

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, MARCH 2, 2006**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
John R. Byers, Mount Vernon District  
Frank A. 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  
Kenneth A. Lawrence, Providence District  
Rodney L. Lusk, Lee District  
Peter F. Murphy, Jr., Springfield District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Ronald W. Koch, Sully District

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The meeting was called to order at 8:20 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

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON PCA 78-C-098-02, GREGOR, LLC, TO A DATE CERTAIN OF MARCH 29, 2006.

Commissioners Byers and Hart seconded the motion which carried unanimously with Commissioners Hopkins and Wilson not present for the vote; Commissioner Koch absent from the meeting.

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ 2005-HM-024, DAVID M. LAUGHLIN AND CHARLOTTE H. LAUGHLIN, TO A DATE CERTAIN OF MAY 11, 2006.

Commissioners Byers and Hart seconded the motion which carried unanimously with Commissioners Hopkins and Wilson not present for the vote; Commissioner Koch absent from the meeting.

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FS-D06-2 - NEW CINGULAR WIRELESS, VDOT Right of Way, 1-495 & Georgetown Pike

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION BY THE DEPARTMENT OF PLANNING AND ZONING, DATED FEBRUARY 1, 2006, THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY NEW CINGULAR WIRELESS PCS, LLC, DOING BUSINESS AS CINGULAR WIRELESS, TO BE LOCATED IN THE VDOT RIGHT OF WAY AT I-495 AND GEORGETOWN PIKE, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2 – 2232 OF THE *CODE OF VIRGINIA*.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioner Koch absent from the meeting.

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FS-S06-1 - OMNIPOINT COMMUNICATIONS, 4035 Ridge Top Road

Commissioner Murphy MOVED THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-S06-1.

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

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FS-S06-3 - T-MOBILE NORTHEAST LLC, 6509 Sydenstricker Road

Commissioner Murphy MOVED THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-S06-3.

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

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SE 2005-MV-024 - PROSPECT DEVELOPMENT CO., INC. (Decision Only)  
(The public hearing on this application was held on February 16, 2006. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Byers MOVED THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2005-MV-024, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MARCH 2, 2006.

Commissioners Hall and Lawrence seconded the motion which carried by a vote of 8-0-2 with Commissioners Hart and Murphy abstaining; Commissioner Wilson not present for the vote; Commissioner Koch absent from the meeting.

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RZ 2005-LE-017 - CHRISTOPHER MANAGEMENT, INC.

FDP 2005-LE-017 - CHRISTOPHER MANAGEMENT, INC. (Decisions Only)

(The public hearing on these applications was held on February 22, 2006. A complete verbatim transcript of the decisions made is in the date file.)

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2005-LE-017 AND THE CDP, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED MARCH 1, 2006.

Commissioners Byers and Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Wilson abstaining; Commissioner Hopkins not present for the vote; Commissioner Koch absent from the meeting.

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2005-LE-017, SUBJECT TO DEVELOPMENT CONDITIONS NOW DATED MARCH 2, 2006 AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2005-LE-017.

Commissioners Byers and Lawrence seconded the motion which carried by a vote of 9-0-1 with Commissioner Wilson abstaining; Commissioner Hopkins not present for the vote; Commissioner Koch absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. SEA 95-M-077 - WINDOWS CATERING COMPANY
2. RZ 2005-PR-023 - THE MOST REVEREND ANDREW PATAKI, BISHOP OF THE EPARCHY CATHOLIC CHURCH OF PASSAIC, NEW JERSEY AND HIS SUCCESSORS IN OFFICE  
SEA 85-P-093 - THE MOST REVEREND ANDREW PATAKI, BISHOP OF THE EPARCHY CATHOLIC CHURCH OF PASSAIC, NEW JERSEY AND HIS SUCCESSORS IN OFFICE
3. PCA 83-P-107-04 - LINCOLN PROPERTY COMPANY SOUTHWEST, INC.  
FDPA 83-P-107-03 - LINCOLN PROPERTY COMPANY SOUTHWEST, INC.

This order was accepted without objection.

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SEA 95-M-077 - WINDOWS CATERING COMPANY - Appl. under Sect. 5-504 of the Zoning Ordinance to amend SE 95-M-077 previously approved for a retail sales establishment to permit the addition of a use permitted by right in the building. Located at 5720 General Washington Dr. on approx. 2.36 ac. of land zoned I-5. Tax Map 80-2 ((15)) 1 and 2. MASON DISTRICT. PUBLIC HEARING.

Jonathan Rak, Esquire, McGuire Woods LLP, reaffirmed the affidavit dated February 8, 2006. There were no disclosures by Commission members.

Commissioner Hall asked Chairman Murphy to ascertain whether there was anyone present who wished to address this application. Receiving no response, Chairman Murphy waived the presentations by the applicant and staff, closed the public hearing, and recognized Commissioner Hall for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SEA 95-M-077 BE APPROVED, SUBJECT TO THE DEVELOPMENT CONDITIONS NOW DATED MARCH 1, 2006.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Hopkins not present for the vote; Commissioner Koch absent from the meeting.

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RZ 2005-PR-023 - THE MOST REVEREND ANDREW PATAKI, BISHOP OF THE EPARCHY CATHOLIC CHURCH OF PASSAIC, NEW JERSEY AND HIS SUCCESSORS IN OFFICE - Appl. to rezone from R-1 and R-2 to R-2 to permit a place of worship with a child care center. Located in the N.W. quadrant of Woodburn Rd. and Hayden La. on approx. 5.88 ac. of land. Comp. Plan Rec: 1-2 du/ac. Tax Map 59-1 ((1)) 21; 59-1 ((7)) 1 and 2. (Concurrent with SEA 85-P-093.) PROVIDENCE DISTRICT.

SEA 85-P-093 - THE MOST REVEREND ANDREW PATAKI, BISHOP OF THE EPARCHY CATHOLIC CHURCH OF PASSAIC, NEW JERSEY AND HIS SUCCESSORS IN OFFICE - Appl. under Sects. 3-104 and 3-204 of the Zoning Ordinance to amend SE 85-P-093 previously approved for a church and child care center with a total enrollment of 140 students to permit construction of a new place of worship and child care center with an increase in seats, an increase in land area, and associated changes in site design and development conditions with no change in enrollment in the child care center. Located at 3410, 3420, and 3424 Woodburn Rd. on approx. 5.88 ac. of land

zoned R-2. Tax Map 59-1 ((1)) 21; 59-1 ((7)) 1 and 2. (Concurrent with RZ 2005-PR-023.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Lubeley, Emrich & Terpak P.C., reaffirmed the affidavit dated December 27, 2005. Commissioner Hart disclosed that although his law firm had a matter pending with Ms. Strobel's law firm, there was no financial relationship and it would not affect his ability to participate in this case.

Stephen Varga, 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 but denial of a waiver of the interior parking lot landscaping requirement.

Ms. Strobel said that the applications would allow construction of a new church building housing a sanctuary with 294 seats, religious education classrooms, additional parking, child care center, and associated site modifications to an existing place of worship, Epiphany of Our Lord Byzantine Catholic Church. She said that although the church population had not significantly increased over the years, the physical structures were aging. Ms. Strobel said the proposed design kept with the traditional architecture of the Byzantine Catholic faith and included important elements for religious practices, such as a pedestrian pathway for processions and a bell tower. She pointed out that the applicant had agreed to limit the duration and the number of times the bell would be rung and had located the tower on the easterly portion of the property, as far from neighbors as possible. Ms. Strobel said the applicant had agreed to make a number of revisions to address staff concerns such as moving the building to maximize tree save and distributing the uses more evenly across the site. She noted that a previous request for a waiver of the interior parking lot landscaping requirement was no longer necessary and the applicant would be able to comply with staff's request to supply the appropriate landscaping, as shown in revised Development Condition Number 11, dated February 28, 2006. Ms. Strobel said the applicant agreed to revisions to Development Condition Number 6 to address staff's traffic concerns and to Development Condition Number 8 to ensure that the rectory would be used only by persons affiliated with the church. In order to comply with Commissioner Wilson's request for a \$500 contribution to a County tree fund, if established, Ms. Strobel said that the non-profit church had limited funds; therefore, a member of the congregation had agreed to provide the money. She explained that the improvements would enhance the facility, increase accessibility for those with disabilities, and mitigate impacts to the surrounding community. Ms. Strobel then asked those in the audience who were in favor of the applications to stand and be recognized by the Planning Commission.

