

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JANUARY 10, 2007**

PRESENT: Frank A. de la Fe, Hunter Mill District
Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large

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The meeting was called to order at 8:19 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

The Honorable John T. Frey, Clerk of the Circuit Court, performed the swearing-in ceremony for the following Commissioners who were reappointed for additional terms commencing in January 2007 and ending December 2010:

- Peter F. Murphy, Jr., Springfield District.
- Janet R. Hall, Mason District; accompanied by her husband, Clifford; son, Brian; and daughter, Jessica.

The first new Commissioner was sworn-in for a term commencing in January 2007 and ending December 2009 and the second new Commissioner was sworn-in for a term commencing in January 2007 and ending December 2010:

- Earl L. Flanagan, Mount Vernon District; accompanied by his wife, Virginia; son, Brett; and daughter, Julie.
- Timothy J. Sargeant, Commissioner At-Large; accompanied by his wife, Nancy; daughter, Emily; and son, Eric, and Supervisor Gerald Connolly.

Chairman Murphy welcomed both Earl Flanagan and Timothy Sargeant to the Planning Commission.

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Commissioner Hall MOVED THAT THE PUBLIC HEARING ON SE 2006-MA-021, THAKORIAL MISTRY ET UX AND BABUBHAI S. MISTRY ET UX, BE DEFERRED TO A DATE CERTAIN OF MARCH 7, 2007.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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Commissioner Lawrence MOVED THAT THE JOINT PUBLIC HEARING ON RZ 2005-PR-041 AND FDP 2005-PR-041, MERRIFIELD MIXED USE LLC, BE DEFERRED TO A DATE CERTAIN OF MARCH 21, 2007.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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Commissioner Lusk MOVED THAT THE PUBLIC HEARING ON 2232-L06-13, FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES, BUILDING DESIGN BRANCH, BE DEFERRED TO A DATE CERTAIN OF FEBRUARY 14, 2007. (Note: This public hearing has subsequently been moved to February 15, 2007, due to a meeting cancellation.)

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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Commissioner Murphy MOVED THAT THE JOINT PUBLIC HEARING ON PCA 87-S-039-6 AND FDPA 87-S-039-10, FAIRFAX CORNER RETAIL, LC, BE DEFERRED INDEFINITELY.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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Chairman Murphy announced that in conformance with the Commission Bylaws, the election of officers for the 2007 session of the Planning Commission would take place at its third scheduled meeting on Wednesday, January 17, 2007.

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Commissioner Harsel announced that the joint Fairfax County School Board and Planning Commission’s School Facilities Committee would meet on Thursday, January 18, 2007, at 7:00 p.m. in the Board Conference Room, to receive a presentation by Commissioner Murphy and David Marshall, Planning Division, Department of Planning and Zoning, on the guidelines they had developed for placement of monopoles at school sites.

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On behalf of Commissioner Alcorn, Commissioner de la Fe noted that the Planning Commission would hold a public workshop on the proposed transit-oriented development guiding principles for inclusion in the Policy Plan in the Board Auditorium on Wednesday, January 17, 2007, at 8:15 p.m. He said the workshop would allow an opportunity for citizens to ask questions of staff to facilitate a better understanding of the proposal. Commissioner de la Fe added that a public hearing on the proposed Plan Amendment, S07-CW-1CP, would be held on Thursday, February 8, 2007, to allow an opportunity for citizens to comment.

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FS-P06-67 - NEXTEL COMMUNICATIONS, 1753 Pinnacle Street

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE “FEATURE SHOWN” DETERMINATION IN FS-P06-67.

Commissioner Lusk seconded the motion which carried unanimously with Commissioner Hall not present for the vote; Commissioner Alcorn absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. PCA 2002-HM-035/FDPA 2002-HM-035 - FAIRFAX COUNTY SCHOOL BOARD
2. PCA 2000-SU-001 - TRUSTEES OF THE MOUNT OLIVE BAPTIST CHURCH
SEA 00-Y-004 - TRUSTEES OF THE MOUNT OLIVE BAPTIST CHURCH
3. RZ 2003-SU-035/FDP 2003-SU-035 - SULLY EAST LC
SE 2003-SU-023 - SULLY EAST LC

This order was accepted without objection.

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PCA 2002-HM-035/FDPA 2002-HM-035 - FAIRFAX COUNTY SCHOOL BOARD - to amend the proffers and final development plan for RZ 2002-HM-035 previously approved for a public school and related facilities to permit site modifications with an approved density of 11.22 dwelling units per acre (du/ac). Located on the W. side of River Birch Rd. approx. 200 ft. N. of Coppermine Rd. on approx. 14.38 ac. of land zoned PDH-12. Comp. Plan Rec: Mixed Use at 0.50 FAR-1.0 FAR. Tax Map 15-4 ((1)) 35A. HUNTER MILL DISTRICT. PUBLIC HEARING.

Aaron Shriber, with Hunton & Williams LLP, reaffirmed the affidavit dated December 5, 2006. There were no disclosures by Commission members.

William O'Donnell, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Mr. Shriber explained that the applications sought to amend the combined Conceptual and Final Development Plan and proffered conditions on a portion of the subject property rezoned pursuant to RZ 2002-HM-035 to allow a modification of the building footprint for Coppermine Elementary School in order to relocate the loading docks to the north side of the building, move the school building closer to the southern property line, and permit minor modifications to the layout of the ball fields.

In response to a question from Commissioner de la Fe, Mr. O'Donnell stated that the staff report addendum dated January 9, 2007, contained the following revisions: modification of Development Condition Number 1 to list the most current Conceptual Development Plan Amendment/Final Development Plan Amendment (CDPA/FDPA) dated January 5, 2007; modification of Condition Number 5 to request the applicant to plant a single row of evergreen trees to provide supplemental plantings on the western boundary; and addition of Condition Number 7 to ensure that the curb radius of the northern access point on River Birch Road was constructed according to the Virginia Department of Transportation design standards. Mr. Shriber agreed with these revisions.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Clay Spencer, 2540 Terra Cotta Circle, Herndon, expressed opposition to the proposed ball fields because they would be too close to his property, create flooding problems, cause balls to break the windows of the adjacent residences, significantly decrease property values and the quality of life in the area, and adversely impact the view from the second story of his house.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Shriber.

Mr. Shriber stated that the proposed layout had always depicted the ball fields on the west side of the school dedication site, which would be separated from the adjacent residential area by a six-foot tall board-on-board fence. He indicated that a 10-foot wide landscaped strip and a single row of evergreen trees would be installed along the west side of the fence. He pointed out that two offsite ponds would accommodate the stormwater management and best management practices for the school site. Mr. Shriber said the ball fields had been redesigned and additional landscaping had been provided to mitigate any potential impacts between the school site and the adjacent residential area.

Responding to a question from Commissioner Hart, Mr. O'Donnell noted that the distance from the outfield fence to the nearest residence was 25 feet.

In response to another question from Commissioner Hart, Sunny Sarna, Civil Engineer, Capital Projects Team, Fairfax County Public Schools, indicated that the distance from home plate on the nearest proposed ball field to the property line of the fence was approximately 230 feet. He said he did not foresee a problem with baseballs breaking the windows of the nearby residences since it was unlikely that an elementary school student would be able to hit a ball that far.

Responding to a question from Commissioner Hall, Mr. Shriber pointed out that the ball fields would only be used by the elementary school.

