

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MARCH 3, 2010**

PRESENT: Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Sully District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large
Earl L. Flanagan, Mount Vernon District
Suzanne F. Harsel, Braddock District

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The meeting was called to order at 8:18 p.m., by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Hart announced that the Environment Committee would meet on Thursday, March 4, 2010, at 7:00 p.m. in the Board Conference Room of the Government Center, to continue discussion on the changes to the strawman draft on the Environmental Quality Corridor Disturbance Policy.

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In Commissioner Alcorn's absence, Commissioner Lawrence announced that the Tysons Corner Committee would meet Thursday, March 11, 2010, at 7:00 p.m. in the Board Auditorium of the Government Center, to receive additional public comments on the draft Tysons Plan.

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Chairman Murphy announced that the Planning Commission would meet on Thursday, March 4, 2010, at 8:15 p.m. in the Board Auditorium of the Government Center, to hold a public workshop on the advertised Fairfax County Capital Improvement Program for Fiscal Years 2011-2015 (with future Fiscal Years to 2020), with briefings from various County agencies.

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FS-P09-193 – T-MOBILE, 2863 Hunter Mill Road

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH STAFF'S DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY COLLOCATION PROPOSED BY T-MOBILE, AT 2863 HUNTER MILL ROAD, IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN," PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Lusk seconded the motion which carried unanimously with Commissioner Hall not present for the vote; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

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FS-P09-81 – CLEARWIRE, 9302 Lee Highway

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH STAFF'S DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY COLLOCATION PROPOSED BY CLEARWIRE, AT 9302 LEE HIGHWAY, IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN," PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioner Hall not present for the vote; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

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- FSA-V07-57-1 – T-MOBILE, 8400 Durga Place
- FS-P09-203 – CLEARWIRE, 8501 Arlington Boulevard
- FS-V09-205 – CLEARWIRE, 8201 Terminal Road
- FS-P09-131 – CLEARWIRE, 2311 Pimmit Drive

Chairman Murphy MOVED CONSENT AGENDA ITEMS FSA-V07-57-1 – T-MOBILE, 8400 Durga Place; FS-P09-203 – CLEARWIRE, 8501 Arlington Boulevard; FS-V09-205 – CLEARWIRE, 8201 Terminal Road; and FS-P09-131 – CLEARWIRE, 2311 Pimmit Drive.

Without objection, the motion carried unanimously with Commissioner Hall not present for the vote; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

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RZ 2009-MA-011/SEA 95-M-039 – WESTLAWN LIMITED PARTNERSHIP

(Decision Only) (The public hearing on these applications was held on February 25, 2010. A verbatim transcript of the decision made is in the date file.)

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2009-MA-011, SUBJECT TO THE EXECUTION OF PROFFERS, CONSISTENT WITH THOSE DATED MARCH 2, 2010.

Commissioner Hart seconded the motion which carried by a vote of 7-0-2 with Commissioners de la Fe and Murphy abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 95-M-039, SUBJECT TO THE DEVELOPMENT CONDITIONS, CONSISTENT WITH THOSE DATED MARCH 2, 2010.

Commissioner Hart seconded the motion which carried by a vote of 7-0-2 with Commissioners de la Fe and Murphy abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENTS TO THE SOUTHWEST ALONG TRIPPS RUN IN FAVOR OF THAT SHOWN ON THE GDP AND SPECIAL EXCEPTION PLAT AND AS PROFFERED.

Commissioner Hart seconded the motion which carried by a vote of 7-0-2 with Commissioners de la Fe and Murphy abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE INTERPARCEL ACCESS TO THE SOUTH ALONG ANNANDALE ROAD.

Commissioner Hart seconded the motion which carried by a vote of 7-0-2 with Commissioners de la Fe and Murphy abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG ROUTE 50 IN FAVOR OF THAT SHOWN ON THE GDP/SE PLAT.

Commissioner Hart seconded the motion which carried by a vote of 7-0-2 with Commissioners de la Fe and Murphy abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE ON-ROAD BIKE LANE ON ROUTE 50.

Commissioner Hart seconded the motion which carried by a vote of 7-0-2 with Commissioners de la Fe and Murphy abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE MINOR PAVED TRAIL ALONG TRIPPS RUN.

Commissioner Hart seconded the motion which carried by a vote of 7-0-2 with Commissioners de la Fe and Murphy abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE PERIPHERAL PARKING LOT LANDSCAPING ADJACENT TO TAX MAP PARCEL 50-1 ((17)) G.

Commissioner Hart seconded the motion which carried by a vote of 7-0-2 with Commissioners de la Fe and Murphy abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE PERIPHERAL PARKING LOT LANDSCAPING ALONG ROUTE 50.

Commissioner Hart seconded the motion which carried by a vote of 7-0-2 with Commissioners de la Fe and Murphy abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

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ORDER OF THE AGENDA

In the absence of Secretary Harsel, Chairman Murphy set the order of the agenda as follows:

1. ST09-IV-S1 – COMPREHENSIVE PLAN AMENDMENT (LOISDALE SPECIAL STUDY)
2. RZ/PRC 2009-HM-014 – RESTON HOSPITAL CENTER LLC
PCA 89-C-025-05 – RESTON HOSPITAL CENTER LLC
DPA 89-C-025-04 – RESTON HOSPITAL CENTER LLC
3. SEA 93-Y-059 – EXXON MOBIL CORPORATION

This order was accepted without objection.

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ST09-IV-S1 – COMPREHENSIVE PLAN AMENDMENT (LOISDALE ROAD SPECIAL STUDY) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. The Loisdale Road Special Study includes approximately 120 acres of land located east of Loisdale Road, west of the CSX railroad tracks, north of Newington Road, and generally south of Loisdale Park, [Tax Map 90-4 ((1)) 4, 5, 6A, 7 (part); 99-2 ((1)) 2A, 2, 3, 5A, 5, 7A, 7, 8], in the Lee Supervisory District. The area is planned for industrial use at an intensity up to .35 FAR. The Loisdale Road Special Study considers office use at an intensity up to .77 FAR on 30 acres, vehicle sales and service, or comparable uses at an intensity up to .10 FAR on 30 acres, and public parks. Recommendations related to the transportation network may also be modified. LEE DISTRICT. PUBLIC HEARING.

Jennifer Lai, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of the proposed amendment.

Commissioner Lusk announced that he would defer the decision on this item after the public hearing and expressed concern about the proposed widening of Loisdale Road and its impact on the nearby Loisdale Estates.

Commissioner Lusk and Jaak Pedak, Transportation Planning Division, Fairfax County Department of Transportation, discussed the installation of a traffic signal on Loisdale Road to address the impact of its future widening on the Loisdale Estates.

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

Cindy Smith, President, Newington Civic Association, 6713 Catskill Road, Lorton, speaking on behalf of Hunter Estates and Hunter Woods, expressed concern that the staff report recommended a level-of-service “E” for the intersection at Loisdale Road and the Fairfax County Parkway. She said the backup at the intersection encouraged cut-through traffic on Newington Road and had resulted in serious accidents. She noted that an existing outdoor storage facility was currently located behind a self-storage facility on Loisdale Road and suggested either replacing it with a more appealing use or providing screening along the front to make it more consistent with the surrounding neighborhood. Ms. Smith added that a fitness center located within the office campus would be beneficial and would mitigate traffic congestion because its members would come from the office buildings and nearby communities. (A copy of Ms. Smith’s statement is in the date file.)

Commissioner Lusk expressed concern about making changes to an existing use, but noted that screening and buffering of the outdoor storage facility might be possible. He added that the developer or building tenant would have to agree to provide an athletic facility.

In response to a question from Commissioner Lusk, Mr. Pedak said that traffic congestion would be a concern at the Newington exchange. He pointed out that the staff report contained no level-of-service recommendation for the intersection at Loisdale Road and the Fairfax County parkway, contrary to what Ms. Smith had stated.

Answering questions from Chairman Murphy, Ms. Gardner questioned whether an athletic facility use would be within the scope of the Amendment. She said such a use could generate more trips making the proposal no longer trip neutral. Commissioner Hart pointed out that many indoor recreation uses required special permit approval.

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

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Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PLAN AMENDMENT ST09-IV-S1 TO A DATE CERTAIN OF MARCH 25, 2010, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN AND ELECTRONIC CORRESPONDENCE.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

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RZ 2009-HM-014 – RESTON HOSPITAL CENTER LLC –
Appl. to rezone from I-5 and C-3 to PRC to permit mixed-use development (including office and medical care facilities) with an overall Floor Area Ratio (FAR) of .70. Located in the N.E. quadrant of the intersection of the Fairfax County Pkwy. and New Dominion Pkwy. and on the W. side of Town Center Pkwy. on approx. 31.65 ac. of land. Comp. Plan Rec: Public Facilities, Government and Institutional, and Residential Planned Community. Tax Map 17-1 ((1)) 0003H1, 17-1 ((1)) 0015B, 17-1 ((1)) 0017, 17-1 ((14)) 101-420, 17-1 ((19)) B, C5 and C6, 17-1 ((19)) 100-412A, 17-1 ((28)) 100-460, as further described by the metes and bounds description provided for RZ 2009-HM-014 available on file at the Department of Planning and Zoning, Zoning Evaluation Division. (Concurrent with PRC 2009-HM-

RZ/PRC 2009-HM-014 – RESTON HOSPITAL CENTER LLC
PCA 89-C-025-05 – RESTON HOSPITAL CENTER LLC
DPA 89-C-025-04 – RESTON HOSPITAL CENTER LLC

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014, PCA 89-C-025-05, and DPA 89-C-025-04.) HUNTER MILL DISTRICT.

PRC 2009-HM-014 – RESTON HOSPITAL CENTER LLC –
Appl. to approve the PRC plan associated with RZ 2009-HM-014 to permit mixed-use development (including office and medical care facilities). Located in the N.E. quadrant of the intersection of the Fairfax County Pkwy. and New Dominion Pkwy. and on the W. side of Town Center Pkwy. on approx. 31.65 ac. of land zoned PRC. Comp. Plan Rec: Public Facilities, Government and Institutional, and Residential Planned Community. Tax Map 17-1 ((1)) 0003H1, 17-1 ((1)) 0015B, 17-1 ((1)) 0017, 17-1 ((14)) 101-420, 17-1 ((19)) B, C5 and C6, 17-1 ((19)) 100-412A, 17-1 ((28)) 100-460, as further described by the metes and bounds description provided for RZ 2009-HM-014 and PRC 2009-HM-014 available on file at the Department of Planning and Zoning, Zoning Evaluation Division. (Concurrent with RZ 2009-HM-014, PCA 89-C-025-05, and DPA 89-C-025-04.) HUNTER MILL DISTRICT.

PCA 89-C-025-05 – RESTON HOSPITAL CENTER LLC – Appl. to amend the proffers for RZ 89-C-025 previously approved for mixed-use development to permit the deletion of land area and associated modifications to site design. Located in the N.E. quadrant of the intersection of Fairfax County Pkwy. and New Dominion Pkwy. on approx. 9.33 ac. of land zoned PRC. Comp. Plan Rec: Public Facilities, Government and Institutional, and Residential Planned Community. Tax Map 17-1 ((1)) 0003H1, 17-1 ((1)) 0015B, 17-1 ((1)) 0017, 17-1 ((14)) 101-420, 17-1 ((19)) B, C5 and C6, 17-1 ((19)) 100-412A, 17-1 ((28)) 100-460, as further described by the metes and bounds description provided for RZ 2009-HM-014 and PCA 89-C-025-05 available on file at the Department of Planning and Zoning, Zoning Evaluation Division. (Concurrent with RZ 2009-HM-014, PRC 2009-HM-014, and DPA 89-C-025-04.) HUNTER MILL DISTRICT.

DPA 89-C-025-04 – RESTON HOSPITAL CENTER LLC –
Appl. to permit the 4th amendment of the Development Plan for RZ 89-C-025 to permit mixed use development (including office and medical care facility) with an overall Floor Area Ratio (FAR) of .70 and associated modifications to site design. Located in the N.E. quadrant of the intersection of Fairfax County Pkwy. and New Dominion Pkwy. on approx. 9.33 ac. of land zoned PRC. Comp. Plan Rec: Public Facilities, Government and Institutional,

and Residential Planned Community. Tax Map 17-1 ((1)) 0003H1, 17-1 ((1)) 0015B, 17-1 ((1)) 0017, 17-1 ((14)) 101-420, 17-1 ((19)) B, C5 and C6, 17-1 ((19)) 100-412A, 17-1 ((28)) 100-460, as further described by the metes and bounds description provided for RZ 2009-HM-014 and DPA 89-C-025-04 available on file at the Department of Planning and Zoning, Zoning Evaluation Division. (Concurrent with RZ 2009-HM-014, PRC 2009-HM-014, and PCA 89-C-025-05.) HUNTER MILL DISTRICT. JOINT PUBLIC HEARING.

Shane Murphy, Esquire, Cooley Godward Kronish LLP, reaffirmed the affidavit dated February 18, 2010. There were no disclosures by the Commissioners.

Commissioner de la Fe explained that a public hearing on these applications had been held on January 7, 2010; however, due to a problem with the advertisement, another public hearing was necessary. Since the original hearing, Commissioner de la Fe pointed out three changes to the proffers: the applicant changed the date of the plans; Proffer 15 made reference to Sheet 3 of the plans; and Proffer 34 clarified that any escalation clause would be consistent with the *Code of Virginia*. In addition, Commissioner de la Fe noted that a new development condition had been added to clarify the role of the Health Care Advisory Board.

Commissioner de la Fe asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2009-HM-014 AND THE ASSOCIATED DEVELOPMENT PLAN, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED JANUARY 12, 2010.

Commissioners Hart and Litzenberger seconded the motion which carried by a vote of 8-0-1 with Commissioner Lawrence abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE PRC 2009-HM-014, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JANUARY 25, 2010.

RZ/PRC 2009-HM-014 – RESTON HOSPITAL CENTER LLC
PCA 89-C-025-05 – RESTON HOSPITAL CENTER LLC
DPA 89-C-025-04 – RESTON HOSPITAL CENTER LLC

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Commissioners Hart and Litzenberger seconded the motion which carried by a vote of 8-0-1 with Commissioner Lawrence abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner de la Fe MOVED THAT THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE PCA 89-C-025-05/DPA 89-C-025-04, SUBJECT TO PROFFERS CONSISTENT WITH THOSE NOW DATED JANUARY 12, 2010.

Commissioners Hart and Litzenberger seconded the motion which carried by a vote of 8-0-1 with Commissioner Lawrence abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT ANY TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE PERIPHERY OF THE SITE BE MODIFIED TO THAT SHOWN ON THE DEVELOPMENT AND PRC PLAN.

Commissioners Hart and Litzenberger seconded the motion which carried by a vote of 8-0-1 with Commissioner Lawrence abstaining; Commissioners Alcorn, Flanagan, and Harsel absent from the meeting.

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SEA 93-Y-059 – EXXON MOBIL CORPORATION – Appl.
under Sect. 7-607 of the Zoning Ordinance to amend SE 93-Y-059 previously approved for a service station, quick service food store, and car wash in a Highway Corridor Overlay District to permit modifications to development conditions. Located at 13825 and 13829 Lee Hwy. on approx. 1.17 ac. of land zoned C-8, HC, SC, and WS. Tax Map 54-4 ((1)) 103A and 104. SULLY DISTRICT. PUBLIC HEARING.

Shauna N. Cunningham, Esquire, Fiske & Harvey, PLLC, reaffirmed the affidavit dated December 9, 2009. There were no disclosures by the Commissioners.

Suzianne Zottl, Zoning Evaluation Department, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of the application.

Ms. Cunningham explained that the applicant sought to expand the types of prepackaged goods and grocery items sold by the store, permission to use a microwave oven, the option to allow

the outside display of food store goods, and the permission to have one additional employee onsite.

In response to a question from Chairman Murphy, Ms. Cunningham said the microwave oven would be used to heat convenience foods.

Chairman Murphy called for speakers but received no response. He noted that rebuttal was not necessary. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Litzenberger for action on these items. (A verbatim transcript is in the date file.)

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Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA 93-Y-059, SUBJECT TO THE CONDITIONS DATED FEBRUARY 16, 2010, WITH THE ADDITION OF A NEW CONDITION NUMBER 15 TO READ AS FOLLOWS: “NUMBER 15: NO OUTDOOR STORAGE OR DISPLAY OF GOODS FOR SALE OR RENT SHALL BE PERMITTED.”

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

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF THE SERVICE DRIVE ALONG LEE HIGHWAY IN FAVOR OF THE EXISTING TRAVEL LANE.

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

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE PROPERTY’S WESTERN LOT LINE IN FAVOR OF THE EXISTING LANDSCAPING.

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

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ADJOURNMENT

March 3, 2010

The meeting was adjourned at 9:17 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, VA 22035.

Minutes by: Jeanette Nord

Approved: June 23, 2011

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