

## **Department of Community Development Staff Report**

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**PROPERTY OWNER:** Assemblies of God, Inc. of the Potomac District Council

**APPLICANT:** Assemblies of God, Inc. of the Potomac District Council

**LOCATION:** 8437 and 8385 James Madison Highway, Warrenton

**DISTRICT:** Cedar Run

**PINS:** 6983-65-3190-000 and a Portion of 6983-66-3096-000

**ACREAGE:** 40.94 acres

**ZONING:** Residential, 1 Dwelling Unit per Acre (R-1)

**LAND USE:** Rural and Warrenton Service District – Gateway Residential and Open Space/Park

**MEETING DATE:** September 2, 2021

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**REQUEST:** SPPT-21-015369: The Applicant is seeking approval of a Category 6 Special Permit for a Place of Worship, in accordance with Section 3-306.1.b of the Zoning Ordinance.

**OUTSTANDING ISSUES:** The Board of Zoning Appeals is advised to consider the items summarized below in their review of the application.

1. There is a pending Zoning Ordinance Text Amendment, to be heard by the Board of Supervisors on September 9, 2021, to review the approval process for Places of Worship. If approved, this would create a Major and Minor category for Places of Worship. This application would be considered a Major Place of Worship under the proposed Ordinance and would require Special Exception approval.
2. Based on the application materials, there is an additional Category 13 Business or Professional Office use proposed in conjunction with the Place of Worship use. Administrative activities that are not strictly confined to the administrative operations of the specific Place of Worship proposed on the subject property are considered a second primary use of the property and not an accessory use to the Place of Worship. Per

Section 3-313.10, a Business or Professional Office limited to six or less employees may be permitted with the approval of a Special Permit and a Site Plan in the R-1 district.

3. The application materials include ministry training, credentialing and other related activities that are a part of the overall ministry network, which serves multiple Places of Worship, and not strictly confined to the operation of this specific Place of Worship. These cannot be authorized with the approval of a Special Permit for a Place of Worship; they require Special Exception approval to authorize a College/University in the R-1 district per Section 3-305.6.

Please see the Planning Analysis and Zoning Comments, below, for additional information. The Board of Zoning Appeals is advised to postpone action on this item until such time that these issues have been resolved and the additional applications have been filed.

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### **Topic Description:**

The Applicant, Assemblies of God, Inc. of the Potomac District Council, is seeking approval of a Category 6 Special Permit for a Place of Worship, known as the Potomac Ministry Center. The Applicant wishes to build a two-story, +/-31,000 square foot building that will accommodate 300 parishioners and 10 employees. The Applicant has estimated 303 trips on Sundays and an average of 110 trips during the week. The general hours of operation for the Place of Worship will be Sundays from 8:00 a.m. to 4:00 p.m. and Monday through Saturday from 7:00 a.m. to 9:00 p.m. The Applicant has indicated that weekday hours will be intermittent and that the building will only be used for administrative activities as needed by Potomac Ministry Network.

The 9.92-acre parcel (PIN 6983-65-3190-000) is the main parcel for the Place of Worship use. This parcel will include the 31,000 square foot, two-story building, 154 parking spaces, landscaping and utilities. The adjoining 31.02-acre parcel (PIN 6983-66-3096-000) is included for the construction of an emergency access road. The Applicant has indicated that the site will serve as a multi-purpose worship center and gathering space. Additionally, they will hold regular worship services, weddings and baptisms, church meetings, small Bible study groups and carry out general administration. The proposed services and activities include:

Sunday Services held weekly, with approximately 300 parishioners, between 10:00 a.m. and 4:00 p.m. This includes children participating in Sunday School sessions.

Administrative Meetings held no more than once per week, with approximately 10 to 20 people. The days of the week may vary, depending on staff availability.

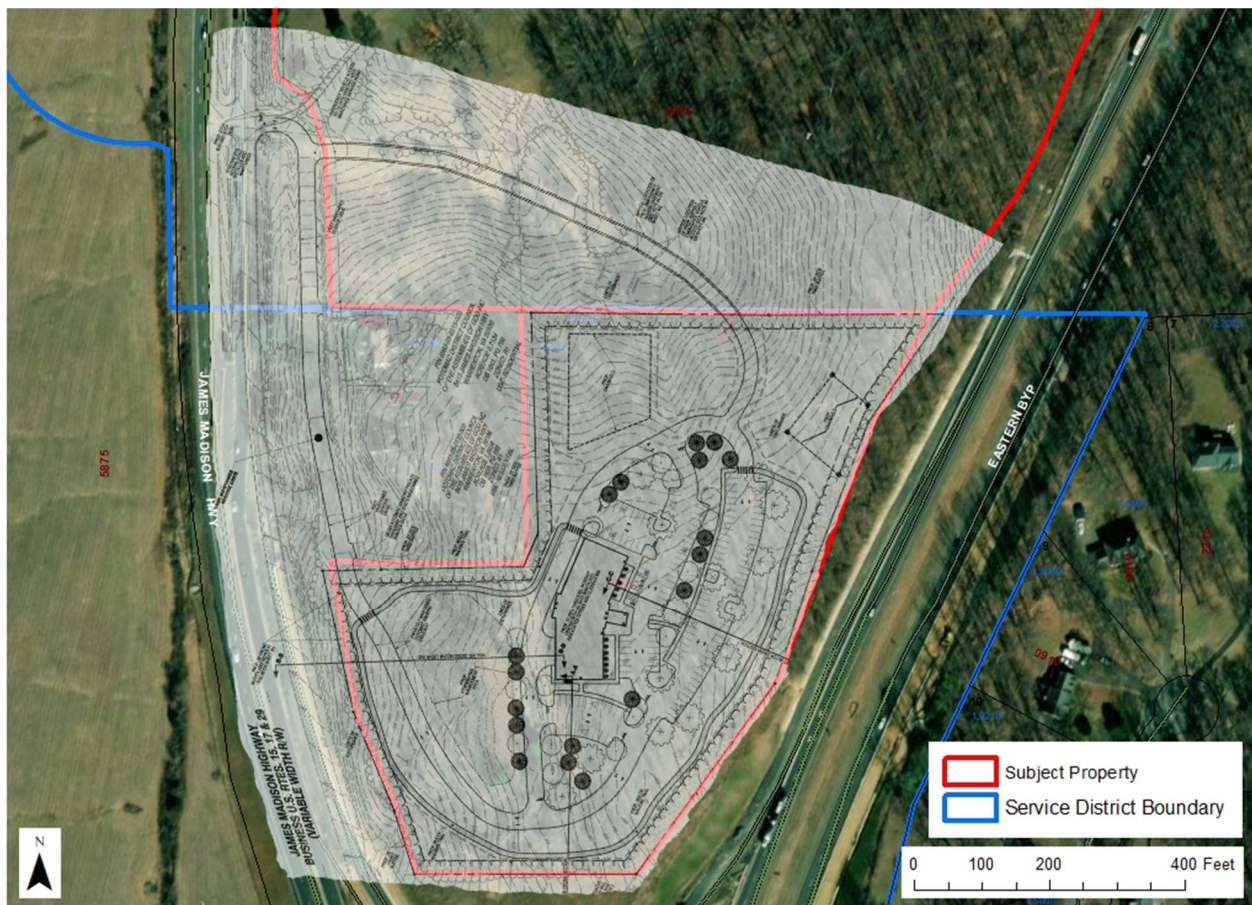
Ministry Related Support held daily within the proposed hours of operation by employees of Potomac Ministry Center. This will occur in the office and administrative areas of the

proposed Place of Worship. This includes ministry planning and organization, correspondence, budget and financial management, recordkeeping, church leadership meetings, preparation of ministry materials and spiritual counseling.