Commissioner Hall recommended adding a development condition that required the applicant to provide the neighbors with a point of contact in case their window had been broken by a baseball from the school ball fields. Commissioner de la Fe agreed with this recommendation. Kristen Abrahamson, ZED, DPZ, replied that staff would work with the applicant to develop this language in a new Conceptual Development Plan condition, to which Mr. Shriber concurred.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2002-HM-035, SUBJECT TO THE PROFFERS DATED JANUARY 5, 2007.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 2002-HM-035, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 9, 2007; THE BOARD OF SUPERVISORS' APPROVAL OF PCA 2002-HM-035; AND THE ADDITIONAL CDP CONDITION THAT REQUIRES THE APPLICANT TO PROVIDE NEIGHBORS WITH A POINT OF CONTACT IN THE CASE OF A BROKEN WINDOW CAUSED BY A BASEBALL BEING HIT FROM THE PLAYING FIELDS ON THE SUBJECT PROPERTY.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL YARD REQUIREMENT ALONG THE WESTERN BOUNDARY AND A WAIVER OF THE BARRIER REQUIREMENT, IN FAVOR OF THAT SHOWN ON THE CDP/FDP, AND AS CONDITIONED.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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PCA 2000-SU-001 - TRUSTEES OF THE MOUNT OLIVE BAPTIST CHURCH - to amend RZ 2000-SU-001 previously approved for a church and child care center with an overall Floor Area Ratio (FAR) of 0.17 to permit a change in development conditions and site modifications. Located in the S.W. quadrant of the intersection of Centreville Rd. and Old Mill Rd. on approx. 12.16 ac. of land zoned R-2 and WS. Comp. Plan Rec: 1-2 du/ac. Tax Map 65-1 ((1)) 34, 35, and 45; 65-3 ((1)) 8 and 8A. (Concurrent with SEA 00-Y-004.) SULLY DISTRICT.

SEA 00-Y-004 - TRUSTEES OF THE MOUNT OLIVE BAPTIST CHURCH - Appl. under Sect. 3-204 of the Zoning Ordinance to amend SE 00-Y-004 previously approved for a church and child care center to permit a church and child care center/nursery school, change in development conditions and modifications to site design including an increase in seating. Located at 6600 and 6608 Old Centreville Rd., 14501 Mount Olive Rd. and 14511 Old Mill Rd. on approx. 12.16 ac. of land zoned R-2 and WS. Tax Map 65-1 ((1)) 34, 35, and 45; 65-3 ((1)) 8 and 8A. (Concurrent with PCA 2000-SU-001.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Stephen K. Fox, Esquire, reaffirmed the affidavit dated November 7, 2006. There were no disclosures by Commission members.

Tracy Strunk, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Mr. Fox stated that the applications sought to replace the existing sanctuary with a slightly larger church building. He indicated that the subject property was constrained by underground utility easements that covered a total of 5.2825 acres. He pointed out that the new church building with 1,110 seats and 379 parking spaces located on the southern portion, at a ratio of one space per 2.90 seats, would be constructed with Phase 1. Mr. Fox noted that the additional seats up to a maximum of 1,500 seats and 176 additional parking spaces located on the northern portion would be constructed with Phase 2, bringing the total parking spaces to 555. He said the applicant had proffered improvements on Old Centreville Road and Mount Olive Road. He explained that Proffer Number 6 permitted an interim egress from the site onto Old Mill Road, which would be limited to egress only on Sundays from 9:00 a.m. to 3:00 p.m. and at all other times, it would be gated. He added that the interim egress would be terminated once the connection to the north side of Mount Olive Road was completed. Mr. Fox stated that Development Condition Number 15 was inconsistent with Proffer Number 6 because it stated that the interim egress would not be provided. He indicated that the applicant had held numerous meetings with the West Fairfax County Citizens Association (WFCCA), which had voted to recommend approval of the applications, and had worked diligently with staff to address any outstanding issues. He then recognized the officials and members of the Mount Olive Baptist Church present in the audience who were in support of the applications. He noted that dormer windows could be added to the roof lines on the north and south elevations to provide visual relief, as discussed with the WFCCA and addressed by Proffer Number 2.

Commissioner Koch said that since the WFCCA had not objected to the interim egress, he would recommend the deletion of Development Condition Number 15 in his motion.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Rev. Eugene Johnson, 5516 Newhall Court, Centreville, Pastor of the Mount Olive Baptist Church, spoke in favor of the proposal because it would help address the growth in the church membership and satisfy the need to provide services to the surrounding community. He said the proposal met all applicable Zoning Ordinance requirements and the proffers and development conditions would be acceptable to the surrounding community.

Rubin Cuffee, 13652 Fox Meadow Court, Centreville, Chairman of the Trustee Board of the Mount Olive Baptist Church, indicated his support of the proposal.

Judith Heisinger, 7401 Bull Run Drive, Centreville, President of the Bull Run Civic Association, also supported the proposal.

Chairman Murphy called for a rebuttal statement from Mr. Fox, who declined.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2000-SU-001, SUBJECT TO THE PROFFERS DATED JANUARY 4, 2007.

The Commission seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 00-Y-004, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 20, 2006, WITH THE DELETION OF CONDITION NUMBER 15.

The Commission seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF TRANSITIONAL SCREENING REQUIREMENTS AND A WAIVER OF BARRIER REQUIREMENTS ON ALL PROPERTY BOUNDARIES, IN FAVOR OF THAT SHOWN ON THE GDP/SE PLAT, AND AS CONDITIONED.

The Commission seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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RZ 2003-SU-035/FDP 2003-SU-035 - SULLY EAST LC - to rezone from I-3, I-5, HD, and WS to PDC, PDH-16, HD, and WS to permit mixed-use development and approval of the conceptual and final development plans with an overall Floor Area Ratio (FAR) of 0.25 for the PDC portion and 15.6 dwelling units per acre (du/ac) for the PDH portion (including ADUs) Located N. and S. of Barnsfield Rd., W. of Centreville Rd, and E. of Sully Rd. on approx. 77.74 ac. of land. Comp. Plan Rec: Mixed Use. Tax Map 34-2 ((1)) 1A, 2, 3A, 10A, 27, 33 pt., and 35 and a portion of Barnsfield Rd. public right-of-way to be vacated and/or abandoned. (Approval of this application may enable

the vacation and/or abandonment of portions of the public rights-of-way for Barnsfield Rd. to proceed under Section 15.2-2272 (2) and/or Section 33.1-151 of the *Code of Virginia*.) (Concurrent with SE 2003-SU-023.) SULLY DISTRICT.

SE 2003-SU-023 - SULLY EAST LC - Appl. under Sect. 9-607 of the Zoning Ordinance to permit an increase in building height in the Sully Historic District from 35 ft. up to a maximum of 60 ft. Located at 13790 and 13900 Barnsfield Rd. on approx. 21.76 ac. of land zoned I-5, HD, and WS. Tax Map 34-2 ((1)) parts of 2, 3A, 10A, and 27 and a portion of Barnsfield Road right-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Barnsfield Rd. to proceed under Section 15.2-2272 (2) and/or Section 33.1-151 of the *Code of Virginia*.) (Concurrent with RZ/FDP 2003-SU-035.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Francis McDermott, Esquire, with Hunton & Williams LLP, reaffirmed the affidavit dated December 22, 2006. There were no disclosures by Commission members.

John David Moss, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Commissioner Hart pointed out that in Final Development Plan Condition Number 1, "Barnesfield Road" should be changed to "Barnsfield Road."

In response to a question from Commissioner Hart, Mr. McDermott indicated that Proffer Number 49, which provided an aviation easement over the respective site plan area for the benefit of, and in a form acceptable to, the Metropolitan Washington Airports Authority, had been requested by Sully District Supervisor Michael Frey. He said an easement would make it more difficult for the residents to object to planes flying over the area, although planes would be allowed to do so regardless of whether the easement was granted.

