

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, FEBRUARY 25, 2010**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Jay P. Donahue, Dranesville District
Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
Rodney L. Lusk, Lee District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Frank A. de la Fe, Hunter Mill District
Suzanne F. Harsel, Braddock District
Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:21 p.m. by Vice Chairman Walter L. Alcorn, in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

The Honorable John T. Frey, Clerk of the Circuit Court, performed the swearing-in ceremony for Earl L. Flanagan, Mount Vernon District, who was reappointed by the Board of Supervisors on February 23, 2010 for a four-year term ending in December 2013.

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Vice Chairman Alcorn welcomed members of Boy Scout Troop 1966 in Fairfax who were attending the meeting to earn their Citizenship in the Community merit badge. He then asked them to stand and be recognized.

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Commissioner Hart announced that the Planning Commission's Environment Committee would meet on Thursday, March 4, 2010, at 7 p.m., in the Board Conference Room of the Government Center, to hold another discussion with staff regarding the proposed Environmental Quality Corridor Disturbance Policy and staff's response to the comments received at the public workshop held on January 6, 2010. He said everyone was welcome to attend this meeting.

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On behalf of Commissioner Murphy, Commissioner Hall MOVED THAT THE PLANNING COMMISSION INDEFINITELY DEFER THE PUBLIC HEARING FOR SE 2007-SP-035, MASOOD SAID DAYCARE CENTER AT 9121 SILVERBROOK ROAD, FROM THURSDAY, APRIL 29, 2010, UNTIL SUCH TIME AS THE APPLICANT RESUBMITS ITS FINAL APPLICATION MATERIALS FOR REVIEW BY THE ZONING EVALUATION DIVISION OF THE DEPARTMENT OF PLANNING AND ZONING.

Commissioners Sargeant and Lawrence seconded the motion which carried unanimously with Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

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Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR SE 2009-LE-022, BB&T BANK, TO A DATE CERTAIN OF MARCH 10, 2010.

Commissioners Lawrence and Sargeant seconded the motion which carried unanimously with Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

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Commissioner Donahue MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON SE 2009-DR-008, OAKCREST SCHOOL, TO A DATE CERTAIN OF MARCH 18, 2010, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT. He also MOVED THAT THE PLANNING COMMISSION REQUEST THAT THE BOARD OF SUPERVISORS DEFER ITS PUBLIC HEARING TO A DATE CERTAIN OF MARCH 23, 2010.

Commissioners Sargeant and Lawrence seconded the motion which carried unanimously with Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

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Commissioner Donahue MOVED THAT THE PLANNING COMMISSION DEFER THE JOINT PUBLIC HEARING FOR NORTH COUNTY AREA PLANS REVIEW ITEMS 08-III-7UP, 08-III-11UP, AND 08-III-12UP, TO A DATE CERTAIN OF MARCH 18, 2010.

Commissioners Lusk and Sargeant seconded the motion which carried unanimously with Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

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Vice Chairman Alcorn noted that the Planning Commission's Tysons Corner Committee had met last night to discuss the proposed Zoning Ordinance Amendment and revised draft Comprehensive Plan Amendment for Tysons. He announced that the Committee would meet

again on Wednesday, March 3, 2010, at 7 p.m., in the Board Conference Room of the Government Center, to discuss implementation strategies and plans relating to Tysons redevelopment. Vice Chairman Alcorn said the Tysons Corner Committee would also meet on Thursday, March 11, 2010, and Wednesday, March 17, 2010, both at 7 p.m., in the Board Auditorium of the Government Center, to receive public comments on the draft Tysons Plan language. He noted that anyone interested in speaking at one of these meetings should sign up on the Planning Commission Web site at <http://www.fairfaxcounty.gov/planning/speaker.htm>, or call the Commission Office at 703-324-2865, prior to 3:00 p.m. on the day of the meeting.

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FS-L09-200 – VERIZON WIRELESS, 8350 Richmond Highway (South County Government Center)

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION FIND THAT FS-L09-200, FILED BY VERIZON, WHICH PROPOSES TO ADD 15 ANTENNAS TO THE EXISTING PENTHOUSE WALL OF THE SOUTH COUNTY GOVERNMENT CENTER, LOCATED AT 8350 RICHMOND HIGHWAY, IS A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

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FS-P09-141 – CLEARWIRE, 1430 Spring Hill Road
FS-P09-143 – CLEARWIRE, 8028 Leesburg Pike
FSA-L03-16-1 – T-MOBILE NORTHEAST LLC, 6354 Walker Lane

Vice Chairman Alcorn MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE FOLLOWING THREE CONSENT AGENDA ITEMS: FS-P09-141, BY CLEARWIRE, LOCATED AT 1430 SPRING HILL ROAD; FS-P09-143, BY CLEARWIRE, LOCATED AT 8028 LEESBURG PIKE; AND FSA-L03-16-1, BY T-MOBILE NORTHEAST LLC, LOCATED AT 6354 WALKER LANE.

Without objection, the motion carried unanimously with Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

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ORDER OF THE AGENDA

In the absence of Secretary Harsel, Vice Chairman Alcorn established the following order of the agenda:

1. RZ 2009-MA-011 – WESTLAWN LIMITED PARTNERSHIP
SEA 95-M-039 – WESTLAWN LIMITED PARTNERSHIP
2. S09-IV-LP2 – COMPREHENSIVE PLAN AMENDMENT (INOVA LORTON-SOUTH HEALTHPLEX) (Mount Vernon District)
3. RZ 2009-DR-016/FDP 2009-DR-016 – MADISON BUILDING ASSOCIATES LLC AND SECOND MADISON BUILDING ASSOCIATES LLC

This order was accepted without objection.

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RZ 2009-MA-011 – WESTLAWN LIMITED PARTNERSHIP – Appl. to rezone from C-6 and C-8 and HC to C-6 and HC to permit commercial development with an overall Floor Area Ratio (FAR) of 0.32. Located in the S.W. quadrant of the intersection of Arlington Blvd. and Annandale Road on approx. 8.36 ac. of land. Comp. Plan Rec: Retail up to 0.35 FAR. Tax Map 50-4 ((1)) 6 and 7; 50-4 ((17)) H and H1. (Concurrent with SEA 95-M-039.) MASON DISTRICT.

SEA 95-M-039 – WESTLAWN LIMITED PARTNERSHIP – Appl. under Sects. 4-604, 7-607, and 9-607 of the Zoning Ordinance to amend SE 95-M-039 previously approved for a vehicle sales, rental, and ancillary service establishment to permit an increase in land area, site modifications, modifications of conditions, and vehicle sales rental and ancillary service establishment, drive-in financial institutions, drive-through pharmacy, and an increase in building height from 40 ft. up to a maximum of 50 ft. Located at 3008, 3030, and 3040 Annandale Road and 6715 Arlington Blvd. on approx. 8.36 ac. of land zoned C-6 and HC. Tax Map 50-4 ((1)) 6 and 7; 50-4 ((17)) H and H1. (Concurrent with RZ 2009-MA-011.) MASON DISTRICT.
JOINT PUBLIC HEARING.

Antonio Calabrese, Esquire, with Cooley Godward Kronish LLP, reaffirmed the affidavit dated February 16, 2010. There were no disclosures by Commission members.

Tracy Strunk, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the applications because they were not in conformance with the recommendations of the Comprehensive Plan or the applicable provisions of the Zoning Ordinance.

Following discussion between Commissioners Hart and Hall, Ms. Strunk agreed that Development Condition Number 7, requiring that the drive-through pharmacy and drive-in financial institution be constructed with "four-sided architecture," would be clarified.

Commissioner Hall announced that the decision only on these applications would be deferred to March 3, 2010, to ensure that any changes would be incorporated in writing before they were forwarded to the Board of Supervisors.

Mr. Calabrese delivered a PowerPoint presentation depicting the layout of the proposed uses. He explained that the car dealership, post office, and other retailers would continue to operate during construction. He indicated that the Mason District Land Use Committee supported the proposal and it had also been well received by the surrounding communities. Mr. Calabrese identified the proposed environmental, stormwater management, transportation, and lighting improvements. He noted that the proposed one-way service drive option was acceptable to the Virginia Department of Transportation (VDOT) and surrounding residents. He said the proposed direct entrance onto Route 50 was absolutely essential to the car dealership and other retailers and would not conflict with the one-way service drive. He indicated that the applicant would help refine Development Condition Number 7. Mr. Calabrese said the applicant had proffered to walk the area with the Urban Forester and members of the surrounding communities to identify the trees that would remain and invasive species that would be removed and replaced. He explained that the applicant had addressed staff's concern regarding the corner of the third deck of the parking garage by removing some parking spaces and setting the deck back an additional 30 feet. He said approval of the applications would permit a \$30 million dollar investment in the area. (A copy of the presentation is in the date file.)

Mr. Calabrese replied to questions from Commissioner Flanagan regarding the vegetation in Tripps Run, removal of the existing buildings near Westlawn, parking, car dealer inventory, one-way service drive, and access to Annandale Road from the service drive.

Ms. Strunk responded to a question from Commissioner Flanagan about the service drive on the east side of Annandale Road.

Mr. Calabrese answered questions from Commissioner Hart regarding the trees depicted on sheet 15 of 17, A3.2, Line of Sight elevations, in the staff report. He pointed out that the applicant would solicit input from the Westlawn Civic Association on the landscape plan.

Ms. Strunk replied to a question from Commissioner Hart about the narrow buffer in the central area of the boundary with Tripps Run.

In response to more questions from Commissioner Hart, Mr. Calabrese explained that in consultation with the Urban Forester, the applicant would plant as many trees as possible to increase the narrowest portion of the buffer while maintaining the existing significant trees. He noted that the applicant could not install a second row of trees along Route 50 due to a 12-inch gas line, but the applicant had agreed to buttress that area, per discussions with Commissioner Hall and staff.

Responding to a question from Commissioner Lawrence, Kristen Abrahamson, ZED, DPZ, noted that staff had recommended that the building be moved or the building's footprint be slightly reduced so that it would be located farther away from the adjacent residential neighborhood.

In reply to another question from Commissioner Lawrence, Mr. Calabrese said the applicant was focused on strengthening the buffer throughout the entire range of Tripps Run. He pointed out that moving the building back 30 feet would dramatically change the plan.

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

David Conway, 6823 Beechview Drive, Falls Church, President of the Westlawn Civic Association, expressed support for the proposed redevelopment because it would improve the existing Westlawn Shopping Center, prevent vehicles from making left turns off Route 50 to access the north entrance, and enhance the vegetation along Tripps Run. He noted that Westlawn residents would continue to support the proposal provided that the westbound service drive would remain open so that residents could safely access their neighborhood and the traffic changes would not result in any increase in the green light time for Route 50 and Annandale Road.

Commissioner Hall expressed appreciation to Mr. Conway and his neighbors for their hard work on the proposal.

Cynthia Fox, 3014 Sylvan Drive, Falls Church, President of the Sleepy Hollow Citizens Association, read her letter dated February 23, 2010, in support of the proposal. She noted that the current plan would allow revitalization of the property. She said she believed that the issues raised by her association had been adequately addressed. (A copy of the letter is in the date file.)

There being no more speakers, Vice Chairman Alcorn called for a rebuttal statement from Mr. Calabrese, who declined.

Commissioner Hall commented that the shopping center was in desperate need of modernization and the car dealership was very successful and welcomed in the community. She explained that she disagreed with staff's position, based on the following:

- The entrance off Route 50 would be improved and further defined and would not create any problems.
- The proposed retail development would not adversely impact the adjacent Westlawn and Sleepy Hollow communities because retail uses had existed on the site since the late 1960s. The substantial buffering on both sides of the shopping center would be reinforced by evergreens and there would be no clear-cutting of the existing buffer.
- The proposed density was less than what was allowed for by the Comprehensive Plan and the proposed layout was acceptable.

Commissioner Hall recommended the following changes to the applications:

- Define the term "four-sided architecture" in Condition Number 7;
- Add language to Proffer 15 to clarify that the color and materials of the buildings would be consistent and aesthetically appealing;
- Create a new proffer to indicate that there would be additional landscaping along Route 50 to replace the second row of trees that had to be removed because of the gas line;
- Revise Proffer 18 to specify that the monument signs would be relocated;
- Provide elevations depicting the signs, including details about their size and lighting; and
- Add language to Proffer 14 to clarify that the entire retail development would use Energy Star appliances and fixtures.

Commissioner Hall pointed out that the applications were supported by the Mason District Land Use Committee. She expressed appreciation to staff on their excellent work and the applicant on its collaboration with the community.

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

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION DEFER THE DECISIONS ONLY ON RZ 2009-MA-011 AND SEA 95-M-039, TO A DATE CERTAIN OF MARCH 3, 2010, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioner Hart seconded the motion which carried unanimously with Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

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S09-IV-LP2 – COMPREHENSIVE PLAN AMENDMENT (INOVA LORTON-SOUTH HEALTHPLEX) – To consider a proposed amendment concerning approx. 14.5 ac. generally located south of Lorton Road between I-95 and Sanger Street. (Tax Map 107-4((1)) 75A, 77, 78, 79, 80, 81, and 82 in the Mount Vernon Supervisory District). The area is currently planned for office use to allow medical offices uses and medical care facilities up to .25 FAR. The proposed Plan Amendment is for office use to allow medical office uses and medical care facilities, hotel, assisted living, and ancillary uses up to .60 FAR. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Commissioner Flanagan stated that the applicant, staff, the South County Federation's (SCF) Land Use Committee, and he had been working to resolve the differences between the original proposal and the alternative proposed by staff. He noted that he would defer the decision only on this proposed Comprehensive Plan Amendment until a date certain of March 10, 2010, to allow time to consider this evening's testimony. He said he anticipated that this public hearing and the SCF's meeting scheduled for March 2, 2010, would provide the final information needed by the Planning Commission to consider before the scheduled Board of Supervisors' public hearing on March 23, 2010.

Aaron Klibaner, Planning Division (PD), 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 alternative text, as outlined on pages 12-14 of the staff report.

Vice Chairman Alcorn called the first listed speaker.

Marty Schirmacher, 9534 Third Place, Lorton, representing the Shirley Acres Civic Association, said he was opposed to the amendment because it appeared to have been rushed through the process. He expressed concern that the residents had not been properly informed of this amendment and, therefore, were excluded from the public participation process. He requested that another Commission hearing be held after the amendment had been presented to the SCF. (A copy of his remarks is in the date file.)

Commissioner Flanagan pointed out to Mr. Schirmacher that at the SCF's Land Use Committee meeting on February 16, 2010, representatives from Inova had agreed to decrease the proposed floor area ratio (FAR) from 0.60 to 0.43 and reduce the height of the buildings. He said the committee had agreed to support staff's recommendation of 0.30 FAR, provided that Inova acquired additional acreage. Mr. Schirmacher said he was concerned that there had not been enough time for the community to review the amendment and provide feedback regardless of the recommended FAR. He questioned why the adopted 2006 Plan Amendment for the subject property was no longer feasible. Commissioner Flanagan said the Commission would not act on this amendment until after the SCF had voted on March 2, 2010 and all issues had been addressed.

Commissioner Sargeant noted that the SCF's Land Use Committee had not voted to support the .30 FAR option because further clarification was required.

In response to a question from Commissioner Hall, Mr. Schirmacher expressed concern that the proposed density was excessive for a residential development.

In reply to a question from Commissioner Hart, Mr. Klibaner noted that the procedures for mailing notification letters, posting notice signage on the property, and publishing legal advertisement in the newspaper had been followed.

Commissioner Hart said he did not get the impression that this amendment was being rushed through the process, as claimed by Mr. Schirmacher.

Shean Robinson, 9246 McCarty Road, Lorton, representing the Gunston Corner Townhome Homeowners Association, said the public hearing notice signage had been posted on Sanger Street and not Lorton Road where the majority of the residents would see it. He also noted that one of the signs had been hidden behind two vehicles. He said his community had learned of this amendment only two weeks ago. Mr. Robinson requested that the process be restarted to allow sufficient time for the community to work with Inova and Commissioner Flanagan to facilitate a proposal that better represented the interests of the residents. He expressed concerns that the proposed mix of uses would significantly increase traffic in the area, be inappropriate for the site, deteriorate the quality of life of the residents, diminish the aesthetic value of the area, and transform the area into a residential office complex.

Commissioner Hart requested that staff verify whether a public hearing notice sign had been posted on Lorton Road near the property.

Sarah Hall, Esquire, with Blankingship & Keith, PC, representing Inova, reviewed the planning history of the site. She said the dramatic turndown in the economy and other unforeseen circumstances had made it impossible to build the healthplex as approved in RZ 2005-MV-029. She noted that the proposed amendment and concurrent rezoning application, RZ 2009-MV-023, would permit the healthplex to be built as part of an economically viable project. Ms. Hall explained that in response to the issues raised at the SCF's Land Use Committee meeting, Inova had agreed to the following: delete the southern buildings, third floor of the healthplex, and parking structure expansion to allow more space for trees and tree save areas and lower and widen the northern building. She indicated that these changes had resulted in a reduction of 69,000 square feet with a FAR of 0.40. She stated that over the past two weeks, Inova had worked with staff, Commissioner Flanagan, representatives from the SCF, and Mount Vernon District Supervisor Gerry Hyland and his staff to draft acceptable Plan language. Ms. Hall said she had distributed to the Commissioners a handout that outlined the new language proposed by Inova. (A copy of the handout is in the date file.) She then reviewed the proposed language and noted that 527 traffic studies for the amendment and RZ 2009-MV-023 had been submitted to VDOT and the Fairfax County Department of Transportation (FCDOT). She said Inova would continue to collaborate with staff and the neighbors to address concerns and Inova looked forward to meeting with the SCF and the Mount Vernon Council of Citizens' Associations Planning and Zoning Committee. Ms. Hall noted that RZ 2009-MV-023 would be amended to incorporate the revised Plan language.

Vice Chairman Alcorn requested that Ms. Hall provide a copy of the proposed language to Mr. Schirmacher and Mr. Robinson.

Replying to questions from Commissioner Flanagan, Ms. Hall said Inova would incorporate measures to mitigate the traffic that would be generated from the site. She explained that

additional acreage was not needed to justify the 0.40 FAR option because the amended proposal included only two buildings.

In response to a question from Commissioner Sargeant, Ms. Hall noted that Inova had submitted the modified traffic impact analysis data that reflected the 0.40 FAR and its influence on the Level of Service (LOS) to FCDOT.

Responding to another question from Commissioner Sargeant, Michael Garcia, Transportation Planning Section, FCDOT, indicated that FCDOT was currently evaluating the 0.40 FAR option and was waiting for Inova to submit the remainder of the required data.

In reply to more questions from Commissioner Sargeant, William Johnson, Associate Engineer with Wells + Associates, said he anticipated that the revised traffic impact analysis results would be available early next week. He then described the scope of the analysis, noting that it incorporated areas not just directly adjacent to the site but some of the surrounding intersections as well.

Commissioner Lawrence suggested that Inova consider ways to use technology to help reduce vehicular trips to the development, such as the application of telemedicine for patient consultations or education. He said he was unsure whether this should be incorporated into the Plan language but he thought that it would be beneficial for Inova at the rezoning stage.

Mary Sue Heddings, 9450 Fourth Place, Lorton, said the residents of the Greenridge community, which was adjacent to Shirley Acres, had not been aware of this amendment. She noted that only two notice signs had been posted: one had been hidden behind parked cars and the other had been posted away from the street at the end of Legion Drive. She expressed opposition to the proposed development, citing excessive density, lack of justification, and increased traffic. She said the impacted residents needed more time to provide input.

Commissioner Sargeant said he was concerned that despite the amount of FAR approved on this site and new traffic mitigation measures implemented by Inova, this area would still be overwhelmed with traffic from overall growth in the long run. He suggested that staff incorporate additional language somewhere in the Plan, such as the Transportation Plan Map. Marianne Gardner, PD, DPZ, said staff would consider Commissioner Sargeant's suggestion.

Vice Chairman Alcorn pointed out that the Planning Commission could make follow-on motions to this amendment to address this issue.

Commissioner Flanagan reported that federal stimulus money would fund the widening of Lorton Road from its intersection with Silverbrook Road to Route 123.

Marianne Heddings, 9450 Fourth Place, Lorton, said the community did not have sufficient time to evaluate the proposed amendment. She then asked the following questions:

- 1) Would a model of the proposed development be made available to the community before the decision?
- 2) How did Inova justify the proposed density and was it necessary to add more buildings and move the development closer to Sanger Street?
- 3) Would a map of the new proposal be made available to the residents?

Replying to another question from Ms. Heddings, Mr. Klibaner noted that the Lorton Administrative Center, which was located on Parcel 74, would remain because it was not part of the amendment.

In response to Ms. Heddings's first question, Vice Chairman Alcorn pointed out that since this was a Plan amendment, the specific development plans had not been created yet. Addressing Ms. Heddings's second question, Vice Chairman Alcorn encouraged her to discuss her concerns with staff and Inova and to attend potential community meetings regarding this amendment.

Responding to Ms. Heddings's third question, Ms. Gardner explained that staff had previously displayed a concept map that depicted a massing diagram to illustrate how the buildings might be situated on the site and their relationship to the adjacent neighborhood. She noted that Inova would probably submit a revised rezoning application which Ms. Heddings was welcome to review to help her understand the information contained in the proposal.

Robert Atkins, 9290 McCarty Road, Lorton, President of the Gunston Corner Townhome Homeowners Association, said he had not seen any of the notice signs or received a notification letter regarding this amendment. He noted that his primary concern was the traffic problems associated with the Silverbrook Road/Lorton Road intersection. He strongly recommended that the traffic impact analysis consider the LOS impact on Silverbrook Road and the number of vehicles traveling in and out of the area on a daily basis.

In reply to a question from Vice Chairman Alcorn, Mr. Garcia said the LOS impact on both Silverbrook Road and Sanger Street had been evaluated, noting that Silverbrook Road became Sanger Street after it crossed Lorton Road. Mr. Atkins disagreed with this assessment and said that Silverbrook Road had significantly more traffic than Sanger Street, which eventually dead ended.

Commissioner Flanagan pointed out to Mr. Garcia that Table 2 on page 4 of the Transportation Addendum to the staff report had factored in both southbound and northbound Silverbrook Road, north of Lorton Road. (A copy of the addendum is in the date file.)

Commissioner Sargeant explained that given the professional input concerning the anticipated traffic counts associated with specific ancillary uses on the site, the community should have the opportunity to work with Inova and staff to incorporate recommendations within the Comprehensive Plan regarding the appropriate types of uses.

Commissioner Donahue commented that he was surprised to learn that so many people felt that they had not been given sufficient notice of this amendment.

Commissioner Flanagan commented that since the residents relied heavily on Lorton Road, consideration would be given to what should be allowed to be developed. He noted that the Commission would closely examine the revised transportation analysis. He said he expected that the existing Inova shuttle service would be addressed in the Plan language.

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

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Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON COMPREHENSIVE PLAN AMENDMENT S09-IV-LP2, REGARDING THE INOVA LORTON-SOUTH HEALTHPLEX, TO A DATE CERTAIN OF MARCH 10, 2010, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Sargeant and Litzenberger seconded the motion which carried unanimously with Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

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RZ 2009-DR-016/FDP 2009-DR-016 – MADISON BUILDING ASSOCIATES LLC AND SECOND MADISON BUILDING ASSOCIATES LLC – Appls. to rezone from C-6, CRD, HC, and SC to PDC, CRD, HC, and SC to permit mixed-use development with an overall Floor Area Ratio (FAR) of 1.22 and approval of the conceptual and final development plans. Located on the E. side of Beverly Road, W. side of Old Chain Bridge Road approx. 100 ft. S. of its intersection with Fleetwood Road on approx. 2.66 ac. of land. Comp. Plan Rec: Retail with an option for office and personal storage uses up to 1.25 FAR. Tax Map 30-2 ((4)) (D) 11B and 47A. DRANESVILLE DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Sack Harris & Martin PC, reaffirmed the affidavit dated January 14, 2010. Commissioner Sargeant disclosed that as an employee of Dominion Virginia Power, he would recuse himself from this public hearing because the application made specific references regarding utility undergrounding.

Brenda Cho, Zoning Evaluation Division (ZED), 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 applications.

Mr. Martin reviewed the planning history of the subject property. He stated that the applicant had incorporated into the plan and architectural input received from a subcommittee of the McLean Planning Committee. He described the pedestrian connection, streetscape, design, layout, and five-sided architecture of the proposed development. Mr. Martin reviewed the proffer commitments for achievement of the Silver Level Leadership in Energy and Environmental Design (LEED) certification, installation of underground utilities, removal of utility poles, and widening of utility easements. He noted that the McLean Planning Committee and the McLean Citizens Association (MCA) supported the proposal.

In response to a question from Commissioner Flanagan, Mr. Martin said the revised set of proffers dated February 17, 2010, only included minor revisions and no substantive changes had been made.

Responding to a question from Commissioner Donahue, Mr. Martin noted that the applicant's contribution toward the estimated cost of undergrounding utilities approached a half million dollars.

Vice Chairman Alcorn called the first listed speaker.

Leland Imler, 6800 Fleetwood Road, Unit 1219, McLean, claimed that staff, the applicant, and the advertisement had given incorrect data on the location of the proposed mini-warehouse, noting that it would be located solely on Beverly Road and not Old Chain Bridge Road. He said he was opposed to the application because the requested setback on Beverly Road would not be compatible with the surrounding neighborhood, all the large evergreen trees would be clear cut, and the dedicated parking spaces would be removed. Mr. Imler indicated that approximately 100 residents of his community had signed a petition in opposition to the application. He said he was concerned that very few residents had been aware of the application. (A copy of the petition is in the date file.)

In reply to a question from Vice Chairman Alcorn, Mr. Imler said his main concern was that the proposed building was too large for the parcel of land.

Commissioner Donahue commented that the public hearing on this application had been deferred twice to allow time to inform the community of issues.

Commissioner Hart said he thought that the purpose of the proposed rezoning from the C-6 District to the PDC District was to allow personal storage for apartment dwellers in this location. He added that a building of this size could be built on the site as long as the use was permitted in the C-6 District.

Replying to a question from Commissioner Flanagan, Kristen Abrahamson, ZED, DPZ, noted that the application property consisted of two separate parcels (Parcel 11B and Parcel 47A), which had been consolidated with this rezoning. She explained that Parcel 11B, where the existing office building was located, had frontage along both Beverly Road and Old Chain

Bridge Road, and Parcel 47A, which was the proposed site of the new personal storage use, contained a surface parking lot and had frontage only along Beverly Road.

Louis Freeman, 6800 Fleetwood Road, Unit 1107, McLean, representing the MCA, explained that the MCA had passed a resolution on November 4, 2009, to support the proposal provided that the applicant agreed to the following conditions, which were now included in the revised proffers: 1) Reduce Sunday hours of operation to 9:00 a.m. to 6:00 p.m. and 2) In addition to the 55 dBA Ldn noise limit for the HVAC units, apply a 55 dBA Lmax noise limit at the Beverly Road property line. He expressed concern that the proffered condition of "limited 24 hour access by tenants shall be allowed by appointment only" could easily be abused. He noted that the MCA also supported the proposed mid-block pedestrian crosswalk and associated pedestrian safety improvements. (A copy of the resolution is in the date file.)

Following a brief discussion with Ms. Abrahamson regarding Proffer 30 that required the noise from the HVAC rooftop units not exceed a level of 55 dBA Lmax at the property line along Beverly Road, Commissioner Hart said he expected that the applicant would confirm that this was achievable. Mr. Freeman noted that there were residences located directly across from the property on Beverly Road so it was essential that this condition be included to ensure that these residents would not hear the HVAC units. He said the applicant did not appear to have a problem with this condition.

Maya Huber, 6655 Chilton Court, McLean, noted that she was the Chair of a subcommittee of the McLean Planning Committee that had worked with the applicant on the proposal. She requested that Development Condition Number 1 be deleted because she was opposed a flat rooftop and that Condition Number 3 also be deleted because if the undergrounding of utilities was not possible, she wanted the applicant to meet with the community. She said she supported the application because it would provide an uninterrupted walkway, comply with the preferred streetscape on Old Chain Bridge Road and Beverly Road, and provide substantial pedestrian improvements.

Commissioner Donahue pointed out to Ms. Huber that he would make sure that both Development Condition Numbers 1 and 3 were deleted.

In response to a question from Commissioner Donahue, Ms. Huber noted that the McLean Planning Committee had collaborated with the applicant to ensure that the shape and design of the building would be in conformance with the applicable McLean Community Business Center Design Standards. She said only landscaping, not parking, should be located between the building and the street and that the McLean Planning Committee had been successful in its negotiations with the applicant to obtain an additional five feet of setback.

There being no more speakers, Vice Chairman Alcorn called for a rebuttal statement from Mr. Martin.

Addressing Mr. Imler's remark that there was a lack of community knowledge of the proposal, Mr. Martin said the applicant had engaged in more than seven months of meetings with the community, including the MCA, McLean Planning Committee, and McLean House. He explained that at the meeting with residents of McLean House, both Mr. Imler and his mother were in attendance. He said the applicant had agreed to give preference for renting storage space to residents of McLean House. He indicated that McLean House had not taken an official position on the application.

Mr. Martin responded to questions from Commissioner Hall regarding the ownership of the two parcels and the reciprocal parking agreement between Second Madison Building Associates LLC and Madison Building Associates LLC. Responding to another question from Commissioner Hall, Mr. Martin said Proffer 28 complied with the Zoning Ordinance requirement that the mini-warehouse storage units would not be visible from outside the building and that the proposed spandrel windows would prevent people from seeing inside the building from the outside. Commissioner Donahue confirmed that the applicant had adequately addressed this issue.

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

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Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2009-DR-016, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 17, 2010.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2009-DR-016, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2009-DR-016, THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, AND THE DEVELOPMENT CONDITIONS DATED FEBRUARY 18, 2010, WITH THE DELETION OF CONDITIONS 1 AND 3.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE P-DISTRICT VARIANCE, IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH 8 OF SECTION 16-401 OF THE ZONING ORDINANCE, TO ALLOW THE PROPOSED SECONDARY USES AS PROFFERED TO EXCEED 25 PERCENT OF THE PROPOSED PRINCIPAL USES.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A 20 PERCENT REDUCTION IN REQUIRED PARKING, TO PERMIT 229 SPACES INSTEAD OF 286 SPACES.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE WESTERN PROPERTY LINE, IN FAVOR OF THE PROPOSED LANDSCAPING, AS SHOWN ON THE CDP/FDP.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE BARRIER REQUIREMENTS ALONG ALL PROPERTY LINES OF PARCEL 47A AND ALONG THE WESTERN PROPERTY LINE OF PARCEL 11B, AS SHOWN ON THE CDP/FDP.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRAIL REQUIREMENT ALONG OLD CHAIN BRIDGE ROAD, IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE PERIPHERAL PARKING LOT LANDSCAPING, IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT THE DIRECTOR OF THE

DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES, TO PERMIT A
DEVIATION FROM THE TREE PRESERVATION TARGET PERCENTAGE, IN FAVOR OF
THE PROPOSED LANDSCAPING SHOWN ON THE CDP/FDP.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner
Sargeant recused; Commissioners de la Fe, Harsel, and Murphy absent from the meeting.

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The meeting was adjourned at 11:32 p.m.
Peter F. Murphy, Jr., 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.

Minutes by: Kara A. DeArrastia

Approved on: May 26, 2011

Kara A. DeArrastia, Clerk to the
Fairfax County Planning Commission