MINUTES OF
PLANNING COMMISSION MEETING
FEBRUARY 17, 1994

PRESENT: Lawrence C. Baldwin, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Patrick M. Hanlon, Providence District
Suzanne F. Harsel, Braddock District
Robert v. L. Hartwell, Commissioner At-Large
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
John W. Palatiello, Hunter Mill District
Carl L. Sell, Jr., Lee District
Henry E. Strickland, Mason District

ABSENT: Alvin L. Thomas, Commissioner At-Large

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The meeting was convened at 8:32 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Palatiello called attention to a memorandum from Ms. Lynda Stanley, Director, Planning Division, Office of Comprehensive Planning, regarding the Dulles Corridor Task Force Preliminary Report. He added that the report presented three alternative development scenarios for study by the Virginia Department of Rail and Public Transportation as part of their alternatives analysis for rail service within the corridor pursuant to the Federal ISTEA legislation of 1991. He noted that the report would be presented next Wednesday, February 23, 1994.

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Chairman Murphy noted that the first meeting of the Capital Improvement Program (CIP) Committee was held this evening and added that Commissioner Hanlon was unanimously elected Chairman.

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Commissioner Harsel noted that she would be seeking approval of the following minutes on March 16, 1994: January 6, 1994; January 12, 1994; and January 13, 1994.

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S93-II-M1 - OUT-OF-TURN PLAN AMENDMENT (Decision Only)
(The public hearing on this application was held on February 10, 1994. A complete verbatim transcript of the decision made on this item is included in the date file.)

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE COMPREHENSIVE PLAN BE AMENDED, STARTING WITH A MODIFICATION ON PAGE 228, COMMUNITY PLANNING SECTOR M4, MCLEAN PLANNING DISTRICT, AREA 11, LAND USE RECOMMENDATIONS. NUMBER 2 WILL STAY AS STAFF HAS IT IN THE REPORT. THE CHANGE WILL START IN THE FOLLOWING PARAGRAPH, AND IT WILL READ: "GIVEN THEIR STRATEGIC LOCATION TO PROVIDE A TRANSITIONAL LAND USE, PARCEL 30-1 ((1)) 32 LOCATED AT THE INTERSECTION OF LEWINSVILLE AND BALLS HILL ROADS MAY DEVELOP AT THE HIGH END OF THE PLAN DENSITY RANGE IF ACCESS IS LIMITED TO LEWINSVILLE ROAD AT THE INTERSECTION OF FARM CREDIT DRIVE."

Commissioners Hartwell and Sell seconded the motion which passed by a vote of 9-0-1 with Commissioner Strickland abstaining; Commissioner Byers not present for the vote; Commissioner Thomas absent from the meeting.

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ORDER OF THE AGENDA ITEMS

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

1. Chesapeake Bay Ordinance (Chapter 118)
2. PCA-74-2-113 – Route 606 - Reston Associates
3. RZ-85-B-025 – Frank Rinaldi
4. SE-93-D-051 – Bowl America incorporated
5. RZ-93-D-037 – Board of Supervisor's Own Motion
   SE-93-D-055 – Board of Supervisor's Own Motion
6. SE-93-H-052 – Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc.
7. SE-93-M-047 – Parklawn Recreation Association

This order was accepted without objection.

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CHESAPEAKE BAY PRESERVATION ORDINANCE – On the matter of an amendment to the Code of the County of Fairfax, VA, Chap. 118, Chesapeake Bay Preservation Ord., the amendment proposes corrections to the adopted set of maps of Chesapeake Bay Preservation Areas, Resource Management Areas & Resource Protection Areas. PUBLIC HEARING.

Mr. Noel Kaplan, Planning Division, Office of Comprehensive Planning, presented the staff report, a copy of which is contained in the date file. He said that the proposed County Code Amendent would serve to revise the set of maps of the Chesapeake Bay Preservation Areas which were adopted by the Board of Supervisors on March 22, 1993. He noted that the map revisions were proposed to correct minor mapping errors that had been identified since the date of adoption. Mr. Kaplan concluded that the proposed amendment would not serve to add or delete any properties of the resource protection area (RPA) or resource management area (RMA) because the text of the Chesapeake Bay Preservation ordinance provided the criteria governing their designation.

Commissioner Baldwin noted that there were two maps that he did not agree with staff on: Section 11-2 and Section 44-2.

In response to Commissioner Palatiello's questions, Mr. Kaplan said that the lines on the maps in the staff report were equivalent, for the most part, to the lines on the adopted maps. He added that within each tax map there was a minor change in the line.

Regarding Commissioner Palatiello's question on Section Map 79-2, Commissioner Baldwin said that the actual change was very minor. Mr. Kaplan said that the rest of the map would remain as in the adopted set of maps. He added that it was a minor change within Accotink Park that reflected a development against the shoreline that obviously was not a wetland. Commissioner Palatiello noted that he did not have a great objection to the change in the Ordinance; however, he would associate himself with the concerns expressed by Commissioner Baldwin about its imprecision. He added that there was technology availability whereby the delineation could be done without a field survey from aerial photography. He added that the map should be more precise as to what was included and what was not. Mr. Kaplan said that staff had referred to the aerial maps when drafting the lines.

At Commissioner Downer's request, Commissioner Baldwin explained his concerns regarding Tax Map 11-2. He noted that the feeder had a confluence and in his view there was a question of compliance of the RPA boundary with the language in the Ordinance. He explained that it was his intention to request a recommendation for approval except for Tax Maps 11-2 and 44-2.

in response to Commissioner Harsel's questions regarding Map 79-2, Mr. Kaplan explained that the referenced special exception application would not be affected by the new RPA line. He added that the RPA was defined by the text of the Ordinance and not the map.

At Commissioner Koch's request, Commissioner Baldwin explained his concern with Map 44-2 in Sully District. He said that area shown, Frog Branch, had been shortened and in his view there was reason to question the shortening. He added that he needed more time to review the rationale behind it.

Mr. Kaplan explained that during the Chesapeake Bay Local Assistance Department (CBLAD) review process staff was asked why an RPA had been drawn along that area since it was not reflected as a blue line or a tributary stream on the US Geological Survey map. He said that they had included this part of Frog Branch Valley because it was a major floodplain.

There being no speakers, no closing staff comments, and no further questions or comments from the Commission, Chairman Murphy closed the public hearing and recognized Commissioner Baldwin for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Baldwin MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE CHESAPEAKE BAY PRESERVATION MAPS, EXCEPT THE MAPS OF SECTION 11-2 AND SECTION 44-2, AS PRESENTED IN THE STAFF REPORT BROUGHT BEFORE THE PLANNING COMMISSION FEBRUARY 17, 1994.

Commissioner Hartwell seconded the motion which passed by a vote of 9-1-1 with Commissioner Palatiello opposed; Commissioner Sell abstaining; Commissioner Thomas absent from the meeting.

Commissioner Baldwin FURTHER MOVED THAT THE PLANNING COMMISSION DEFER PRESENTATION AND RECOMMENDATION ON MAPS SECTION 11-2 AND SECTION 44-2 UNTIL MARCH 3, 1994, OR AS SOON AS PRACTICABLE, AND THAT THE RECORD REMAIN OPEN UNTIL THIS DATE.

Commissioner Hartwell seconded the motion which passed by a vote of 10-0-1 with Commissioner Sell abstaining; Commissioner Thomas absent from the meeting.

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PCA-74-2-113 – ROUTE 606 – RESTON ASSOCIATES – Appl. to amend the proffers for RZ-74-2-113 to permit changes to uses in a shopping center w/an overall FAR of 0.26 on property located in the N.W. corner of Reston Pkwy. & Baron Cameron Ave. on approx. 13.52 ac. zoned PRC. Comp. Plan Rec: Planned Resident. Community. Tax Map 17-1((7))1 & 2. HUNTER MILL DISTRICT. PUBLIC HEARING.

Stephen Pence, Esquire, reaffirmed the affidavit dated January 27, 1994. There were no disclosures by Commission members.

Commissioner Palatiello requested that Chairman Murphy call for speakers from the audience for this case. Receiving no response and there being no comments or questions from the Commission, Chairman Murphy waived the staff report, closed the public hearing, and recognized Commissioner Palatiello for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-74-2-113, SUBJECT TO THE PROFFERS DATED FEBRUARY 17, 1994.

Commissioners Byers and Hanlon seconded the motion which passed by a vote of 10-0-1 with Commissioner Sell abstaining; Commissioner Thomas absent from the meeting.

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RZ-85-B-025 – FRANK RINALDI – Appl. to rezone approx. 3.00 ac. located on the N.E. side of Zion Dr. approx. 1,600 ft. S.E. of its intersection with Ox Rd. fr. R-1 to R-2 to permit resident. develop. @ a density of 1.33 du/ac. Comp. Plan Rec: 1-2 du/ac. Tax Map 68-3((1))15. BRADDOCK DISTRICT. PUBLIC HEARING.

Mr. K. Arthur Fournier, of Delta Consultants, Inc., reaffirmed the affidavit dated December 31, 1993. There were no disclosures by Commission members.

Ms. Diane E. Johnson-Quinn, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is contained in the date file. She noted that revised proffers, dated February 3, 1994, were distributed tonight. Ms. Johnson-Quinn said that proffer #1 added language committing to the lot sizes and configuration depicted on the GDP; and proffer #8 added the last sentence which committed to the construction of the frontage improvements shown on the GDP noting the time of commencement of the work. She noted that the timing of the completion of the work was not noted and staff would suggest adding language to that effect. She also noted that proffer #9 added language committing to the maximum house size.

In response to Commissioner Harsel's questions, Ms. Johnson-Quinn said that in proffer #8, the last sentence noted that in addition to the dedication, the street construction would also occur and would commence at the time of development of the site. She added that staff would suggest adding the language at the end of proffer #8: "with the issuance of the first residential use permit."

Commissioner Harsel noted that tonight the applicant would be submitting an addition to the revised proffers which would bring it closer to the Bulova tree proffer. She then noted her intent to defer decision on this case for one week.

Mr. Fournier submitted new wording to the tree proffer. (See copy in date file.) He said that the applicant had agreed to: limit the dwellings to 3600 square feet which excluded the basement and garage; limit the location with a building envelope on the GDP; and at the time of final site design, appropriate actions by the Department of Environmental Management and the Urban Forester would assure that adequate protection of the 48 inch American Beech tree would take place. Regarding proffer #8, Mr. Fournier said that the applicant would have a problem committing to its execution prior to the issuance for the first Residential Use Permit (RUP). He added that the applicant would agree to execution at the time of the last RUP.

Chairman Murphy called the first listed speaker and outlined the Planning Commission's rules for speakers.

Mr. Forrest Mellott, 10722 Zion Drive, Fairfax, said he would like to see the property developed but was concerned about the entrance. He added that he would like to see the trees on the corner of his lot come down.

Commissioner Harsel assured him that the trees were marked to be taken down.

Mr. Richard Dyson, 10804 Colton Street, Fairfax, spoke in favor of the development. He was concerned with the preservation of the beech tree and also the safety of the entrance. Mr. Dyson was also concerned with the need for storm management water storage on site.

Mr. Lynwood Rhoads, 5214 Grinnell Street, Fairfax, spoke in opposition to the application. He said that he was opposed to any change in terms of adding to the density of homes in that area. Mr. Rhoads pointed out that the soil was not stable and that development would increase sediment and run-off.

There was a discussion between Commissioner Harsel, Chairman Murphy, and Mr. Rhoads regarding the density and square footage of the proposed homes.

Mr. Mark Levitt, 5224 Grinnell Street, Fairfax, also spoke in opposition to the development. He said his concerns were with Parcels A and B. He questioned whether the pond was to remain or if there would be an alternate method of drainage for the area.

There being no further speakers, Chairman Murphy called on Mr. Fournier for rebuttal.

Mr. Fournier said that his client's biggest concern was the density. He explained that the applicant had tried to keep the limits of clearing and grading down as much as possible. In addition, he said, the Department of Public Works had requested that the applicant add the stormwater management pond. Mr. Fournier explained that there was an existing regional stormwater management pond to the south of the site, and at the time the development went

forward a request for the waiver of the stormwater management pond would be requested. He said that in the event the stormwater detention pond was eliminated, parcel B would be added to lot 3. At Commissioner Harsel's request, Mr. Fournier then explained the difference between a wet and dry pond.

There being no closing staff comments, and no further questions or comments from the Commission, Chairman Murphy closed the public bearing and recognized Commissioner Harsel for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON RZ-85-B-425 TO A DATE CERTAIN OF WEDNESDAY, FEBRUARY 23, 1994.

Commissioner Byers seconded the motion which passed unanimously with Commissioner Hanlon not present for the vote; Commissioner Thomas absent from the meeting.

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The Commission recessed at 10:18 p.m. and reconvened at 10:32 p.m.

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SE-93-D-051 - BOWL AMERICA INCORPORATED – Appl. under Sec. 9-609 & 9-616 of the Zoning Ord. to permit parking in an R-District & a driveway for uses in a Commercial District on property located @ 1108 Dranesville Rd. on approx. 4.10 ac. zoned R-1. Tax Map 6-3((1))11A. DRANESVILLE DISTRICT. PUBLIC HEARING.

Richard R. G. Hobson, Esquire, McGuire, Woods, Battle & Boothe, reaffirmed the affidavit dated January 26, 1994. There were no disclosures by Commission members.

Ms. Mary Ann Godfrey, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is contained in the date file. She noted that revised development conditions dated February 17, 1994 were distributed tonight with a few changes underlined. Ms. Godfrey said that staff recommended approval of the application, subject to the development conditions dated February 17, 1994; approval of the modification of transitional screening and waiver of the barrier requirements on the northern and southern lot lines, subject to development conditions; and, waiver of the service drive along Dranesville Road.

Mr. Hobson explained the background of this application and noted that a site plan amendment had been filed in Loudoun County which was contingent upon the approval of this application. Upon receipt of approval in both counties, the applicant would dedicate the requested land and close the existing entrance when the new entrance was constructed and available for use. He

noted that he had submitted a suggested amendment to development condition #6, at the request of nearby property owners. He added that more time was needed to discuss development conditions #3 and #4 and to consult with Loudoun County.

He therefore requested a deferral of the decision. Mr. Hobson requested approval of the application, subject to the development conditions and further changes in the wording during the deferral period. He also requested that the waivers be granted.

There being no questions of the applicant, Chairman Murphy called for speakers.

Mr. Stephen Ritchie, 468 Eaton Terrace, Unit 100, Sterling, noted his concern with the traffic pattern and suggested that a study be made of the impact. He also said he would like to know if the sign met the provisions of Article 1.2.

Commissioner Downer addressed some of Mr. Ritchie's concerns. She noted that VDOT had requested that the applicant move their entrance since Dranesville Road was very dangerous. She also noted that the sign did meet the regulations.

There being no further speakers, Chairman Murphy called on Mr. Hobson for rebuttal.

During rebuttal, Mr. Hobson noted that development condition #10 limited the size and the lighting of the sign. He added that relocating the limited access would remove a hazard. Mr. Hobson reiterated that the application met the requirements of the Ordinance and the Comprehensive Plan. He noted that the parking lot was in Fairfax County and the bowling alley itself was in Loudoun County.

Commissioner Hanlon said that the issue was whether or not the applicant succeeded in showing that the specific requirements of the Ordinance for special exception were met.

There being no closing staff comments, and no further questions or comments from the Commission, Chairman Murphy closed the public hearing and recognized Commissioner Downer for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Downer MOVED TO DEFER THE DECISION ONLY TO A DATE CERTAIN OF MARCH 3, 1994, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Hartwell seconded the motion which passed unanimously with Commissioner Harsel not present for the vote; Commissioner Thomas absent from the meeting.

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RZ-93-D-037 – BOARD OF SUPERVISOR'S, OWN MOTION
– Appl. to rezone approx. 25.49 ac. located on the E. & W. sides of Rock Hill Rd., N. of the Dulles Airport Access & Toll Rds., fr. R-1 to I-4 to permit office develop. & related uses w/an overall FAR of 0.38. Comp. Plan Rec: Institutional. Tax Map 15-2((1))15, 17. (Concurrent with SE-93-D-055.) DRANESVILLE DISTRICT.

SE-93-D-055 – BOARD OF SUPERVISOR'S OWN MOTION
– Appl. under Sec. 9-607 of the Zoning Ord. to permit an increase in building height on property located @ 2214 Rock Hill Rd. on approx. 7.49 ac. zoned I-4. Tax Map 15-2((1))15. (Concurrent with RZ-93-D-037.) DRANESVILLE DISTRICT. JOINT PUBLIC HEARING.

Robert N. Beury, Jr., Esquire, attorney for the applicant, reaffirmed the affidavit dated February 16, 1994. There were no disclosures by Commission members.

Mr. Kevin Guinaw, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is contained in the date file. He said that all issues identified in review of the application had been adequately addressed. He noted that Innovative Technology Authority (ITA) had proffered to provide an easement for a transit facility on parcel 17 in the event that rail access was extended into the Dulles Corridor; limited the uses in the I-4 district which would be permitted on the site; limited FAR; and provided for review of the site plan by the Planning Commission for any additional development on the site prior to it's approval. Mr. Guinaw said that staff had concluded that the applications were in conformance with the Comprehensive Plan and the provision of the Zoning Ordinance for the I-4 Zoning District and met all the applicable standards proposed in the Zoning Ordinance for the requested additional building height. He noted that staff recommended approval of the applications, subject to the development conditions.

Mr. Beury said that in the interest of time, he would not make a presentation. Chairman Murphy called for speakers.

Richard Hobson, Esquire, represented the adjacent property owner, Mr. Kwar, Director of KJS Partnership. He said that he was concerned about the rail-related station which was accessed in the proffers. He added that KJS Partnership had long opposed the location of a station adjacent to or on its property. Mr. Hobson said that KJS Partnership had proffered, in Loudoun County, to transportation improvements which included a grade separated intersection at Route 28 and Innovation Drive, and to the projections for the design of the intersection which had been approved by VDOT and Loudoun County. He emphasized that that design did not accommodate any commuter traffic for a future station.

There being no further speakers, Chairman Murphy called on Mr. Beury for rebuttal, who declined.

During closing staff comments, Mr. Guinaw said that he had been in contact with Loudoun County staff and the Commission was in receipt of a statement from the Loudoun County Board Land Use Committee. He indicated that staff had agreed to sit down with them in the future to look at the transportation issue.

Commissioner Palatiello asked what would happen to the easement referred to in Proffer #1 if the rail easement were not located at that particular site or property. Mr. Guinaw replied that the proffer had been written in very stringent terms which addressed the provision of a very limited easement, up to one acre, with access to Innovation Avenue. Mr. Guinaw noted that the proffer specifically referenced the location of a rail station in the median. If the station were not located there, Mr. Guinaw said, the proffer would not be applicable.

There being no further comments or questions from the Commission, Chairman Murphy closed the public hearing and recognized Commissioner Downer for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ-93-D-037, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT, AND DATED FEBRUARY 1, 1994.

Commissioner Byers seconded the motion which passed by a vote of 8-0-1 with Commissioner Harsel abstaining; Commissioners Hanlon and Hartwell not present for the vote; Commissioner Thomas absent from the meeting.

Commissioner Downer also MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY THE TRANSITIONAL SCREENING REQUIREMENT AND WAIVE THE BARRIER REQUIREMENT ALONG THE NORTHERN BOUNDARY OF LOT 15 IN FAVOR OF THE EXISTING VEGETATION ON THE SITE, THE LANDSCAPING SHOWN ON THE GDP, AND SUBJECT TO THE PROFFERS.

Commissioner Byers seconded the motion which passed by a vote of 8-0-1 with Commissioner Harsel abstaining; Commissioners Hanlon and Hartwell not present for the vote; Commissioner Thomas absent from the meeting.

Commissioner Downer further MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE-93-D-055, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2, DATED FEBRUARY 3, 1994.

Commissioner Byers seconded the motion which passed by a vote of 8-0-1 with Commissioner Harsel abstaining, Commissioners Hanlon and Hartwell not present for the vote; Commissioner Thomas absent from the meeting.

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SE-93-H-052 – KAISER FOUNDATION HEALTH PLAN OF THE MID-ATLANTIC STATES, INC. – Appl. under Sec. 9-620 of the Zoning Ord. to permit a waiver of certain sign regulations to permit an increase in sign area for a free standing sign on property located @ the intersection of Sunset Hills Rd. & the entrance to the Reston Business Park, approx. 1,200 ft. W. of its intersection with Wiehle Ave. on approx. 50 sq.ft. of land zoned I-4. Tax Map 17-4((19))pt.4. HUNTER MILL DISTRICT. PUBLIC HEARING.

Robert A. Lawrence, Esquire with Hazel & Thomas, P.C., reaffirmed the affidavit dated November 30, 1993. There were no disclosures by Commission members.

Commissioner Palatiello requested that Chairman Murphy call for speakers from the audience for this case. Receiving no response and there being no comments or questions from the Commission, Chairman Murphy waived the staff report, closed the public hearing, and recognized Commissioner Palatiello for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SPECIAL EXCEPTION APPLICATION SE-93-H-052 FOR WAIVER OF CERTAIN SIGN REGULATIONS, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN THE STAFF REPORT WITH THE FOLLOWING TWO AMENDMENTS:

CONDITION #4, ADD A PERIOD AFTER THE FIRST USE OF THE WORD "AMENDMENT" AND STRIKE THE WORDS: "PROVIDED CONSISTENT LETTER TREATMENT IS MAINTAINED".

ADD CONDITION #5 TO READ AS FOLLOWS: "APPROVAL OF THE RESTON CENTER FOR INDUSTRY AND GOVERNMENT ARCHITECTURAL REVIEW BOARD IS REQUIRED."

Commissioner Byers seconded the motion which passed unanimously with Commissioners Hanlon and Hartwell not present for the vote; Commissioner Thomas absent from the meeting.

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SE-93-M-047 - PARKLAWN RECREATION ASSOCIATION – Appl. under Sec. 2-904 of the Zoning Ord. to permit fill & uses in a floodplain on property located @ 6011 Crater P1. on approx. 14.54 ac. zoned R-3. Tax Maps 61-4((6))(T)56; 72-2((3))(T)C. MASON DISTRICT, PUBLIC HEARING.

Mr. John J. Fargo, agent for the applicant, reaffirmed the affidavit executed October 7, 1993. There were no disclosures by commission members.

Ms. Leslie Johnson, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is contained in the date file. She said that the construction of the flood control berm was not consistent with the environmental goals and objectives of the adopted Comprehensive Plan; the berm had altered the nature of the floodplain from its natural condition; and the Department of Environmental Management (DEM) indicated that the 2,000 cubic yards of fill had increased the water surface elevation of the 100 year floodplain above the tolerance levels mandated by the Public Facilities Manual. For those reasons, Ms. Johnson said staff recommended denial of the application. However, staff also recognized that there were some unusual circumstances surrounding the application and in discussions with the Parklawn Recreation Association and the Special Projects Branch of DEM, there were proposals set forth that would, if applied, be able to reduce the anticipated increases in flood elevations to acceptable tolerance. Ms. Johnson also said that while staff could not recommend approval of the application, if the Planning Commission recommended approval staff had, in conjunction with DEM and the Parklawn Recreation Association, developed a proposed set of conditions that would address their concerns about the environmental impacts associated with the placement of fill and would address the requirements for the floodplain regulations as set forth in Section 2-905 of the Zoning Ordinance.

Mr. Fargo said that Parklawn Recreation Association was a non-profit association and felt that the association had served the community. He added that discharge from the Barcroft Dam had caused severe erosion. Mr. Fargo explained that the Association had spoken with Supervisor Davis' office, mentioned their plan to have fill dirt brought in, and they were then referred to Batman Construction who in less than 10 days deposited the fill dirt. He added that it was then that the Association received a rude introduction into all the various Fairfax County Ordinances and Zoning requirements for depositing of fill in the floodplain. Mr. Fargo said the Association was trying to find a way to accommodate the County's concerns and allow them to remain in existence. He added that they had worked with staff on development conditions.

In response to Commissioner Baldwin's questions, Mr. Fargo said that the purpose of the berm was to slow the discharge from Barcroft Dam.

There being no further questions from the Commission, Chairman Murphy called for speakers.

Ms. Jean Porter, 4636 Barnum Lane, President of Parklawn Pool, spoke in support of the application.

There being no further speakers, no rebuttal, no closing staff comments, and no questions or comments from the Commission, Chairman Murphy closed the public hearing and recognized Commissioner Strickland for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Strickland MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE-93-M-047, SUBJECT TO THE REVISED CONDITIONS DATED FEBRUARY 17, 1994.

Commissioners Downer, Hanlon, and Baldwin seconded the motion which passed by a vote of 8-1-1 with commissioner sell opposed; Commissioner Byers abstaining; Commissioner Hartwell not present for the vote; Commissioner Thomas absent from the meeting.

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The meeting was adjourned at 11:38 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: Sandra L. Stever

Approved On: July 28, 1994

Mary A. Pascoe

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