Mr. McDermott stated that the subject property was located on the south side of the Air and Space Museum Parkway and partially within the Sully Historic Overlay District and the Route 28 Tax District. He noted that the proposed multi-family residential buildings located closest to the Historic District on the southern and western portions of the site would not exceed 60 feet in height in accordance with the Zoning Ordinance. He said that the proposal sought to rezone 64.2 acres from industrial to the PDH-16 District and 13.54 acres to the PDC District to allow active-adult, mixed-use residential and neighborhood commercial development under a single development plan. Mr. McDermott explained that the total 1,001 age-restricted residential units would be composed of active-adult units with the exception of 120 senior rental apartments, which would include 72 affordable dwelling units (ADUs) and 48 workforce housing units. He

indicated that a community clubhouse would be constructed on the western portion of the site, facing a major wet pond, for which the applicant had requested a waiver of the Public Facilities Manual requirement to permit a wet pond in a residential area. Mr. McDermott added that there would also be a smaller clubhouse. He said the applicant had proffered to either acquire or pay all costs necessary to condemn the parcel adjacent to the southwestern boundary of the site to be dedicated to the Fairfax County Park Authority (FCPA) for park purposes. He noted that the applicant had also proffered a contribution of \$200 per non-ADU to the FCPA to offset impacts to park and recreation service levels. He pointed out that the Architectural Review Board (ARB) had voted to recommend approval of the applications and ARB approval would be required prior to the issuance of building permits, site plans, and sign permits only for those portions of the site located within the Sully Historic District. Mr. McDermott said the proposed development would not pose a great demand for ball fields or impacts on schools. He explained that the vehicle trip generation would represent a 62 percent reduction in the average daily vehicle trips, a 72 percent reduction in the a.m. peak hour trips, and a 76 percent reduction in the p.m. peak hour trips from that created by the existing industrial zoning. He noted that the portions of Barnsfield Road bisecting the site would be vacated and/or abandoned, as recommended by the Comprehensive Plan.

Responding to a question from Commissioner Koch, Mr. McDermott stated that one entrance to the subject site would be located at the proposed Historic Sully Way's intersection with Air and Space Museum Parkway, which would lead to the predominantly retail and office portion to the residential portion and further south to the adjacent Historic Sully property, located off site. He noted that the proposed buildings had been moved farther away from Historic Sully Way and landscaped buffer areas had been added along the road to maintain the openness of the surrounding uses, as requested by the ARB.

In response to a question from Commissioner Lusk, Mr. McDermott said there would be sufficient opportunities to market the proposed workforce housing units to the employees of the office, retail, and hotel uses associated with the proposed development. Commissioner Lusk recommended adding proffer language that clarified this marketing initiative. Mr. McDermott concurred with this recommendation.

Responding to a question from Commissioner Lawrence, Mr. McDermott indicated that the proposed 60-foot tall buildings would be completely screened from the Historic Sully property by a substantial depth of tree lines on the Sully property and a very tall power line.

In response to questions from Commissioner Harsel, Mr. McDermott noted that the threshold age restriction to rent the workforce housing units would be 62. He said the applicant had committed to recording a covenant that submitted the workforce units to a 30-year timeframe where the tenants had to meet the rental program requirements, but had not considered whether that would apply to a tenant who was no longer working.

Chairman Murphy called the first listed speaker.

Father Marcus Pollard, Pastor of St. Veronica Catholic Church, expressed support for the proposal. He noted that the applicant had provided a service road so that the adjacent church would have two access points. He reported that between 2,000 and 5,000 vehicles were expected to access the church property on the weekends, which would steadily increase during the next 20 years as the church expanded.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. McDermott.

Mr. McDermott stated that St. Veronica Catholic Church had access to the north through the subject property by way of an easement that was near Centreville Road. He explained that the applicant had proposed to relocate the access to the west and construct a left-turn lane into the church property off Centreville Road through the subject site and a left-turn lane out of the church property onto Turley Hall Lane to enhance the ability of traffic to access the church property.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ 2003-SU-035, FDP 2003-SU-035, AND SE 2003-SU-023 TO A DATE CERTAIN OF JANUARY 18, 2007, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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The meeting was adjourned at 9:35 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

CLOSING

January 10, 2007

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Kara A. DeArrastia

Approved on: September 11, 2008

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission