MINUTES OF
PLANNING COMMISSION MEETING
FEBRUARY 5, 1992

PRESENT: Lawrence C. Baldwin, Commissioner At-Large
David P. Bobzien, Centreville District
John R. Byers, Mount Vernon District
Patrick M. Hanlon, Providence District
Suzanne F, Harsel, Braddock District
Stephen J. Hubbard, Dranesville District
Maya A. Huber, Commissioner At-Large
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
Carl L. Sell, Jr., Lee District
Henry E. Strickland, Mason District
Alvin L. Thomas, Commissioner At-Large

ABSENT: None

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The meeting was convened at 8:15 p.m. by Vice Chairman Patrick M. Hanlon.

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COMMISSION MATTERS

Vice Chairman Hanlon called attention to RZ-91-W-023, FDP-91-W-023, and 456-W91-20, Board of Supervisors, Fairfax County, scheduled for decision only this evening. He announced that in the packets tonight was a letter from the Department of Public Works to Mr. James Zook, Director, Office of Comprehensive Planning, withdrawing the 456 application. He then MOVED THAT THE DECISION ONLY ON THE REZONING AND FDP BE DEFERRED INDEFINITELY.

Commissioner Byers seconded the motion which passed unanimously with Commissioners Murphy and Thomas not present for the vote.

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Commissioner Bobzien called attention to two concurrent cases scheduled for public hearing this evening, SP-91-C-070 and VC-91-C-138, Golf Park, Inc. He noted that the applicant had made some substantial modifications to the plan and that staff needed time to review the changes. He also noted that the applicant had been successful in getting a deferral from the Board of Zoning Appeals to March 3, 1992. Commissioner Bobzien then MOVED THAT THE PUBLIC HEARING ON GOLF PARK, INCORPORATED BE DEFERRED TO A DATE CERTAIN OF FEBRUARY 20, 1992.

Commissioner Huber seconded the motion which passed unanimously with Commissioners Murphy and Thomas not present for the vote.

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Commissioner Hubbard, at the request of the applicant, MOVED THAT THE PUBLIC HEARING SCHEDULED FOR TONIGHT, SE-91-D-016, ROTONISU INVESTMENT CORPORATION, BE DEFERRED TO A DATE CERTAIN OF MARCH 19, 1992.

Commissioner Byers seconded the motion which passed unanimously with Commissioners Murphy and Thomas not present for the vote.

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In Commissioner Murphy's temporary absence, Vice Chairman Hanlon announced that 456-S91-15, Fairfax County Park Authority, had been withdrawn.

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Also in Commissioner Murphy's temporary absence, Vice Chairman Hanlon called attention to SE-91-S-031, Virginia Electric & Power Company, and SE-91-S-046, Northern Virginia Electric Company, scheduled for decision only this evening. He then MOVED THAT THAT DECISION BE FURTHER MOVED UNTIL FEBRUARY 20, 1992.

Commissioner Byers seconded the motion which passed unanimously with Commissioner Murphy not present for the vote.

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Commissioner Sell MOVED THAT RZ-86-L-088, SKY AIM PARTNERSHIP, BE DEFERRED UNTIL FEBRUARY 20, 1992.

Commissioner Byers seconded the motion which passed unanimously with Commissioner Murphy not present for the vote.

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Vice Chairman Hanlon welcomed Boy Scout Troop 839 to the meeting and noted that the troop was attending tonight's meeting to work on their citizenship badges.

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Commissioner Byers announced that on January 9, 1992, the Commission had received a memorandum from Mr. James Zook, Director, Office of Comprehensive Planning, to Chairman Murphy concerning the Lower Potomac Pollution Control Plan expansion as a "feature shown"

determination. He announced that he intended to move affirmatively on the recommendation for the "feature shown" on February 12, 1992.

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Commissioner Koch also announced his intent to address a "feature shown" for Cedar Lakes on February 12, 1992.

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Commissioner Huber announced that the Major Plan Review Committee would be meeting tomorrow evening, February 6, 1992, at 8:15 p.m. in the Board Conference Room to continue its recommendations on Action Agenda priorities. She added that the public was invited to attend.

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ORDER OF THE AGENDA ITEMS

Secretary Harsel established the following order for tonight's agenda:

1. 456-L91-18 – Fairfax County Redevelopment and Housing Authority (FCRHA)
   RZ-91-L-016 – Fairfax County Redevelopment and Housing Authority (FCRHA)
   FDP-91-L-016 – Fairfax County Redevelopment and Housing Authority (FCRHA)

There was no objection to this order.

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456-L91-18 – FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) – Under provisions of Sect. 15.1-456 of the Code of Virginia, as amended, to acquire approx. 3.0 ac, for development of 48 units of assisted housing on property located along the E. side of Old Mill Rd. between Pole Rd. & Richmond Hwy. across from the Woodlawn Plantation property. Tax Map 109-2((1))5,6,7,8. (Concurrent with RZ-91-L-016 & FDP-91-L-016.) Area IV. LEE DISTRICT.

RZ-91-L-016 – FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) – Appl. to rezone approx. 5.00 ac. located on the E. side of Old Mill Rd. approx. 1,400 ft. N. of its intersection with Richmond Hwy. from R-2, PDH-20 & HD to PDH-20 & HD to peewit residential development at a density of 17.0 du/ac. & approval of the conceptual development plan. Comp. Plan Rec: 16-20 du/ac. Tax Map 109-2((1))5, 6, 7, 8, 9, 10, 11. (Concurrent with FDP-91-L-016 & 456-L91-18.) LEE DISTRICT.

456-L91-18 – FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) February 5, 1992
RZ-91-L-016 – FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)
FDP-91-L-016 – FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)

FDP-91-L-016 – FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY FCRHA) – Appl. to approve the final development plan for RZ-91-L-016 to permit residential development on property located on the E. side of Old Mill Rd. approx. 1,400 ft. N. of its intersection with Richmond Hwy. on approx. 5.00 ac. zoned PDH-20 & HD. Tax Map 109-2((1))5, 6, 7, 8, 9, 10, 11. (Concurrent with RZ-91-L-016 & 456-L91-18.) LEE DISTRICT. JOINT PUBLIC HEARING.

Mr. Ronald Gardini, Senior Development Officer, Fairfax County Department of Housing, reaffirmed the affidavit. There were no disclosures by Commission members.

Mr. Edwin Spann, Long Range Planning Division (LRPD), Office of Comprehensive Planning (OCP), presented the staff report for the 456 application, a copy of which may be found in the date file. Mr. Spann said that the applicant was proposing to develop up to 48 units of multi-family assisted housing units. He noted that there would be 28 two bedroom units and 20 three bedroom units and that the buildings would be designed to conform to the U.S. Department of Housing and Urban Development (HUD) standards as well as local architectural requirements. He said that the project would be owned, operated and maintained by the Fairfax County Redevelopment & Housing Authority. Mr. Spann noted that the 456 application included only parcels 5, 6, 7, and 8. Staff concluded that the proposed residential rental units satisfied the criteria of location, character and extent specified in Section 15.1-456 of the Code of Virginia. Therefore, staff recommended that the Planning Commission find the proposed project in substantial accord with provisions of the adopted Comprehensive Plan.

To set the record straight, Commissioner Sell noted that the reason parcels 9, 10, and 11 were not included in this application was because they were the subject of a previous 456 application in 1988. Commissioner Sell said that he had some concern that the number of units did not add up between the 1988 456 application and the current application. He advised the Commission that it was his intent to move to continue the public hearing in order to give the citizens a chance to respond to any changes that might be made.

In response to Commissioner Harsel's question, Mr. Spann said that in 1988, when the Planning Commission approved the Housing Authority's proposal for up to 30 units of assisted rental housing, a portion of the subject property was in the floodplain. In order to avoid developing in the floodplain, the Housing Authority (the Authority) withdrew that plan and built rental units in lieu of what had been planned for Moderate Income Direct Sales Program (MIDS) units. He added that because the Planning Commission had approved the development of MID units and not rental units, they had come back with the 456 this evening because there was a distinct disparity between the authority of the Commission under the 456, and the agreement between the Authority and the Board of Supervisors.

Regarding Commissioner Hubbard's question on the recommendation for housing in Mount Vernon, (page 7 of the staff report) Mr. Spann explained that the general recommendation of the Plan, which if all of the recommended land use became developed as planned, you could conceivably have a larger percentage of assisted housing units in that district than staff would hope to have. He added that they would all have to be developed and would all have to have the highest percentage. He then said that if those two elements came together in the development of properties in that district, you could conceivably overweigh, in relationship to the other districts in the County, that district with assisted housing units, and therefore, all the elements would have to be present.

Regarding Commissioner Baldwin's question on the historic district, Ms. Cathy Chianese, Zoning Evaluation Division (ZED), OCP, responded that the Architectural Review Board (ARB) worked extensively on the site design issues such as placement of buildings, landscaping, and parking. She added that the Historic Overlay District specified that building permits were to be reviewed by the ARB when they were submitted. Ms. Chianese added that the ARB looked at it as a two-step process with reviews of the architecturals and building elevations at the time of application for building permits. She noted that the ARB's review dealt mainly with the site design aspect of the project.

Commissioner Sell pointed out that there is and was some concern in the Mount Vernon Planning District, which included both Lee and Mount Vernon Magisterial Districts, that when the Plan recommended converting commercial space to mid to high density residential they would wind up with an imbalance. He added that the language had been crafted to point out that possibility.

Ms. Chianese, ZED, OCP, presented the staff report for the rezoning application, a copy of which may be found in the date file. She noted that the application was to rezone five acres from the R-2 and PDH-20 Districts to the PDH-20 District in order to construct eighty-four multi-family units at a density of 16.79 dwelling units per acre. She noted that in 1988 the Board of Supervisors approved a rezoning on parcels 5, 6, 7, 8, 10, and 11 to the PDH-20 District. She added that a development plan had been approved for 34 townhouse units and 30 multi-family units. Ms. Chianese said that the Authority was the contract purchaser and had planned to construct low and moderate income units on the property. She added that parcel 9 had now been acquired by the Authority and the pending rezoning request was on all seven parcels. Ms. Chianese stated that it was staff's conclusion that the application was in conformance with the Comprehensive Plan recommendation of residential development at sixteen to twenty dwelling units per acre; was in conformance with Plan text which encouraged a high quality site design; would be compatible with existing and planned development in the area; and conformed with the Comprehensive Plan's primary housing recommendations to provide low and moderate income housing on infill sites within established communities at densities recommended by the Plan.

Ms. Chianese said that the ARB had reviewed the application and recommended approval of the development plan. Ms. Chianese also said that the applicant had satisfactorily addressed environmental and Comprehensive Plan issues and the application satisfied applicable Zoning Ordinance provisions. Staff therefore recommended approval of the rezoning and the conceptual and final development plan.

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Chairman Murphy assumed the Chair at this time.

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Mr. Michael J. Scheurer, Director, Division of Housing Development (HD), Department of Housing and Community Development (HCD), spoke for the applicant. He noted that the property had been originally rezoned in March of 1988 and at that time the Authority had received approval to allow the construction of sixty-two units of affordable housing. Mr. Scheurer said that the Authority had returned with a new application to allow certain revisions. He noted that the reasons for the revisions were that it significantly improved the previous site plan; it considered the addition of one more parcel of land; and, it more fully addressed concerns with respect to environmental issues and stormwater management at the site. Mr. Scheurer explained that the Authority was now proposing up to eighty-four units, all garden apartment style units, in two phases: home ownership and low-income rental housing. He added that the application conformed to the Chesapeake Bay Regulations, had been approved by the ARB, would conform to Best Management Practices (BMPs), and provided for tree coverage above the minimum requirements and open space. He then requested that the applications be approved as soon as possible because the Authority had over three million dollars ($3,000,000) in federal funds pending for this site. He said the Authority would lose those funds if they failed to show continued progress on the application.

Commissioner Byers noted that a brochure on "Questions from Olde Mill Condominiums Homeowner's Association" had been received this evening and asked whether the applicant had received a copy prior to tonight's meeting.

Mr. Scheurer responded that they had not; however, the applicant had met with the citizens several times and had discussed some of the issues with them.

In response to Commissioner Huber's question regarding a multi-activity field, Mr. Scheurer said that there would not be enough space for a ballfield, but there was space for informal recreation such as volleyball. He also said the Authority would put in a picnic area for passive uses.

There being no further questions, Chairman Murphy reviewed the Planning Commission's rules for speakers and called the first listed speaker.

Ms. Amy Howard, 8612 Shadwell Drive, #57, Alexandria, represented Olde Mill Condominiums Homeowner's Association. (See position statement contained in the date file.) Ms. Howard said that the Association was seeking detailed answers and clarification concerning the type of housing, management, drainage, transportation, traffic impacts, schools, recreation facilities and general standards to be provided. Ms. Howard noted that the Association had requested that the Lee District Land Use Committee not make a recommendation on the application until their questions were answered.

Ms. Nancy Spangler, 5708 Shadwell Court, #100, Alexandria, read from a letter written by Mary Allen, President of Olde Mill Condominium, to Commissioner Sell dated January 30, 1992, which listed concerns expressed by condominium owners at a community meeting with the Fairfax County Housing Authority on January 7, 1992. (A transcript of this letter may be found in the date file.) Ms. Spangler said that they were not making a formal proposal; however, they were suggesting ideas for consideration by the County that could enhance the community's way of life.

Commissioner Sell commented that he had not received the aforementioned letter and would like to get a copy from Ms. Spangler before she left this evening.

Mr. Ronald Selvidge, 5704 Old Mill Court, #144, Alexandria, said that his major concern was that the schools in the community were already at full capacity and that more children would make the facility inadequate. Mr. Selvidge stated that communities should determine which trees should be saved and that they should be used for a noise barrier rather than as a buffer zone.

Since Chairman Murphy had arrived late, Commissioner Sell reiterated his intent to continue the public hearing at a later date.

Ms. Janet Davenport represented the United Community Ministries which was in support of the application. She said that housing was the most basic of needs for any family and that many of their residents struggled to provide for that need. She added that the housing units were needed yesterday and requested that the Commission not delay in providing housing for families who need help now.

During rebuttal statements, Mr. Scheurer said that the home ownership program was the Authority's attempt at providing a moderate income direct sales program at the site. He added that the program might modify itself in the future. Mr. Scheurer noted that one of the options the Authority had looked at, but had not adopted, was to combine the sale of rental units with

purchased units. He said the suggested program would be similar to that of a person purchasing a duplex home and renting one side of it out.

Commissioner Sell wanted to know how someone with a low/moderate income would be able to purchase two units if they couldn't afford to buy one.

Mr. Scheurer replied that it would be similar to any homeowner buying a duplex and using the rent received from the second unit to amortize the cost of the entire structure. He added that at the moment the proposal was only a concept. He said he was calling the Commission's attention to the proposal because at some time in the future it could become a reality.

Commissioner Byers commented that he did not understand how the County could set up a program to help people of low and moderate income acquire a place to live and allow them buy two units, at taxpayers' expense, so they could turn around and rent one out. He added that if they were going to let them do that then they could let everyone in the County buy one to use for rental property, and that would defeat the purpose of the program.

Mr. Scheurer reiterated that the aforementioned idea was a conceptual one and he had brought the subject up only to let the Commission know that the Authority had been discussing it. Commenting on Commissioner Byers' statement, he said the program could be construed as a County subsidy because a second trust would be placed upon the unit; however, the County would be repaid at the time of resale and would not lose a cent on the MIDs program.

Commissioner Hanlon commented that financing was not a land use issue and he did not know if the financing of units was appropriate for the Commission to consider. He suggested that Mr. Scheurer report back to Mr. Webdale and the RHA and let them know that the Commission did not think the idea he had set forth this evening was a good one and that he encouraged the Authority to rethink the entire program.

Commissioner Sell said that financing was not a land use issue; however, in this case they were dealing with a 456 where they were talking about certain kinds of units being approved. He added that he would like to settle on something so people would know what was going on. He said that one of the problems was the concern about the unknown, and the Commission needed to decide what to do here and make sure the programs were fully explained.

Mr. Scheurer said that the Authority owned and managed over two thousand (2,000) units in Fairfax County. He added that the rental units in this project were federally funded, and in addition to that, the Federal Government also funded the maintenance and operation of the units in the amount of $1.3 million per year. He said the Authority anticipated that funding to continue in the future. Mr. Scheurer said that the reason the staff report did not address the

downstream drainage was that the engineer's study indicated that there was no problem associated with that. He added that the trees, landscaping and placement of the units were all issues the Authority had negotiated with the Architectural Review Board and it was considered to be the best possible compromise with respect to the various issues surrounding the site. Mr. Scheurer said that before the next Planning Commission meeting the Authority would try to address all the issues raised by the residents.

In response to Commissioner Byers' question on drainage, Mr. Scheurer said that the engineer's study had indicated that there would be no other significant drainage impact downstream with BMPs in place.

With regard to the school issue, Mr. Scheurer said that the Authority had asked for additional clarification from the school on the total number of new children they expected to enroll. He noted that the school had recalculated its figures and came up with an additional twenty elementary, four intermediate, and seven high school students from the forty-eight housing units.

There being no further questions of the applicant, Chairman Murphy called on staff for closing comments. Ms. Chianese had no closing comments. Using a viewgraph, Mr. Spann pointed out a nearby public facility with ball diamonds which he thought had been very nicely developed. He concluded by saying that the school children would have to cross at the intersection of Route 1 and Olde Mill Road and that was considered to be a very dangerous intersection.

Commissioner Sell noted that many organized area leagues played at those ball fields but unorganized play was greatly missing.

Commissioner Byers also pointed out that there was no sidewalk or trail along Mount Vernon Memorial Highway.

There being no further comments, Chairman Murphy recognized Commissioner Sell for action on this application. (A verbatim excerpt is in the date file.)

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After making final remarks, Commissioner Sell MOVED THAT THE PUBLIC HEARING ON 456-L91-18, RZ-91-L-016, AND FDP-91-L-016, BE CONTINUED UNTIL FEBRUARY 20, 1992.

Commissioners Byers and Hanlon seconded the motion which passed unanimously with Commissioner Bobzien not present for the vote.

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ADJOURNMENT February 5, 1992

The meeting adjourned at 9:32 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

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

Minutes by: Sandra L. Stever

Approved on: July 30, 1992

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission