"). The Plan acknowledges the existence of stable, low-density residential neighborhoods and recommends residential development in a cluster pattern that maintains the attractiveness of Leesburg Pike with increased setbacks and natural buffering. The existing building and proposed alterations are in harmony with the Plan and is in keeping with the residential nature of the surrounding neighborhood.

The Applicant seeks to amend the 1979 special permit to reflect the change in ownership and operation of the church building. The Applicant proposes two phases of use of the Subject Property. Phase I will consist of upgrading the interior of the existing church building, installation of additional vegetation and screening/buffering in the parking lot and around the perimeter of the Subject Property, and using the existing parking lot with minor site improvements. Phase II, to be implemented at a future date, will reconfigure and expand the existing parking lot from 54 parking spaces to 95 parking spaces.

There will be no change in the height, size, location, or density of the existing church structure. The Applicant will replace the existing church signage with new signage in the same dimensions as existing signage in accordance with Article 12 of the Zoning Ordinance. The Applicant will repair and maintain the wooden fence along the Subject Property's Jarrett Valley Drive frontage. The Applicant will also install a four-foot sidewalk connection between the intersection of Jarret Valley Drive and Route 7 and the Subject Property's easternmost entrance. The Applicant will also implement its proposed landscaping plan as depicted on the Special Permit Amendment Plat.

In accordance with the Virginia Department of Transportation's Route 7 widening project, the Applicant will agree to dedicate right-of-way at the corner of Jarrett Valley Drive and Route 7 as well as permanent easement for a noise wall. As depicted on the Special Permit Amendment Plat, the Applicant will reconfigure the Subject Property's easternmost entrance to include one-way/entry signage and striping, and has identified van pick-up and drop-off locations in front of the church building. To minimize the potential for vehicular conflicts, the Applicant will relocate two parking spaces on the entry drive aisle concurrent with implementation of Phase II.

In an effort to minimize nighttime light pollution from the Subject Property, any parking lot light fixtures installed on the Subject Property shall be full-cutoff and shielded, and directed inward and downward towards the interior of the Subject Property, and designed to prevent glare on adjacent properties and roadways. All exterior lighting, with the exception of security lighting, will be turned off by 11:00 p.m. nightly.

The Applicant will offer standard religious study and education classes for children and adults. Youth education classes will occur on Saturdays and Sundays (similar to Sunday School), and no child care, preschool, or general education services will be provided. Similar to other churches, kitchen facilities in the existing church building include a stove, refrigerator, and sink. The Applicant will use the kitchen on an as-needed basis for social events, pot luck dinners, fundraisers, and community meetings. The Applicant may make its facility available for community uses typical of a church (e.g., community or homeowners association meetings, English as a Second Language classes, etc.). No fees will be charged for these uses.

Parking on the Subject Property will be limited to the number of parking spaces shown on the approved Special Permit Amendment Plat and site plan (e.g., 54 or 95), and commuter parking will be prohibited. At all times, the Applicant will limit attendance for each prayer service based on available on-site parking and the total number of worshippers per service (e.g., no more than 200).

The Applicant has provided a Parking Management Plan ("PMP") to ensure that the proposed use of the Subject Property will have a minimal impact on the surrounding streets, intersections, and neighborhoods. The Applicant is amenable to a condition of approval requiring its general conformance with the Parking Management Plan. The PMP identifies potential traffic and parking impacts of the proposed use, goals to be achieved (e.g., ensuring congregants do not park along neighborhood streets), and five strategies to meet the goals (e.g., minimum vehicle occupancy requirements).

The PMP requires the Applicant to appoint a Transportation Coordinator who, along with his/her designees/volunteers, will be charged with the day-to-day implementation of the PMP and realization of its goals. The Transportation Coordinator will be present on the Subject Property on Fridays and any time more than 100 persons are anticipated to be at the Subject Property (e.g., for weekend religious education classes).

The PMP also requires the Applicant to provide the Transportation Coordinator's contact information to the President of the Carrington Woods and Wolf Trap Woods homeowners associations, and to the Office of the Dranesville District Supervisor. The PMP also requires the Transportation Coordinator to provide a biannual assessment of the PMP's goal monitoring to the Fairfax County Department of Transportation ("FCDOT") and, if the goals are not met, to review and implement additional measures in coordination with the Dranesville District Supervisor and FCDOT staff.

There are no stormwater management issues associated with this request. The Applicant will meet all stormwater regulations pursuant to the latest edition of the Virginia Stormwater Management Handbook and other such applicable County regulations.

In accordance with the requirements of § 8-011 of the Zoning Ordinance, please accept the following information with regard to the proposed applications:

1. **Type of Operation:** The Applicant seeks to amend SP 79-D-141, previously approved for a place of worship, to permit a change in permittee and site modifications. The Applicant proposes to operate a religious assembly in the form of an Islamic center with accessory uses such as religious education classes and spiritual counseling services. The Applicant may make its facility available for community uses typical of a church (e.g., community or homeowners association meetings, English as a Second Language classes, etc.). No fees will be charged for these uses.
2. **Hours of Operation:** The Subject Property will be open daily between 9:00 a.m. and 10:00 p.m., seven days per week, with extended hours for staff. During the month of Ramadan (which varies on the Gregorian calendar), the Subject Property will be open from 9:00 a.m. until 11:00 p.m. The Applicant will hold three 30 minute prayer services (11:00 a.m., 12:30 p.m., and 2:00 p.m.) on Fridays with one-hour intervals between each prayer session, and it is anticipated that all congregants will be off of the Subject property by 3:00 p.m. Religious education classes are likely to occur between 10:00 a.m. and 4:00 p.m. on Saturdays and Sundays, subject to final programmatic scheduling.
3. **Estimated Number of Worshippers:** The number of worshippers on the Subject Property at any given time will depend on the time of day and day of the week. The Applicant intends to carry forward Condition 10 imposed in conjunction with the approval of SP 79-D-141, which limits the number of worshippers to a maximum of 200 persons. The Applicant estimates that between 50 to 80 persons will visit the Subject Property between Monday and Thursday, and between 30 and 100 persons on Saturdays and Sundays. No more than 200 worshippers will attend each Friday prayer session. It is anticipated that 100 worshippers will visit the Subject Property for evening prayer services during Ramadan.
4. **Proposed Number of Employees:** The proposed use will employ two employees on the Subject Property. Additional volunteers (e.g., assistants for the Traffic Coordinator) will be present under certain circumstances.
5. **Traffic Impact:** The Applicant has included a Traffic Impact Analysis and PMP, the contents of which are incorporated herein. The Applicant has provided the PMP to ensure that the proposed use of the Subject Property will have a minimal impact on the surrounding streets, intersections, and neighborhoods. The Applicant is amenable to a condition of approval requiring its general conformance with the PMP.
6. **Vicinity/General Area to be Served:** The proposed use will be a major benefit to the growing Muslim population in Fairfax County, including Tysons Corner, Mclean, Great Falls, and Vienna.
7. **Building Façade/Architecture:** There will be no change in architecture, the height, size, location, or density of the existing church structure. The Applicant will, however, replace the existing church signage in the same dimensions in accordance with Article 12 of the

Zoning Ordinance. The Applicant will also repair and maintain the wooden fence along the Subject Property's Jarrett Valley Drive frontage.

8. Hazardous/Toxic Substances: No known hazardous or toxic substances will be generated, utilized, stored, treated, and/or disposed of on the Subject Property.
9. Zoning Ordinance Conformance: The proposed use conforms to all provisions of applicable ordinances, regulations, and adopted standards except as noted on the Special Permit Amendment Plat and as follows:
  - a. Modification of the minimum front yard requirement along the Subject Property's Leesburg Pike frontage pursuant to § 3-107 of the Zoning Ordinance. No change to the existing building or parking configuration in the Subject Property's Leesburg Pike front yard is proposed with this application, and the character and development of the adjacent land will not be adversely affected by the requested modification. The Applicant proposes to provide additional vegetation along Leesburg Pike.
  - b. Modification of the minimum landscape buffer requirement along the Subject Property's Jarrett Valley Drive frontage pursuant to § 11-102-8 of the Zoning Ordinance. No change to the existing parking configuration in the Subject Property's Jarrett Valley Drive is proposed with this application, and the character and development of the adjacent land will not be adversely affected by the requested modification. The Applicant proposes to retain existing vegetation along Jarrett Valley Drive and supplement it with additional vegetation.
  - c. Modification of the required transitional screening along the Subject Property's Jarrett Valley Drive frontage pursuant to § 13-302-2 of the Zoning Ordinance. No change to the existing parking configuration in the Subject Property's Jarrett Valley Drive is proposed with this application, and the character and development of the adjacent land will not be adversely affected by the requested modification. The Applicant proposes to retain existing vegetation along Jarrett Valley Drive and supplement it with additional vegetation.

#### **Compliance with § 8-006 General Standards For All Uses**

Section 8-303 of the Zoning Ordinance contains application evaluation criteria for approval of special permits. Each criterion is listed in bold below, followed by the Applicant's response in italics:

1. **The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.**

*The Plan acknowledges the existence of stable, low-density residential neighborhoods and recommends residential development in a cluster pattern that maintains the*

*attractiveness of Leesburg Pike with increased setbacks and natural buffering. The proposed use of the Subject Property as a religious assembly in the form of an Islamic center is a low-intensity institutional use that complements the surrounding residential areas. The proposed use is in harmony with the Plan's recommendations. Therefore, this standard is satisfied.*

- 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.**

*The R-1 zoning district regulations permit religious facilities pursuant to approval of a special use permit. The proposed use is in harmony with the general purpose and intent of the applicable zoning district regulations. Therefore, this standard is satisfied.*

- 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.**

*The proposed use will be harmonious with the surrounding community and will not adversely affect the use or development of neighboring properties. The surrounding residential subdivisions are currently developed to their ultimate uses. The Applicant is not proposing any increase in the building's height, size, density, or location. The additional vegetation and screening will increase the attractiveness of the Subject Property and will provide increased buffering, lessening any potential impacts on adjacent properties. Therefore, this standard is satisfied.*

- 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.**

*The proposed use will continue to have access from Jarrett Valley Drive. Sidewalks exist on Jarrett Valley Drive and a sidewalk/crosswalk exists to facilitate pedestrian access to the Subject Property. There will be no vehicular access through any residential neighborhoods. As further discussed in the traffic impact analysis prepared by MCV Associates, Inc., the vehicular traffic associated with this use will not be hazardous and will not conflict with existing or anticipated traffic in the neighborhood. Therefore, this standard is satisfied. The Applicant has also provided a PMP to ensure that the proposed use of the Subject Property will have a minimal impact on the surrounding streets, intersections, and neighborhoods. The Applicant is amenable to a condition of approval requiring its general conformance with the Parking Management Plan.*

- 5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.**

*The Applicant is proposing additional landscaping and screening as a part of this application. All proposed landscaping and screening will conform to the provisions of Article 13. Therefore, this standard is satisfied.*

- 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.**

*Open space shall be provided in those areas shown on the special permit amendment plat. As depicted on the special permit amendment plat, 35 percent of the Subject Property area will be maintained as open space, which is greater than the 30 percent open space requirement for cluster subdivisions in the R-1 zoning district. Open space has been consolidated to the northwest and southwest portions of the Subject Property, thereby preserving the natural topography and vegetation adjacent to residents. Therefore, this standard is satisfied.*

- 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.**

*Under the applicable requirements of Article 11, the Applicant's proposed use requires 50 parking spaces and four handicapped spaces. The Applicant proposes reconfiguration and expansion of the existing parking lot under Phase II, resulting in 95 total parking spaces and four handicapped spaces. In addition, there are adequate utility and drainage facilities on the Subject Property to serve the proposed use. Therefore, this standard is satisfied.*

- 8. Signs shall be regulated by the provisions of Article 12; however, the BZA may impose more strict requirements for a given use than those set forth in this Ordinance.**

*All signs installed on the Subject Property will comply with the provisions of Article 12. Therefore, this standard is satisfied.*

#### **Compliance with § 8-303 Specific Standards Group 3 Uses**

Section 8-303 of the Zoning Ordinance contains application evaluation criteria for approval Group 3 uses. Each criterion is listed in bold below, followed by the Applicant's response in italics:

- 1. Except as may be qualified, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the**

**provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.**

*As depicted on the special permit amendment plat, the Subject Property is in compliance with all applicable lot size and bulk regulations in the R-1 zoning district, and the Applicant proposes no increase in building height, size, location, or density. Therefore, this standard is satisfied.*

- 2. All uses shall comply with the performance standards specified for the zoning district in which located.**

*The Applicant's proposed use will comply with the applicable performance standards of Article 14. Therefore, this standard is satisfied.*

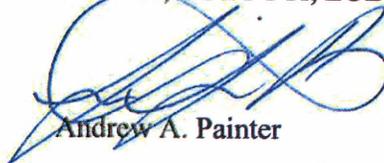
- 3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.**

*Prior to establishment of the proposed use, the Applicant will submit a site plan accordance with the requirements of Article 17. Therefore, this standard is satisfied.*

I would appreciate the acceptance of this application and the scheduling of a public hearing before the Fairfax County Board of Zoning Appeals at your earliest convenience. Thank you for your time and consideration in this matter and please feel free to call me directly at (703) 737-3633 should you have any questions.

Very truly yours,

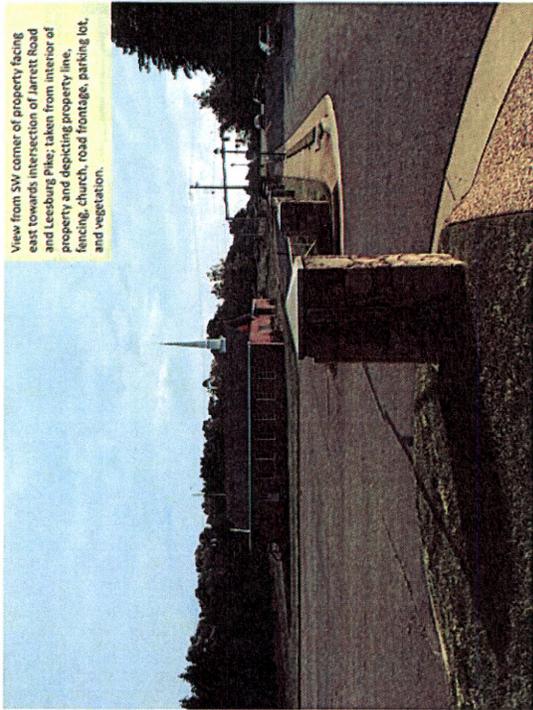
WALSH, COLUCCI, LUBELEY & WALSH, P.C.



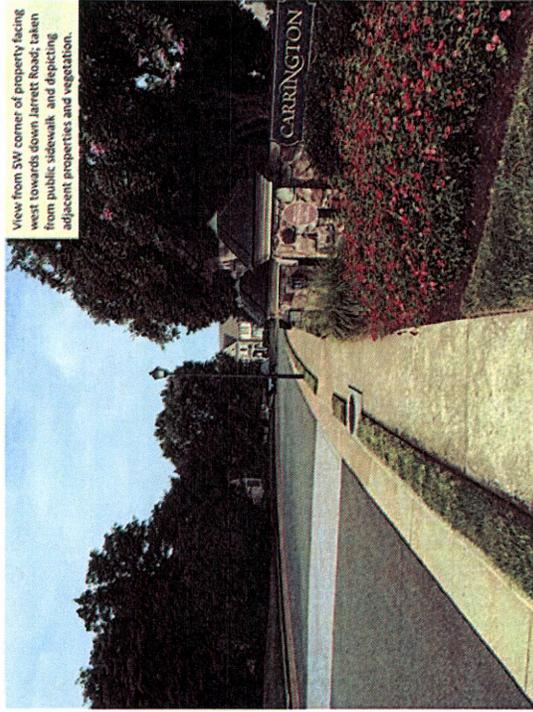
Andrew A. Painter

Enclosures

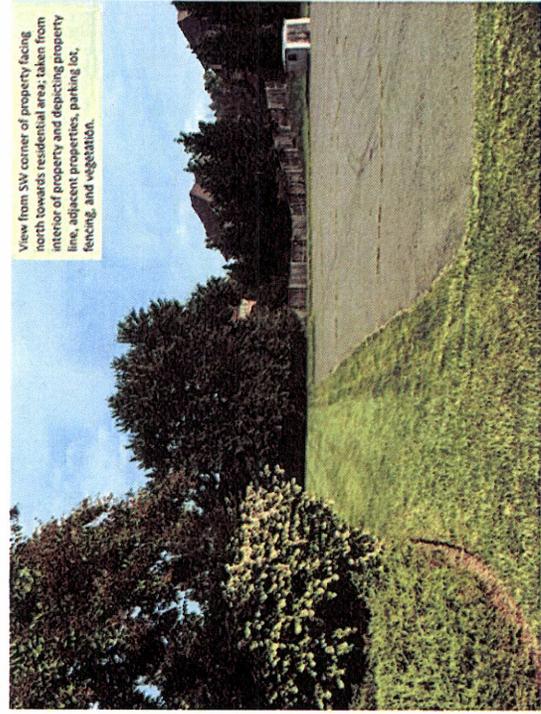
Cc: Dr. Ahmed Elrefai  
Mr. Mohsin Alikhan  
Mr. Hamid Matin, P.E., Professional Design Group, Inc.  
Mr. Joe Mehra, PE, PTOE, MCV Associates, Inc.  
Lynne J. Strobel, Esq., Walsh Colucci  
Martin D. "Art" Walsh, Esq., Walsh Colucci  
J. Randall Minchew, Esq., Walsh Colucci  
Matthew J. Allman, Esq., Walsh Colucci



View from SW corner of property facing east towards intersection of Jarrett Road and Leesburg Pike; taken from interior of property and depicting property line, fencing, church, road frontage, parking lot, and vegetation.



View from SW corner of property facing west towards down Jarrett Road; taken from public sidewalk and depicting adjacent properties and vegetation.

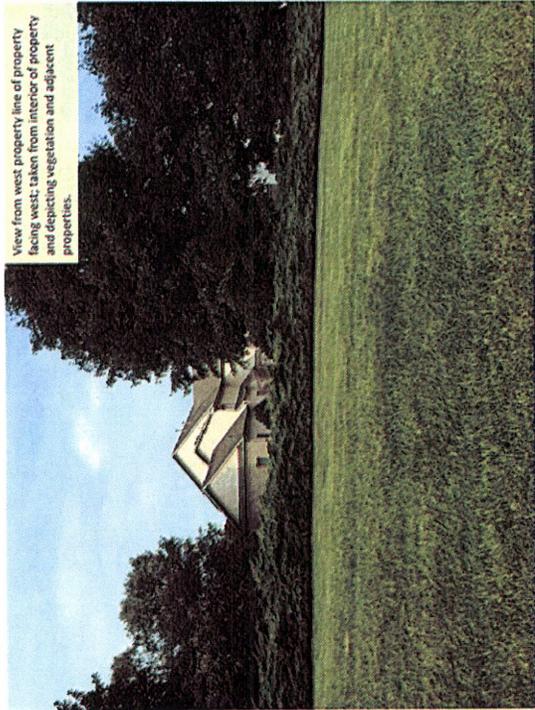
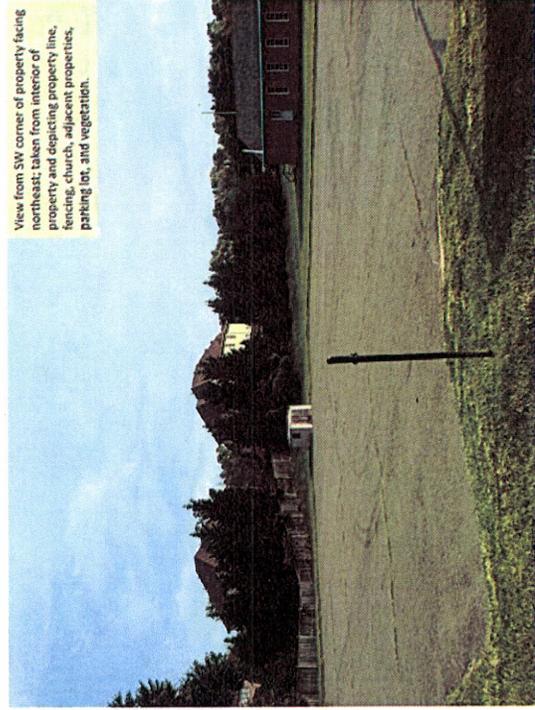
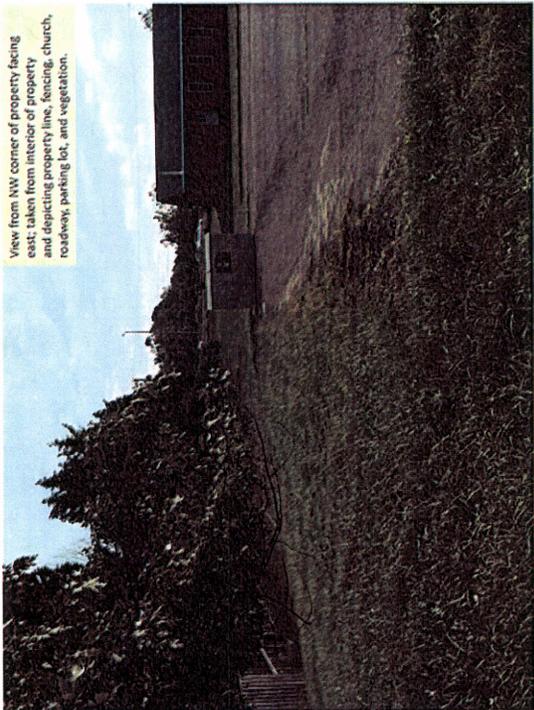
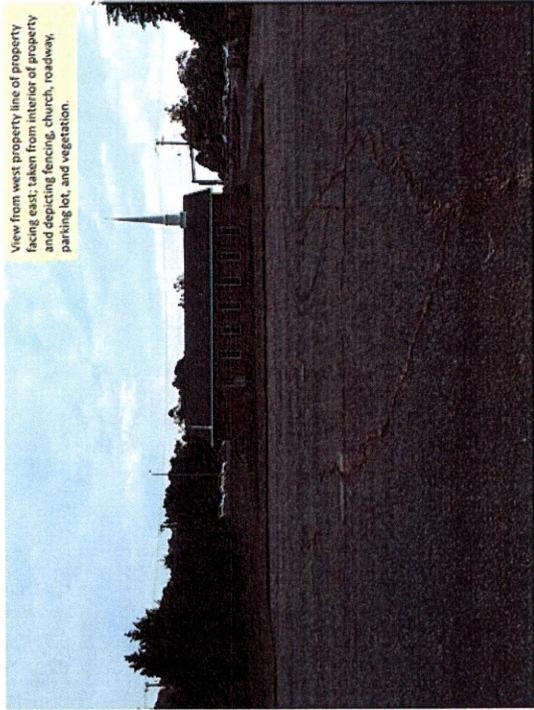


View from SW corner of property facing north towards residential area; taken from interior of property and depicting property line, adjacent properties, parking lot, fencing, and vegetation.

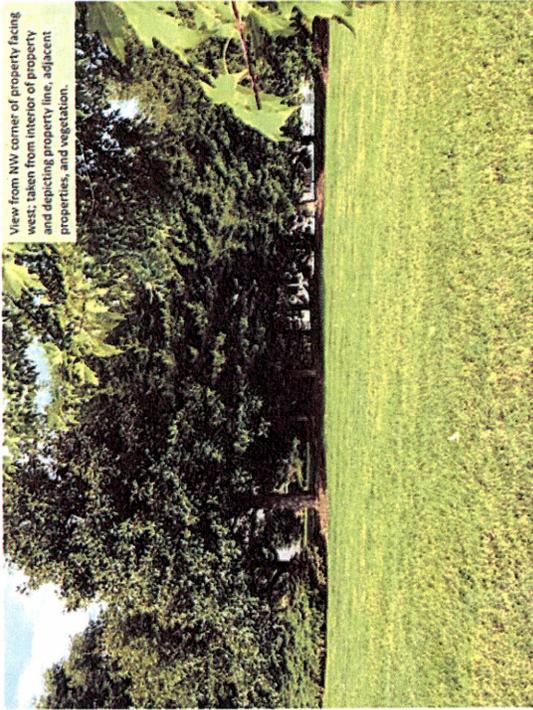
## Photo Exhibit

McLean Islamic Center  
 Application for Category 3 Special Permit  
 8800 Jarrett Valley Drive, Vienna, Virginia 22182  
 Fairfax County Tax Map #29-1 ((1)) 10A

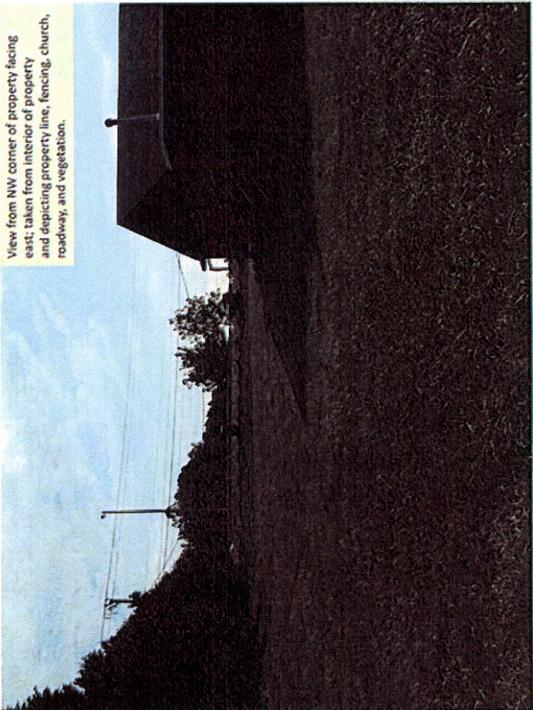
RECEIVED  
 Department of Planning & Zoning  
 SEP 18 2014  
 Zoning Evaluation Division



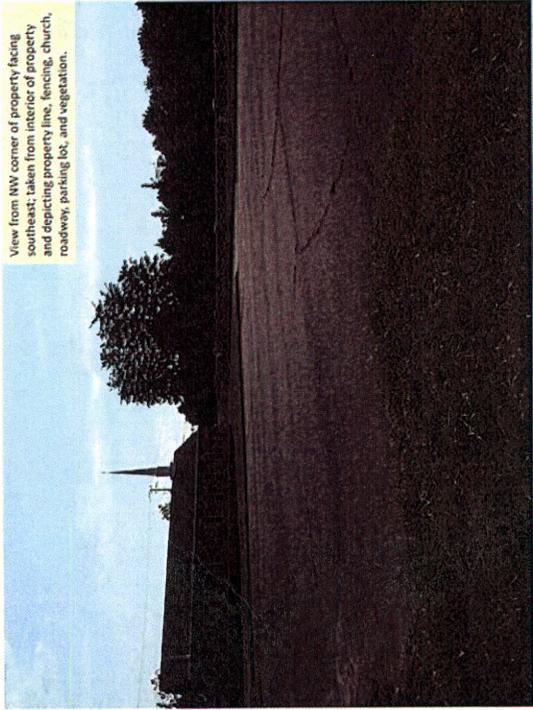
View from NW corner of property facing west; taken from interior of property and depicting property line, adjacent properties, and vegetation.



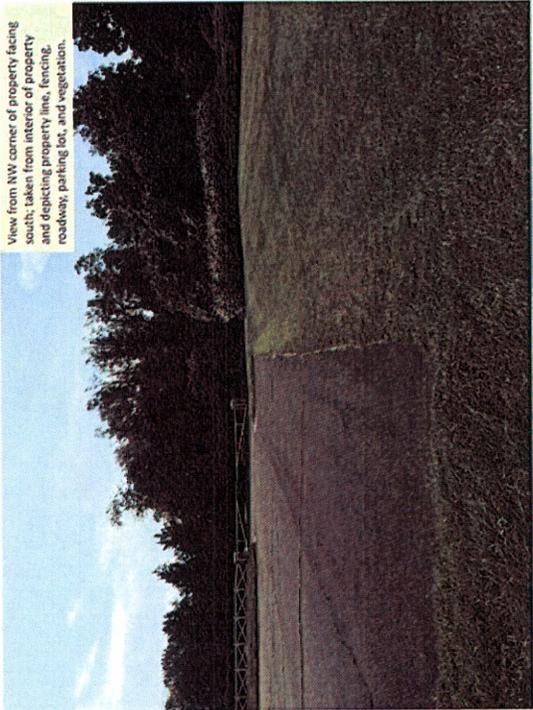
View from NW corner of property facing east; taken from interior of property and depicting property line, fencing, church, roadway, and vegetation.

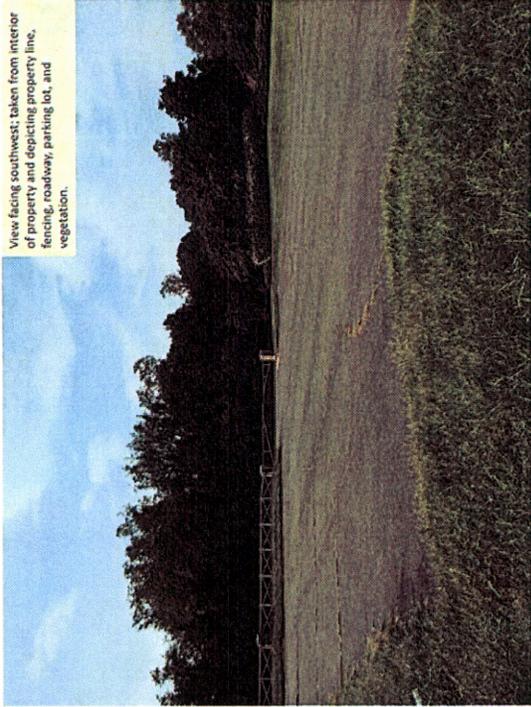


View from NW corner of property facing southeast; taken from interior of property and depicting property line, fencing, church, roadway, parking lot, and vegetation.

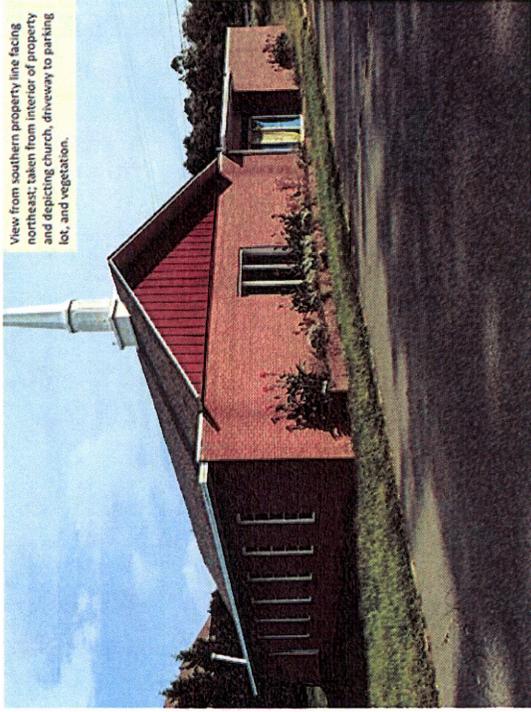


View from NW corner of property facing south; taken from interior of property and depicting property line, fencing, roadway, parking lot, and vegetation.

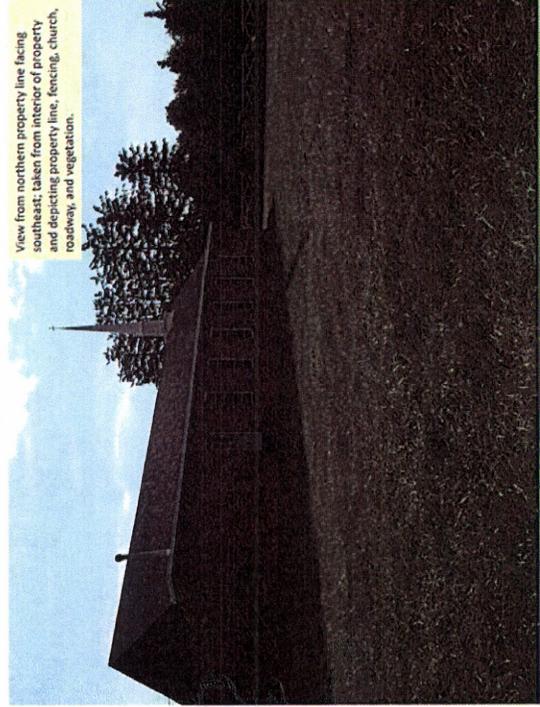




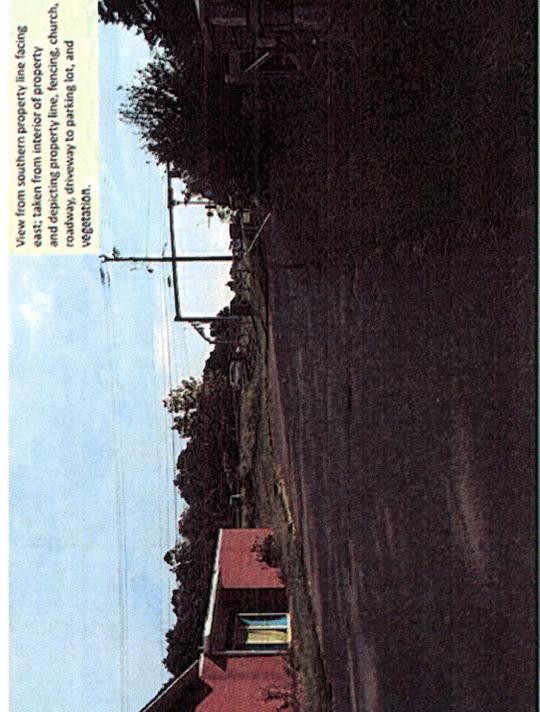
View facing southwest; taken from interior of property and depicting property line, fencing, roadway, parking lot, and vegetation.



View from southern property line facing northeast; taken from interior of property and depicting church, driveway to parking lot, and vegetation.

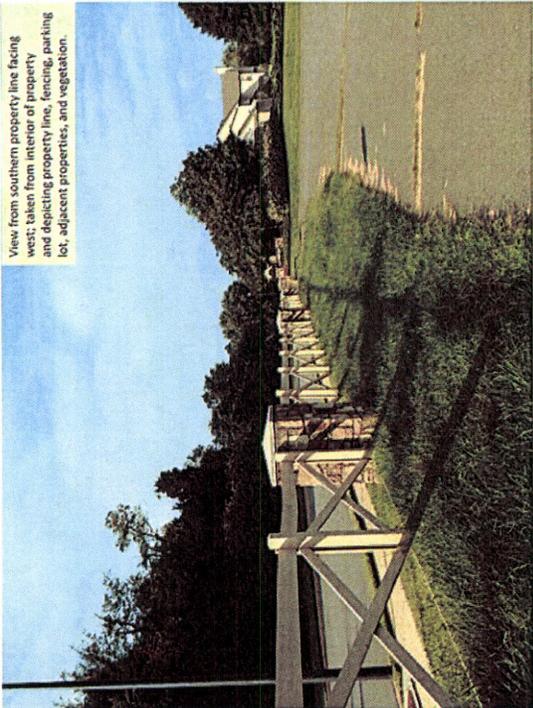


View from northern property line facing southeast; taken from interior of property and depicting property line, fencing, church, roadway, and vegetation.

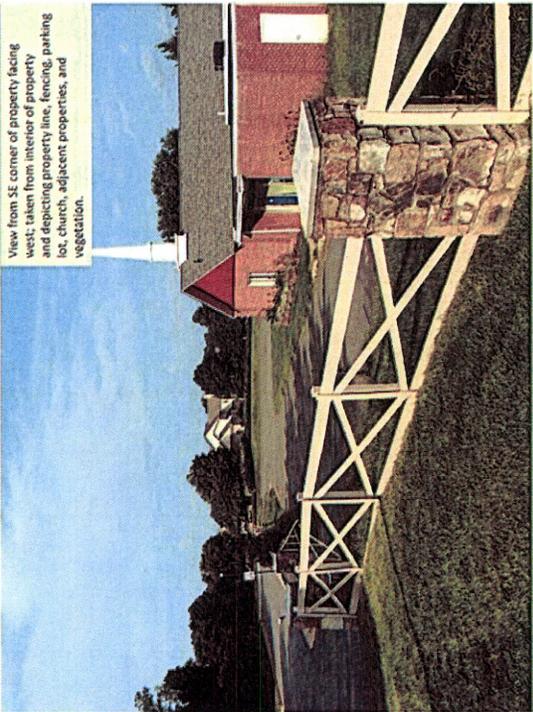


View from southern property line facing east; taken from interior of property and depicting property line, fencing, church, roadway, driveway to parking lot, and vegetation.

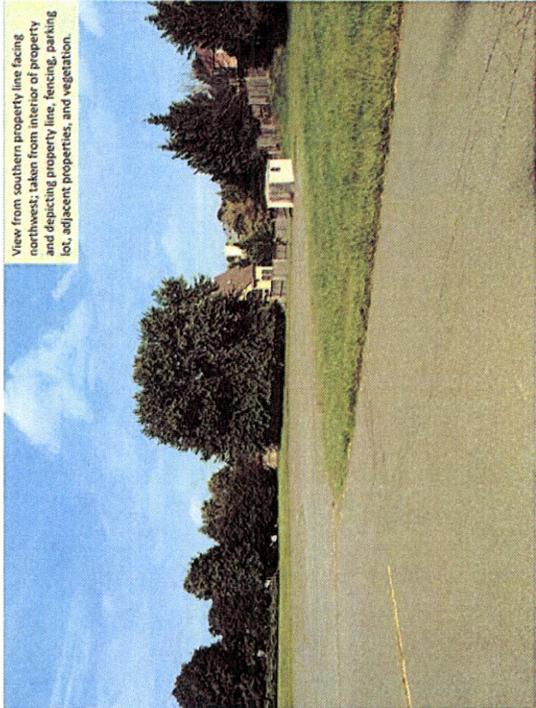
View from southern property line facing west; taken from interior of property and depicting property line, fencing, parking lot, adjacent properties, and vegetation.



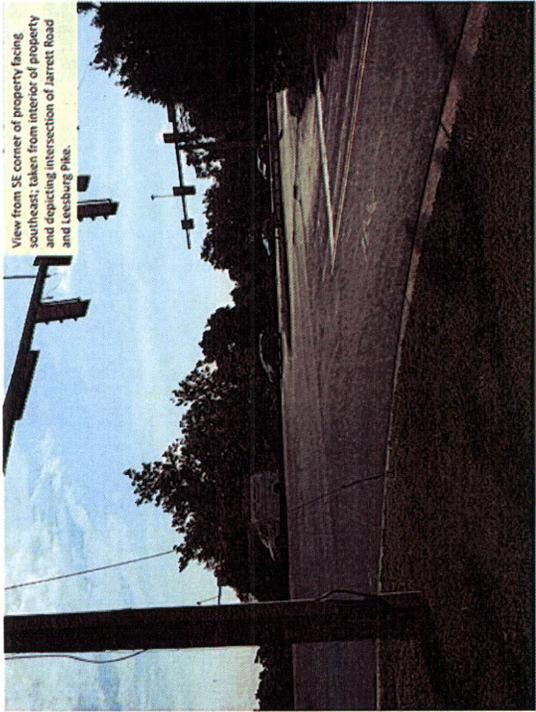
View from SE corner of property facing west; taken from interior of property and depicting property line, fencing, parking lot, church, adjacent properties, and vegetation.

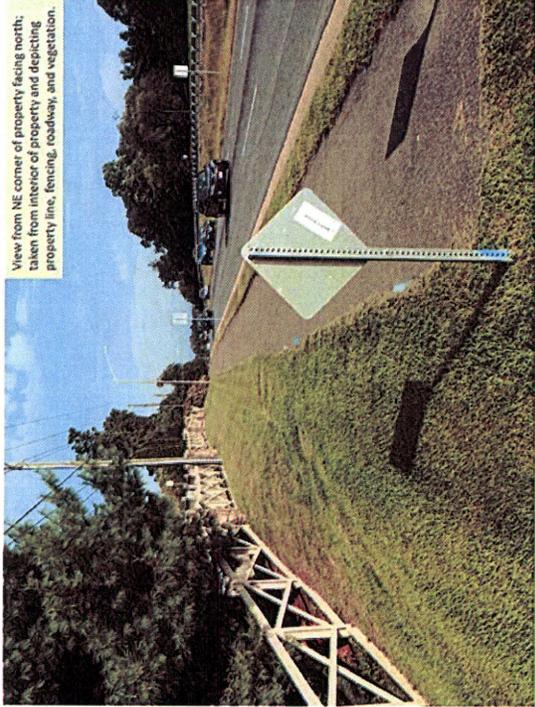


View from southern property line facing northwest; taken from interior of property and depicting property line, fencing, parking lot, adjacent properties, and vegetation.

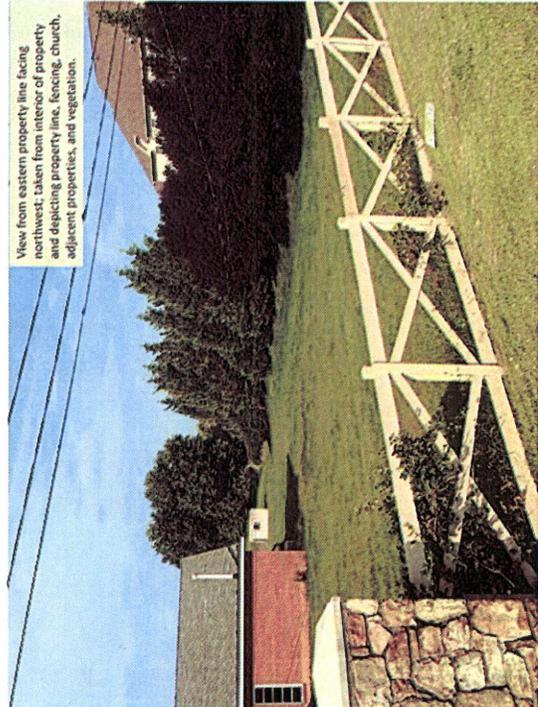


View from SE corner of property facing southeast; taken from interior of property and depicting intersection of Jarrett Road and Leesburg Pike.

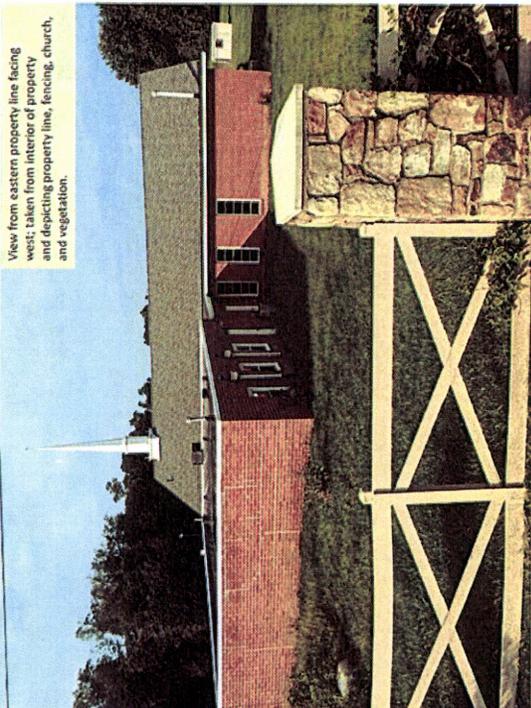




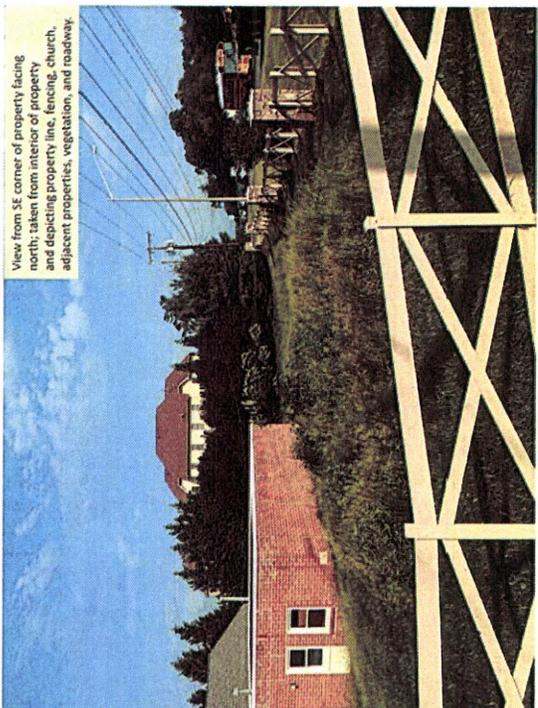
View from NE corner of property facing north; taken from interior of property and depicting property line, fencing, roadway, and vegetation.



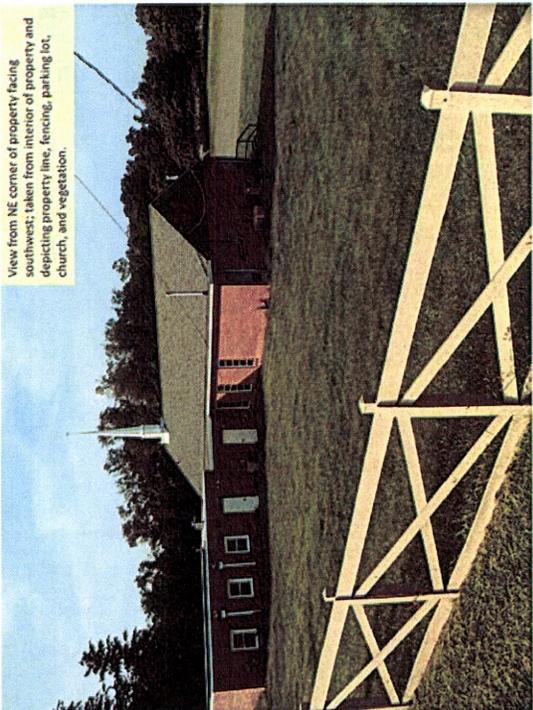
View from eastern property line facing northwest; taken from interior of property and depicting property line, fencing, church, adjacent properties, and vegetation.



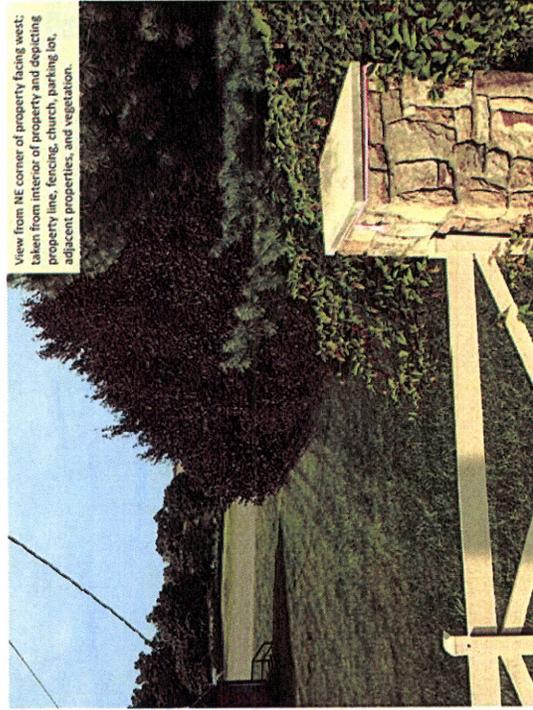
View from eastern property line facing west; taken from interior of property and depicting property line, fencing, church, and vegetation.



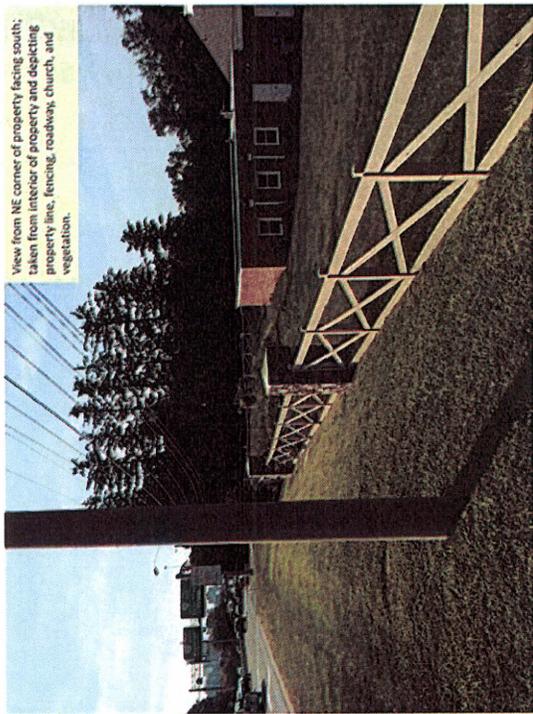
View from SE corner of property facing north; taken from interior of property and depicting property line, fencing, church, adjacent properties, vegetation, and roadway.



View from NE corner of property facing southwest; taken from interior of property and depicting property line, fencing, parking lot, church, and vegetation.



View from NE corner of property facing west; taken from interior of property and depicting property line, fencing, church, parking lot, adjacent properties, and vegetation.



View from NE corner of property facing south; taken from interior of property and depicting property line, fencing, roadway, church, and vegetation.





# County of Fairfax, Virginia

## MEMORANDUM

Office of the County Attorney  
 Suite 549, 12000 Government Center Parkway  
 Fairfax, Virginia 22035-0064  
 Phone: (703) 324-2421; Fax: (703) 324-2665  
 www.fairfaxcounty.gov

**DATE:** April 28, 2015

**TO:** Laura Arseneau, Staff Coordinator  
 Applications Acceptance Section  
 Zoning Evaluation Division  
 Department of Planning and Zoning

**FROM:** Sepideh Aflaki-Khosrowshahi, Paralegal  
 Office of the County Attorney

**SUBJECT:** BZA Affidavit  
 Temporary Application No. SPA 2014-0363

**REF.:** 129211

**RECEIVED**  
 Department of Planning & Zoning  
 APR 28 2015  
 Zoning Evaluation Division

Attached is a copy of an application and an original affidavit that has been approved by the Office of the County Attorney for the following case:

<u>Name of Applicant</u>	<u>Affidavit Date of Oath</u>
McLean Islamic Center	4/17/15

Attachment

**REAFFIRMATION OF AFFIDAVIT**

In reference to the Affidavit dated September 10, 2014 for the application of  
(enter date of affidavit)

McLean Islamic Center  
(enter name(s) of applicant(s))

in Application No(s): SPA 79-D-141-02  
(enter application number(s))

I, Andrew A. Painter, attorney/agent, do hereby state that I am an

- (check one)  applicant (must be listed in Par. 1(a) of the above-described affidavit)
- applicant's authorized agent (must be listed in Par. 1(a) of the above-described affidavit)

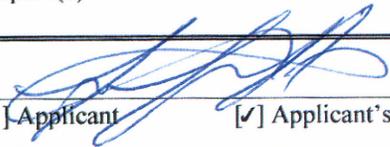
and that to the best of my knowledge and belief, the following information is true:

- (check one)  I have reviewed the above-described affidavit, and the information contained therein is true and complete as of \_\_\_\_\_  
(enter today's date)
- I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

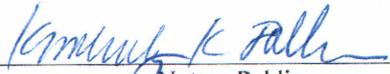
- Paragraph 1(a)  Paragraph 2
- Paragraph 1(b)  Paragraph 3
- Paragraph 1(c)

WITNESS the following signature:  
(check one)

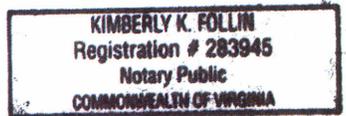
  
 Applicant  Applicant's Authorized Agent

Andrew A. Painter, attorney/agent  
(Type or print first name, middle initial, last name and title of signee)

Subscribed and sworn to before me this 17 day of April, 2015, in the  
State/Commonwealth of Virginia, County/City of Arlington.

  
Notary Public

My Commission expires: 11/30/2015



Application No.(s): SPA 79-D-141-02  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 17, 2015  
(enter date affidavit is notarized)

129211

I, Andrew A. Painter, attorney/agent, 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

and that, to the best of my knowledge and belief, the following 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 must 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)
McLean Islamic Center Agent: Ahmed N.A. Elrefai, Sr. Maqsood A. Chaudhry Mohsin (nmi) Alikhan	1340 Old Chain Bridge Road McLean, VA 22101	Applicant/Contract Purchaser of Tax Map 29-1 ((1)) 10A
Berea Church of Christ Agent: Wyett H. Colclasure II	P.O. Box 163 Jarrettsville, MD 21084	Title Owner of Tax Map 29-1 ((1)) 10A

(check if applicable)       There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance 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).

SPA 79-D-141-02

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 1

**Special Permit/Variance Attachment to Par. 1(a)**

DATE: April 17, 2015  
(enter date affidavit is notarized)

129211

**(NOTE):** All relationships to the application 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.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Walsh, Colucci, Lubeley & Walsh, P.C.	2200 Clarendon Boulevard Suite 1300 Arlington, VA 22201	Attorneys/Planners/Agent
Agents: Martin D. Walsh Lynne J. Strobel Timothy S. Sampson (former) M. Catharine Puskar Sara V. Mariska G. Evan Pritchard Andrew A. Painter Matthew J. Allman Elizabeth D. Baker Inda E. Stagg Elizabeth A. Nicholson (former)		Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Attorney/Agent Planner/Agent Planner/Agent Planner/Agent
Professional Design Group, Inc.	4124 Walney Road, Suite M Chantilly, VA 20151	Engineeers/Agent
Agents: Farbia Sadeghpour Hamid Matin		
MCV Associates, Inc.	4605-C Pinecrest Office Park Drive Alexandria, VA 22312	Traffic Consultant/Agent
Agents: Jawahar (Joe) Mehra Reju Vijaya Radhakrishnan		
First American Real Estate, Inc.	7777 Leesburg Pike, #307S Falls Church, VA 22043	Real Estate Broker/Agent for Applicant
Agent: Zia U. Hassan		
Long & Foster Real Estate, Inc.	43490 Yukon Drive, #105 Ashburn, VA 20147	Real Estate Broker/Agent for Title Owner
Agent: David N. Olson		

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

SPA 79-D-141-02

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Two

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 17, 2015  
(enter date affidavit is notarized)

129211

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, number, street, city, state, and zip code)

McLean Islamic Center  
1340 Old Chain Bridge Road  
McLean, VA 22101

**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)

A non-stock corporation with no shareholders.

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance 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.

Application No.(s): SPA 79-D-141-02  
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 4

**Special Permit/Variance Attachment to Par. 1(b)**

DATE: April 17, 2015  
(enter date affidavit is notarized)

129211

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

Berea Church of Christ  
P.O. Box 163  
Jarrettsville, MD 21084

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

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

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

A non-stock corporation with no shareholders.

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

Walsh, Colucci, Lubeley & Walsh, P.C.  
2200 Clarendon Boulevard, Suite 1300  
Arlington, VA 22201

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

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

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

Wendy A. Alexander, David J. Bomgardner,	Bryan H. Guidash, Michael J. Kalish, J.	Former Shareholders:
E. Andrew Burcher, Thomas J. Colucci,	Randall Minchew, Andrew A. Painter, G.	Michael D. Lubeley, Martin D. Walsh
Michael J. Coughlin, Peter M. Dolan, Jr.,	Evan Pritchard, M. Catharine Puskar, John	
Jay du Von, William A. Fogarty,	E. Rinaldi, Kathleen H. Smith, Lynne J.	
John H. Foote, H. Mark Goetzman,	Strobel, Garth M. Wainman, Nan E. Walsh	

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

Application No.(s): SPA 79-D-141-02  
(county-assigned application number(s), to be entered by County Staff)

Page 2 of 4

**Special Permit/Variance Attachment to Par. 1(b)**

DATE: April 17, 2015  
(enter date affidavit is notarized)

129211

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

Professional Design Group, Inc.  
4124 Walney Road, Suite M  
Chantilly, VA 20151

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

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

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

Farbia Sadeghpour

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

MCV Associates, Inc.  
4605-C Pinecrest Office Park Drive  
Alexandria, VA 22312

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

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

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

Jawahar (Joe) Mehra

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

Application No.(s): SPA 79-D-141-02  
(county-assigned application number(s), to be entered by County Staff)

Page 3 of 4

**Special Permit/Variance Attachment to Par. 1(b)**

DATE: April 17, 2015  
(enter date affidavit is notarized)

129211

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

First American Real Estate, Inc.  
7777 Leesburg Pike, #307S  
Falls Church, VA 22043

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

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

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

Zia U. Hassan

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

Long & Foster Real Estate, Inc.  
43490 Yukon Drive, #105  
Ashburn, VA 20147

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

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

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

Long & Foster Companies, Inc.

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

SPA 79-D-141-02

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page 4 of 4

**Special Permit/Variance Attachment to Par. 1(b)**

DATE: April 17, 2015  
(enter date affidavit is notarized)

129 211

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

Long & Foster Companies, Inc.  
11351 Random Hills Road  
Fairfax, Virginia 22030

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

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

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

P. Wesley Foster, Jr.	Paul W. Foster, III	Amanda Foster Spahr, Custodian for Griffin Flanders Spahr VA UTMA
Betty F. Foster Marital Trust dated April 18, 2002 f/b/o Betty F. Foster	Amanda Foster Spahr, Custodian for Callaway Bowman Spahr VA UTMA	P. Wesley Foster, Jr. Family Generation Trust dated April 18, 2002 f/b/o P. Wesley Foster, Jr.
Amanda Foster Spahr	Amanda Foster Spahr, Custodian for Jackson Foster Spahr VA UTMA	
Philip Lawrence, Jr.		

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

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

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

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

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

Application No.(s): SPA 79-D-141-02  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 17, 2015  
(enter date affidavit is notarized)

129211

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, number, street, city, state, and zip code)  
None

(check if applicable)  The above-listed partnership has no limited partners.

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

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance 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.

SPA 79-D-141-02

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 17, 2015  
(enter date affidavit is notarized)

129211

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

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

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

2. That no member of the Fairfax County Board of Zoning Appeals, 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 Permit/Variance Attachment to Par. 2" form.

Application No.(s): SPA 79-D-141-02  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: April 17, 2015  
(enter date affidavit is notarized)

129211

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, 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 Permit/Variance 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)

[ ] Applicant

[x] Applicant's Authorized Agent

Andrew A. Painter, attorney/agent  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 17 day of April 2015, in the State/Comm. of Virginia, County/City of Arlington.

Kimberly K. Follin  
Notary Public

My commission expires: 11/30/2015

KIMBERLY K. FOLLIN  
Registration # 283945  
Notary Public  
COMMONWEALTH OF VIRGINIA

## MEMORANDUM

TO: Board of Zoning Appeals                      DATE July 25, 1979

FROM: Zoning Administrator (Deputy)  


SUBJECT: Summary Comments on Board's Agenda for July 31, 1979

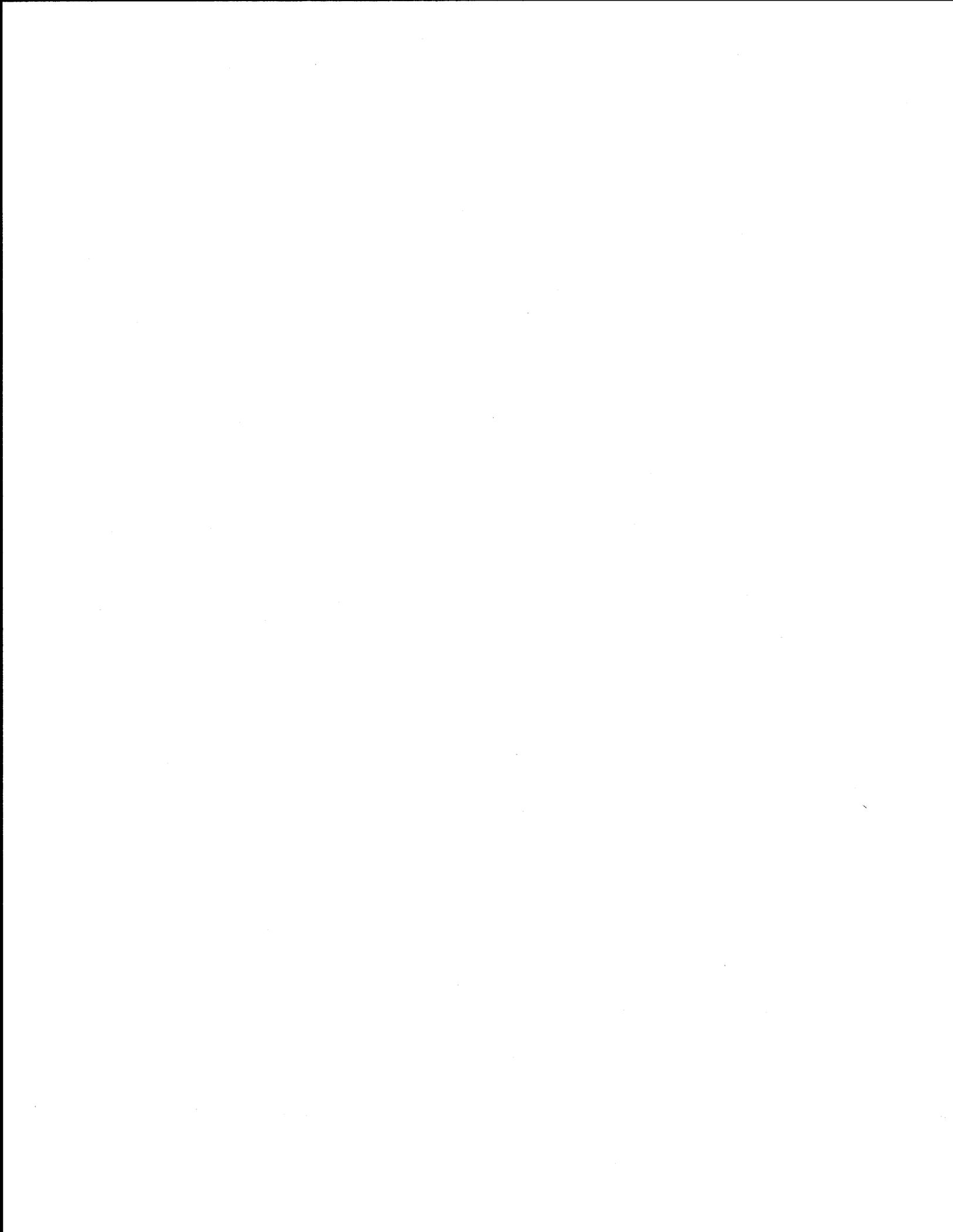
8:00 P.M. - BEREA CHURCH OF CHRIST -- S-141-79

Staff Findings of Fact

1. Property Owner: Church of Christ
2. Present Zoning: R-1
3. Lot Area: 1.5506 acres
4. District: Dranesville
5. Master Plan: 2 - 3 dwelling units per acre

Zoning Comments

The applicants' property is located on the southwest quadrant of Leesburg Pike and Dulles Airport Access Road. This is an application to expand an existing church, Sunday school and church office. There will be no change in the sanctuary capacity, which has seating for 200 persons; however, the Zoning Ordinance requirements have changed so as to require an additional 10 parking spaces, based on 1 space for 4 seats instead of 5 seats. Current plats indicate 40 spaces. Revised plats have been promised, but at the time this report was being written, the plats had not been received.



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The Regular Meeting of the Board of Zoning Appeals held in the Board Room of the Massey Building on Tuesday, July 31, 1979. All Board Members were present: Daniel Smith, Chairman; John DiGiulian, Vice-Chairman; George Barnes; John Yaremchuk and Barbara Ardis.

The Chairman opened the meeting at 8:10 P.M. led with a prayer by Mr. Barnes.

The Chairman called the scheduled 8:00 P.M. case.

8:00 P.M. - BEREA CHURCH OF CHRIST, appl. under Sect. 3-103 of the Ord. to permit building additions to existing church, located 8817 Leesburg Pike, Ash Grove Subd., 29-1((1))10A, Dranesville Dist., 72,919 sq. ft., R-1, S-141-79.

Mr. Russell Jenkins of McLean, Va. represented the church. He stated that the church wished to build an addition to the existing building to make it more readily visible from Rt. 7. The addition would be built of brick with a wood trellis. Mr. Jenkins stated all they were doing was adding an A-roof over the flat roof to raise the building high enough to be visible from Rt. 7.

There was no one to speak in favor of the application and no one to speak in opposition.

Page 317, July 31, 1979  
BEREA CHURCH OF CHRIST

Board of Zoning Appeals

R E S O L U T I O N

Mr. DiGiulian made the following motion:

WHEREAS, Application No. S-141-79 by BEREA CHURCH OF CHRIST under Section 3-103 of the Fairfax County Zoning Ordinance to permit building additions to existing church, on property located at 8817 Leesburg Pike, tax map reference 29-1((1))10A, County of Fairfax, Virginia, has been properly filed in accordance with all applicable requirements; and

WHEREAS, following proper notice to the public and a public hearing by the Board of Zoning Appeals held on July 31, 1979; and

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

1. That the owner of the subject property is the applicant.
2. That the present zoning is R-1.
3. That the area of the lot is 1.5506 acres.
4. That compliance with the Site Plan Ordinance is required.

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

THAT the applicant has presented testimony indicating compliance with Standards for Special Permit Uses in R Districts as contained in Section 8-006 of the Zoning Ordinance, and

NOW, THEREFORE, BE IT RESOLVED that the subject application is GRANTED 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 in the application and is not transferable to other land.
2. This special permit shall expire one year from this date unless construction has started and is diligently pursued or unless renewed by action of this Board prior to any expiration.
3. This approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board (other than minor engineering details) whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes (other than minor engineering details) without this Board's approval, shall constitute a violation of the conditions of this Special Permit.
4. This granting does not constitute an exemption from the legal and procedural requirements of this County and State. THIS SPECIAL PERMIT IS NOT VALID UNTIL A NON-RESIDENTIAL USE PERMIT IS OBTAINED.
5. 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.

Page 318, July 31, 1979  
BEREA CHURCH OF CHRIST  
(continued)

Board of Zoning Appeals -

R E S O L U T I O N

6. Landscaping and screening may be required in accordance with Article 13 of the Zoning Ordinance at the discretion of the Director of Environmental Management.
7. The hours of operation shall be normal hours of church activity.
8. The number of parking spaces shall be 50.

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Mr. Barnes seconded the motion.

The motion passed by a vote of 5 to 0.

Page 318, July 31, 1979, Scheduled case of

8:10 - FIRST CHURCH OF GOD - HAPPY DAY CARE CENTER, appl. under Sect. 3-203 of the Ord. to permit an addition to an existing church and an existing day care center for education and fellowship space, located 4100 Hunt Road, Hunts Village Subd., 58-4((1))19B, & 19, Annandale Dist., 58, 620 sq. ft., R-1, S-109-79.

FIRST CHURCH OF GOD, appl. under Sect. 18-401 of the Ord. to allow construction of addition to existing church to 15 ft. from side lot line and such that buildings will have F.A.R. of 0.20 (20 ft. min. side yard and 0.15 max. F.A.R. req. by Sect. 3-107) located 4100 Hunt Road, 58-4((1))19B & 19, Annandale Dist., 58,620 sq. ft., R-1, V-144-79.

Mr. Dennis Mitchell, Pastor, represented the church. He stated that they proposed to build a brick and frame addition which would blend in with the existing church. In response to questions from the Board, Mr. Mitchell stated that the day care center is limited to 57 children. He stated that they have an enrollment of 40 to 50 children and do not propose to increase the number of children. He stated 57 children was ample.

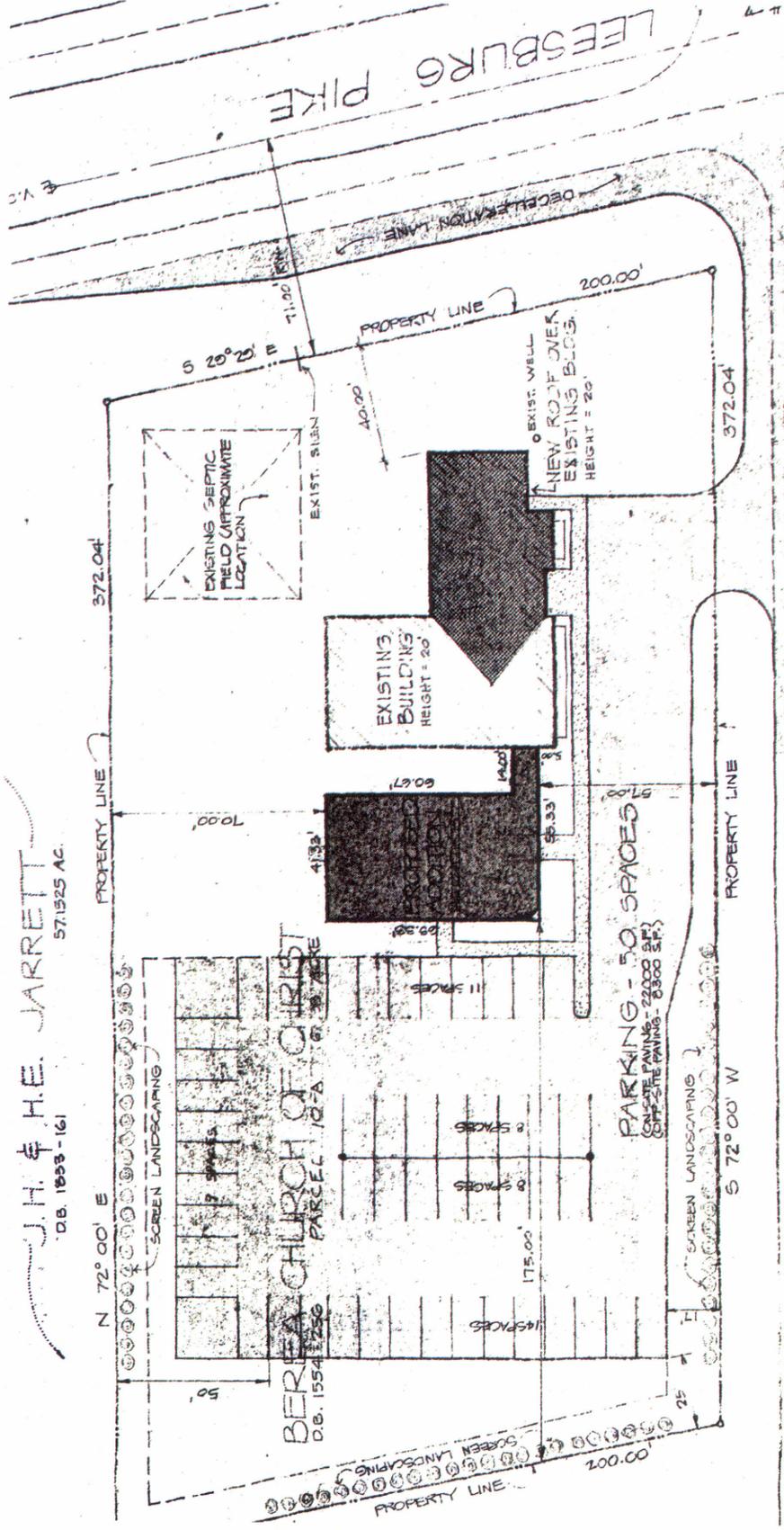
In justification for the variance request, Mr. Mitchell gave the Board the background. He stated that the church did a development study in 1974 when they needed more fellowship space and decided to replace the building. He stated that it was their belief it would be better to build new than to add to the existing structure. He stated that the church needs the parking and was not aware that the Ordinance would impose setbacks on their application. It was not until the special permit application was submitted that the church became aware of the need for a variance to the floor area ratio for both buildings. The existing church is substandard and does not meet any setbacks. It would be difficult for the congregation to replace the old buildings if they do not also increase the amount of space. Mr. Mitchell informed the Board that the church is zoned R-1. Some of the property along Hunt Road was rezoned but the church property was not. He stated that the new building would be a beautiful addition to the community. He indicated that the neighbors are willing to help and were present at the Planning Commission hearing.

Mr. Mitchell stated that they proposed to save the trees but also need all of the parking they can get. He stated that it would not enhance the area if they butted the parking area against the church building without any shrubs in between. Mr. Mitchell stated that if the church cut 5 ft. off the building size, it would cut the size of the classroom space. He stated that they believed that the plan as submitted is a good one and takes into consideration the aesthetics and would serve the people. With respect to the staff report, Mr. Mitchell noted that the staff indicated that all trees within the 25 ft. setback be preserved. Mr. Mitchell stated that was not possible and still retain the water retention. He pointed out to the Board that the church has been in existence for some time. He drew the Board's attention to comments made by the Planning Commission that if the church property was zoned in keeping with the community that the variance would not be necessary.

In further response to questions from the Board, Mr. Mitchell stated that the day care center operates from 7 A.M. to 6 P.M., five days a week. In response to Chairman Smith, Mr. Mitchell stated that it was not possible to cut 5 ft. off the building or to move the building over 5 ft. and still keep the design layout of the parking with the shrubbery.

There was no one to speak in opposition of the application and no one to speak in favor of the applications.

J.H. & H.E. JARRETT  
DB. 1893 - 161  
57.1925 AC.



LEESBURG PIKE

PRIVATE GRAVEL ROAD

J.H. & H.E. JARRETT

35

~ ~ ~ July 1, 2003, (Tape 1), Scheduled case of:

9:00 A.M. TRUSTEES OF THE BEREA CHURCH OF CHRIST, SPA 79-D-141 Appl. under Sect(s). 3-103 of the Zoning Ordinance for an existing church to permit a child care center, nursery school and building addition. Located at 8817 Leesburg Pi. on approx. 1.55 ac. of land zoned R-1. Dranesville District. Tax Map 29-1 ((1)) 10A.

