

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, FEBRUARY 11, 2004**

PRESENT: Frank de la Fe, Hunter Mill 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 Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District

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The meeting was called to order at 8:27 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

Chairman Murphy announced, at the request of Commissioner Alcorn, that the Environment Committee would hold its first meeting on Thursday, February 19, 2004, at 7:30 p.m., in the Board Conference Room. He noted that a presentation would be made by the Department of Public Works and Environmental Services on the County's Watershed Management Planning Program and the Little Hunting Creek draft watershed plan.

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Chairman Murphy announced the following Planning Commission dates for the FY 2005-2009 Capital Improvement Program (CIP):

Thursday, March 11	CIP Workshop with County agencies
Thursday, March 18	CIP public hearing
Wednesday, March 24	CIP Committee at 7:30 p.m. (tentative)
Thursday, March 25	CIP Markup

He noted that the Board of Supervisors would hold its public hearings on the CIP in conjunction with the FY 2005 budget hearings on March 29, 30, and 31, 2004.

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Chairman Murphy noted that there would be no Planning Commission meetings on Thursday, February 12 and Wednesday, February 25, 2004.

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Chairman Murphy noted that in a recent supplement of the *Courier* newsletter a recognition ceremony, to be held on Friday, February 20, 2004, was announced for County employees whose tenure had been twenty years or more. Chairman Murphy recognized employees of the Planning Commission on this list as well those from other agencies who had worked with the Commission:

25 Years of Service

- Barbara Lippa, Planning Commission Office
- Gloria Watkins, recently retired from Planning Commission Office
- Karen Harwood, County Attorney's Office
- Verdia Haywood, County Executive's Office

20 Years of Service

- David Marshall, Department of Planning & Zoning
- Cathy Chianese, County Executive's Office

15 Years of Service

- Toni Denson, Planning Commission Office
- Michael Congleton , Department of Planning & Zoning
- Mary Ann Godfrey, Department of Planning & Zoning
- Leslie Johnson, Department of Planning & Zoning
- Fred Selden, Department of Planning & Zoning
- Sterling Wheeler, Department of Planning & Zoning

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A 2003-MV-049 - WILLIAM P. AND MARY O. ORLEAN

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION PULL A 2003-MV-049, WILLIAM P. ORLEAN AND MARY O. ORLEAN, FROM THE BOARD OF ZONING APPEALS, SCHEDULED ON MARCH 2, 2004, FOR ADMINISTRATIVE REVIEW AND COMMENT BY THE PLANNING COMMISSION SOMETIME IN APRIL 2004; AND THAT THE BZA DEFER ITS PUBLIC HEARING ON THE APPEAL UNTIL AFTER IT RECEIVES THE PLANNING COMMISSION RECOMMENDATION; OR, IF THE PUBIC HEARING CANNOT BE DEFERRED BECAUSE OF TIMING CONSIDERATIONS, THAT THE BZA DEFER ITS DECISION UNTIL AFTER IT RECEIVES THE COMMISSION'S RECOMMENDATION.

Commissioner Hall seconded the motion which carried by a vote of 9-0-1 with Chairman Murphy abstaining and Commissioners Alcorn and Byers absent from the meeting.

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Commissioner Lawrence MOVED THAT PLANNING COMMISSION FURTHER DEFER THE DECISION ON RZ 2002-PR-031, ERNESTO V. AND NILA M. CASTRO, TO A DATE CERTAIN OF FEBRUARY 26, 2004.

Commissioner Hall seconded the motion which carried by a vote of 9-0-1 with Chairman Murphy abstaining and Commissioners Alcorn and Byers absent from the meeting.

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Commissioner Koch MOVED THAT RZ 2003-SU-040, PCA 78-S-063-04, AND SE 2003-SU-025, LLW, L.L.C, BE DEFERRED FOR PUBLIC HEARING TO FEBRUARY 26, 2004.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

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Commissioner Lawrence noted his intent to defer the public hearing SEA 2002-PR-040, Fairfax Plaza Company, A Virginia Limited Partnership, from February 18, 2004 to March 18, 2004.

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Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER SE 2003-LE-028, SE 2003-LE-029, AND SE 2003-LE-031, SILVIO DIANA, TO A DATE CERTAIN OF MARCH 3, 2004.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

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Chairman Murphy MOVED THAT THE PUBLIC HEARING ON RZ 2003-MV-036, ROUBIN ASSOCIATES, L.L.C AND MARY ANNE PEARSON SANKO REVOCABLE TRUST, BE DEFERRED TO A DATE CERTAIN OF MARCH 3, 2004.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

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RZ 2003 SP-044 – GURHAN DEMIRKAN (Decision Only)

(The public hearing on this application was held on January 28, 2004. A complete verbatim transcript of the decision made is included in the date file.)

Chairman Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ 2003 SP-044, GURHAN DEMIRKAN, SUBJECT TO THE REVISED PROFFERS DATED FEBRUARY 10, 2004.

Commissioners de la Fe and Hall seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

Chairman Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A MODIFICATION OF THE SIDEWALK REQUIREMENT ALONG SILVERBROOK ROAD IN FAVOR OF THE EIGHT - FOOT WIDE ASPHALT TRAIL.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for agenda:

1. RZ/FDP 2003-PR-009 – UNIWEST GROUP, L.L.C.
2. RZ 2003-MV-051 - VIRGINIA BUILDERS GROUP
3. RZ 2003-BR-029 – ATLANTIC COAST HOMES
4. 2232 S03-13 – FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES AND FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES

This order was accepted without objection.

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RZ/FDP 2003-PR-009 - UNIWEST GROUP, LLC - Appl. to rezone from 1-5 and HC to PRM and HC to permit mixed use development at an overall Floor Area Ratio (FAR) of 1.35, including bonus density for the provision of Affordable Dwelling Units (ADUs) and approval of the conceptual and final development plans. Located on the W. side of Gallows Rd., approx. 200 ft. S. of its intersection with Lee Hwy. and N. and S. of Strawberry La. on approx 7.48 ac. of land. Comp. Plan Rec: Mixed use up to 1.2 FAR. Tax Map 49-4 ((1)) 4, 8, 9, 9A, 10, 11, and 11A and Strawberry La. PROVIDENCE DISTRICT. PUBLIC HEARING.

Barnes Lawson, Jr., Esquire, with Lawson and Frank PC, reaffirmed the affidavit dated January 6, 2004. Commissioner Hart disclosed that his law firm, Hart and Horan, P.C., had two pending cases with the law firm of Walsh, Colucci, Lubeley, Emrich and Terpak, P.C., listed on the affidavit as an agent of the applicant, but that the matters were unrelated to these applications, there was no financial relationship, and it would not preclude his participation in these cases.

William Mayland, 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.

In response to questions from Commissioner Harsel, Mr. Mayland said the underground stormwater management facility would be located within the parking garage and that Sheet 4 of the Conceptual Development Plan/Final Development Plan (CDP/FDP), showing the applicant's seven and one-half acre site as well as surrounding areas, was illustrative only and not meant to depict how the site would actually develop. Kristen Abrahamson, ZED, DPZ, pointed out that Sheet 4 was the applicant's effort to demonstrate how adjacent properties could develop in accordance with the Comprehensive Plan which staff felt was adequate. Ms. Abrahamson and Mr. Mayland also responded to a question from Commissioner Harsel about the size of the proposed park, noting that another applicant could expand it or provide another one on a different part of the property.

Mr. Lawson stated that the proposed development implemented the goals of the Merrifield Task Force and met the key elements for a town center/urban village: overlapping mixed use with residential use above ground floor retail; near mass transit; pedestrian friendly; underground parking; and open space amenities. He noted that proffers required the provision of affordable dwelling units. Mr. Lawson said the applications, if approved, would spur redevelopment in the Merrifield area.

In response to a question from Commissioner de la Fe, Mr. Lawson stated that Robert Lawrence, Esquire, Reed Smith, representing Fairfax Plaza, had submitted for the record a letter dated January 14, 2004, a copy of which is in the date file. He explained that the letter expressed opposition to the portrayal of uses and road configuration proposed on Sheet 4 of the Conceptual Development Plan/Final Development Plan for the Uniwest parcel because they would be incompatible with the current uses on the Fairfax Plaza parcel.

Michael Collier, President, Uniwest Group, responded to questions from Commissioner Hart about the existing and proposed building elevations and designs as shown on Sheet 3 of the CDP/FDP.

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

Emory Tate, 2827 Charles Dunn Drive, Vienna, representing Providence Park Homeowners' Association, expressed support for the proposed development because it would fulfill the goals of the Merrifield Plan. (A copy of his remarks is in the date file.)

Tim Reed, 202 Talahi Road, Vienna, representing Dunn Loring Woods Civic Association, expressed support for the applications noting that they met the requirements of the Comprehensive Plan. He commended the applicant for working closely with neighboring communities to address their concerns.

Fran Wallingford, 3230 Wynford Drive, Fairfax, representing Pine Ridge Civic Association and the Mantua Citizens Association, also commended the applicant for working with the community and expressed gratitude for the generous contribution to Fairhill Elementary School for its technology program. She did, however, express concern about stormwater management because it was subject to approval by the Department of Public Works and Environmental Services and said it was not clear what would happen if the plan was not approved.

There were no further speakers; therefore, Chairman Murphy called upon Mr. Lawson for a rebuttal statement.

Mr. Lawson noted that the community had also worked cooperatively with the applicant. He had no other comments.

In response to questions from Commissioner Wilson, Mr. Mayland explained that Proffer Number II.7, concerning maximum building height, pertained to penthouse mechanical equipment rooms, not penthouse residential units. Mr. Mayland and Ms. Abrahamson responded to another question from Commissioner Wilson about the liability and insurance for underground stormwater management facilities addressed in Proffer Number IV.

Commissioner de la Fe suggested that the applicant clarify the language in Proffer II.7 to indicate that it referred to penthouse mechanical equipment rooms only before going to the Board of Supervisors for public hearing.

Mr. Lawson agreed to Commissioner Lawrence's request that the applicant work with the Urban Forester in the selection of vegetation to ensure that it would make the best net contribution to air quality.

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

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Commissioner Lawrence MOVED TO RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2003-PR-009, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 10, 2004.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2003-PR-009, SUBJECT TO THE FINAL DEVELOPMENT PLAN CONDITIONS DATED JANUARY 14, 2004, AND THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2003-PR-009.

Commissioners Lusk and Hall seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

Commissioner Lawrence MOVED TO RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE LOADING SPACE REQUIREMENT TO PERMIT THREE SPACES INSTEAD OF FIVE SPACES IN THE SOUTHERN BUILDING.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

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Chairman Murphy noted that he would be handling the next case in the absence of Commissioner Byers; therefore, he relinquished the Chair to Secretary Harsel.

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RZ 2003-MV-051 - VIRGINIA BUILDERS GROUP - Appl. to rezone from R-1 to R-3 to permit residential development at a density of 2.48 dwelling units per acre (du/ac). Located on the W. side of Gambrill Rd. and 100 ft. S. of Gambrill Ln. on approx. 1.21 ac. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 98-1 ((1)) 37. MOUNT VERNON. PUBLIC HEARING.

Gregory Riegle, Esquire, with McGuire, Woods Battle & Booth, reaffirmed the affidavit dated July 25, 2003.

Commissioner Hart disclosed that his law firm, Hart and Horan, PC, had one case with the law firm of Walsh, Colucci, Lubeley, Emrich and Terpak, PC, representing other parties, but that the matters were unrelated to these applications, had no financial relationship, and would not preclude his participation in these cases.

Commissioner Murphy noted that this application had not been heard before the Mount Vernon District Land Use Committee; therefore, he would defer the decision to March 10, 2004 after the close of the public hearing.

Aaron Shriber, 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 application.

Responding to a question from Secretary Harsel, Mr. Shriber said the concrete foundation on the property was believed to be the remnants of a former dwelling which was part of the reason that a Phase I archeological study had been requested.

Mr. Riegler explained that the application property was the only undeveloped piece along Gambrill Road and because there were no significant environmental features, conventional R-3 zoning was being requested. He said the three proposed lots would be larger in size than abutting properties and met development criteria contextual requirements.

In response to a question from Commissioner Wilson, Mr. Riegler said he would check with the applicant to determine if the intent of Proffer Number 19 was to prohibit construction activities on Sundays. Responding to another question from Commissioner Wilson, Mr. Riegler said a common driveway would serve the three lots and agreed that the driveway and the asphalt trail needed more separation to allow for maintenance.

Responding to an additional question from Secretary Harsel, Mr. Riegler said the existing well and septic field would be capped in accordance with County regulations.

Secretary Harsel called the listed speaker and reiterated the rules for public testimony.

Elaine R. Christofferson, 8304 Southstream Run, Springfield, expressed concerns about the safety of the entrance and exit of the proposed development on Gambrill Road and pedestrian access.

Scott Travis, 8692 Young Court, Springfield, voiced concerns about tree preservation, the school enrollment projection, and Gambrill Road access.

There were no further speakers; therefore, Secretary Harsel called upon Mr. Riegler for a rebuttal statement.

Mr. Riegler pointed out that the Virginia Department of Transportation had determined that the entrance to the development was in the optimal location, as indicated in Appendix 8 of the staff report. He explained that trees would be preserved at the rear of the site and offered to walk the site with the two speakers and any other interested parties so they would know exactly what was being planned.

Responding to a question from Secretary Harsel, Mr. Riegler said he believed adequate measures were in place to safeguard the tree preservation plan and if not the applicant would be in violation of the proffers.

Addressing the concern about the number of students projected to be generated by the proposed development, Mr. Riegle explained that the school proffer was in accordance with the methodology adopted by the Board of Supervisors.

Responding to a question from Commissioner Wilson, Mr. Riegle said the applicant would review the location of the unified access for the driveways, but pointed out that engineers had determined that Goins Street would not provide the best access to the development due to sight distance issues. In response to another question from Commissioner Wilson, Mr. Riegle said that perspective buyers would be informed about setback requirements and restrictions on building additions.

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

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ON RZ 2003-MV-051 TO A DATE CERTAIN OF MARCH 10, 2004, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Koch, Wilson, Hall and Lawrence seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

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At the conclusion of this case, Chairman Murphy resumed the Chair.

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RZ 2003-BR-029 - ATLANTIC COAST HOMES, INC. - Appl. to rezone from R-C and WS to R-3 and WS to permit residential development at a density of 1.81 dwelling units per acre (du/ac). Located at W. side of Clara Barton Dr. approx. 600 ft. S. of it's intersection with Ox Rd. on approx. 1.66 ac. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 77-1 ((1)) 51A. BRADDOCK DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Lubeley, Emrich & Terpak, PC, reaffirmed the affidavit dated January 28, 2004.

Commissioner Hart disclosed that his law firm, Hart and Horan, P.C., had two pending cases with the law firm of Walsh, Colucci, Lubeley, Emrich and Terpak, P.C., listed on the affidavit as agents of the applicant, but that the matters were unrelated to these applications, had no financial relationship, and would not preclude his participation in this case.

Kristen Abrahamson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted staff recommended approval of the application.

Ms. Strobel stated that the applicant's proposal was for the construction of two homes and the preservation of an existing home. She said open space would exceed 25 percent and the lot sizes were compatible with the surrounding area. She noted that the applicant had submitted a complete proffer package with contributions to the Housing Authority, the Park Authority, and Robinson High School.

Chairman Murphy called for speakers from the audience but received no response. He noted no rebuttal was necessary.

Commissioner Harsel noted that the historical value of the existing home had been documented if in the future it was rebuilt or torn down; however, she said the current owner of the home had indicated that he intended to preserve it.

Responding to a question from Commissioner Wilson, Ms. Abrahamson said the existing house could be replaced under conditions set forth in the proffers.

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 Harsel for action in this case. (A verbatim excerpt is in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2003-BR-029, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED JANUARY 28, 2004.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

Commissioner Harsel also MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE SERVICE DRIVE ALONG THE OX ROAD AND ROUTE 123 FRONTAGE.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

Commissioner Harsel further MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE REQUEST FOR A WAIVER TO ALLOW A SIX-FOOT HIGH FENCE ALONG OX ROAD/ROUTE 123, PER PARAGRAPH 3 OF SECTION 10-104.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

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The Commission recessed at 9:50 p.m. and reconvened in the Board Auditorium at 10:10 p.m.

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The next case was in the Springfield District, Chairman Murphy asked Secretary Harsel to assume the chair.

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2232 S03-13 – FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES AND FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES - - Appl. under Sects. 15.2-2204 and 15.2-2232, of the *Code of Virginia* to construct the West County Family Shelter, located on Lee Hwy., 2,500 feet east of Stringfellow Rd. Tax Map 55-3 ((1)) 27B. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Commissioner Murphy announced that he would defer decision on this case after the close of the public hearing to Thursday, February 19, 2004.

Anita Capps, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Carey Needham, Building Design Branch, Department of Public Works and Environmental Services (DPWES), representing the applicant, stated that the proposed West County Family Shelter was intended to address the critical need for emergency housing for families in the central and western portions of the County consistent with the recommendation of the Homeless Oversight Committee. He noted that a total of 26,000 square feet was being proposed, 20,000 of which would be constructed in the first phase with two future transition housing units of 3,000 square feet each. He explained the facility would be a public use, owned, operated, and maintained by the County. Mr. Needham described the design of the facility which was consistent with surrounding residential areas and environmentally sensitive. He said pedestrian trails would be provided on the Lee Highway frontage and all vehicle access would be via the Estates of Fairfax development to the east, not Lee Highway. He noted that a comprehensive transportation plan had been developed in conjunction with Fairfax County Department of Transportation staff. He said the plan had been coordinated with the Estates of Fairfax development and had been endorsed by the Fairfax Area Land Use Committee, the Western Fairfax County Citizens Association, and the Sully District Council. Mr. Needham said only pre-screened family members would be accepted, a curfew would be enforced, and no alcohol

would be permitted. He said experience had proven that similar shelters in the County had not had an adverse impact on surrounding neighborhoods and none was anticipated for this facility either.

Commissioner Wilson commented that more detail about the lighting plan would be helpful in assessing the impact of the facility on surrounding development.

Kathy Froyd, Director, Children, Youth and Family Division, Fairfax County Department of Family Services, said a family shelter was critically needed in the western part of the County. She explained the intake process and said that the families, the majority of which were headed by single females, were thoroughly screened and some had jobs and cars. She said the operation of the shelter would be contracted out to a non-profit organization with oversight by the County and staffed 24 hours a day. She described the services which would be available and said the goal was to help clients achieve self-sufficiency by improving job skills, becoming employed, and moving into affordable housing.

Responding to a question from Secretary Harsel, Ms. Froyd said phase 2 of the project would provide longer term housing for families needing additional transitional services and support, usually for a period of one to two years.

In response to a question from Commissioner Lusk, Ms. Froyd said the average length of stay in a shelter was 90 days after which they could be placed in subsidized housing, affordable housing, or shared housing. She said approximately one-third of the heads of the families were employed upon their arrival and that percentage usually doubled by the time they left. Responding to a question from Secretary Harsel, Ms. Froyd said the remaining one-third often had other types of assistance, such as disability income.

Responding to a question from Commissioner Lawrence, Ms. Froyd said residents would be referred to outside sources, such as Northern Virginia Family Service, for assistance with training and employment opportunities.

In response to a question from Commissioner de la Fe, Ms. Froyd said this would be the first time that a shelter and transitional housing would be located on the same property.

Responding to questions from Commissioner Wilson, Ms. Froyd said that couples without children would not be permitted to live in the shelter; the facility had been designed with flexibility to accommodate families with a large number of children; and that parking would be adequate for families, staff, and volunteers.

Responding to questions from Commissioner Hart, Mr. Needham said that access to the facility from Lee Highway would not be needed and boundaries would be delineated by black vinyl coated fencing and landscaping.

Secretary Harsel called the first listed speaker and recited rules for public testimony.

Alyce Pope, Chair, Fairfax Advisory Social Services Board, expressed strong support for the application because there was a critical need for a family shelter in the western part of the County. She explained that homelessness was often due to the loss of a job, lack of job skills, illness, high cost of living, or lack of affordable housing and the facility would offer an opportunity to address these issues by creating a plan to lead persons out of homelessness and to self sufficiency.

Michael Obermeyer, 5404 Sandy Place Lane, Clifton, expressed opposition to this application due to the lack of public transportation and employment opportunities in the area; incompatibility with the character and vision of the surrounding single-family community due to a constant flux of highly transient persons to an otherwise long-term, stable, homeownership community; and loss of open space.

Keith Martin, Esquire, Sack, Harris & Martin, PC, 8720 Greensboro Drive, Suite 6360, McLean, representing Equity Homes, builders of the adjacent Estates of Fairfax, a single family detached residential development, stated for the record that Equity Homes enthusiastically supported the application.

In response to a question from Commissioner Koch, Mr. Martin said that there was no evidence to support the contention that the proposed facility would have an adverse affect on area property values. He said that the existence of the shelter would be disclosed to perspective buyers.

Responding to questions from Commissioners Wilson and Lusk, Mr. Martin explained that landscaping would mitigate parking lot lighting and headlight glare; the Estates of Fairfax homes would sell for over \$600,000; and there had never been any evidence that such facilities decreased property values.

Commissioner Murphy pointed out that this facility would be located on County-owned land saving the taxpayers money and that he had never known of a case where a public facility, such as a fire station or police headquarters, had lowered residential property values.

In response to a question from Commissioner Hart, Mr. Martin said the homes to be built adjacent to the facility would range in size from 3,000 to 4,000 square feet. Secretary Harsel noted that they would be compatible in size and design with the proposed transitional homes.

Amiza Said, 5300 Hampton Forest Way, Fairfax, expressed opposition to the application because the facility would be too close to her home and would decrease her property value. She also expressed concern about pedestrian and vehicular traffic and the possibility that individuals not accepted at the facility would loiter in her neighborhood or live in the nearby woods.

Commissioner Koch explained to Ms. Said that families would be referred to the shelter and walk-in clients would not be allowed.

Nici Mahlandt, 5903 Hampton Forest Way, Fairfax, speaking on behalf of 79 area residents, expressed concern that the facility would have an adverse impact on home values, school enrollment, and public safety. She also cited concerns about the ability of the County to meet the needs of the clients due to the lack of nearby shopping, employment opportunities, and public transportation. (A copy of her remarks is in the date file.)

Daniel McGraw, 5516 Chestermill Drive, Fairfax, speaking on behalf of himself and his son, Tom, said the facility would not be compatible with the surrounding areas and would exacerbate traffic congestion.

William Richards, 13111 Willow Edge Court, Clifton, representing Clifton Farm Homeowners Association, expressed concerns about the lack of public transportation and medical facilities, pedestrian traffic, and the impact of the facility on the school system and the environment.

Mohammad Chishty, 5402 Willow Forest Court, Clifton, said he did not think the families who would use the shelter could be integrated into society due to the circumstances that initially led them to the shelter.

Christopher Kerr, 5352 Ashleigh Road, Fairfax, expressed concern about security at the shelter at night and said although the use of drugs and alcohol would be prohibited, they might be used in his neighborhood. He said he was also concerned about the lack of pedestrian safety on Route 29.

Claudette Ward, 5270 Tractor Lane, Fairfax, President, Greater Willow Springs Civic Association, spoke in opposition to this application because it was not in conformance with the Comprehensive Plan recommendation that any new development proposed for the area must be compatible with the surrounding stable subdivisions. She said she was also concerned about the possibility of asbestos in the soil, the location of the Plantation pipeline easement which carried high octane aviation fuel to Dulles Airport, and the location and placement of the stormwater retention pond.

Responding to a question from Commissioner Hall, Mr. Needham stated that a Plantation pipeline was located on County property along the common boundary line with the Equity Homes property. He said staff was aware of the pipeline, knew its exact location, and the grading and site plan were being coordinated with the pipeline company.

Young Cho, 13068 Autumn Willow Drive, Fairfax, said he was in favor of family shelters in general but requested that the subject facility be located elsewhere citing concerns about personal safety.

Dottie McKee, 4019 Dogberry Lane, Fairfax, spoke in favor of this application. She said there were many homeless, abused, disabled, and mentally ill persons who needed a place to live who should no longer be ignored. She said she was the mother of a mentally ill son and knew from personal experience that there were not enough shelters, group homes, and affordable housing in the County.

Jim Gleason, 5573 Rockpoint Drive, Clifton, President, Hayden Valley Community Association, expressed opposition to the application because the site was located in an environmentally sensitive area. He requested that a more suitable location be found.

Robert Goudie, 1979 Logan Manor Drive, Reston, said he lived in the West Market development near the homeless shelter in Reston and that the Board of Directors and the on-site manager could not recall receiving complaints about the shelter. In fact, he said the on-site manager had speculated that most of the West Market residents were not even aware of its existence.

Commissioner Koch thanked Mr. Goudie for testifying about his personal experience living close to a shelter. Commissioner Koch said often opposition was based on the fear of the unknown. He reiterated that residents would have curfews, would not be allowed to go out alone, and that they would be given all necessary items so they would have no reason to walk to the nearby 7-Eleven.

Lowell Smith, 4019 Dogberry Lane, Fairfax, Chairman, Springfield District Land Use Committee, spoke in support of the facility. He noted that although the number of homeless persons in the County had increased, the number of beds had not.

Tom Geib, 5130 Myrtle Leaf Drive, Fairfax, noted that the shelter would be in his backyard and said he supported both the concept and the location of the proposed family shelter. Mr. Geib submitted for the record a copy of an anonymous flyer containing misinformation that had been distributed in his community expressing opposition to the shelter. (A copy of the flyer is in the date file.)

Commissioner Murphy noted that the Commission had received a copy of the flyer.

Philip Poole, 12408 Caisson Road, Fairfax, a member of the Fairfax Area Land Use Committee, said he supported this application because there was a great need for such a facility located in the western part of the County.

Carol Hawn, 6500 Harvest Mill Court, Centreville, spoke in support of the facility on behalf of the Fairfax County Community Action Advisory Board (CAAB) and the Western Fairfax County Citizens Association (WFFCA) Land Use Committee. She noted that CAAB was an organization whose mission was to make a positive difference in the lives of low income residents throughout the County and WFFCA was an umbrella organization comprised of approximately 50 homeowners and civic associations in the Centreville, Clifton, and Chantilly

area. She pointed out that one of the County's greatest challenges was the lack of affordable housing for low income residents which was exacerbated by the fact that there were few shelters in the County and none in the southwestern portion. Ms. Hawn said construction of this facility had been identified as one of the highest priorities by the Homeless Oversight Committee in its most recent annual report. She requested that the proposed chain link fence be replaced by a board-on-board fence because it would give a more residential appearance and blend better with the neighboring community. She also requested that signage be limited and access from Lee Highway be discouraged.

Commissioner Koch noted that WFCCA was an independent organization that had been in existence for over 20 years and that it elected the members of the Land Use Committee.

There were no other listed speakers; therefore, Secretary Harsel called for speakers from the audience.

Kurt Gordon, 12900 Crouch Drive, Fairfax, a member of the Hampton Woods Homeowners Association, stated although he supported the need for shelters and transitional housing, he had concerns about the location of this facility and said the community had not received proper notification.

Gary Pennett, address unknown, stated that the issues of public transportation, pedestrian and bike trail access, lighting of the facility, traffic, and availability of medical facilities needed to be addressed if the project went forward. He requested that Equity Homes be required to provide affordable housing.

Commissioner Murphy commented that Equity Homes had provided a contribution to the Housing Trust Fund and that solutions to transportation issues were actively being pursued.

Commissioner Wilson commented that the two trails planned for this site, along Lee Highway and Little Rocky Run, would be bike trails.

Thomas Russell, 5602 Hampton Forest Way, Fairfax, said that his homeowners association had not received proper notification and expressed concern that the children living in the facility would roam the neighborhood.

Commissioner Murphy said he would verify that every homeowners association in the Lee Highway Corridor had been sent notification about this application.

Commissioner Hart stated that staff had made a thorough attempt to notify all surrounding communities and the application had been very well publicized in local newspapers.

Victor Ignacio, address unknown, said he lived within 1,500 feet of the proposed site and expressed concerns about flooding, the gas pipeline, and parking.

Scott Margulis, 13054 Harvest Place, Clifton, stated that he was a proponent for a shelter, but not in the proposed location. He requested that the Commission take into consideration the opinion of the large number of people who were against the shelter.

Alicia Clelland, 5402 Sandy Point Lane, Clifton, expressed concern about the lack of notification of meetings concerning the proposal and said she was opposed to the location of the facility.

There were no further speakers; therefore, Secretary Harsel called upon Mr. Needham for a rebuttal statement. Mr. Needham said he had no specific rebuttal remarks.

David Marshall, PD, DPZ, stated that most public facilities of this nature were permitted by-right but must meet the location, character, and extent criteria in accordance with *Virginia Code* Section 15.2-2232. He said staff felt the facility would not have a negative impact on implementation of Comprehensive Plan recommendations for the surrounding area and was compatible with the surrounding area because the site was isolated and could be well screened from adjoining neighborhoods.

In response to questions from Commissioner Hall, Mr. Needham said the 50 space parking lot was sized for both the 20,000 square foot family shelter and the two future transitional housing units. He said there was no other development planned for this site. He explained there was always the possibility of flooding due to the grade of the property and because a portion of it was located in an environmental quality corridor (EQC) and a resource protection area (RPA). However, he said the site had been evaluated by environmental consultants for the exact purpose of identifying the extent of the floodplain and the RPA and staff was confident that the building area of the site would be clear of the EQC, RPA, and floodplain area. Addressing the issue raised about transportation, Mr. Needham said by the time the shelter was operational in about two years, it was expected that bus service would be available in the area and that other modes of transportation, such as FASTRAN, van service, taxicabs, and personal and family vehicles, would be used.

Responding to a question from Commissioner Wilson, Ms. Froyd explained that school-aged children residing in the shelter would remain at their base school or attend a school near the shelter and that by law, the school system was obligated to provide transportation for these children.

In response to questions from Commissioner Hall, Ms. Froyd explained the curfew for the shelter would most likely be 9:30 or 10:00 p.m. on weeknights and no later than 11:00 p.m. on weekends and that the waiting list for families in need of the shelter was up-to-date.

Responding to a question from Commissioner Lawrence, Mr. Marshall said the facility would not interfere with plans for a regional stormwater detention pond to be located on the parcel immediately to the north.

In response to a question from Commissioner Hart, Mr. Needham said the EQC and the RPA would not be disturbed except for the area where the two trails would be constructed.

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

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Commissioner Murphy MOVED THE PLANNING COMMISSION DEFER THE DECISION ON 2232-S03-13 TO A DATE CERTAIN OF THURSDAY, FEBRUARY 19, 2004, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Hall and Koch seconded the motion which carried unanimously with Commissioners Alcorn and Byers absent from the meeting.

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Chairman Murphy resumed the Chair and adjourned the meeting.

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The meeting was adjourned at 1:23 a.m.

Peter Murphy, Chairman
Suzanne F. Harsel, Secretary

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

Meeting by: Heidi Baggett
Minutes by: Heidi Baggett and
Linda B. Rodeffer

Approved on: July 20, 2006

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