Bible Study Groups will occur no more than twice per week with approximately 10 to 30 people. The date of these will vary depending on the availability of the attendees.

Choir Rehearsals will have approximately 20 to 30 people. The Applicant has anticipated no more than two rehearsals per week. The date of these will vary depending on the availability of choir members.

### **Zoomed Site Aerial Map**



The proposed building floor plan provided by the Applicant includes the following on the main floor: a 300-seat sanctuary (approximately 5,250 square feet), a foyer and seating area, a kitchen and dining hall (approximately 2,100 square feet), restrooms and a janitor's closet, several storage areas, a recording area (approximately 875 square feet), a multi-purpose room (approximately 875 square feet), a conference room (approximately 455 square feet) and two classrooms (each approximately 200 square feet). The second floor will contain the primary conference room (approximately 1,200 square feet), restrooms, an audio/video room overlooking the sanctuary, five offices, a foyer and waiting area, a small conference room, a workspace and seven

offices/classrooms. The main floor foyer and sanctuary have two-story ceilings. The offices and classrooms consist of approximately 6,000 of the 8,500 square feet on the second floor.

The Classrooms will be used for Bible classes, church leadership training, Sunday School, training for individual ministries, new member classes, marriage and relationship seminars, youth and young adult discussion groups and individual counseling. The schedule of these classes varies.

The Recording Area will be used for the production of ministry material, announcements, ministry podcasts and online correspondence. All of these are aimed at promoting ministry efforts.

### **Project History:**

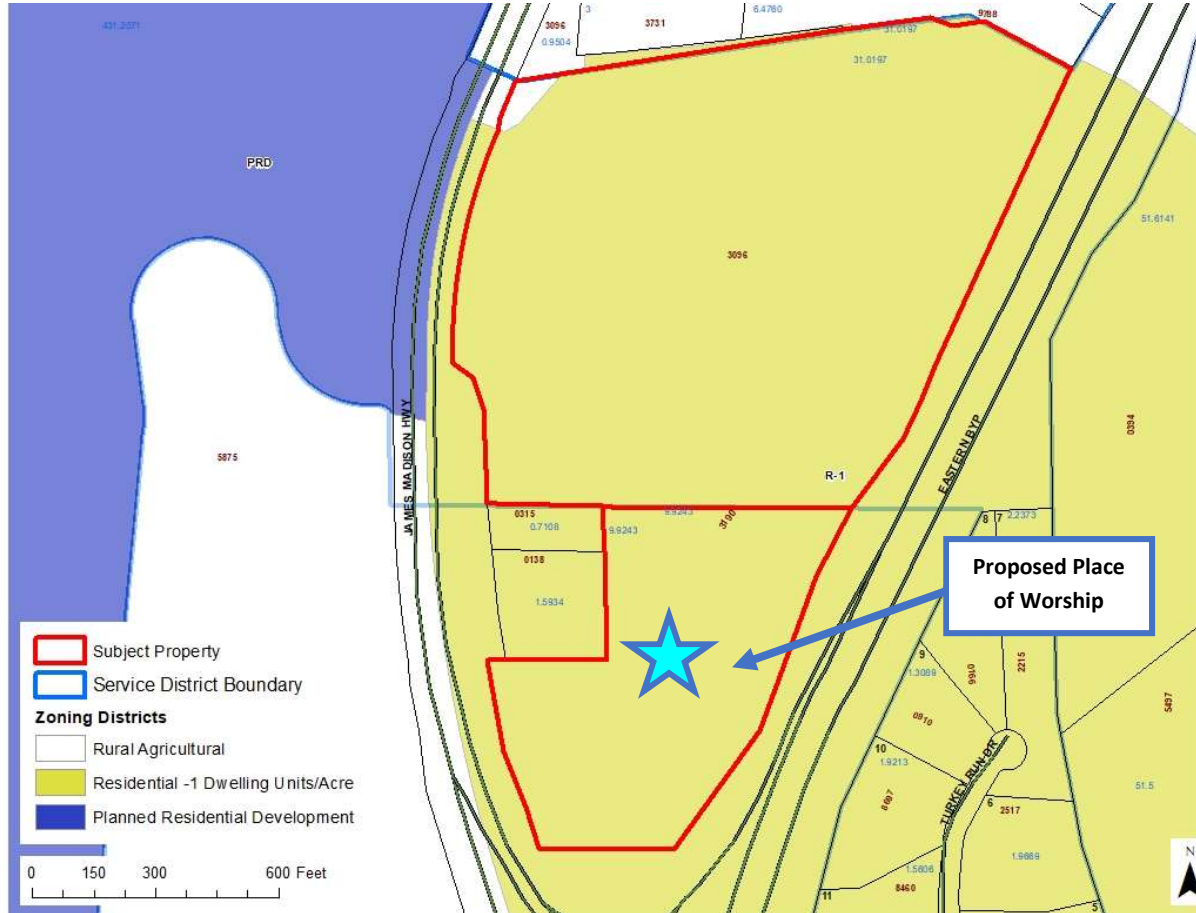
In 2009, the Board of Zoning Appeals (BZA) approved a Category 6 Special Permit for a Place of Worship (SPPT09-CR-043) for the Warrenton Assembly of God Church on the subject property. The Special Permit was for an 8,200 square foot church building for a congregation of up to 300 people. The structure included a sanctuary, restrooms, office space, Sunday School classrooms, a small fellowship hall and kitchen. The proposed site facilities included 84 parking spaces and one loading space. The proposed church activities were generally limited to Sunday School, morning worship service, fellowship meals, a Sunday evening meeting and a prayer meeting on Wednesdays. Concerns about access to the property and its prominent location at the Gateway to Warrenton and the Warrenton Service District were raised during staff review and the public hearing. This Special Permit has expired.

In October 2020, the Applicant submitted a request for a Comprehensive Plan Amendment to add three parcels, which are all owned by the Assemblies of God, Inc. of the Potomac District Council, into the Warrenton Service District in order to connect the properties to the Town of Warrenton's water and sewer. Additionally, the Applicant wanted to re-designate these three parcels, as well as two others owned by the Assemblies of God, Inc. of the Potomac District Council, as Campus/Office Employment, rather than Gateway Residential and Open Space/Park. This application has been placed on hold by the Applicant.

### **Location, Zoning and Current Land Use:**

Parcel Identification Number (PIN) 6983-65-3190-000 is zoned Residential, 1 Dwelling Unit per Acre (R-1) and is located at 8437 James Madison Highway. It is currently vacant and proposed to include the Place of Worship and all associated improvements. The larger parcel, PIN 6983-66-3096-000, is also zoned R-1 and is located at 8385 James Madison Highway. Currently, it includes a vacant residence and several outbuildings. It is proposed to include an access drive to PIN 6983-65-3190-000. Additionally, there is floodplain located on PIN 6983-66-3096-000.

## Location/Zoning Map

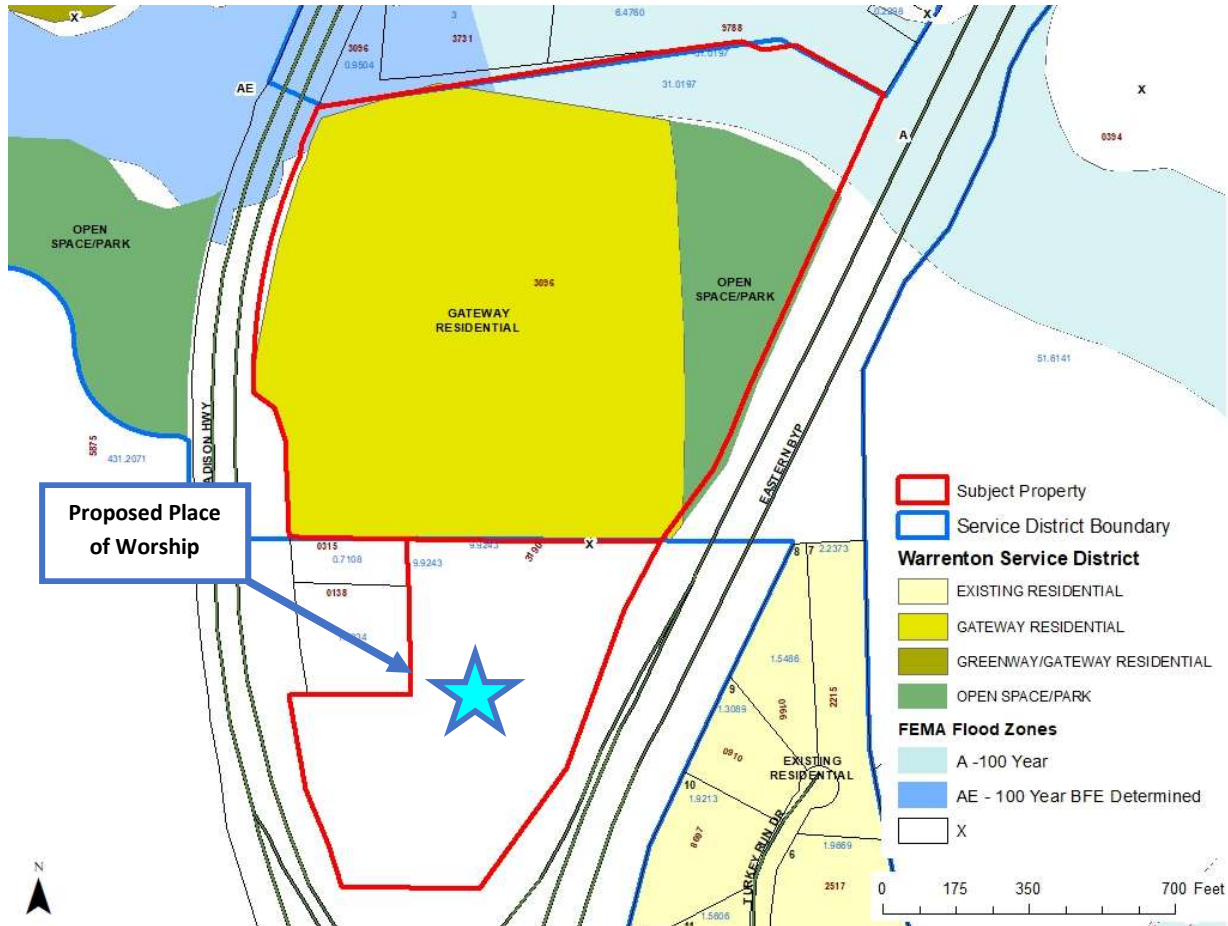


### **Surrounding Area, Zoning and Current Land Use:**

The surrounding properties are zoned Rural Agriculture (RA), Planned Residential Development (PRD) and Residential, 1 Dwelling Unit per Acre (R-1). The two parcels located immediately adjacent to the subject properties are also owned by the Applicant. These are zoned R-1 and contain single-family residences. Properties north of PIN 6983-66-3096-000 are part of the Town of Warrenton. The property to the west is part of the planned Arrington development within the Warrenton Service District. Properties to the east and southeast, across the Eastern Bypass, are part of the Warrenton Service District and contain residential uses. South of the property is the Route 15/17/29 Warrenton Interchange, connecting James Madison Highway (Business 15/17/29) with Lord Fairfax Drive, Turkey Run Drive and the Eastern Bypass. The Lord Fairfax Community College, Virginia State Police and Fauquier County Landfill are located in this area.



## Future Land Use Map



### **Comprehensive Plan/Land Use:**

The property (PIN 6983-65-3190-000) that includes the building and all associated uses is designated as Rural Lands. Chapter 8 of the Comprehensive Plan, Rural Land Use Plan, includes many goals aimed at enhancing and preserving agricultural areas and the rural character of the County. Preservation and protection of environmental, cultural and visual resources, open space and scenic beauty are also goals of Chapter 8. The Chapter also identifies enterprise opportunities for the rural economy that are consistent with the vision and character of Fauquier County and suggests policies that can guide their development and minimize negative impacts.

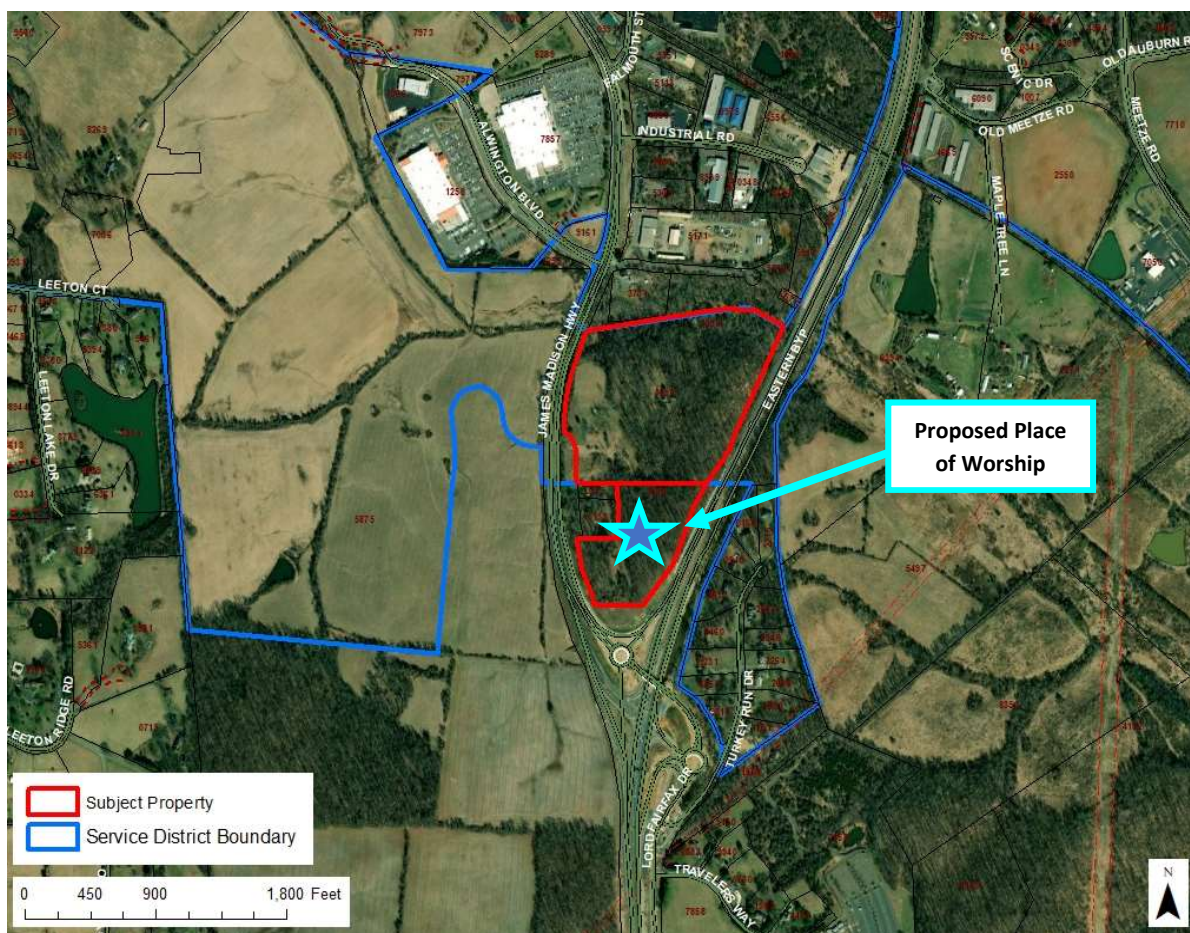
The Rural Land Use Plan states that Fauquier County's "authentic rural character is a key aspect of its quality of life and one to be valued and protected." The Plan recognizes that non-agricultural development in the rural areas can create new visual patterns on the landscape as different elements are added and older elements are removed. This type of development can potentially lead to an incompatible, discordant visual character. The Plan recommends screening and buffering new manmade elements in the landscape and/or designing them to be compatible with the traditional rural character. It is important to encourage land uses that are intrinsic to the character of Fauquier's Rural Lands and are complementary to the existing character of the Rural Lands.

Additionally, the Plan identifies Route 29, turning onto East Shirley Avenue into the Town of Warrenton as a key viewshed, which should be preserved (See Attached Viewshed Map).

In rural areas, it is important to continue to manage and protect the County's water resources to provide sufficient potable water. This includes managing the impacts of rural development on groundwater resources. The property is located outside of the Warrenton Service District and it does not have the ability to connect to the Town of Warrenton's public water and sewer; therefore, the property will be served by private well and septic that will need to be appropriately managed so as not to impact surrounding properties.

The Rural Land Use Plan acknowledges that the success of the rural economy and the preservation of rural character are interdependent and that the County's unique sense of place and authentic agricultural heritage draws residents, businesses and visitors alike. However, the Plan cautions that while new business opportunities can have economic benefits, they can create challenges for rural communities, including higher levels of traffic, noise and activity, which may strain infrastructure and produce conflicts with surrounding landowners.

### **Regional Aerial Map**



While a Place of Worship is not traditionally thought to correspond with rural tourism, as indicated in the Statement of Justification for the Special Permit and previously submitted Comprehensive

Plan Amendment, the proposed Potomac Ministry Center will be a multi-purpose worship center and gathering space that will serve the Potomac Ministry Network. The additional uses proposed with the Place of Worship work to make this a destination Place of Worship, attracting visitors from the entire Potomac Ministry Network region, including people from Maryland, Washington D.C., Virginia and West Virginia. The Plan states that when evaluating a rural tourism proposal, one should consider traffic generation, the scale and placement of buildings, frequency of events and activity, operating hours of activities, the size and appearance of signage, levels of noise or light produced by the activities, water and sewer impacts, as well as access for public safety among other items.

The Plan offers the following guidance for rural tourism facilities and commercial uses in the rural portions of the County:

- Any facilities involved in the tourism enterprise should not be distinctly different in size or appearance than those used by other rural businesses. The approval of a tourism operation should be contingent upon adequate infrastructure capacity, minimal interference with farming, cultural and natural resources, and potential impacts on adjoining properties and the surrounding community.
- Commercial uses that are not compatible with the dominant agricultural land use pattern should be directed to locate in towns and Service Districts.
- The County may permit non-agriculturally related commercial uses by Special Exception or Special Permit in the rural lands if the use is agriculturally and rurally compatible in scale and intensity; poses no threat to public health, safety and welfare; contributes to the preservation of historically significant structures or landscapes; and if it helps to preserve farmland and open space and continue agricultural operations.
- Rural businesses should be limited in size, with carefully delineated permissible uses. Reusing existing buildings, especially historic buildings, is preferable to building new structures. Such existing buildings would need to be renovated and reused at a scale that is appropriate for the area and does not require additional infrastructure.

The other parcel, which is to be used for the construction of an access road (PIN 6983-66-3096-000) is designated as Gateway Residential and Open Space/Park in the Comprehensive Plan and is part of the Warrenton Service District. Chapter 6, Warrenton Service District Plan, of the Comprehensive Plan states that Gateway properties should have a clustering of residential uses that are screened or located away from or out of sight of a designated transportation corridor or recreational corridor, in order to protect and maintain open space elements key to entry points into Warrenton. These areas should have design elements that provide a green transition to the urban development within the core. This wedge of land between Shirley Avenue and Route 15/29 is envisioned to be kept open to protect the entry into Town. The allowed residential uses on the eastern portion are proposed to be transferred to the western portion of the property. The principle objective would be retaining the most prominent summit of these lands as open space, with residential development clustered with densities up to one residence per acre.



Pursuant to the Fauquier County Zoning Ordinance, the Board of Zoning Appeals (BZA) is to consider consistency with the Comprehensive Plan when determining whether or not to approve Special Permit requests. With regard to rural property, the chief consideration is compatibility with adjoining agricultural and residential uses. A Place of Worship, with required infrastructure, can potentially be compatible in such an area; however, the Zoning Ordinance currently requires a Special Permit for the use in the R-1 district because not all sites are necessarily appropriate for the particular use or special conditions may be required to ensure compatibility with surrounding areas. As previously noted, should the pending Zoning Ordinance text amendment be approved, this application would require a Special Exception. The Board of Zoning Appeals should evaluate the proposed scale of activities, potential for neighborhood and more regional impacts, and any impacts to a key viewshed in the County, in relation to the Comprehensive Plan's vision for the rural lands and the Warrenton Service District.

### **Planning Analysis:**

On June 10, 2021, the Board of Supervisors initiated a review of the Place of Worship provisions in the Fauquier County Zoning Ordinance. This text amendment was reviewed by the Planning Commission on August 19, 2021 and recommended for approval. It is scheduled for public hearing and potential adoption by the Board of Supervisors on September 9, 2021. The text amendment proposes a more nuanced approach to Places of Worship, with clear definitions, additional standards and varying approval processes based on the Place of Worship type and potential impacts. If approved, this will create a Major and Minor category for Places of Worship. The Minor Place of Worship would require a Special Permit. The Major Place of Worship would require a Special Exception. Requiring Special Exception approval for large Place of Worship applications allows for additional review and opportunity for public input to address any regional impacts that might arise. As proposed, this application would be considered a Major Place of Worship.

This text amendment was initiated because of an increase in the number of applications for Places of Worship, as well as a local and national trend towards larger Places of Worship offering a variety of educational and social activities with sizeable memberships. These large Places of Worship typically occur in the rural lands because of the availability of affordable land. The growing trend in size and numbers of large Places of Worship, as well as increased programming and regional membership draw, can cause substantially greater traffic impacts. Additionally, these large Places of Worship can become destination centers, with dining facilities, fitness centers, recreational facilities and entertainment activities. The size of the facility, congregation size and number of additional activities all directly affect the amount of parking needed and the amount of traffic generated by the use.

As mentioned above, the 31,000 square foot, two-story building proposed by the Applicant includes a 300-seat sanctuary (5,250 square feet), a kitchen and dining hall (approximately 2,100 square feet), a recording area (approximately 875 square feet), a multi-purpose room (approximately 875 square feet), three conference rooms, five offices, two classrooms and seven offices/classrooms. For comparison purposes, the Place of Worship Special Permit that was approved in 2009 was also for a 300-person congregation. The structure approved in 2009 was

8,200 square feet, whereas this current application has proposed the same capacity sanctuary within a 31,000 square foot building.

The offices and classrooms consist of approximately 6,000 of the 8,500 square feet on the second floor. The Applicant has indicated that the building will be used for “administrative activities as needed by Potomac Ministry Network” and “training for individual ministries.” The Potomac Ministry Network is this region’s educational and administrative arm of the Assemblies of God churches. The region spans throughout Maryland, Washington D.C., Virginia and West Virginia. The Potomac Ministry Network is responsible for the administration of ministry credentials, continued education and training for missionaries and those seeking professional roles, in an evangelical setting. Currently, the Potomac Ministry Network supports approximately 1,100 ministers and 355 churches in the geographical areas, as well as missionaries dispatched throughout the world. Through discussions with the Applicant, it has been indicated that these activities will also occur in the Place of Worship, as the various entities and staff roles are intertwined.

The Zoning Administrator has stated that the proposed uses included in the application and associated with the Potomac Ministry Network are in addition to the Place of Worship. These would require a Category 13 Special Permit for a Business or Professional Office, six persons or less. Administrative activities that are not strictly confined to the administrative operations of the specific Place of Worship proposed on the subject property are considered a second primary use of the property and not an accessory use to the Place of Worship. Ministry training, credentialing and other related activities that are part of the overall ministry network, which serves multiple Places of Worship, and not strictly confined to the operation of this specific Place of Worship, cannot be authorized with approval of a Special Permit for a Place of Worship. These activities require a Category 5 Special Exception for a College/University. The Applicant has been made aware of staff’s concern and has not applied for an additional Special Permit or a Special Exception. Staff has included a condition prohibiting any use of the property for administrative, office, training, credentialing and/or school/educational functions that are not strictly confined to the day-to-day operations of this specific Place of Worship, until such time as all required approvals for these additional uses have been granted under separate applications. However, conditions restricting the use of the Place of Worship would be challenging to enforce; therefore, staff recommends that the Board of Zoning Appeals postpone action until these outstanding issues have been addressed by the Applicant.

### **Special Permit Analysis:**

The standards below apply to this Special Permit. Following each standard is a staff evaluation in *italics*.

### **5-006 General Standards for Special Permit and Special Exception Uses**

1. The proposed use shall be such that it will not adversely affect the use or development of neighboring properties. It shall be in accordance with the applicable zoning district regulations and the applicable provisions of 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/or use of adjacent or nearby land and/or buildings or impair the value thereof.

*The proposed use appears to be generally in accordance with the applicable zoning district regulations. The Special Permit Plat shows plans to preserve a 20-foot wide vegetated buffer along James Madison Highway (Business 15/17/29) and the immediate intersection, as well as a 25-foot wide vegetated buffer along the Eastern Bypass. Staff would note that in order to use existing vegetation, the Zoning Ordinance requires a 35-foot wide buffer with existing vegetation and no additional plantings required. Otherwise, a 20-foot wide landscaped buffer with three canopy trees, three understory trees and 24 shrubs is required per 100 linear feet. Staff believes that due to the high visibility of the subject properties, additional landscaping conditions are needed and the landscaped buffers required by the Zoning Ordinance should be provided. Staff has included conditions which address buffering and screening. The Board of Zoning Appeals may wish to add or modify these conditions.*

*As described above, Chapter 8 of the Comprehensive Plan, Rural Lands Plan, addresses land use in the rural areas of the County. Its key themes are the protection and preservation of farmland, historic sites, open space and environmental quality, while growing the rural and agricultural economy, in a manner that is consistent with the vision and character of Fauquier County to better serve its people and protect its heritage. Additionally, Chapter 6 of the Comprehensive Plan, Warrenton Service District Plan, addresses land use and the vision for the Warrenton Service District, including the specific vision for this intersection. The Board of Zoning Appeals should carefully consider the application materials to determine accordance with the applicable provisions of the adopted Comprehensive Plan.*

2. The proposed use shall be such that pedestrian and vehicular traffic generated will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood and on the streets serving the site.

*The property sits at the intersection of the Eastern Bypass and James Madison Highway (Business 15/17/29). The Applicant has indicated that the property will be accessed from an existing crossover on James Madison Highway (Business 15/17/29), with entrance and turn lane modifications sufficient to serve the proposed use. Based on the ITE 10<sup>th</sup> Edition Trip Generation Manual, the Applicant has estimated the site will generate a maximum of 303 trips on Sundays, which will be the busiest day of the week. The Applicant has indicated that throughout the week, it is anticipated that the site will generate approximately 110 trips. Weekday trips will be generated by employees and those participating in another activity on-site. Pedestrian traffic should be contained on-site.*

*Staff feels that, due to the road conditions and property location, there will not be an undue impact on neighbors or an adverse effect on the safety of road usage. Staff has included a condition requiring turn lane warrant analyses, as well as other geometric improvements, to be done based on a traffic study, as required by VDOT.*

3. In addition to the standards which may be set forth in this Article for a particular category or use, the BZA and Board may require landscaping, screening, yard requirements or other limitations found to be necessary and appropriate to the proposed use and location.

*Zoning Ordinance Section 7-604.3.i identifies the requirements for Non-Residential Lot Buffer Area Minimum Planting Requirements. For this site, that would include a front buffer yard located along the frontage of the Eastern Bypass and James Madison Highway (Business 15/17/29) and a side buffer yard located along the internal property lines. The front buffer yard can consist of either a 20-foot wide landscape strip with a minimum of three canopy trees, three understory trees and 24 shrubs per 100 linear feet, or a 35-foot wide buffer of preserved woodlands, with no additional plantings required. The side buffer yard is required to consist of a 20-foot wide landscape strip with two canopy trees, five understory trees and 20 shrubs per 100 linear feet.*

*The property is located at the intersection of the Eastern Bypass and James Madison Highway (Business 15/17/29), which is identified in Chapter 8 of the Comprehensive Plan as a key viewshed in the County. Due to the prominent location, staff has included a condition requiring a 35-foot wide front yard buffer of preserved woodlands, supplemented by evergreen shrubs to adequately screen the use. Additionally, staff has included a condition requiring the Zoning Ordinance required side yard buffer. Should the Board of Zoning Appeals wish, it may add or modify the included conditions.*

4. Open space shall be provided in an amount at least equal to that specified for the zoning district in which the proposed use is located.

*There are no open space requirements with the proposed use within the R-1 zoning district.*

5. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Low impact development techniques are encouraged by the County and shall be incorporated into the site and facility design when deemed appropriate by the applicant after consultation with appropriate county officials. Parking and loading requirements shall be in accordance with the provisions of Article 7.

*The Applicant has indicated that an on-site wastewater system and drainfield was previously approved in 2011. The Applicant plans to re-evaluate the original design based on the updated site concept layout. It will be revised in accordance with the updated Health Department guidance and regulations. The system will be an engineered dosed system and the Applicant has indicated the system will not exceed 600 gallons per day and will be time dosed over 24 hours. Staff has included a condition requiring the Applicant obtain all necessary Health Department permits prior to commencement of the use. The Applicant will be required to submit verification from the Health Department as part of the Site Plan process.*

*The proposed well location has been shown on the Special Permit Plat. The Applicant has indicated that the final well location is subject to the Virginia Department of Health Office of Drinking Water approval and recommended siting practices.*



*The Applicant plans to address the fire flow needs once the final plumbing design for the building has been completed. The Applicant has indicated that the Site Plan would reflect any system components for fire protection, as well as the final location of the well. The Applicant has indicated that, if required, belowground storage could be added to provide adequate fire suppression and storage volume, as directed by the Fire Marshal and applicable National Fire Protection Association codes. It should be noted that aboveground water storage requires Special Exception approval. As such, staff has included a condition prohibiting aboveground water storage for fire suppression without Special Exception approval.*

*The Applicant has conceptually shown a stormwater management area on the Special Permit Plat. It is located on a hillside, adjacent to the proposed site access. The Applicant has indicated that they are confident that with the amount of greenspace and positive drainage on the property that run-off from the building, parking lot and other paved areas can be adequately handled.*

*Zoning Ordinance Section 7-106.3 requires one parking space per four seats in the principal Place of Worship. The sanctuary capacity is 300 parishioners, which would equate to 75 parking spaces. The Applicant has shown 154 parking spaces on the proposed Special Permit Plat. Staff has included a condition requiring a minimum of 154 parking spaces.*

*Utilities, drainage, parking, loading and other necessary facilities to serve the proposed use will be further evaluated during Site Plan review.*

6. Signs shall be regulated by the provisions of Article 8, except as may be qualified in the Parts that follow for a particular category or use. However, the BZA and the Board, under the authority presented in Section 007 below, may impose more strict standards for a given use than those set forth in this Ordinance.

*The Applicant has indicated that any signage associated with the proposed use would be limited to a single monument sign, designed to be consistent with the overall appearance of signage in the area and in compliance with Article 8 of the Zoning Ordinance. Any future signage will be part of a separate Zoning application and follow the requirements of the Zoning Ordinance.*

7. The future impact of a proposed use will be considered and addressed in establishing a time limit on the permit, if deemed appropriate. Existing and recent development, current zoning and the Comprehensive Plan shall be among the factors used in assessing the future impact of the proposed use and whether reconsideration of the permit after a stated period of time would be necessary and appropriate for the protection of properties in the vicinity and to ensure implementation of the Comprehensive Plan.

*Staff has not included a time limit for this application.*

8. The proposed use shall be such that air quality, surface and groundwater quality and quantity, are not degraded or depleted to an extent that would hinder or discourage the appropriate development and/or use of adjacent or nearby land and/or buildings or impair the value thereof.

*Staff does not believe that air quality will be impacted by the proposed use. As mentioned previously, the location of the well, drainfield and drainfield reserve have not been finalized. As such, staff is unable to make a determination that surface and groundwater quality and quantity will not be degraded or depleted to an extent that would hinder or discourage the appropriate development and/or use of adjacent or nearby land and/or buildings or impair the value thereof. The Applicant is aware of staff concerns and has indicated that these concerns will be addressed prior to Site Plan approval. The Board of Zoning Appeals should evaluate the application materials and determine whether or not this standard has been satisfied or can be satisfied through conditions.*

9. Except as provided in this Article, all uses shall comply with the lot size, bulk regulations, and performance standards of the zoning district in which located.

*All applicable standards of the R-1 zoning district have been met.*

## **CATEGORY 6 INSTITUTIONAL USES**

### **5-601 Standards for All Category 6 Uses**

1. No off-street parking or loading area shall be located within any required yard or within 25 feet of any lot line in or adjoining a Residential or Rural District.

*As shown on the Special Permit Plat, the proposed parking area will be greater than 50 feet from the closest lot line in a Residential or Rural District; therefore, this standard has been met. Staff has included a condition requiring parking be located a minimum of 50 feet from any lot line in or adjoining a Residential or Rural District.*

### **5-602 Additional Standards for Places of Worship**

1. Uses proposed in conjunction with places of worship shall be subject to regulations applicable to such use (e.g., schools, athletic facilities).

*As mentioned above, the proposed building floor plan provided by the Applicant includes the following on the main floor: a 300-seat sanctuary (approximately 5,250 square feet), a foyer and seating area, a kitchen and dining hall (approximately 2,100 square feet), restrooms and a janitor's closet, several storage areas, a recording area (approximately 875 square feet), a multi-purpose room (approximately 875 square feet), a conference room (approximately 455 square feet) and two classrooms (each approximately 200 square feet). The second floor will contain the primary conference room (approximately 1,200 square feet), restrooms, an audio/video room overlooking the sanctuary, five offices, a foyer and waiting area, a small conference room, a workspace and seven offices/classrooms. The main floor foyer and sanctuary have two-story ceilings. The offices and classrooms consist of approximately 6,000 of the 8,500 square feet on the second floor. The Applicant has indicated that the building will be used for "administrative activities as needed by Potomac Ministry Network" and "training for individual ministries." As previously mentioned, the Potomac Ministry Network is this region's educational and administrative arm of the Assemblies of God churches. The region spans throughout Maryland,*

*Washington D.C., Virginia and West Virginia. The Potomac Ministry Network is responsible for the administration of ministry credentials, continued education and training for missionaries and those seeking professional roles, in an evangelical setting. Currently, the Potomac Ministry Network supports approximately 1,100 ministers and 355 churches in the geographical areas, as well as missionaries dispatched throughout the world.*

*Based on this information, the Zoning Administrator has indicated that the proposed uses are in addition to the Place of Worship and requires a Category 13 Special Permit for a Business or Professional Office, or alternatively, the Applicant could apply for a Category 5 Special Exception for a College/University. The Applicant is aware of staff's concern and has not applied for an additional Special Permit or a Special Exception. Staff has included a condition prohibiting any use of the property for administrative, office, training, credentialing and/or school/educational functions that are not strictly confined to the day-to-day operations of this specific Place of Worship, until such time as all required approvals for these additional uses have been granted under separate applications. However, conditions restricting the use of the Place of Worship would be challenging to enforce; therefore, staff recommends that the Board of Zoning Appeals postpone action until these outstanding issues have been addressed by the Applicant and the additional applications can be filed.*

#### **Agency Comments:**

Staff and appropriate referral agencies have reviewed the application and have the following comments. Staff has noted how the items will be addressed in *italicized* language following the comments.

#### **Zoning:**

1. The property is zoned to the Residential, 1 Dwelling Unit per Acre (R-1) district. Per Section 3-306.1.b, a Place of Worship is permitted with the approval of a Special Permit and a Site Plan.

*Provided for reference; no action required.*

2. Section 5-006 ***General Standards for Special Permits and Special Exception Uses*** applies to the proposed use. Zoning staff defers to Planning staff in the compliance assessment of these standards.

*Please see staff evaluation above.*

3. Section 5-601 ***Standards for All Category 6 Uses*** applies to the proposed use. Zoning staff defers to Planning staff in the compliance assessment of these standards.

*Please see staff evaluation above.*

4. Section 5-602 ***Additional Standards for Places of Worship*** applies to the proposed use, which states, “*Uses proposed in conjunction with places of worship shall be subject to regulations applicable to such use (e.g., schools, athletic facilities).*” Zoning staff notes the following:
  - a. The Statement of Justification, Hours of Operation, includes the statement that during weekdays, the building will only be used for *administrative activities as needed by Potomac Ministry Network*, and the Anticipated Church Use section includes *training for individual ministries*.
  - b. The level two interior layout of the building shown on Sheet 6 of the submitted drawings appears to be dedicated to office and administrative functions, with approximately 5,000 square feet of the roughly 5,500 square foot second floor area dedicated to offices, workspace, conference rooms and reception areas.

*Provided for reference. Staff has included a condition prohibiting any use of the property for administrative, office, training, credentialing and/or school/educational functions that are not strictly confined to the day-to-day operations of this specific Place of Worship, until such time as all required approvals for these additional uses have been granted under separate applications.*

5. The application materials indicate that there is an additional Category 13 Business or Professional Office use proposed in conjunction with the proposed Place of Worship use. Administrative activities that are not strictly confined to the administrative operations of the specific Place of Worship proposed on the subject property are considered a second primary use of the property and not an accessory use to the Place of Worship. Per Section 3-313.10, a Business or Professional Office limited to six or less employees may be permitted with the approval of a Special Permit and a Site Plan in the R-1 district.

*Provided for reference; please see Planning Analysis above. Staff recommends the Board of Zoning Appeals postpone action until these outstanding issues have been addressed.*

6. Ministry training, credentialing and other related activities that are a part of the overall ministry network that serves multiple Places of Worship, and not strictly confined to the operation of this specific Place of Worship, are not authorized with the approval of a Special Permit for a Place of Worship. These uses require Special Exception approval to authorize a College/University in the R-1 district per Section 3-305.6.

