

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, JANUARY 29, 2003**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
John R. Byers, Mount Vernon District  
Frank de la Fe, Hunter Mill District  
Joan M. DuBois, Dranesville District  
Janet R. Hall, Mason District  
Suzanne F. Harsel, Braddock District  
John B. Kelso, Lee District  
Ilryong Moon, Commissioner At-Large  
Linda Q. Smyth, Providence District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Ronald W. Koch, Sully District  
Peter F. Murphy, Jr., Springfield District

//

The meeting was called to order at 8:13 p.m. by Vice Chairman John R. Byers.

//

**COMMISSION MATTERS**

Commissioner DuBois, citing the need to address the location of temporary parking, **MOVED THAT WE DEFER SE-2002-DR-026 AND 2232-D02-19, WMATA, INDEFINITELY.**

Commissioner Hall seconded the motion which carried unanimously with Commissioner Moon not present for the vote; Commissioners Koch and Murphy absent from the meeting.

//

Commissioner Alcorn announced that the Zoning Ordinance Amendment regarding Athletic Facilities in the R-C District had been withdrawn. Since that was the only item scheduled for the February 12, 2003 Planning Commission meeting, he noted that there would be no meeting on that date.

//

Commissioner Alcorn announced the following Environment Committee meetings to discuss the proposed Chesapeake Bay Amendments. He noted that members of the Environmental Quality Advisory Council would attend.

- Wednesday, February 5, 2003 at 7:00 p.m. in the Board Conference Room
- Wednesday, February 19, 2003 at 7:00 p.m. in the Board Conference Room
- Wednesday, February 26, 2003 at 7:00 p.m. in the Board Conference Room
- Wednesday, March 5, 2003 at 7:00 p.m. in the Board Conference Room (if needed)

//

Commissioner Smyth announced that the Policy and Procedures Committee would meet on Thursday, February 20, 2003 at 7:30 p.m. in the Board Conference Room to discuss the Zoning Ordinance Work Program.

//

RZ-2002-BR-017 - EASTWOOD PROPERTIES, INC.

FDP-2002-BR-017 - EASTWOOD PROPERTIES, INC. (Decision Only)

(The public hearing on these applications was held on December 11, 2002. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2002-BR-017 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO EXECUTION OF PROFFERS RECEIVED THIS EVENING DATED JANUARY 29, 2003.

Commissioner de la Fe seconded the motion which carried by a vote of 6-0-3 with Commissioners Byers, Hall and Wilson abstaining; Commissioner Moon not present for the vote; Commissioners Koch and Murphy absent from the meeting.

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2002-BR-017, DELETING CONDITION 2, SUBJECT TO THE BOARD'S APPROVAL OF THE REZONING AND CONCEPTUAL DEVELOPMENT PLAN AND THOSE CONDITIONS ARE CONTAINED IN ATTACHMENT 2 OF THE STAFF REPORT ADDENDUM DATED JANUARY 15, 2003.

Commissioner de la Fe seconded the motion which carried by a vote of 6-0-3 with Commissioners Byers, Hall and Wilson abstaining; Commissioner Moon not present for the vote; Commissioners Koch and Murphy absent from the meeting.

//

ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. RZ/FDP-2002-HM-024 - ENGLE HOMES VIRGINIA
2. 2232-D02-4 - VERIZON VIRGINIA, INC.  
SEA-97-D-020 - VERIZON VIRGINIA, INC.
3. FDPA-C-220-6 - VERIZON WIRELESS  
2232-D02-13 - VERIZON WIRELESS
4. RZ-2002-LE-023 - WILLIAM K. AMES

This order was accepted without objection.

//

RZ-2002-HM-024/FDP 2002-HM-024 - ENGLE HOMES VIRGINIA

- Appls. to rezone from R-1 to PDH-8 to permit residential development at a density of 5.84 dwelling units per acre (du/ac) and approval of the conceptual and final development plans. Located on the S. side of Frying Pan Rd., at the terminus of Fox Mill Rd. on approx. 2.74 ac. of land. Comp. Plan Rec: 5-8 du/ac. Tax Map 25-1((1))5. HUNTER MILL DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Lubeley, Emrich & Terpak, reaffirmed the affidavit dated January 6, 2003. There were no disclosures by Commission members.

Ms. Denice Thomas, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the application due to outstanding environmental and site design issues.

In response to questions from Commissioner Smyth, Ms. Thomas said it was her understanding that final engineering had not been done on the proposed stormwater management facility and therefore staff did not know if it was adequate.

In response to questions from Commissioner Alcorn, Mr. Noel Kaplan, Planning Division, DPZ, confirmed that part of the undocumented stockpile on the subject property extended into the environmental quality corridor (EQC). He added that the stockpile, which contained mostly tree limbs, dirt and some construction debris, would have to be removed and the area restored.

Commissioner de la Fe announced his intention to defer decision on this application.

In response to questions from Commissioner Byers, Ms. Thomas stated that the most recent proffers submitted by the applicant appeared to resolve some of the problems noted in the staff report, but staff had not had time to thoroughly examine them.

Ms. Strobel explained that this was a challenging site due to its small size and there was no possibility for expansion through consolidation. She said the applicant planned to construct 16 single family attached homes, resulting in a density of 5.84 dwelling units per acre (du/ac). Ms. Strobel added that the property had recently been replanned for five to eight du/ac which was compatible with the surrounding land uses. She pointed out three major environmental issues: 1) removal of the stockpile, both on the subject property and adjacent Park Authority land, which the applicant had agreed to do; 2) restoration of the EQC, which the applicant had agreed to do in accordance with staff's restoration plan; and 3) stormwater management, which she admitted needed further work. She noted that all Public Facilities Manual requirements would be followed. Ms. Strobel refuted staff's assertion that the applicant's site design was intended to maximize density. She pointed out that the proposed density was in conformance with the Comprehensive Plan and that more than required open space was being provided. In conclusion, Ms. Strobel maintained that the applicant's proposal, with some minor details to be worked out, was the best that could be done on the subject property, given its constraints.

In response to questions from Commissioner Byers, Ms. Strobel said she did not know why this property was not included in the adjacent stream valley park.

Ms. Strobel and Mr. Kaplan responded to questions from Commissioners Wilson, Hall, Kelso, Smyth and DuBois regarding the stormwater management issue.

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

Mr. Robert Core, 13052 Rose Petal Circle, Herndon, spoke in opposition. He said the so-called "stockpile" referred to by staff was just a hill covered with grass and shrubs and he saw no need to remove it. He concurred with staff that the applicant was trying to put too much density on a small parcel of land.

Mr. Benjamin Russo, 13068 Rose Petal Circle, Herndon, also opposed the application. He said the hill should be left undisturbed and that PDH-3 was not an appropriate zoning district for the subject property.

Mr. Giovanni Ingrao, 13422 Burrough Farm Drive, Herndon, spoke in support of the application. He said that every time a new housing development was built, his property value rose. He welcomed the new additions to McNair Farms.

There were no more speakers, therefore Vice Chairman Byers called on Ms. Strobel for a rebuttal statement.

Ms. Strobel conceded that more work was needed on this application and expressed willingness to work with Mr. Kaplan and other County staff to resolve outstanding issues.

Commissioner Kelso commented on the school contribution being offered in a similar application pending in Lee District. Ms. Strobel stated that some type of contribution for schools would be proffered in this case, but details would not be available until all environmental issues had been addressed.

There were no further comments or questions from the Commission and no closing staff remarks, therefore Vice Chairman Byers closed the public hearing and recognized Commissioner de la Fe for a deferral motion. (A verbatim excerpt is in the date file.)

//

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON RZ-2002-HM-024 AND FDP-2002-HM-024, WITH THE RECORD REMAINING OPEN, TO A DATE CERTAIN OF FEBRUARY 26, 2003.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Koch and Murphy absent from the meeting.

//

2232-D02-4 - VERIZON VIRGINIA, INC. - Appl. under Sects. 15.2-2204 and 15.2-2232 of the *Code of Virginia* to permit expansion of an existing telecommunications facility (switching station). Located at 1701 Chain Bridge Rd. on approx. 2.54 ac. of land zoned R-3. Tax Map 30-3((1))46. (Concurrent with SEA 97-D-020.) DRANESVILLE DISTRICT.

SEA 97-D-020 - VERIZON VIRGINIA, INC. - Appl. under Sect. 3-304 of the Zoning Ordinance to amend SE-97-D-020 previously approved for a telecommunications facility (switching station) to permit building expansion and site modifications. Located at 1701 Chain Bridge Rd. on approx. 2.54 ac. of land zoned R-3. Tax Map 30-3((1))46. (Concurrent with 2232-D02-4.) DRANESVILLE DISTRICT. JOINT PUBLIC HEARING.

Carson Lee Fifer, Jr., Esquire, with McGuire, Woods, reaffirmed the affidavit dated January 10, 2003. There were no disclosures by Commission members.

Ms. Cathy Belgin, 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. Fifer explained that Verizon was seeking permission to expand its switching station on the subject property to meet increased demand. He noted that a two-story building had always been envisioned for the site, even as far back as 1957 when the original building was constructed. He spoke about the changes that had been made to the development plan to meet citizens concerns, including relocation of the parking lot, additional landscaping and a new fence. He added that these features would also enhance noise attenuation. Mr. Fifer said that the non-glare parking lot lighting fixtures would be limited to 10 feet in height and that there would be limitations on delivery and work hours.

Vice Chairman Byers called the first listed speaker.

Sara Hall, Esquire, with Blankingship and Keith, representing the Westberry Civic Association, spoke in opposition to the applications. She said that the southwest corner of the existing building was the worst location on site for a building addition because it was the area closest to residences. She suggested that Verizon's expansion needs could be met through construction of a new building on the eastern portion of the property where there was more than adequate space. She added that the citizens of Westberry would support expansion at that location. Ms. Hall maintained that additional landscaping would not improve the situation because a utility easement was located between the existing building and the nearest Westberry property. In conclusion, she urged denial of the applications and noted that the McLean Citizens Association also opposed Verizon's current proposal.

In response to a question from Commissioner Hall, Ms. Hall said she did not know the height of the homes in Westberry.

In response to a question from Commissioner de la Fe, Ms. Hall stated that Westberry was constructed in the early 1980s.

Mr. Nassim Saliba, 1561 McLean Commons Court, McLean, spoke in opposition. He said that the staff report was full of errors and that Verizon's proposal was unacceptable.

Mr. Suyoung Song, 1563 McLean Commons Court, McLean, also spoke in opposition. He said that the proposed two-story building would block the sunlight to his home and constitute a physical and emotional assault.

Mr. Ted Alexander, 7552 McLean Commons Lane, McLean, was opposed to the applications. He maintained that the proposed expansion was needed only to serve nearby Tysons Corner and that the residents of Westberry should not have to bear the burden of the expansion. He concurred with the suggestion that a new building be constructed on site in front of the existing building. (A copy of Mr. Alexander's statement is in the date file.)

Mrs. Ann Alexander, 7552 McLean Commons Lane, McLean, expressed her opposition to the applications. She spoke about the lack of maintenance on the subject property and reiterated the points made by Mr. Alexander. (A copy of Mrs. Alexander's statement is in the date file.)

Dr. James Snyder, 1559 McLean Commons Court, McLean, concurred with the previous speakers in opposition. He maintained that the switching station was incompatible with the neighborhood and should never have been built at this location in the first place.

Dr. Snyder responded to questions from Commissioner Hall regarding his position.

Commissioner de la Fe noted that the records of a 1973 application clearly indicated that the switching station was intended to serve Tysons Corner as well as the area in which it was located.

Mr. Raja Saliba, 1552 McLean Commons Court, McLean, supported the other speakers in opposition to the applications. He said the applicant had ignored the citizens in the area and should not be allowed to request this expansion.

Commissioner DuBois pointed out that the applicant had the right, as did any private or corporate citizen of Fairfax County, to petition the Planning Commission and Board of Supervisors for a change in land use. Mr. Saliba maintained that the applicant professed to be working with the neighbors when in fact it was not.

Ms. Kelsey Forest, 1557 McLean Commons Court, McLean, added her opposition to the previous speakers. She said that approval of this application would further disillusion the image of the government in the eyes of children and young adults.

There were no more speakers, therefore Vice Chairman Byers called upon Mr. Fifer for a rebuttal statement.

Mr. Fifer said he did not doubt the sincerity of the Westberry citizens and appreciated their concerns. He stated, however, that the construction of a second building on the site was not an available option. He said he did not know why the building had been constructed so close to the property line, but noted that the location was approved by the County in 1956. Mr. Fifer stated that the utility easement behind the building was needed to serve Westberry and could not be used for landscaping. Regarding the height issue, he noted that several of the Westberry townhouses had walk-out basements and were therefore three stories in the back and two stories in front. He maintained that the addition would not be as obtrusive as the speakers anticipated and that residential development of the subject property would actually have had more impact than Verizon's proposal. He said that Tysons Corner was only part of the station's service area. Mr. Fifer stated that there would be no service interruptions if this expansion was not approved, but that the demand for new services, residential and commercial, could not be met.

Mr. Fifer responded to questions from Commissioners Smyth and Harsel regarding the fence.

In response to questions from Commissioners Harsel, Byers and Hall, Mr. Fifer explained why a new building on the site was not feasible from Verizon's standpoint.

Mr. Fifer and Mr. Kevin Farquhar, architect for the applicant, responded to questions from Commissioner Wilson regarding the proposed lighting and visual impact of the building addition. Commissioner Wilson suggested that the development conditions be revised to clearly indicate that the existing light standards would be removed and replaced with newer, lower ones.

Mr. Fifer responded to questions from Commissioner Alcorn regarding building heights and the Commission's role in 2232 applications.

Mr. Fifer and Ms. Barbara Nissel, with Verizon, responded to questions from Commissioner Harsel regarding the size of the existing building and the duties of employees who worked there.

Mr. Fifer responded to questions from Commissioner Smyth regarding the penthouse and elevator shaft.

There being no further comments or questions from the Commission and Ms. Belgin having no closing staff remarks, Vice Chairman Byers closed the public hearing and recognized Commissioner DuBois for action on this case. (A verbatim excerpt is in the date file.)

//

2232-D02-4 - VERIZON VIRGINIA, INC.  
SEA 97-D-020 - VERIZON VIRGINIA, INC.

January 29, 2003

Commissioner DuBois MOVED THAT WE DEFER DECISION ON 2232-D02-4 AND SEA-87-D-020, VERIZON VIRGINIA, TO A DATE CERTAIN OF FEBRUARY 13, 2003, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Koch and Murphy absent from the meeting.

//

(The Commission went into recess at 11:15 p.m. and reconvened in the Board Auditorium at 11:30 p.m.)

//

FDPA-C-220-6 - VERIZON WIRELESS - Appl. to amend the final development plan for RZ-C-220 to permit roof top telecommunications facilities (antennas). Located at 1350 Beverly Rd. (Ashby Apartments) on approx. 4.27 ac. of land zoned PDH-40, CRD, HC and SC. Tax Map 30-2((1))30B. (Concurrent with 2232-D02-13.) DRANESVILLE DISTRICT.

2232-D02-13 - VERIZON WIRELESS - Appl. under Sects. 15.2-2204 and 15.2-2232 of the *Code of Virginia* to permit roof top telecommunications facilities (antennas). Located at 1350 Beverly Rd. (Ashby Apartments) on approx. 4.27 ac. of land zoned PDH-40, CRD, HC and SC. Tax Map 30-2((1))30B. (Concurrent with FDPA-C-220-6.) DRANESVILLE DISTRICT. JOINT PUBLIC HEARING.

David Lasso, Esquire, with Venable, Baetjer and Howard, reaffirmed the affidavit dated January 16, 2003. There were no disclosures by Commission members.

Commissioner DuBois asked Vice Chairman Byers to ascertain if there were any speakers in the audience for these applications. There were none, therefore Vice Chairman Byers waived the presentations of staff and the applicant and closed the public hearing. (A verbatim excerpt is in the date file.)

//

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION FIND THAT THE TELECOMMUNICATIONS FACILITY PROPOSED UNDER 15.2-2232 OF THE *CODE OF VIRGINIA* IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Koch and Murphy absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION APPROVE FDPA-C-220-6, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Koch and Murphy absent from the meeting.

//

RZ-2002-LE-023 - WILLIAM K. AMES - Appl. to rezone from R-2 and HC to R-8 and HC to permit residential development at a density of 7.35 dwelling units per acre (du/ac) and a waiver of the minimum district size. Located at 4001 and 4003 Buckman Rd. on approx. 2.04 ac. of land. Comp. Plan Rec: 5-8 du/ac. Tax Map 101-2((1))4 & 5.  
LEE DISTRICT

Mr. Gregory Budnik, engineer for the applicant, reaffirmed the affidavit dated January 15, 2003. There were no disclosures by Commission members.

Ms. Leslie Johnson, 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 application.

In response to Commissioner Smyth, Ms. Johnson said the applicant could better answer her questions about stormwater management.

Commissioner Kelso responded to questions from Commissioners Byers and Smyth regarding the applicant's school contribution.

Mr. Budnik noted that the applicant had worked diligently with neighboring communities and enjoyed the support of the Roxbury of Mount Vernon Homeowners Association (RMVHOA), the Lee District Land Use Advisory Committee, and the Southeast Fairfax Development Corporation. He added that, at the request of the RMVHOA, the new homes would be incorporated into that Association. He listed the following amenities to be provided:

- a contribution to local schools;
- widening of Buckman Road;
- extension of sidewalks along the south side of Buckman Road;
- installation of a crosswalk to connect to the trail on the north side of Buckman Road;
- improvement of an existing stormwater management pond to the east; and
- commitment to a high quality of architecture.

In response to Commissioner Smyth's earlier inquiry, Mr. Budnik explained the procedure required by the Department of Public Works and Environmental Services (DPWES) for approval of an innovative best management practice (BMP) facility. He had no objection to a revision of the stormwater proffer that would describe the applicant's intentions in more detail.

In response to questions from Commissioner Smyth regarding disclosure of the maintenance obligations, Mr. Budnik explained that a report to the Commonwealth of Virginia was required by law every five years. He added that the initial report would be done by the developer and that the Homeowners Association would be provided with a tabulated list of required items for future reports. He added that disclosure packets were given to purchasers in accordance with the Property Owners Act. Commissioner Smyth suggested that disclosure be made earlier in the process; i.e., to prospective buyers. She added that the Roxbury Homeowners Association also be made aware of its obligations. Mr. Budnik agreed.

In response to questions from Commissioner Smyth regarding an escrow account for stormwater management facility maintenance, Mr. Budnik said the applicant would do so if DPWES thought it necessary, but that a bioretention facility was basically a landscape feature that allowed water to flow through it at a certain rate and was typically covered in the basic landscaping budget.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no further comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Kelso for action on this application. (A verbatim excerpt is in the date file.)

//

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON APPLICATION RZ-2002-LE-023 TO A DATE CERTAIN OF FEBRUARY 13, 2006.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Koch and Murphy absent from the meeting.

//

The meeting adjourned at 11:54 p.m.  
Peter F. Murphy, Jr., Chairman  
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins  
Approved on: December 1, 2004

---

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