Chairman Murphy called for speakers from the audience and recited rules for testimony before the Commission.

Deacon Elmer Pekarik, 5806 Pamela Drive, Centreville, spoke in favor of the applications stating the architectural design of the proposed church building was important to the proper celebration

of the Byzantine Catholic liturgy. He explained that in 1973, the applicant had erected a building designated as the parish center with a church facility and a social hall which was still in use today; however, the plan was to ultimately build a church according to their traditions. He said that there were only three churches of this faith in the metropolitan Washington area and that the congregation was comprised of 330 families, 210 of which resided in Fairfax County.

Daria Parrell, 3104 Savoy Drive, Fairfax, spoke in favor of the proposed development and said that the church valued green space, maintained the property with adequate natural screening, and had consistently provided use of their space for community groups.

Chris Terpak-Malm, 5145 Pleasant Forest Drive, Centreville, spoke in favor of the applications because it met all the requirements of the Comprehensive Plan and Zoning Ordinances. She said the building committee had worked to address the concerns of staff by adjusting the original design to reduce the size of the church; moving the sanctuary farther from the property line and closer to the existing building; relocating the basement underground so it would appear less massive to the neighbors; adding more green space and preserving many of the larger trees; reducing the amount of paved areas; and moving the handicapped parking area so car headlights and noise would have less of an impact on the surrounding area.

Gregory Kowalski, 6713 Fern Lane, Annandale, spoke in favor of the proposed development stating that the applicant had made concessions to the original plan and had designed a stormwater management system to improve the existing drainage conditions.

Wayne Lee, 10010 Murnane Street, Vienna, spoke in support of the applications and said the parish planning committee and architect had made several major changes to the original design to respond to concerns raised by the staff and had been attentive to the neighbors' issues. Mr. Lee said that bells were used in many religious traditions and that to be sensitive to the surrounding community, the bell tower would be placed at the farthest distance from the neighbors and would ring for a limited period of time.

Anne Pastorkovich, Esquire, 2909 Nutley Street, Fairfax, spoke in support of the applications because they addressed the needs of the neighbors, improved the surrounding area, enhanced the site with high quality tree plantings, and provided a beautiful style of architecture to replace the presently deteriorating physical structure. She said that the proposed increase in seating capacity was warranted.

Monica Koshuta, 2620 Paddock Gate Court, Oak Hill, spoke in favor of the applications because the church was established as a faith community which reflected the culture, architectural designs, traditions, and religious practices of their immigrant forefathers and that through the efforts of the parishioners, the church had made a positive contribution to the County and to the community.

Reverend John Basarab, 3410 Woodburn Road, Annandale, representing the Epiphany of Our Lord Byzantine Catholic Church, spoke in favor of the applications and stated that the applicant had been responsive to the concerns of staff and the needs of the community while trying to be faithful to their religious beliefs as supported by a Vatican directive on the proper traditional style for the church. He asked that the applications be approved for the welfare of the parish and the 200 families that resided in the County and then provided a history of the religion and the church.

Barbara Mosgrave, 8308 Tobin Road, Annandale, said that she lived in the Woodburn Village Condominiums opposite the site and although she had no objection to the proposed development, she did have concerns that the noise from the bells would disturb the residents. She pointed out that the members of the church who had spoken this evening were not from the immediate neighborhood and would not be affected by the sound.

Frank Kotula, 13213 Coralberry Drive, Fairfax, spoke as a member of the parish building committee regarding the sacrifices the church had made to the original plans to comply with staff's requests. He said that by relocating the church, sections of the current handicapped parking spaces and green space would be eliminated. Mr. Kotula added that the classrooms would not have windows since the building relocation situated the basement entirely underground. He said the driveway had originally been designed to alleviate potential traffic problems; however, because staff had expressed concerns about the noise impact on the surrounding communities, the design had been changed.

There being no further speakers, Chairman Murphy called upon Ms. Strobel for a rebuttal statement.

Ms. Strobel said that the decibel level of the bells would be in accordance with the County Noise Ordinance requirements and that the proffers mitigated the impacts of the bell tower by limiting both the duration and time the bells could be rung.

In response to questions from Commissioner Lawrence, Reverend Basarab said the bells would be on electronic timers and would ring for approximately one minute during the morning and evening services at the beginning of the liturgy and then once during the Mass. He added that the bells would also be rung at special events, as requested by the Governor or President, such as the National Day of Prayer and Remembrance for September 11.

In response to a question from Commissioner Alcorn, Mr. Varga said that the bell tower would be approximately 60 feet from Woodburn Road, 144 square feet in size, and 25 feet tall. Regina Coyle, ZED, DPZ, said the applicant's engineer estimated that the distance from the bell tower to the Woodburn Village Condominiums would be approximately 800 feet.

In response to a question from Commissioner Wilson, Ms. Strobel and Father Basarab said that Section 4c of the draft proffers would be corrected to reflect the 8:00 a.m. Sunday service time.

Commissioner Byers said that he felt it necessary to comment that church bells, as well as fire sirens and children playing, were part of urban life and he enjoyed hearing them.

In response to questions from Commissioner Lawrence, Ms. Strobel said Development Condition Number 6 would minimize adverse traffic impacts and Development Condition Number 8 would allow a properly authorized individual, such as a seminarian, in addition to the pastor, to utilize the rectory for a short period of time. Ms. Strobel said the applicant had dropped the request for a waiver of the interior parking lot landscaping requirement and had agreed to do the required landscaping. She confirmed that the proffers would be amended prior to the scheduled Board of Supervisors' public hearing to correct the service time referenced in 4c and to add a \$500 contribution to a County tree fund.

Ms. Coyle said that if the Commission was in agreement with Development Condition Number 8 concerning using the rectory for housing of clergy or caretakers only, as submitted by the applicant, the phrase "in accordance with the Zoning Ordinance" should be added; Ms. Strobel agreed.

In response to a question from Commissioner Harsel, Reverend Basarab said that services were held at 10:00 a.m. daily; 8:00 a.m. and 10:30 a.m. on Sunday; and 7:30 p.m. on certain holy days.

The Commission had no further comments or questions and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and called upon Commissioner Lawrence for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2005-PR-023, CONCURRENT WITH SEA 85-P-093, SUBJECT TO PROFFERS DATED MARCH 1, 2006, AND DEVELOPMENT CONDITIONS DATED MARCH 1, 2006, AS AMENDED THIS EVENING.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Hopkins not present for the vote; Commissioner Koch absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENT ALONG THE NORTHERN, WESTERN, AND THE UNFENCED PORTION OF THE SOUTHERN LOT LINES SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS.

Commissioners Byers and Lusk seconded the motion which carried unanimously with Commissioner Hopkins not present for the vote; Commissioner Koch absent from the meeting.

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The Commission went into recess at 9:44 p.m. and reconvened in the Board Auditorium at 10:00 p.m.

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The next case was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman Byers.

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PCA 83-P-107-04/FDPA 83-P-107-03 - LINCOLN PROPERTY  
COMPANY SOUTHWEST, INC. - Appls. to amend the proffers and final development plan for RZ 83-P-107 previously approved for mixed-use development to permit additional retail and residential uses in lieu of approved office development with an overall Floor Area Ratio (FAR) of 0.47. Located in the N.W. quadrant of the intersection of West Ox Rd. and Monument Dr. on approx. 22.80 ac. of land zoned PDC, HC and WS. Comp. Plan Rec: Fairfax Center Area Office/Mixed Use. Tax Map 46-3 ((1)) 24A. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire with Sack, Harris, & Martin PC reaffirmed the affidavit dated January 3, 2006. There were no disclosures by Commission members.

Aaron Shriber, 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 Murphy, Mr. Shriber said that the original rezoning of the Fairfax Towne Center area had been for a mixed use development consisting of residential, retail, and office components but during the Area Plans Review (APR) cycle in 2001/2002, a Comprehensive Plan Amendment had changed the office component to a mix of residential and retail. He explained that the site had been originally planned for 2 buildings consisting of 480,000 square feet, to be located at the site of the present 202 space temporary surface parking lot; however, the applicant was now proposing a 203,000 square foot building with 169 multifamily dwelling units. Mr. Shriber said in comparison to the original rezoning, this application would drastically decrease trip generation. He explained that the Fairmont Condominiums were part of Fairfax Towne Center but not part of this application. Mr. Shriber stated that the applicant would replace a pedestrian foot path with a portion of an 8-foot wide

trail that would enter the site and connect to an internal sidewalk. He added that there was an extensive network of trails within the site, as well as trail systems along West Ox Road and Monument Drive; however, constructing a continuous trail along Route 50 would be a difficult endeavor and would involve a substantial offsite improvement; therefore, the applicant was requesting a waiver of the trail requirement along portions of Lee Jackson Memorial Highway and West Ox Road. He said that staff and the Trails and Sidewalk Committee were satisfied that the applicant had addressed the issue satisfactorily. He said that the applicant would provide a monetary contribution for further trail development within the Springfield District and staff felt that would be an acceptable alternative.

Mr. Martin said that the application provided for a significant reduction in density and intensity over the previously approved development, was in conformance with the 2001/2002 Area Plans Review, satisfied the Fairfax Center checklist and the residential development criteria, and had the recommendations of the Springfield District Fairfax Center Area Land Use Committee and staff. He said the applicant had met with the Fairmont Condominium Association but due to Zoning Ordinance requirements could not satisfy the association's request for parking. Mr. Martin stated that the association had expressed a concern that the proposed building would create a shadow effect on their condominiums but an extensive shadow study had determined there would be no adverse impact on their units. He said that to address the association's concerns about additional traffic entering their development, the applicant would help with signage and work with staff to reorient Monument Court to allow patrons of the center direct access to the parking garage.

In response to questions from Commissioners Hart and Wilson, Mr. Martin said that although the pool located on the floor above the garage would be shallow, it would be deep enough to swim in. Shamim Ahmadzadegan, architect with SKGI, explained that the pool would be raised to allow for an adequate depth of four feet with sufficient space between the bottom of the pool and the tops of the cars in the garage.

Mr. Shriber, in response to questions from Commissioner Wilson, said that the Springfield District Trails and Sidewalk Committee member and the County Trail Planner supported the construction of a portion of the eight foot wide trail and the monetary contribution to offset the request for a waiver of trail construction.

Responding to a question from Commissioner Harsel, Mr. Martin said that the retail element would not include fast food establishments and that the building would be located behind the Fairfax Towne Center on the surface parking lot site.

After discussions regarding the location and grading of the trail, Commissioner Murphy said that the trail component of the application could be reviewed during the deferral period.

Vice Chairman Byers called the first listed speaker.

Ajay Batra, 4120 Monument Court, #304, Fairfax, President of the Fairmont Condominium Association, said that the proposed development would have an adverse impact on the community and cited concerns about traffic, loss of parking, and loss of sunlight. He said that the addition of retail and residential plus the elimination of 200 parking spaces would exacerbate the current parking problem. Mr. Batra explained that the proposed building would be at a significantly higher elevation than Fairmont thereby blocking the morning sunlight to the residents. He requested a longer deferral period so the association could conduct a shadow study. Mr. Batra said that the applicant should design the building to be level with the Fairmont development, make improvements to the West Ox Road entrance, install signage and a gate at the entrance to the Fairmont community, install a traffic light at Monument Court and Monument Drive, add speed bumps, and add a designated parking area for Fairmont residents. He commented that the original office building proposal would have had fewer traffic impacts.

In response to questions from Commissioner Alcorn, Mr. Batra said that the two buildings originally proposed would be more aesthetically pleasing.

At the request of Commissioner Murphy, Mr. Batra said he would forward a copy of his testimony. (A copy is in the date file.) Commissioner Murphy said that the Land Use Committee had been very enthusiastic about the Plan amendment because the proposed development would be less intense and generate less traffic, and noted that the proffers had a Traffic Demand Management program that would benefit the entire area. He stated that the association's concerns would be reviewed during the deferral period.

In response to a question from Commissioner Hart, Mr. Batra said that his presentation was not an official statement of the association's board and the board had not taken a vote.

Maureen Amendola, 4120 Monument Court, Fairfax, spoke in opposition to the application because of the requested number of waivers, the increased density on a three acre parcel, and increased traffic in an already congested area. She said that the addition of residential and retail, and the deletion of parking spaces would have a negative impact on her community. Ms. Amendola stated that the area's trails were heavily used and the waiver should not be approved. She suggested that signage be installed at Monument Court stating that it was a dead end street and directing traffic into the shopping center.

Hazel Costello, 4130 Monument Court, #103, Fairfax, expressed concerns about the proposed development citing concerns about traffic, the loss of parking spaces, and the potential negative impact on resale values. She explained that there were only 1.7 parking spaces allotted to each Fairmont unit so many residents needed to park in the commercial parking lot; however, the current parking garage was too far away from her development to park and a security concern. Ms. Costello asked that a security guard be provided for the parking garage and parking spaces for Fairmont residents be allocated at the rear of the proposed building. She said that a portion of the wooded area on Monument Court could be used for a parking lot and speed bumps, and that stop signs and traffic lights should be installed.

In response to a question from Commissioner Murphy, Mr. Shriber said that the Zoning Ordinance allowed for parking residential vehicles within a commercial section in a PDC district; however, if the number of parking spaces were reduced, the shopping center would not conform with the Ordinance. Commissioner Murphy said that issue would be reviewed during the deferral period.

Paul Lee, 4130 Monument Court, #304, Fairfax, said that he had safety concerns due to an increase in residential, commercial, and construction traffic.

In response to a question from Commissioner Hall, Mr. Lee said that he was unaware of the proposed development and the potential increase in traffic when he purchased his home. Commissioner Hall said that this area was currently underdeveloped; therefore, since the Plan allowed for development on this site, construction would occur and increased traffic was inevitable.

There being no further speakers, Vice Chairman Byers called upon Mr. Martin for a rebuttal statement.

Mr. Martin said that the required parking for the proposed residential units would be underneath the building. He said that he understood that the upper levels of the current parking garage were usually empty and available for use; however, during the deferral period, the applicant would try to obtain designated surface parking for the Fairmont residents.

Commissioner Murphy asked Mr. Batra to give specific recommendations to the applicant, staff, and Commission so they could be reviewed during the deferral period. He said that the concern about construction traffic would be addressed satisfactorily.

In response to questions from Commissioner Harsel, Mr. Martin said that the proffers were a reaffirmation of the 1983 and 1992 proffers, some of which had previously been satisfied; therefore, the phrase "if not already satisfied by others" had been inserted. He stated that the retail component would use the existing available parking and that the typographical error in Proffer 21 would be corrected to read "site."

Commissioner Alcorn suggested that in the future, Mr. Martin submit more than two-dimensional representations to enhance the visualization of projects.

The Commission had no further comments or questions and staff had no closing remarks; therefore, Vice Chairman Byers closed the public hearing and called upon Commissioner Murphy for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON PCA 83-P-107-04 AND FDPA 83-P-107-03 TO A DATE CERTAIN OF MARCH 16, 2006 WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Hall and Lawrence seconded the motion which carried unanimously with Commissioner Hopkins not present for the vote; Commissioner Koch 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 11:20 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: Susan M. Donovan

Approved on: November 7, 2007

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