*Provided for reference; please see Planning Analysis above. Staff recommends the Board of Zoning Appeals postpone action until these outstanding issues have been addressed.*

7. Zoning staff recommends that the Board of Zoning Appeals consider a condition of approval to prohibit any use of the property for administrative, office, training, credentialing and/or school/educational functions that are not strictly confined to the day-to-day operation of this specific Place of Worship, until such time as all required approvals for these additional uses have been granted under separate applications.



*Provided for reference; please see Planning Analysis above. Staff has included a condition prohibiting any use of the property for administrative, office, training, credentialing and/or school/educational functions that are not strictly confined to the day-to-day operations of this specific Place of Worship, until such time as all required approvals for these additional uses have been granted under separate applications. However, conditions restricting the use of the Place of Worship would be challenging to enforce; therefore, staff recommends that the Board of Zoning Appeals postpone action until these outstanding issues have been addressed by the Applicant.*

8. Should the Board of Zoning Appeals approve the request, Site Plan approval is required prior to commencement of the use per Section 3-306.1.b. The Site Plan application must meet the standards found in Article 12. Zoning staff notes that based off of the development shown in the Special Permit Plat, the required Site Plan application will be a Major Site Plan per the standards and requirements of Part 5 of Article 12.

*Staff has included a condition requiring Site Plan approval prior to commencement of the use.*

9. A landscaped buffer is required around the perimeter of the subject property, to meet the requirements of 7-604.3.i Non-Residential Lot Buffer Area Minimum Planting Requirements within all front, side and rear minimum required yard areas.
  - a. A front buffer yard is required along all property lines that abut dedicated right-of-way, to consist of either a 20-foot wide planted landscape area or a 35-foot wide strip of preserved woodlands. Staff notes that the 20-foot wide buffers abutting the right-of-way boundaries that contain existing trees to remain are not of a sufficient width to meet the 35-foot wide strip of preserved woodlands required by the Ordinance.

*Staff has included a condition requiring a 35-foot wide strip of preserved woodlands as a front yard buffer along the property's Eastern Bypass and James Madison Highway (Business 15/17/29) frontage. The existing woodlands shall be supplemented by additional evergreen shrubs. Provision of a 35-foot wide strip of preserved woodlands, rather than a 20-foot wide planted landscape area, will help to better attempt to mitigate any potential visual impacts from adjacent properties and roadways.*

- b. A side buffer yard is required along property lines that abut the Residential-zoned properties to the north, to consist of a 20-foot wide planted landscape area.

*Staff has included a condition requiring a 20-foot wide planted landscape area, consisting of two canopy trees, five understory trees and 20 shrubs per 100 linear feet, for a side yard buffer.*

- c. The submitted Special Permit Plat shows undisturbed wooded areas within the minimum required front yards. However, staff cannot evaluate the buffering efficacy, as the application does not provide any information or description about the location, type, size or general condition of the vegetation within this area.

*Staff has included a condition requiring a 35-foot wide strip of preserved woodlands as a front yard buffer, supplemented by evergreen shrubs. The provision of a 35-foot front yard buffer of*

*existing woodlands supplemented by evergreen shrubs should better buffer the use from surrounding properties and roadways, compared to a 20-foot wide landscape strip.*

10. Staff notes that, based off aerial and street-view imagery, the existing vegetation on the property consists of mostly mature, canopy-type deciduous trees. To ensure that the remaining wooded areas will provide sufficient buffering to meet the intent of the Ordinance after the majority of the existing trees are removed as a part of site development all trees of six inches or greater caliper outside of the limits of disturbance should be survey located and noted as to species, caliper and condition. Should the Applicant intend on using remaining trees to satisfy buffering requirements, staff recommends that this should be included as a condition of approval.

*Staff has included a condition requiring all trees of six inches or greater caliper outside of the limits of disturbance be survey located and noted as to species, caliper and condition.*

11. Zoning staff notes that per Section 5-006.3, the Board of Zoning Appeals may place conditions requiring additional screening and buffering beyond the minimum requirements of Article 7, should they find it is necessary and appropriate for the proposed use and location.

*Provided for reference. Staff has included conditions requiring additional landscaping. The Board of Zoning Appeals may wish to add or modify these conditions.*

12. Due to the elevation of the development area and the surrounding roadways, staff recommends that the Board of Zoning Appeals should consider additional enhanced landscaping along the outer perimeter of the internal accessways, as well as the outer edge of the parking area adjacent to the Eastern Bypass.

*Staff has included a condition requiring a vegetative screen consisting of at least 10 evergreen shrubs a minimum of 30 inches in height and one canopy tree per every 35 feet be installed along the outer perimeter of all internal accessways and the outer edge of the parking area adjacent to the Eastern Bypass.*

13. All lighting associated with the use must conform to the requirements of Article 9. All light fixtures must consist of fully-shielded, full cut-off fixtures per Section 9-1005. Staff notes that a Non-Residential Use, such as a Place of Worship, is permitted a maximum mounting height of 25 feet from the ground surface per Section 9-1006.4.b. Given that the proposed use is located within a Residential zoning district, staff suggests that the Board may wish to include a condition of approval that restricts all outdoor light fixtures to a maximum height of 20 feet as permitted for all Residential uses in Section 9-1006.4.b, or some lesser height as deemed necessary and appropriate by the Board.

*Staff has included a condition restricting lighting to a maximum height of 14 feet from the ground surface, as was consistent with other recently approved rural Places of Worship. Lighting will be reviewed for conformance with Article 9 during the Site Plan review.*

14. An application for a Boundary Line Adjustment, case number PLAT-21-014628, has been submitted and is currently On Hold. This comment is advisory and does not require action by the Applicant at this time.

*Provided for reference; no action required at this time.*

Virginia Department of Transportation (VDOT):

1. Final engineering drawings will need to meet all VDOT standards, including Access Management. The Special Permit package does not provide enough detail for a complete technical review.
2. Please be advised that corner clearance will still apply in the private driveway closest to Business 15/17/29. Therefore, the entrance on the driveway will need to meet corner clearance from Business 15/17/29.
3. Turn lane warrant analyses, as well as other geometric improvements (e.g., turn lane storage length) should be done based on a traffic study.

*Comments 1 through 3 are provided for reference. These comments will be addressed during the Site Plan review process with the final engineered drawings. Staff has included a condition that requires all improvements, as required by VDOT standards, be completed prior to establishment of the use.*

Engineering:

1. Add a note stating the source of the topography and the USGS vertical datum upon which the topographic survey is based.
2. The proposed project will have to meet the stormwater management water quality and water quantity requirements in Part IIB of the Virginia Stormwater Management Program (VSMP) Regulations (9VAC25-870-63 through 69).
3. The Virginia Runoff Reduction Method Spreadsheet should be used for determining water quality compliance and calculating any potential runoff reduction (9VAC25-870-63(2)(C)).
4. The proposed project will require a Phase I and Phase II Erosion and Sediment Control Plan with the submission of the Site Plan (9VAC25-840-10 through 90 and Virginia Erosion and Sediment Control Handbook, Chapter 6).
5. A stormwater management access easement will need to be provided from James Madison Highway to any proposed stormwater management facilities or conserved open space areas (Design Standards Manual Section 205.6 and 209.3).
6. Note that centralized stormwater management treatment and storage facilities are considered a “last resort” per the Design Standards Manual and the VSMP Regulations, and should only be

considered after all other Low Impact Development and volume reducing stormwater management practices have been applied and stormwater management requirements have still not been fully met (Design Standards Manual Section 205.1).

*Comments 1 through 6 are provided for reference. These comments will be addressed during the Site Plan review process.*

Soils:

1. The existing well and drainfield must be properly abandoned with appropriate Health Department permits.
2. During septic system design, keep in mind that the parcel is outside the service district and 200 percent reserve is required. Systems that can treat more than 1,200 gallons per day are considered a sewage treatment facility and require a Category 20 Special Exception.
3. It is noted that only one of the drainfield sites shown in the Obsidian design matches the current plan. It appears that the primary and one reserve drainfield have been relocated. It is recommended that, if not already completed, the Applicant have field work completed as soon as possible to determine if the new drainfield location will support the proposed project.
4. On Sheet 2, the soil map lines are shown but not the map unit symbols.
5. A U.S. Army Corps of Engineers Jurisdictional Determination will be required since land disturbance is proposed in a soil map unit with the potential for the presence of hydric soil inclusions (17B), indicating the possible presence of wetlands.
6. A Type 1 or Preliminary Soil Report is required. The Type 1 Soil Report has been completed for the parcel and is available digitally from the GIS Department. Please note that it is composed of three separate layers: Type 1 Soils, Type 1 Symbols and Type 1 Drainage. State the source as Preliminary Soil Information via a Type 1 Soil Map (original scale 1' = 400') and Report by the County Soil Scientist's Office, dated 01/04/2010.

*Comments 1 through 6 are provided for reference. These comments will be addressed during the Site Plan review process.*

Department of Fire, Rescue and Emergency Management

1. The occupancy of this structure is considered to be Assembly (A3).

*Provided for reference; no action is required.*

2. There is a steep grade on the access road to the proposed site. This access shall be considered a Fire Apparatus Access Road.



- a. **503.2.7 Grade.** The grade of the fire apparatus access road shall be within the limits established by the *fire code official* on the fire department's apparatus.
- b. **503.2.8 Angles of approach and departure.** The angles of approach and departure for fire apparatus access roads shall be within the limits established by the *fire code official* based on the fire department's apparatus.
- c. **D103.2 Grade.** Fire apparatus access roads shall not exceed 10 percent in grade.

*Provided for reference. The Applicant has shown a fire access road on PIN 6983-66-3096-000. The adequacy of the fire access road will be verified by the Department of Fire, Rescue and Emergency Management during the Site Plan review.*

3. The proposed building height is 35 feet.

- a. **D104.1 Buildings exceeding three stories or 30 feet in height.** Buildings or facilities exceeding 30 feet (9,144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.
- b. **D104.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
- c. **503.1.1 Buildings and facilities.** *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility.
- d. **503.1.2 Additional access.** The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

*Provided for reference. The Applicant has shown a fire access road on PIN 6983-66-3096-000. The adequacy of the fire access road will be verified by the Department of Fire, Rescue and Emergency Management during the Site Plan review.*

- 4. A proposed building of 31,000 square feet would require alternative water supply outside of a service district.
  - a. **507.1 Required water supply.** An *approved* water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

- b. **507.2 Type of water supply.** A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.
- c. **507.4 Water supply test.** The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official* or *approved* documentation of the test shall be provided to the *fire code official* prior to final approval of the water supply system.

*Provided for reference. The alternative water supply will be verified during the Site Plan review. The alternative water supply will need to be located underground, unless the Applicant applies for a Category 20 Special Exception and it is approved. Staff has included a condition prohibiting an aboveground water storage tank without approval of a Category 20 Special Exception.*

- 5. All fire apparatus access roads are required to maintain a minimum of 20 feet in width. Adequate signage will be required to accommodate.
  - a. **503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6,096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4,115 mm).
  - b. **D103.6.1 Roads 20 to 26 feet in width.** Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6,096 to 7,925 mm).

*Provided for reference. This will be verified during the Site Plan review.*

- 6. There needs to be a second entrance. The second access point shall not stem off the original entrance. The access only needs to be for emergency apparatus access; therefore, it is possible that VDOT will not require an additional turning lane. This should be verified with VDOT. A security device (e.g., chain, gate, cable, etc.) could be installed at an appropriate distance off the road, to ensure that only Department of Fire, Rescue and Emergency Management personnel have access to the property from the access road.

*The access will tie into the existing VDOT maintained service drive, as shown on the Special Permit Plat. The location and adequacy of the proposed access drive will be verified by the Department of Fire, Rescue and Emergency Management during the Site Plan review. Staff has included a condition requiring emergency access be provided according to the Virginia Statewide Fire Prevention Code.*

#### Town of Warrenton

- 1. Location: The proposed site is located immediately outside of Town boundaries on a major gateway into the Town. This gateway is being transformed through a series of interlinked projects to improve the entrance into the Town while linking to the community college. This

includes the recently completed roundabouts with multi-modal improvements and landscaping in the County and the roundabout in the Town. The segment linking the two nodes, which is also the nationally designated Journey Through Hallowed Ground National Scenic Byway, is anticipated to continue the Living Legacy landscaping and multi-modal improvements to link with the Town's contributing streetscaping and wayfinding. The location is also contained within the nationally designated Journey Through Hallowed Ground National Heritage Area.

*Provided for reference. Staff has included additional landscaping conditions that should minimize visual impacts of the proposed use on surrounding properties and roadways.*

2. Transportation: The location would access from James Madison Highway. The Town is concerned that 303 vehicles, which may increase further if the church expands to 400 congregants, within a defined timeframe would result in stacking issues. This turn may result in congregants entering the Town to conduct a U-Turn either at the first light or in the roundabout. Was a traffic impact analysis provided on this proposal? The Town would need a greater understanding of the impacts on its transportation infrastructure and how they might be off-set. In addition, it is a goal of the Town to work with the County and community college to make this segment a key multi-modal linkage. Currently, the Circuit Rider uses this route with stops between the Town and college. Eventually, there will be pedestrian and bicycle linkages to the new roundabout improvements.

*Provided for reference. A traffic impact analysis was not provided as part of the application. It should be noted that the Applicant has removed Phase 2 from the initial application and will now have a maximum congregation size of 300 parishioners. Traffic impacts will be further evaluated during the Site Plan review. Staff has included a condition requiring the existing service drive entrance meet all applicable VDOT standards and any required improvements be constructed prior to establishment of the use, including but not limited to turn lane warrant analyses.*

3. Tri-Party Agreement: The proposal is outside of the Tri-Party Agreement for water and sewer.

*Provided for reference. The Applicant has proposed private well and drainfield connections for the proposed use. Additionally, the Applicant has a Comprehensive Plan Amendment on hold with the Department of Community Development to add three parcels into the Warrenton Service District, with hopes of ultimately connecting to the Town of Warrenton's water and sewer. Staff has included a condition requiring all applicable Health Department permits be obtained prior to the use. Utilities will be further evaluated during Site Plan review.*

4. Comprehensive Plan: The proposal is located outside of the Town and outside of the County's Warrenton Service District in an area to be preserved for rural uses and protected viewsheds. The surrounding land and current uses are rural in nature, which is consistent with the Town and County's desire to steer development into Service Districts.

*Provided for reference; please see staff's evaluation of the Comprehensive Plan above. Staff has included additional landscaping requirements to attempt to mitigate potential visual impacts.*

5. Environmental: The location is heavily treed at this time and with substantial grade changes. The proposal suggests up to seven acres of site disturbance. The proposed line of sight of Sheet 5 does not take into account that this location is highly visible from the Town and County's surrounding areas due to its elevation. In fact, the proposal locates the 31,000 square feet facility, and its associated parking, at the highest point. This will result in the structure being visible from many locations.

*Provided for reference. Staff has included a condition requiring maintaining a 35-foot buffer of existing woodlands as a front yard buffer. These mature trees should better attempt to mitigate visual impacts of the proposed use. Additionally, staff has included a condition restricting lighting to be a maximum of 14 feet from the ground surface to minimize spillover lighting.*