Chairman DiGiulian called the applicant to the podium and asked if the affidavit before the Board of Zoning Appeals (BZA) was complete and accurate. John McBride, the applicant's agent, replied that it was.

Bill Sherman, Staff Coordinator, made staff's presentation as contained in the staff report. The applicant requested an amendment to SP 79-D-141, previously approved for a church and related uses, to permit the addition of child care center and nursery school uses and construction of a building addition. The proposed child care center and nursery school would have a maximum daily enrollment of 21 children, with maximum hours from 6:45 a.m. to 6:45 p.m., Monday through Friday. The building addition would consist of 4,730

square feet, increasing the size of the church from 4,792 to 9,522 square feet. There were no proposed changes to the number of seats or parking.

Mr. Sherman noted that revised development conditions and a revised affidavit were distributed at the hearing. He said staff concluded that the subject application was in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions and recommended the approval of the special permit amendment subject to the approval of the revised proposed development conditions dated July 1, 2003.

Mr. McBride presented the special permit amendment request as outlined in the statement of justification submitted with the application. He stated that the church had been located on the subject property since the late '50s and underwent an expansion to the existing development in the '60s. Since then, he said, the widening of Route 7 and the residential development to the west and south had impacted the church. Mr. McBride said he had spoken with the Board of Directors of the Carrington subdivision regarding their concerns about screening and buffering and the possibility of future expansion of the child care center beyond the proposed maximum daily enrollment of 21 children. He said the development conditions had been amended to reflect the provision of full transitional screening on the southwest border. He stated that the developer of the community, who was still on bond, was required to extend the existing board-on-board fence along the western border. Mr. McBride presented to the BZA a letter of support, a petition of support with 43 signatures, and a letter from the trustees and congregation of the church to the Carrington Homeowners Association stating the intent to have only a 21-child daycare center. He stated that the applicant agreed with the development conditions with one exception. He said that Development Condition 17 was vague, and he explained that the church had a decorative fence within the area of the proposed ancillary easement discussed in that condition that they wanted to preserve.

Mr. Pammel asked what the addition would be used for when not in use by the daycare center. Mr. McBride explained that the primary use was to enlarge the entrance and vestibule area to the church and to provide a sufficient number of handicapped restrooms for the congregation, additional office space for the minister and his assistants and Sunday school classroom space.

Mr. Hart asked Mr. McBride to indicate the location of the fence the developer was to add. Mr. McBride pointed out the location on the overhead and explained that it would be on the western boundary and would extend beyond the parking lot. He also pointed out the location of the full transitional screening on the property that the church had committed to provide.

Mr. Hart asked for an explanation regarding the reference of standard end-of-road signs in Development Condition 16. Mr. McBride said he understood that to be a reference to additional signage on the existing gates, but he suggested the question be directed to staff. Mr. Sherman explained that the Department of Transportation (DOT) requested the signage to avoid the situation where drivers would pull into a gated drive when the gate was closed and had to reverse back out.

Mr. Hart asked if the pedestrian connection from Jarrett Valley Drive that was referenced in DOT's memorandum had been added. Mr. McBride pointed out where the sidewalk connection was located on the special permit plat.

Mr. Hart asked what the purpose was of the ancillary easement referenced in Development Condition 17. Mr. Sherman replied that it was requested by DOT for a trail planned to be located on the southern side of Leesburg Pike. A brief discussion ensued regarding the use of more specific language in the development condition regarding the easement, the size of the easement, and the existence of a fence in that location.

In regard to Development Condition 1, Mr. Hart asked if the church would have to reapply for a special permit amendment if it leased out the daycare operation. Susan Langdon, Chief, Special Permit and Variance Branch, explained that the church would not have to reapply, but the church would be responsible for the enforcement of the conditions.

Mr. Ribble asked when the first part of the fence on the western boundary was constructed and why it was not completed. Mr. McBride replied that he did not know why it was incomplete, but that the first part was constructed when the Affordable Dwelling Units (ADUs) were constructed approximately two years prior to

the hearing. He said the developer had agreed to complete the fence, and he understood it was to be completed in the summer or fall of 2003.

Mr. Ribble asked what would happen if the developer did not complete the fence. Ms. Langdon replied that there would be a final inspection, and the developer's bond money would not be returned until he met the proffers or conditions.

Chairman DiGiulian called for speakers.

Shereen Abu Zobaa, 8810 Jarrett Valley Drive, Vienna, Virginia, came forward to speak in opposition to the application. She said her property was located adjacent to the church, and she had several concerns, which included an increase in traffic as a result of the daycare facility, the noise level of the children when outside for recreation and the children's ability to wander off.

Mr. McBride stated, in his rebuttal, that the signalized intersection with a dedicated left-turn lane serviced all the properties and that it was safer than an un-signalized intersection. He said there was an ample stacking area for dropping off the children without stacking out onto Jarrett Valley Drive. He explained that a berm and a solid board fence was required for the small outdoor play area located on the western boundary for noise attenuation purposes from Route 7, and he said that he did not think 21 children would increase the noise to the single-family homes.

Chairman DiGiulian noted that the Board had received letters of opposition from Erin McComas and Mark Martin. Mr. McBride said Mr. Martin was the vice president of the Carrington Homeowners Association that he had spoken with, and that his letter was written prior to the discussions and resolution of the fence and landscaping issues. Mr. McBride said the issues in Ms. McComas' letter were addressed at the hearing.

Mark Martin, Vice President of the Carrington Homeowners Association (HOA), came forward to speak. He stated that he was not formally in opposition because many of the concerns had been addressed, but he wanted to clarify that the HOA had received a letter from the church indicating the maximum enrollment of the daycare center would be 21 children and he wanted to confirm that the letter was entered into the record. He said he did not believe the kiss-and-drop issue had been resolved and that the 30 feet was not enough space for a reasonable backup that would be expected when dropping off preschoolers.

Mr. McBride stated, in his rebuttal, that the letter Mr. Martin mentioned was the letter he had entered into the record. He said there was a drop-off loop that was more than 30 feet, and along with the parking area, drop-off would not back into Jarrett Valley Drive. He stated that DOT staff did not request any special conditions or redesign of the plan.

Mr. Hart noted that a letter had been received from Ms. Snider in regard to using stone or iron fencing materials around the tot lot to be more in keeping with the neighborhood. Mr. McBride stated that he had not seen that letter, but that the tot lot would not be in sight from any of the single-family homes, from Route 7 or Jarrett Valley Drive.

Chairman DiGiulian closed the public hearing.

Mr. Pammel moved to approve SPA 79-D-141 for the reasons stated in the Resolution.

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#### COUNTY OF FAIRFAX, VIRGINIA

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

TRUSTEES OF THE BEREA CHURCH OF CHRIST, SPA 79-D-141 Appl. under Sect(s). 3-103 of the Zoning Ordinance for an existing church to permit a child care center, nursery school and building addition. Located at 8817 Leesburg Pi. on approx. 1.55 ac. of land zoned R-1. Dranesville District. Tax Map 29-1 ((1)) 10A. Mr. Pammel 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 July 1, 2003; and

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

1. The applicant is the owner of the land.
2. The primary focus is not a 21-child daycare center, but primarily for the expansion of the church to accommodate handicapped bathrooms, a better access vestibule, offices for the administration, and Sunday school classrooms. The child care center is secondary. That element of the application was fairly justified.
3. The agent has worked with the community and has resolved the transitional screening issue.
4. The fence issue on the northwest boundary is not under our control. It is a bond issue, as staff stated, with respect to the developer of that portion of Carrington community.
5. With regard to traffic, ten vehicle trips in and out in the morning and the same in the afternoon is what would be anticipated with 21 students and single-car drop-offs spread out over a period of approximately three hours. The impact would be minimal. It would not impact the community or add further pressure on the left-turn lane.
6. The fact that there is a dedicated left-turn lane for access onto Jarrett Valley Drive is a feature that is not available for most applications before the BZA. That is a plus in the application.

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, 8817 Leesburg Pike (1.55 acres) 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 Robson Group Architects, dated December 30, 2002, revised through June 5, 2003, 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 Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. Parking shall be provided as shown on the Special Permit Plat. All parking shall be on site.
6. Upon issuance of a Non-Residential Use Permit (Non-RUP) for SPA 79-D-141, the maximum total daily enrollment for the child care center and nursery school shall not exceed 21 children.
7. Upon issuance of a Non-Residential Use Permit (Non-RUP) for SPA 79-D-141, hours of operation for the child care center shall be a maximum of 6:45 a.m. to 6:45 p.m. Monday through Friday.

8. Any proposed new lighting on the site shall be in accordance with the performance standards for outdoor lighting contained in Part 9 of Article 14 of the Zoning Ordinance except that the maximum height of the light poles shall be 12.0 feet.
9. Transitional screening shall be required with the following modifications:
  - a. Notwithstanding what is shown on the plat, Transitional Screening 1 shall be provided along the entire length of both the northwestern and southwestern lot lines.
  - b. Along all other lot lines, existing vegetation supplemented by additional plantings, as shown on the plat, shall satisfy the screening requirement.
  - c. Size, number and species of plant material shall be provided as approved by the Urban Forestry Division.
10. The maximum seating capacity of the church shall be limited to 200.
11. The building shall be constructed in substantial conformance with the design depicted on Attachment A, Schematic Design.
12. The Applicant shall provide onsite storm water detention and best management practices in accordance with the requirements of the Public Facilities Manual unless waived or modified by DPWES. These facilities shall be constructed in the general locations shown on the Special Permit Plat. The location of these facilities shall not encroach into any required areas of Transitional Screening or result in the displacement of any existing or proposed vegetation as shown on the Special Permit Plat.
13. Foundation plantings shall be maintained around the existing church building and shall be planted around the new addition to soften the visual impact of the structure. The species, size and location of the plantings shall be approved by the Urban Forestry Division of DPWES.
14. Parking lot landscaping shall be provided in accordance with Article 13 of the Zoning Ordinance.
15. The board fence and berm shown on the plat adjacent to the play area shall be designed using materials and style intended to minimize sound impacts on the play area.
16. Signs compliant with the standard End of Road signs described in the Manual of Uniform Traffic Control Devices (OM4-3) shall be affixed to and maintained on each of the four gates across the two entrances onto Jarrett Valley Drive.
17. The Applicant shall provide ancillary easements, to accommodate a sidewalk/trail, at no cost to the Board of Supervisors of approximately 15 feet in width along the Route 7 frontage.

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. Hart seconded the motion, which carried by a vote of 5-0. Mr. Hammack and Ms. Gibb were absent from the meeting.

\*This decision was officially filed in the office of the Board of Zoning Appeals and became final on July 9,

2003. This date shall be deemed to be the final approval date of this special permit.





8800 Jarrett Valley Dr  
**FAIRFAX COUNTY**

**DEPARTMENT OF PLANNING**

**APPENDIX 6**

Zoning  
12055 Government Center Parkway, Suite 601  
Fairfax, Virginia 22035-5509

(703) 324-1290 TTY 711 (Virginia Relay Center) Fax (703) 324-3924

**V I R G I N I A**

September 27, 2004

David Sharon, P.E.  
ADTEK Engineers, Inc.  
3251 Old Lee Highway, Suite 405  
Fairfax, VA 22030

Re: Interpretation for SPA 79-D-141, Berea Church of Christ; Tax Map 29-1 ((1)) 10 A: Transitional Screening

Dear Mr. Sharon:

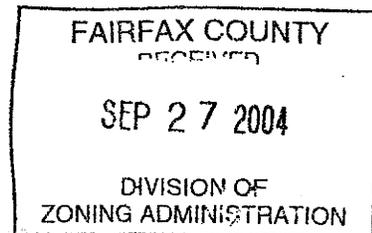
This is in response to your letter of September 2, 2004, subsequently revised on September 20, 2004, requesting an interpretation of the Special Permit Amendment (SPA) Plat and the development conditions approved by the Board of Zoning Appeals in conjunction with SPA 79-D-141. As I understand it, the question is whether a revision to the approved transitional screening along the Jarrett Valley Drive frontage of the site would be in substantial conformance with the SPA Plat and development conditions. This determination is based on the plan attached to your letter of September 20, 2004, entitled "Landscape Interpretation Plan, Berea Church of Christ," which is dated September 20, 2004, and prepared by ADTEK Engineers, Inc. Copies of the letters and a reduction of the plan are attached for reference.

You have stated that the trees shown on the SPA Plat fall within an existing 15 foot wide Dominion Virginia Power easement and that such planting is not permitted within the easement area. As such, you are proposing to move two trees from the area along Jarrett valley Drive closer to the proposed building. Development Condition 9b states in part: "Transitional screening shall be required with the following modifications: Along the other lot lines, existing vegetation supplemented by additional plantings, as shown on the plat, shall satisfy the screening requirement." Additionally, you are proposing to provide shrubs between the walkway and the building as shown on your plan. No other changes to the open space, landscaping or parking are proposed.

It is my determination that the proposed revision would be in substantial conformance with the SPA Plat and the development conditions. This determination has been coordinated with the Urban Forestry Management Branch, DPWES and has made in my capacity as the duly authorized agent of the Zoning Administrator. If you have any questions regarding this interpretation, please feel free to contact Kul Sandhu at (703) 324-1290.

Sincerely,

Barbara A. Byron, Director  
Zoning Evaluation Division



- cc: Joan M. DuBois, Supervisor, Dranesville District Board of Zoning Appeals
- Leslie B. Johnson, Deputy Zoning Administrator, Permits Review Branch, DPZ
- Michelle Brickner, Director, Office of Site Development Services, DPWES
- Michael P. Knapp, Chief, Urban Forestry Management Branch, DPWES
- Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
- File: SPA 79-D-141, SPI 0409 030, Imaging, Reading File

**ADTEK ENGINEERS, INC.**

3251 Old Lee Highway, Suite 405, Fairfax, Virginia 22030 Telephone: 703-691-4040 Facsimile: 703-691-4056



September 20, 2004

Ms. Barbara Byron, Director  
County of Fairfax  
Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway  
Suite 801  
Fairfax, VA 22035-5509

Re: Special Permit Amendment to SPA 79-D-141  
Associated Site Plan #9800-SP-04-1  
Berea Church of Christ  
Letter of Interpretation  
ADTEK No. 0301.135

Dear Ms. Byron:

On behalf of the Trustees for Berea Church of Christ, ADTEK Engineers, Inc. respectfully requests an interpretation for a proposed landscaping modification to the above referenced approved Special Permit Amendment (SPA) Plat. The Fairfax County Board of Zoning Appeals approved the Special Permit Amendment on July 29, 2003. The approval allows the existing church to permit a child care center, nursery school and building addition.

As a condition of the SPA approval, the applicant is required to provide Transitional Screening as shown on the approved plat. However, there is an existing 15-foot wide Dominion Virginia Power easement located in this area. The existing easement is located along the entire frontage of the property, and adjacent to the right-of-way of Jarrett Valley Drive. The applicant was unaware of the existence of this easement at the time the SPA Plat was submitted and approved. After careful review of the legal document associated with the easement, and discussions with representatives of Dominion Virginia Power, we have learned that Dominion Virginia Power does not allow plantings to be placed within their easements.

To comply with Virginia Power requirements and still be within substantial conformance with the approved SPA Plat, we propose to shift the location of the two proposed trees along the frontage of Jarrett Valley Drive. These two trees are now shown on the enclosed Landscape Interpretation Plan to be relocated to the east side of the property, and near to the proposed handicap parking spaces. Additionally, the proposed shrub plantings proposed that were shown on the approved SPA Plat along the frontage of Jarrett Valley Drive will be relocated along the front of both the existing and proposed buildings.

A copy of the legal 'Right of Way Agreement' dated December 22, 1998, a copy of the approved Special Permit Plat, and a copy of the Landscape Interpretation Plan, are attached with this submittal. We appreciate your timely consideration of this request. If you have any questions or require additional information, please don't hesitate to contact me directly.

Sincerely,  
ADTEK Engineers, Inc.

David Sharon, P.E.  
Civil Project Manager

**LANDSCAPE SPECIFICATIONS:**

1. PLANT MATERIAL SHALL MEET THE STANDARDS OF AMERICAN NURSERY ASSOCIATION (ANNA) AND THE NATIONAL FLORICULTURAL SOCIETY (NFC).
2. WORK INCLUDES INSTALLATION IN PLANTING HORTICULTURE, AND SHOWN AS INDICATED HEREON.
3. ALL PLANTS SHALL BE THE SAME RELATIONSHIP TO FINISHED GRADE AS THEY ARE IN THEIR RESPECTIVE CATALOGS.
4. WHERE PLANTING BEING PLANTED IN ROWS, TREES OR SHRUBS SHALL BE SPACED AND PLANTED TO ALLOW FOR PROPER GROWTH AND DEVELOPMENT.
5. WHERE PLANTING IS TO BE PLANTED IN ROWS, TREES OR SHRUBS SHALL BE SPACED AND PLANTED TO ALLOW FOR PROPER GROWTH AND DEVELOPMENT.
6. THE CONTRACTOR IS RESPONSIBLE TO DETERMINE THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO DELIVERY.
7. THE ARCHITECT RESERVES THE RIGHT TO INSPECT ALL PLANT MATERIAL AT THE DELIVERY POINT IN UNIVERSITY.
8. ALL PLANTS SHALL BE GUARANTEED FOR ONE FULL YEAR FROM THE DATE OF PLANTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL PLANTS THROUGHOUT THE TERM OF THE CONTRACT. PLANTS THAT DIE AT ANY TIME SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE. THE REPLACEMENT SHALL BE OF EQUAL OR BETTER QUALITY AND SHALL BE PLANTED TO THE SAME LOCATION AS THE ORIGINAL PLANT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL PLANTS THROUGHOUT THE TERM OF THE CONTRACT.
9. ALL PLANT MATERIAL SHALL BE PROBABLY WATERSIDE, N.C.
10. PLANTING REQUIREMENTS:
  - a. PLANTING TREES, SHRUBS AND VINES
  - b. PLANTING TREES, SHRUBS AND VINES
  - c. PLANTING TREES, SHRUBS AND VINES
  - d. PLANTING TREES, SHRUBS AND VINES
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  - x. PLANTING TREES, SHRUBS AND VINES
  - y. PLANTING TREES, SHRUBS AND VINES
  - z. PLANTING TREES, SHRUBS AND VINES
11. REFER TO UNIVERSITY FOR PLANTING STANDARDS, SPECIES AND PLANTING REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CHARLOTTE, NORTH CAROLINA, AND THE STATE OF NORTH CAROLINA.
12. USE THE FOLLOWING MATERIALS, METHODS AND DETAILS, REFER TO UNIVERSITY COUNTY'S PUBLIC FACILITY MANUAL (LATEST EDITION).

**TREE COVER CALCULATIONS**

- A. GROSS SITE AREA = 57,018 S.F.
- B. EXISTING BUILDING FOOTPRINT = 5,522 S.F.
- C. ADJUSTED SITE AREA = 51,496 S.F.
- D. TREE COVER REQUIRED = 57,018 S.F. (20% FOR A-1)
- E. EXISTING TREES TO BE SAVED = 2,175 S.F.
- F. ADD PROPOSED TREES = 55,843 S.F.
- G. 17,348 B.F. x 11,989 S.F. O.K.

**INTERIOR PARKING LOT LANDSCAPING**

- PARKING LOT AREA = 14,500 S.F.
- INTERIOR LANDSCAPING REQUIRED = 2,900 S.F.
- INTERIOR LANDSCAPING PROVIDED = 500 S.F.

**NOTE**

ALL PLANTING IS TO BE DONE BY THE CONTRACTOR AND SHALL BE IN ACCORDANCE WITH THE STANDARDS OF AMERICAN NURSERY ASSOCIATION (ANNA) AND THE NATIONAL FLORICULTURAL SOCIETY (NFC). THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CHARLOTTE, NORTH CAROLINA, AND THE STATE OF NORTH CAROLINA.

**PLANTING SCHEDULE**

KEY	Botanical Name	Quantity	Species	10-15' H. TREE
1	PINK STROVING	48	WHITE PINE	100 S.F. EMB/7,200 S.F.
2	AMERICAN VIRGINIAN	48	RED CEDAR	40 S.F. EMB/3,200 S.F.
3	COMPRESSORIS	48	LEWIS AND CLARK	75 S.F. EMB/6,000 S.F.
4	PIEA ALBIS	48	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
5	PLATANUS	5	LONDON PLANTANET	100 S.F. EMB/8,000 S.F.
6	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
7	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
8	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
9	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
10	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
11	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
12	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
13	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
14	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
15	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
16	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
17	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
18	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
19	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
20	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
21	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
22	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
23	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
24	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
25	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
26	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
27	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
28	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
29	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
30	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
31	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
32	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
33	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
34	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
35	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
36	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
37	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
38	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
39	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
40	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
41	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
42	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
43	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
44	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
45	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
46	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
47	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
48	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.
49	PIEA ALBIS	5	NORWAY SPRUCE	150 S.F. EMB/12,000 S.F.
50	AMERICAN VIRGINIAN	5	RED CEDAR	40 S.F. EMB/3,200 S.F.

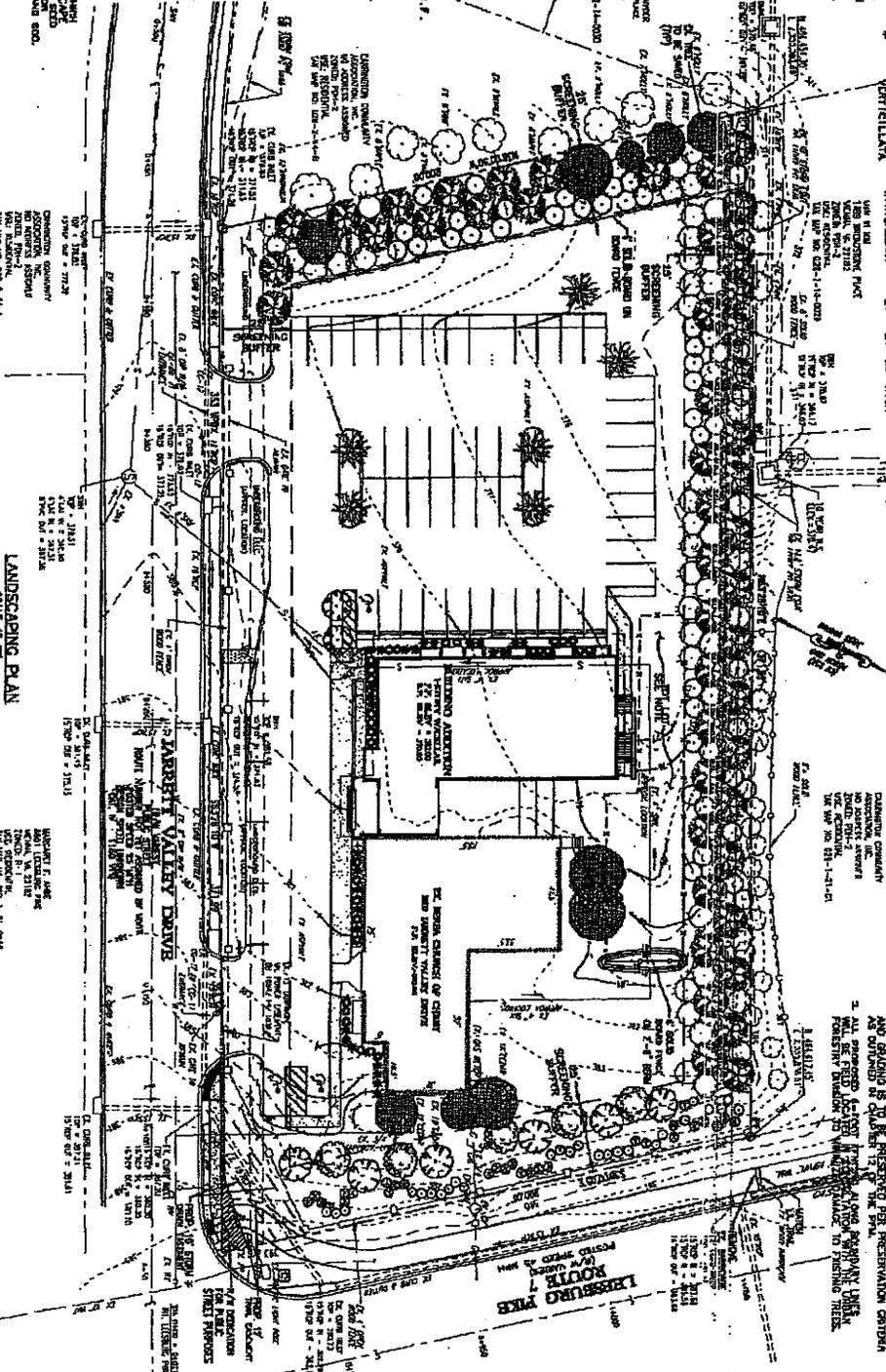
**BARRIER TABULATION**

STANDARD	REQUIRED	PROVIDED
NORTH (MULLINGS, MULTIPLE FAMILY)	BARRIER H	PROVIDED 8" HIGH BY 4" WIDE (SEE PLAN IN S-1)
NORTH (MULLINGS, MULTIPLE FAMILY)	BARRIER D, E OR F	PROVIDED 8" HIGH BY 4" WIDE (SEE PLAN IN S-1)
SOUTH (MULLINGS, MULTIPLE FAMILY)	BARRIER D, E OR F	PROVIDED 8" HIGH BY 4" WIDE (SEE PLAN IN S-1)
EAST (MULLINGS, MULTIPLE FAMILY)	BARRIER D, E OR F	PROVIDED 8" HIGH BY 4" WIDE (SEE PLAN IN S-1)
WEST (MULLINGS, MULTIPLE FAMILY)	BARRIER D, E OR F	PROVIDED 8" HIGH BY 4" WIDE (SEE PLAN IN S-1)

**TRANSITIONAL SCREENING TABULATION**

STANDARD	REQUIRED	PROVIDED
NORTH (MULLINGS, MULTIPLE FAMILY)	NONE	TRANSITIONAL SCREENING TYPE 1
NORTH (MULLINGS, MULTIPLE FAMILY)	TRANSITIONAL SCREENING TYPE 1	TRANSITIONAL SCREENING TYPE 1
SOUTH (MULLINGS, MULTIPLE FAMILY)	TRANSITIONAL SCREENING TYPE 1	TRANSITIONAL SCREENING TYPE 1
EAST (MULLINGS, MULTIPLE FAMILY)	TRANSITIONAL SCREENING TYPE 1	TRANSITIONAL SCREENING TYPE 1
WEST (MULLINGS, MULTIPLE FAMILY)	TRANSITIONAL SCREENING TYPE 1	TRANSITIONAL SCREENING TYPE 1

- NOTES:**
1. ALL PLANTING IS TO BE DONE BY THE CONTRACTOR AND SHALL BE IN ACCORDANCE WITH THE STANDARDS OF AMERICAN NURSERY ASSOCIATION (ANNA) AND THE NATIONAL FLORICULTURAL SOCIETY (NFC).
  2. ALL PROPOSED PLANTING SHALL BE IN ACCORDANCE WITH THE STANDARDS OF AMERICAN NURSERY ASSOCIATION (ANNA) AND THE NATIONAL FLORICULTURAL SOCIETY (NFC).



**BERRA CHURCH OF CHRIST**  
 5800 JARRITT VALLEY DRIVE  
 VIENNA, VIRGINIA

**LANDSCAPE INTERPRETATION PLAN**

SCALE: 1" = 20'	DATE: SEP. 20, 2004	SHEET: 5 OF 13
DESIGNED BY: [Signature]	CHECKED BY: [Signature]	PROJECT NUMBER: 0301135
DATE: [Signature]	DATE: [Signature]	DATE: [Signature]



**ADTEK ENGINEERS, INC.**

3251 Old Lee Highway, Suite 405, Fairfax, Virginia 22030 Telephone: 703-691-4040 Facsimile: 703-691-4056



September 2, 2004

Ms. Barbara Byron, Director  
County of Fairfax  
Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway  
Suite 801  
Fairfax, VA 22035-5509

RECEIVED  
Department of Planning & Zoning  
SEP 03 2004  
Zoning Evaluation Division

Re: Special Permit Amendment to SPA 79-D-141  
Associated Site Plan #9800-SP-04-1  
Berea Church of Christ  
Letter of Interpretation  
ADTEK No. 0301.135

Dear Ms. Byron:

On behalf of the Trustees for Berea Church of Christ, ADTEK Engineers, Inc. respectfully requests an interpretation for the above referenced approved Special Permit Amendment Plan. The Fairfax County Board of Zoning Appeals approved the Special Permit Amendment on July 29, 2003. The approval allows the existing church to permit a child care center, nursery school and building addition.

As a condition of the SPA approval, the applicant is required to provide Transitional Screening as shown on the approved plat. However, there is an existing 15-foot wide Dominion Virginia Power easement located in this area. The existing easement is located along the entire frontage of the property, and adjacent to the right-of-way of Jarrett Valley Drive. The applicant was unaware of the existence of this easement at the time the SPA Plat was submitted and approved. After careful review of the legal document associated with the easement, and discussions with representatives of Dominion Virginia Power, we have learned that Dominion Virginia Power does not allow plantings to be placed within their easements and therefore, we respectfully request an interpretation of the transitional screening requirements along Jarrett Valley Drive.

A copy of the legal 'Right of Way Agreement' dated December 22, 1998, a copy of the approved Special Permit Plat, and a copy our latest Landscaping Plan, are attached with this submittal. We appreciate your timely consideration of this request. If you have any questions or require additional information, please don't hesitate to contact me directly.

Sincerely,  
ADTEK Engineers, Inc.

David Sharon, P.E.  
Civil Project Manager



### Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into this 22nd day of Deccmber, 1998, by and between

**BEREA CHURCH OF CHRIST**

("GRANTOR") and **VIRGINIA ELECTRIC AND POWER COMPANY**, a Virginia public service corporation, doing business in Virginia as Virginia Power, with its principal office in Richmond, Virginia ("GRANTEE").

WITNESSETH:

N090491

1. That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, GRANTOR grants and conveys unto GRANTEE, its successors and assigns, the perpetual right, privilege and easement over, under, through, upon and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own telephone, television and other communication purposes; for lighting purposes; and for the attachment of the wires and facilities of any other public service company, including but not limited to the right:

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as GRANTEE may from time to time determine, and all wires, conduits, cables, ~~and all other necessary~~ concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection

Initials:

WLL [Signature] [Signature]

This Document Prepared by: Virginia Electric and Power Company.

(Page 1 of 10 Pages)

VPIDNo. 44-98-0138

Tax Map No. 29-1

Form No. 728493A1 (Mar 98)  
© Virginia Power/North Carolina Power

BOX 176

BK 108421839

### Right of Way Agreement

therewith; the width of said easement shall extend FIFTEEN (15) feet in width across the lands of GRANTOR; and,

~~1.2 to construct, operate and maintain a pole line including, without limitation, all wires, poles, attachments, ground connections one or more lighting supports and lighting fixtures as GRANTEE may from time to time deem advisable, equipment, accessories and appurtenances desirable in connection therewith, including the right to increase or decrease the number of wires; the width of said easement shall extend 15 feet in width across the lands of GRANTOR.~~

2. The easement granted herein shall extend across the lands of GRANTOR situated in FAIRFAX COUNTY, Virginia, as more fully described on Plat No. 44-98-0138, which is attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat, reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of GRANTEE. GRANTEE shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as GRANTEE may from time to time deem advisable.

4. GRANTEE shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. ~~Also, all facilities constructed by GRANTEE shall remain the property of GRANTOR.~~

GRANTEE must clean up and haul away all debris and be responsible for the cost.  
5. For the purpose of exercising the right granted herein, GRANTEE shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of GRANTOR. The right, however, is reserved to GRANTOR to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, GRANTEE shall have such right of ingress and egress over the lands of GRANTOR adjacent to the easement. GRANTEE shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to GRANTOR.

Initials:

WLL      LY      TRG

(Page 2 of 10 Pages)  
VPIDNo. 44-98-0138

BK 10842 1840

### Right of Way Agreement

6. GRANTEE shall repair damage to roads, fences or other improvements ~~located on the boundaries of the easement~~ and shall repair or pay GRANTOR, at GRANTEE's option, for other damage done to GRANTOR's property ~~located on the boundaries of the easement~~ caused by GRANTEE in the process of the construction, inspection, and maintenance of GRANTEE's facilities, or in the exercise of its right of ingress and egress; provided GRANTOR gives written notice thereof to GRANTEE within sixty (60) days after such damage occurs.

7. GRANTOR, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with GRANTEE's exercise of any of its rights granted hereunder. GRANTOR shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, GRANTOR may construct on the easement fences and below ground obstructions as long as said fences and below ground obstructions do not interfere with GRANTEE's exercise of any of its rights granted hereunder. In the event such use does interfere with GRANTEE's exercise of any of its rights granted hereunder, GRANTEE may, in its reasonable discretion, relocate such of its facilities as may be practicable to a new site designated by GRANTOR and acceptable to GRANTEE. In the event any such facilities are so relocated, GRANTOR shall reimburse GRANTEE for the costs thereof and convey to GRANTEE an equivalent easement at the new site.

8. GRANTEE shall have the right to assign or transfer, without limitation, to any public service company all or any part of the perpetual right, privilege and easement granted herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by GRANTOR contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: WLL JG PRG

(Page 3 of 10 Pages)

VPIDNo. 44-98-0138

Form No. 728493A3 (Mar 88)  
© Virginia Power/North Carolina Power

BK 10842 1841



### Right of Way Agreement

BK 10842 1842

11. GRANTOR covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that GRANTOR shall execute such further assurances thereof as may be reasonably required.

12. The Trustees executing this Right of Way Agreement on behalf of GRANTOR church have been duly authorized to do so by order of the circuit court having jurisdiction hereof pursuant to Virginia Code Section 57-15 or its successor provisions.

IN WITNESS WHEREOF, the Trustees of GRANTOR church have affixed their signatures hereto on the date first above written.

Name of Church: BEREA CHURCH OF CHRIST

[Signature]  
Trustee, BILL CUMMINGS  
[Signature]  
Trustee, PAUL GARDINER

\_\_\_\_\_  
Trustee,

\_\_\_\_\_  
Trustee,

Trustee, JEO GWIN  
[Signature]  
Trustee,

\_\_\_\_\_  
Trustee,

\_\_\_\_\_  
Trustee,

\_\_\_\_\_  
Trustee,

\_\_\_\_\_  
Trustee,

State of Virginia

City/County of FAIRFAX

The foregoing instrument was acknowledged before me this 12 day of February 1999.

by the Trustees of BEREA CHURCH OF CHRIST church  
on behalf of the church.

[Signature]  
Notary Public

My commission expires: 9-30-02

(Page 4 of 10 Pages)

VPIbNo. 44098-0138

CHURCH RESOLUTION

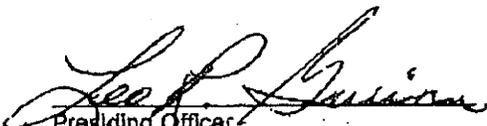
WHEREAS, Virginia Electric and Power Company desires to obtain from the BEREA CHURCH OF CHRIST Church a certain easement extending over, under, through, upon and across the real property owned by the Church in fee simple that is situated in FAIRFAX COUNTY, Virginia; for which easement said Company has offered to pay to the Church the sum of \$1.00; and,

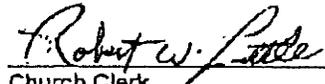
WHEREAS, the members of said Church in a regular meeting assembled are of the opinion that the easement desired by Virginia Electric and Power Company should be granted to said Company for the consideration aforesaid.

NOW, THEREFORE, BE IT RESOLVED: That the Trustees of this Church be, and they hereby are, authorized and directed to execute and deliver a valid Right of Way Agreement to Virginia Electric and Power Company granting and conveying unto said Company, its successors and assigns, an easement over, under, through, upon and across the real property owned by this Church situated in FAIRFAX COUNTY, Virginia, as shown on Plat No. 44-98-0138, said Plat being attached to a copy of the proposed Right of Way Agreement which was presented to this meeting, a copy of which said Right of Way Agreement is attached to this Resolution as a part hereof.

THE FOREGOING IS A TRUE AND CORRECT COPY of the Resolution adopted at a meeting of the members of the BEREA CHURCH OF CHRIST Church, FAIRFAX COUNTY, Virginia, held on the 24 day of January, 19 99, at which meeting a quorum of the Church members was present for the transaction of business.

BK108421843

  
Presiding Officer

  
Church Clerk

(Page 5 of 10 Pages)  
VPID No. 44-98-0138



VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX

In Re: Petition Of The Trustees Of The )  
 BEREA CHURCH OF CHRIST Church )  
 ) No. \_\_\_\_\_  
 For Leave To Grant And Convey An )  
 Easement Over The Lands Of Said Church )

BK 10842 1844

**PETITION OF TRUSTEES FOR LEAVE TO GRANT AND CONVEY AN EASEMENT OVER THE LANDS OF THE CHURCH**

COME NOW the undersigned petitioners, Trustees of the BEREA CHURCH OF CHRIST Church ("Church") and represent to the Court that:

1. The Church is the owner, in fee simple, of certain real property situated in FAIRFAX COUNTY, Virginia and within the jurisdiction of this Court.
2. The undersigned have been duly appointed as Trustees of the Church.
3. At a meeting of the members of the Church held on January 24, 1999 said members adopted a Resolution authorizing and directing the Trustees of the Church to execute and deliver a Right of Way Agreement, granting and conveying unto Virginia Electric and Power Company, a Virginia public service corporation ("Virginia Power"), an easement over the said real property. An attested copy of said Resolution, to which is attached a copy of the proposed Right of Way Agreement, is attached to this Petition as Exhibit A and is made a part hereof.
4. In the judgment of your petitioners, the consideration offered by Virginia Power to the Church for the said easement is just and reasonable and it is in the interests of the Church to convey said easement.

WHEREFORE, your petitioners pray that the Court, pursuant to Virginia Code, Section 57-15, or its successor provisions, authorize and empower the undersigned Trustees to grant and convey unto Virginia Power the easement described in this Petition.

Respectfully Submitted,

Bill Cummings  
BILL CUMMINGS Trustee

Paul R. Gardiner  
PAUL GARDINER Trustee

*Leo R. Gwinn*  
 LEO GWINN Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

Trustees of BEREA CHURCH OF CHRIST Church

(Page 7 of 9 Pages)

VPIDNo. 44-98-0138

Form No. 728525A(Mar 98)  
 © Virginia Power/North Carolina Power

BK 10842 1845



VIRGINIA:

IN THE CIRCUIT COURT OF COUNTY OF FAIRFAX

In the matter of the Petition of the Trustees	)	
of BERE A CHURCH OF CHRIST Church	)	ORDER ENTERED PURSUANT TO
	)	SECTION 57-15 OF THE CODE OF
	)	VIRGINIA OF 1950, AS AMENDED
For Leave To Encumber Church Lands	)	

BK 10842 1846

ORDER

THIS MATTER came on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, to be heard upon the Petition of the Trustees of BERE A CHURCH OF CHRIST Church and Virginia Electric and Power Company, Inc., this day filed herein, the Resolution of the congregation of said Church and the other exhibits filed herewith and upon evidence presented to this Court; and was argued by Counsel.

UPON CONSIDERATION WHEREOF it appearing to the Court pursuant to Section 57-15 of the Code of Virginia of 1950, as amended, that it is the wish of the congregation of said church and the Trustees thereof to encumber the property described in the petition and to grant and convey an easement to Virginia Electric and Power Company, Inc., as described therein, and

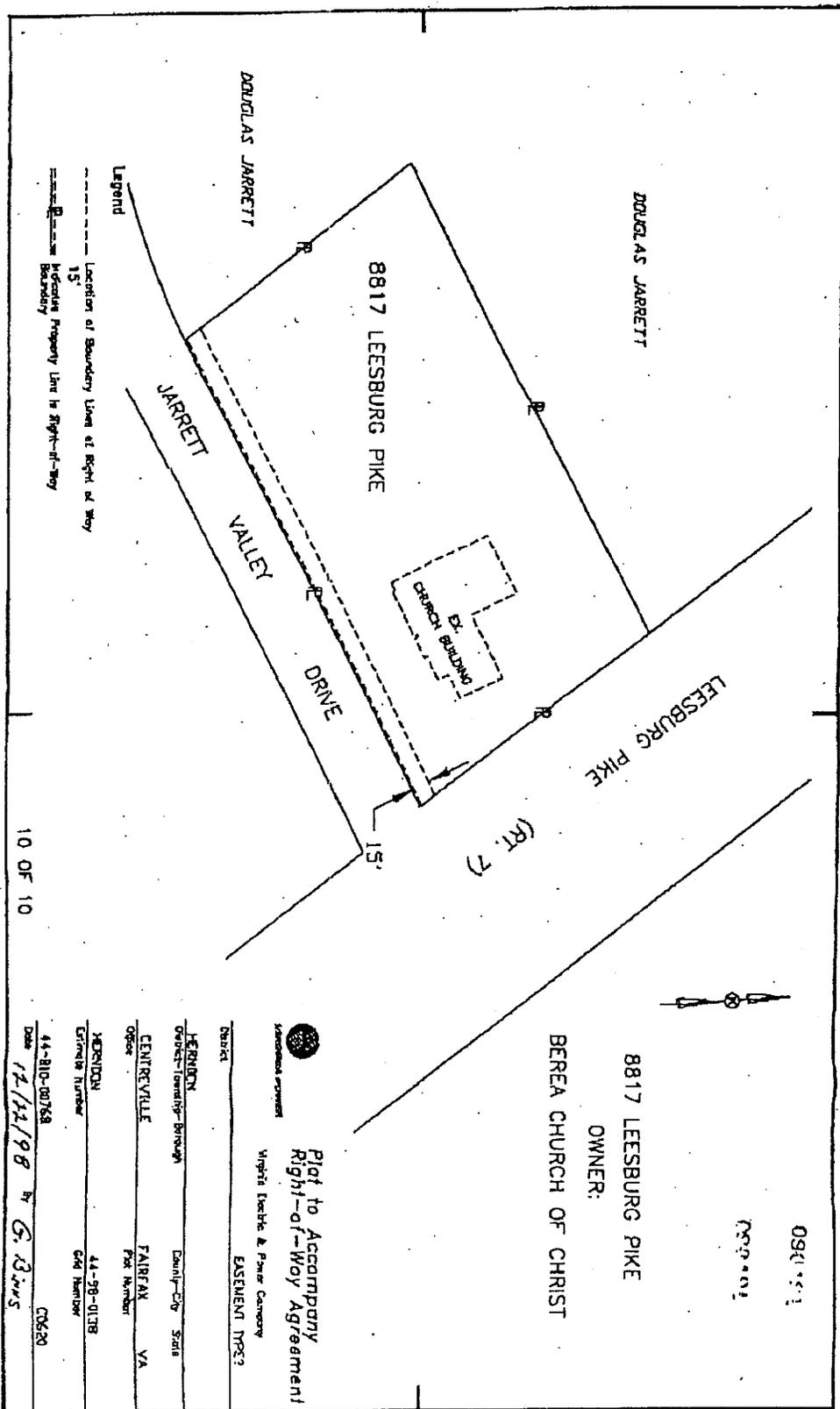
IT APPEARING TO THE COURT that it is proper so to do, this Court APPROVES and AUTHORIZES the Trustees of said Church to grant and convey said easement to Virginia Electric and Power Company, Inc., and to perform such acts and execute such documents as may be necessary to do so.

ENTER:

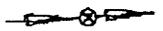
\_\_\_\_\_  
JUDGE



BK 10942 1848



8817 LEESBURG PIKE  
 OWNER:  
 BEREA CHURCH OF CHRIST



Plot to Accompany  
 Right-of-Way Agreement

Virginia Electric & Power Company

EASEMENT TYPE?

HERNDON  
 District/Community Branch

CENTREVILLE  
 Office

FAIRFAX  
 Post Number

44-98-0178  
 CAD Number

44-810-00768  
 Date 12/22/98 By G. Jones

10 OF 10



# County of Fairfax, Virginia

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

June 9, 2006

Alan D. Prescott, Agent  
Vanderpool, Frostick & Nishania, P.C. Anaheim, Virginia 22308  
9200 Church Street, Suite 400  
Manassas, Virginia 20110

Re: Request for Additional Time  
SPA 79-D-141, Trustees of the Berea Church of Christ

Dear Mr. Prescott:

At its June 6, 2006 meeting, the Board of Zoning Appeals **APPROVED** your request for additional time for the above-referenced application. The Board approved 12 months of additional time. The new expiration date is January 9, 2007.

If you have any questions, please contact your Staff Coordinator, Mary Ann Godfrey, at 703-324-1290.

Sincerely,

Paula A. McFarland, Deputy Clerk  
Board of Zoning Appeals

cc: Leslie B. Johnson, Senior Deputy Zoning Administrator  
Zoning Permit Review Branch & Zoning Administration Branch

Mary Ann Godfrey, Staff Coordinator  
Zoning Evaluation Division, DPZ

Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703 324-1290  
FAX 703 324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)

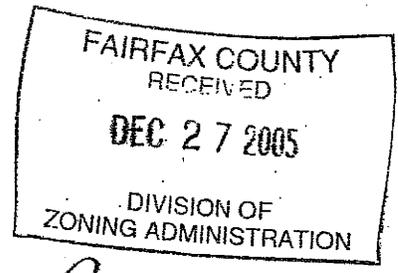
8817 Leesburg Pike

VANDERPOOL, FROSTICK & NISHANIAN, P.C.

ATTORNEYS AT LAW  
SUITE 400  
9200 CHURCH STREET  
MANASSAS, VIRGINIA 20110

703-369-4738  
FAX 703-369-3653  
E-MAIL INFO@VFNLAW.COM

December 23, 2005



2005-1181

VIA HAND DELIVERY

William E. Shoup  
Zoning Administrator  
Department of Planning & Zoning  
Fairfax County  
12055 Government Center Parkway  
Suite 250  
Fairfax, VA 22035-5508

Re: **Berea Church of Christ – SPA 79-D-141**  
**Tax Map Ref: 29-1 ((1)) 10A**

Dear Mr. Shoup:

On behalf of the Berea Church of Christ, I hereby request that you extend the period of time to implement SPA 79-D-141 (which is currently due on January 1, 2006) for one year until January 1, 2007. The Church has been unable to finance the building addition, because of the unusually high cost of construction in the current real estate market. Although Plan and Document Control approved the site plan and forwarded it to Bonds, Agreements and Administration for further processing on November 30, 2004 (see attached), the final building and site permits have not been obtained. Furthermore, because the childcare center and nursery school will not operate until the building addition has been completed, a Non-Residential Use Permit (Non-RUP) for this use has not yet been obtained. A one-year extension will permit the Church more time for its capital fund drive and obtain the necessary financing to implement the SPA.

Please call if you have any questions. Thank you for your assistance in these matters.

Sincerely,

Vanderpool, Frostick & Nishanian, P. C.

*Alan D. Prescott*  
Alan D. Prescott

JLM/adp

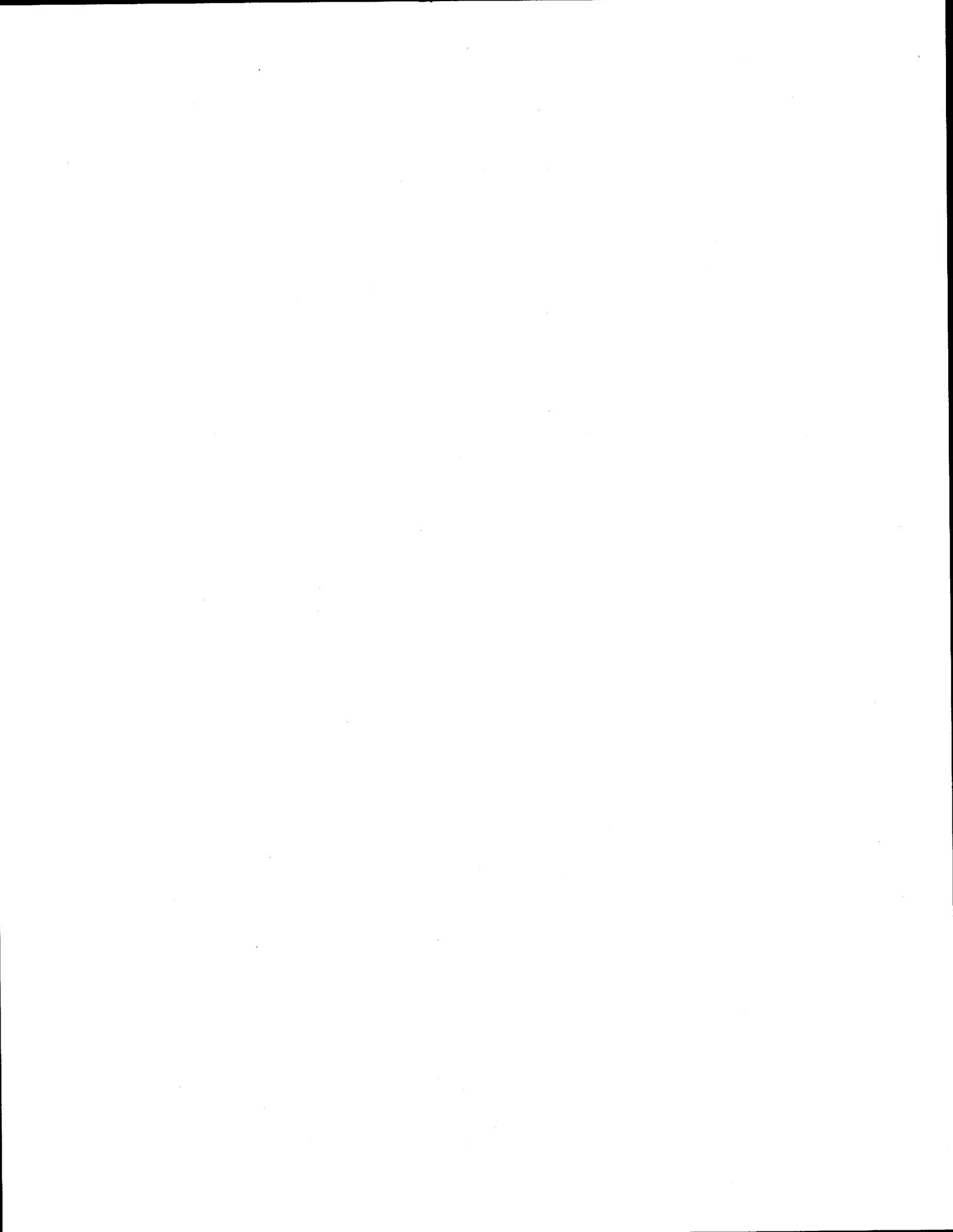
cc: Paul Gardiner (via fax)

V:\Company\Berea Church of Christ\Shoup ltr 12-23-05 - Extension Letter.doc

Request for Additional Time  
Trustees of the Berea Church of Christ, SPA 79-D-141

Mr. Ribble moved to approve 12 months of Additional Time. Mr. Hammack seconded the motion, which carried by a vote of 7-0. The new expiration date was January 9, 2007.

//





# County of Fairfax, Virginia

## MEMORANDUM

DATE: May 28, 2015

TO: Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

FROM: Michael A. Davis, Acting Chief *JCH For MAD*  
Site Analysis Section, DOT

FILE: 3-6 (SP-79-D-141)

SUBJECT: Transportation Impact

REFERENCE: SPA-79-D-141-02; McLean Islamic Center  
Tax Map: 029-1 ((1)) 10A

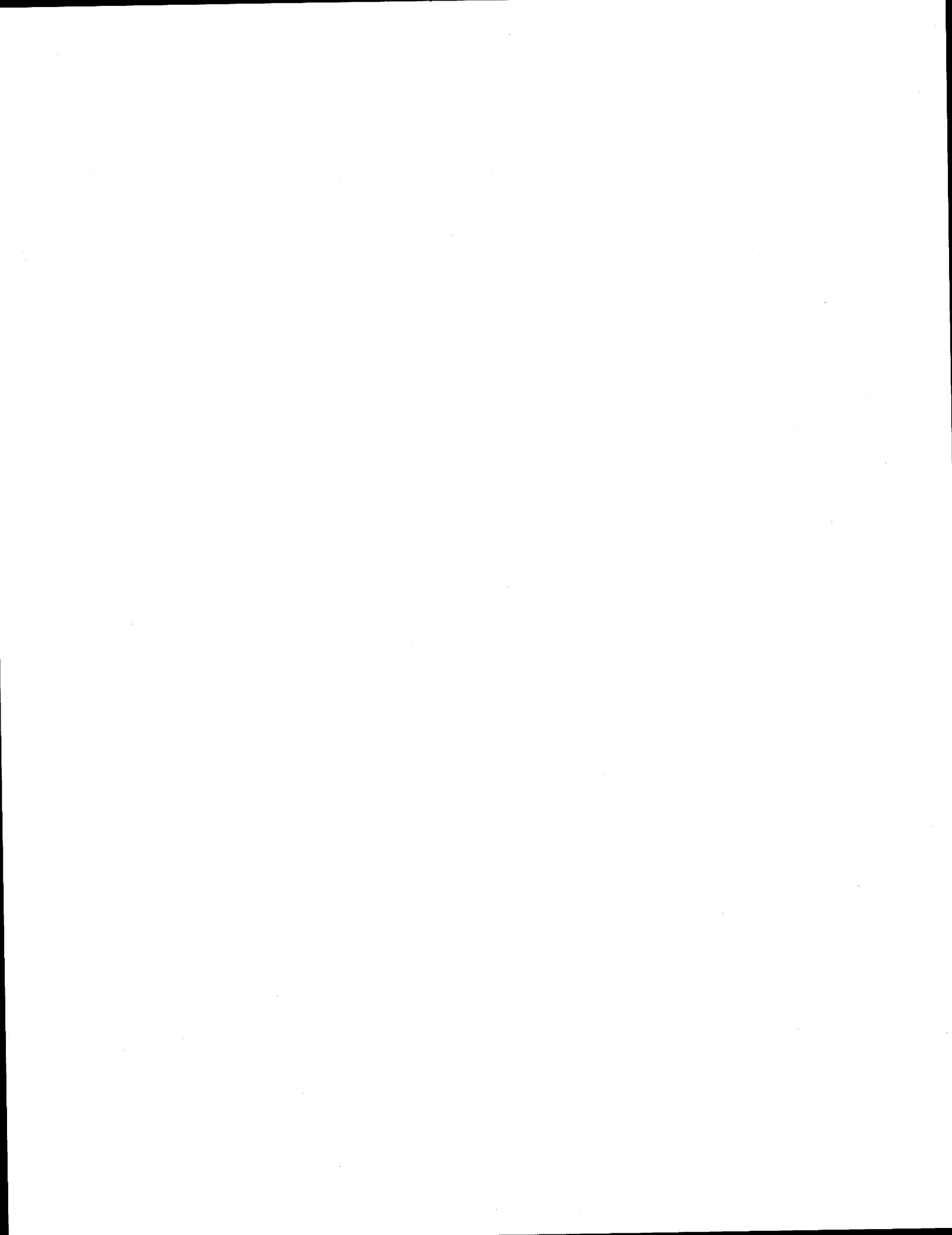
This department has reviewed the SPA revised plat dated May 20, 2015. We have the following comments.

- The applicant has proposed to dedicate a permanent easement area for the installation and maintenance of a noise wall by VDOT and right-of-way at the corner of Route 7 and Jarrett Valley Drive, shown on Sheet 3. Staff requests that the easement area and the right-of-way for public improvement be dedicated at the time of site plan approval for Phase 1 of the project.
- Staff requests that Phase 2 of the project should begin after the VDOT Route 7 bridge project over Dulles Toll Road is completed (estimated to be winter 2018). At such time, the effective storage space of the westbound left turn lane will be extended to 400 feet and would adequately accommodate the estimated 320 feet queue in the unconstrained parking scenario.
- The applicant has also agreed to restrict the northernmost entrance to right-in-only and reconstruct the entrance to preclude all other movements except for the right-in-only access. Two, right-in-only signs are proposed on either side of the access.
- The applicant has made changes to the plat to show a proposed 5-ft wide sidewalk from the corner of Route 7 and Jarrett Valley Drive to the northernmost right-in-only entrance and to provide standard CG-12 curb ramps at the right-in-only entrance.

MAD/AY  
cc: Laura Arseneau

Fairfax County Department of Transportation  
4050 Legato Road, Suite 400  
Fairfax, VA 22033-2895  
Phone: (703) 877-5600 TTY: 711  
Fax: (703) 877-5723  
[www.fairfaxcounty.gov/fcdot](http://www.fairfaxcounty.gov/fcdot)







## County of Fairfax, Virginia

## MEMORANDUM

**DATE:** June 1, 2015

**TO:** Laura Arseneau, Staff Coordinator  
Zoning Evaluation Division, DPZ

**FROM:** Craig Herwig, Urban Forester III  
Forest Conservation Branch, DPWES

**SUBJECT:** Mclean Islamic Center; SPA 79-D-141-02

This review is based on the Special Permit Amendment Plan stamped as "Received, Department of Planning and Zoning, May 21, 2015." A site visit was conducted on November 20, 2014.

General Comment: Urban Forest Management Division comments and recommendations were provided to DPZ in memos dated November 20, 2014, March 4, 2015 and May 6, 2015. The following comment is to address the request for a modification of the transitional screening and barrier requirements.

- 1. Comment:** The Applicant is requesting a modification of the transitional screening and barrier requirements along the southern, northern and eastern property boundaries in favor of that shown on the SPA plat.

**Recommendation:** The Urban Forest Management Division recommends a development condition whereas the Board directs the Director of DPWES to modify the Transitional Screening and Barrier requirements along the southern, northern and eastern property boundaries in favor of that shown on the SPA plat. In addition, the Applicant shall install all transitional screening and barriers as shown on the SPA plat prior to issuance of the non-residential use permit.

CSH/

UFMDID #: 197645

cc: DPZ File







# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** May 28, 2015

**TO:** Laura Gumkowski, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Mohan Bastakoti, Senior Engineer III (Stormwater)  
Site Development and Inspections Division  
Department of Public Works and Environmental Services

**SUBJECT:** Application #SPA79-D-141-02, McLean Islamic Center, Generalized Development Plan dated 6-24-2014, LDS Project #9800-ZONA-001.1, Tax Map #029-1-01-0010A, Dranesville District

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

Chesapeake Bay Preservation Ordinance (CBPO)

There is no RPA on the property.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no applicable downstream drainage complaints on file.

Water Quality Control

Water quality controls must be satisfied for this development (PFM 6-0401.2).

*The plan indicates that infiltration facility has been proposed to comply with the water quality design criteria set out in subsections (a) of Section 124-4-2. Site data sheet and water quality compliance sheet from Virginia Runoff reduction Method computations shall be included on the SPA plat.*

*In addition to this, infiltration test results should be included on the SPA plat to demonstrate that the infiltration facility is feasible for this site. Soils in proposed infiltration areas must have a minimum infiltration rate of ½ inch per hour (VA-DEQ STORMWATER DESIGN SPECIFICATION NO. 8). It should also be ensured that the minimum separation of 4 feet exists between the bottom of the facility and water table/bed rock. PFM 6-1303.4L.*

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



Stormwater Detention

The applicant has shown the location and capacity (9400 cubic feet) of the proposed underground facility. According to the applicant 2-yr and 10-yr peaks are detained and released in such a way that the post development peaks are equal to the predevelopment peaks. This will satisfy the PFM requirements.

Drainage Diversion

During the development, the natural drainage divide shall be honored. If natural drainage divides cannot be honored, a drainage diversion justification narrative must be provided. The increase and decrease in discharge rates, volumes, and durations of concentrated and non-concentrated Stormwater runoff leaving a development site due to the diverted flow shall not have an adverse impact (e.g., soil erosion; sedimentation; yard, dwelling, building, or private structure flooding; duration of ponding water; inadequate overland relief) on adjacent or downstream properties. (PFM 6-0202.2A)

Downstream Drainage System

An outfall narrative is provided but no supporting computations. A detailed outfall narrative will be required with the site plan. The channel protection and flood protection requirements of chapter 124-4 -4 should be addressed in the outfall narrative.

Please contact me at 703-324-1739 if you require additional information.

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, SPD, DPWES  
Don Demetrius, Chief, Watershed Evaluation Branch, SPD, DPWES  
Shahab Baig, Chief, North Branch, SDID, DPWES  
Zoning Application File



# County of Fairfax, Virginia

## MEMORANDUM

DATE: June 1, 2015

**TO:** Barbara Berlin, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief *PJN*  
Environment and Development Review Branch, DPZ

**SUBJECT:** ENVIRONMENTAL ASSESSMENT for: SPA 79-D-141-02  
McLean Islamic Center

This memorandum, prepared by John R. Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the above referenced special permit as revised through May 20, 2015. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

### COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

In the Fairfax County Comprehensive Plan, Policy Plan, 2013 Edition, Environment section as amended through July 1, 2014, on page 7 through 9, the Plan states:

**“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County. . . .**

Policy k. For new development and redevelopment, apply better site design and low impact development techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County’s streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

Department of Planning and Zoning  
Planning Division  
12055 Government Center Parkway, Suite 730  
Fairfax, Virginia 22035-5509  
Phone 703-324-1380  
Fax 703-653-9447  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



- Minimize the amount of impervious surface created. . . .
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements. . . .

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations. . . .”

#### **ENVIRONMENTAL ANALYSIS:**

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions.

#### **Stormwater Management**

Stormwater runoff from the subject property currently drains to an existing regional detention pond. While no modifications are proposed for the existing structure, the applicant is proposing to add surface parking resulting in an increase in impervious surface area and stormwater runoff for the site. This proposed increase in the impervious surface area of the site raises some concerns regarding both water quantity and quality controls for the proposed use. The current plans provide two options for additional onsite stormwater management intended to address these concerns if it is determined that onsite measures will be required in addition to the nearby regional facility. Any final determination regarding standards for runoff and onsite grading will be made by the Department of Public Works and Environmental Services.

PGN:JRB

**PARKING MANAGEMENT PLAN  
FOR  
THE MCLEAN ISLAMIC CENTER  
  
FAIRFAX COUNTY, VIRGINIA**

**Prepared For  
THE MCLEAN ISLAMIC CENTER  
1340 Old Chain Bridge Road  
Mclean, Virginia 22101**

**Prepared By  
MCV Associates, Inc.  
4605 Pinecrest Office Park Drive  
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Alexandria, Virginia 22312  
(703) 914 – 4850  
Fax (703) 914 – 4865**

**June 2, 2015**

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## I. INTRODUCTION

This Parking Management Plan ("PMP") was prepared for the McLean Islamic Center ("MIC") and supplements the traffic report titled "Traffic Impact Analysis for the McLean Islamic Center," dated December 24, 2014 and prepared by MCV Associates, Inc. (the "Traffic Study"), by identifying potential issues and developing strategies to reduce the potential for traffic impacts on neighborhood streets and the study intersection of Route 7 and Jarrett Valley Drive.

The Subject Property is located at 8800 Jarrett Valley Drive at the southwest corner of the intersection of Leesburg Pike (Route 7) and Jarrett Valley Drive (Route 8912), and is more particularly identified as Fairfax County Tax Map #29-1 ((1)) 10A. MIC has proposed to use the Subject Property as a place of worship designed to serve a maximum of 200 congregants during any given service.

Use of the Subject Property will be constrained by the availability of parking spaces. Consequently, development of the Subject Property will involve two phases: Phase I will utilize the existing 54 parking spaces; Phase II will involve an expansion of the existing parking lot to accommodate 95 parking spaces. At all times, parking on the Subject Property will be limited to the number of parking spaces shown on the approved site plan (e.g., 54 or 95 spaces), and commuter parking will be prohibited. Additionally, MIC will limit attendance for each prayer service based on available parking and the total number of worshippers per service permitted by Fairfax County (e.g., no more than 200 congregants).

As noted in the Traffic Study, three 30-minute prayer services are planned at the Subject Property each Friday between 11:00 a.m. and 3:00 p.m. The three prayer services will start at 11:00 a.m., 12:30 p.m., and 2:00 p.m. each Friday, with a 60-minute gap between each service. The 60-minute gap will minimize overlap between arriving and departing vehicles between the first and second prayer services, as well as between the second and third prayer services.

By way of example, if the first prayer service commences at 11:00 a.m. and extends for 30 minutes to 11:30 a.m., the second prayer service will not commence until 12:30 p.m., thereby allowing 60 minutes for all first prayer service congregants to exit the Subject Property and for new prayer service congregants to enter.

We note that the Traffic Study, and the trip generation utilized in the Traffic Study, assumed a "worst case" with overlaps between the three prayer services. However, by providing a 60-minute gap between services, the overlap would be eliminated. Therefore, the Traffic Study results should be a conservative estimate.

## **II. POTENTIAL IMPACTS**

We have identified the following potential traffic impacts of MIC's use of the Subject Property as a place of worship:

- The existing and proposed parking supply does not meet the projected demand on the Subject Property which may lead some worshippers to park on the neighborhood residential streets or Jarrett Valley Drive.
- Traffic volumes turning left onto Jarrett Valley Drive from Route 7 are nearing available queue capacity and could result in additional blocking of vehicles in the westbound Route 7 left through lane.
- An increase in queue length for vehicles exiting Jarrett Valley Drive and turning left onto Route 7 could increase delays for the residents using Jarrett Valley Drive.
- An increase in the volume of turning movements on Jarrett Valley Drive could increase the likelihood of conflicts at or near the two site driveways.

## **III. PARKING MANAGEMENT PLAN GOALS**

Given the potential impacts listed in Section II, and in particular response to concerns raised by the Carrington and Wolf Trap Woods communities, we propose the following goals to reduce traffic impact on neighborhood streets and the study intersection of Route 7 and Jarrett Valley Drive.

- GOAL 1: Use of the Subject Property for MIC events will not exceed available on-site parking capacity in a parking lot approved on an approved site plan (54 parking spaces in Phase I; 95 parking spaces in Phase II; no parking on grassy areas).
- GOAL 2: MIC congregants will not park off of the Subject Property on Jarrett Valley Drive or other neighborhood streets.
- GOAL 3: Use of the Subject Property for MIC events will not result in excessive queuing on Jarrett Valley Drive during Friday prayer services.
- GOAL 4: Use of the Subject Property will not result in excessive queuing beyond existing Levels of Service for westbound left turning traffic at the intersection of Route 7 and Jarrett Valley during Friday prayer services.

#### **IV. STRATEGIES TO MEET GOALS**

To achieve the goals listed in Section III, MIC will employ a series of separate, but synchronized parking management strategies. It is anticipated that implementation of the PMP strategies will lead to a reduced impact on neighborhood streets and the study intersection, as well as a measured and monitored traffic system in the vicinity of the Subject Property.

It is intended that day-to-day implementation for this PMP will be vested in a Transportation Coordinator, to be appointed by MIC. MIC will provide the Transportation Coordinator's name, phone number, and email address to the President of the Carrington Woods and Wolf Trap Woods homeowners associations, and to the Office of the Dranesville District Supervisor. The Transportation Coordinator may appoint as many designees/volunteers as needed to assist with implementation of this PMP.

The Transportation Coordinator and/or his/her designees will be present on the Subject Property during all Friday prayer services and anytime more than 50 vehicles are anticipated to be present at the Subject Property (e.g., for weekend religious education classes, community meetings, etc.). A Transportation Coordinator contact shall be immediately available on-site and via phone during such events in order to immediately resolve any identified parking problems. The Transportation Coordinator will also advise the Carrington President or his/her representative via email, cell phone, or other preferred method of communication at least 48 hours in advance of any event at which more than 50 vehicles are anticipated to be present on the Subject Property.

If any written concerns are submitted to the Transportation Coordinator, a written response shall be provided to any identified concern within five business days with a copy provided to the Office of the Dranesville District Supervisor.

Further, the Transportation Coordinator will provide a biannual assessment of goal monitoring, including number of parking lot utilization and program attendance figures, to the Fairfax County Department of Transportation ("FCDOT") and, if the goals are not met, to review and implement additional measures in coordination with the Dranesville District Supervisor and FCDOT staff.

MIC will also establish a neighborhood liaison committee to meet with interested neighbors on a quarterly basis (or as needed) from Carrington Woods and Wolf Trap Woods to discuss and address neighborhood concerns regarding the operation of the Subject Property as it relates to impacts on the surrounding neighborhood.

This PMP is not intended to prescribe any single strategy over any other, and these strategies may change as conditions dictate. The emphasis, though, is to ensure the realization of the goals contained in Section III.

- **Strategy 1: Minimum Vehicle Occupancy Requirement**

MIC will restrict parking on the Subject Property to vehicles with two or more occupants only, except for senior citizens or vehicles holding handicap/disabled parking placards or license plates. As noted in the Traffic Study, the survey at the Alexandria and Springfield prayer sites showed that the average vehicle occupancy to the sites was 1.44 persons per vehicle during the Friday prayer services. Restricting parking to two or more occupants will significantly increase the average vehicle occupancy to almost 2.0 persons per vehicle.

- **Strategy 2: Shuttle Bus Service**

MIC will provide a shuttle bus operating to and from designated pick-up location(s) near the Subject Property. The shuttle service is anticipated to consist of up to two 16-passenger vans which will operate under a schedule to allow for the time required for boarding and disembarking passengers, the travel time between the two locations, and start of each prayer service.

The shuttle service will be operated by a volunteer(s) possessing a valid Commercial Driver's License containing a passenger endorsement issued by the Virginia Department of Motor Vehicles. MIC or the individual driver(s), as appropriate, will be responsible for carrying motor vehicle insurance for the use and operation of the passenger vans. Pick-up locations for worshippers will vary depending on parishioner's work locations, and will be dropped off in front of the building.

MIC will provide flyers to each attendee that will include advisory information on parking and shuttle service schedules. This information will also be available on the MIC website.

The shuttle bus will park on the Subject Property when not in use during the peak Friday prayer services. During the peak Friday prayer services, the shuttle bus would essentially be "on the road," driving back and forth between the Subject Property and the off-site parking/shuttle staging area. Consequently, the shuttle bus would not require a parking space during this period.

- **Strategy 3: Monitoring of Vehicles Queuing on Jarrett Valley Drive**

Vehicular access to the Subject Property is provided by two entrances along Jarrett Valley Drive. Driveway 1 – the easternmost entrance – has an aisle width of 34 feet and is located approximately 100 feet from the intersection of Route 7 and Jarrett Valley Drive. Driveway 1 is currently used for ingress and egress purposes. Driveway 2 – the westernmost entrance – has an aisle width of 25 feet and is located approximately 310 feet from the intersection of Route 7 and Jarrett Valley Drive. Driveway 2 is currently used for ingress and egress purposes, but is mainly used to exit the Subject Property.

To prevent queuing on Jarrett Valley Drive, MIC will employ two strategies. First, for inbound traffic, MIC will modify Driveway 1 for ingress purposes only, while Driveway 2 will continue to serve as a two-way entrance (although it will be primarily used for egress purposes). MIC will install one-way entry signage and striping at Driveway 1 and will reconfigure the entrance to encourage ingress-only traffic. Converting Driveway 1 into a one-way ingress entrance will facilitate an internal circulation pattern on the Subject Property, will prevent vehicles exiting the Subject Property from existing at Driveway 1, and will reduce any conflicts with arriving congregants and shuttles. In the event traffic cannot enter the Subject Property at Driveway 1, the Transportation Coordinator, or his/her designee, will direct in-bound traffic to Driveway 2.

Second, for exiting traffic, the Transportation Coordinator, or his/her designee will monitor and control exiting traffic at Driveway 2 to ensure that queues on Jarrett Valley Drive do not exceed 200 feet from the intersection of Route 7 and Jarrett Valley Drive. Such monitoring will ensure that vehicles exiting the Subject Property will not cause undue delays to nearby residents and non-congregant vehicles seeking to access the Route 7/Jarrett Valley Drive intersection at the driveway as they wait to join the queue.

- **Strategy 4: Neighborhood Parking Monitoring Program**

To ensure that congregants do not park along Jarrett Valley Drive or nearby neighborhood streets, MIC will implement and adopt a policy that prohibits congregants from parking on neighborhood streets when engaged in any worship activity on the Subject Property. At the request of the Carrington HOA, the Transportation Coordinator and his/her designees/volunteers will monitor surrounding streets on an as-needed basis to ensure that congregants do not park their vehicles in the neighborhood or are otherwise idling/waiting for prayer services to conclude. Any such infraction will be duly noted and brought to MIC's attention, which will take appropriate action against the violators which may include, but will not be limited to, informing the offending party that they are not to park on neighborhood streets, and supporting the imposition of a parking permit system through the County's Residential Permit Parking District Program and/or installation of "No Parking" signs in the vicinity of the Property.

- **Strategy 5: Information Dissemination**

The Transportation Coordinator, or his/her designee, will be responsible for placing notices in conspicuous places inside the facility which encourage carpooling and state that the parking on neighborhood streets is prohibited. The Transportation Coordinator will also instruct attendees not to use Jarrett Valley Drive/Edgepark Road/Laurel Hill Road to access the Subject Property or Route 7.

## **V. CONCLUSION & MONITORING**

MIC will implement and update this PMP as needed to ensure that the program is effective. Where needed, this PMP may be amended to incorporate additional measures or delete ineffective measures to meet the identified goals listed herein.

**8-006 General Standards**

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

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA 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 BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

**8-303 Standards for all Group 3 Uses**

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

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.