

**MINUTES OF
PLANNING COMMISSION MEETING
MARCH 5, 1992**

PRESENT: David P. Bobzien, Centreville District
John R. Byers, Mount Vernon District
Patrick M. Hanlon, Providence District
Suzanne F. Harsel, Braddock District
Stephen J. Hubbard, Dranesville District
Maya A. Huber, Commissioner At-Large
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
Carl L. Sell, Jr., Lee District
Henry E. Strickland, Mason District
Alvin L. Thomas, Commissioner At-Large

ABSENT: Lawrence C. Baldwin, Commissioner At-Large

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The meeting was convened at 8:25 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Bobzien announced a meeting of the Ad Hoc Committee for the Zoning Ordinance Amendments concerning Commercial and Industrial Districts on Monday, March 9, 1992, at 7:30 p.m. in the Board Conference Room. He noted that the meeting would be open to the public.

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Due to a few issues remaining to be resolved by the applicant, Commissioner Bobzien MOVED TO DEFER THE PUBLIC HEARING ON FDPA-82-C-056-4, SELLS FLOTO, INC., TO THURSDAY NIGHT, MARCH 12, 1992.

Commissioner Koch seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

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Because the applicant was still in the process of working out issues with the citizens and the Lee District Land Use Advisory Committee, Commissioner Sell MOVED THAT THE PUBLIC HEARING ON RZ-91-L-025, WOOLHISER, INC., BE DEFERRED TO APRIL 2, 1992.

Commissioners Byers and Hanlon seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

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Commissioner Byers announced that the Planning Commission was to have heard SE-91-V-043, SOLITE CONCRETE COMPANY tonight, but because the applicant had requested a 30-day deferral, he MOVED THAT THE PUBLIC HEARING ON THAT CASE BE (FURTHER) DEFERRED TO A DATE CERTAIN OF APRIL 22, 1992.

Commissioner Thomas seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

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Chairman Murphy noted that the County Attorney's Office required an applicant's affidavit be complete and proper before the Planning Commission could hear the application. Therefore, he entertained a motion to further defer the public hearing on SEA-86-M-086, Open Arms, Inc., to a date certain of March 12, 1992 to allow time for a clarification from the County Attorney as to how to proceed. Commissioner Strickland SO MOVED.

Commissioner Hanlon seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

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2587-SP-21-3 – THE PRICE CLUB

Commissioner Sell MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT APPROVE THE SITE PLAN FOR THE VIRGINIA 95 BUSINESS PARK, THE PRICE CLUB EXPANSION, IN ACCORDANCE WITH NORMAL PROCEDURES.

Commissioners Byers and Hanlon seconded the motion which passed by a vote of 10-1 with Commissioner Huber opposed; Commissioner Baldwin absent from the meeting.

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SE-91-S-031 – VIRGINIA ELECTRIC AND POWER COMPANY (Decision Only)
(The public hearing on this application was held on January 30, 1992. A complete verbatim transcript of the decision made on this item is included in the date file.)

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SE-91-S-031 BE APPROVED, SUBJECT TO THE

PROPOSED DEVELOPMENT CONDITIONS SET FORTH IN THE LATEST DEVELOPMENT CONDITIONS DATED MARCH 3, 1992.

Commissioner Koch seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

Commissioner Murphy MOVED (THAT) THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE TRANSITIONAL SCREENING REQUIREMENT BE MODIFIED IN FAVOR OF THE EXISTING VEGETATION ON THE SITE, THE LANDSCAPE PLANTINGS SHOWN ON THE SPECIAL EXCEPTION PLAT, AND THE PROPOSED DEVELOPMENT CONDITIONS, SUBJECT TO FINAL APPROVAL OF THE CHIEF OF THE URBAN FORESTRY BRANCH OF DEM.

Commissioner Koch seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

Commissioner Murphy thirdly MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE BARRIER REQUIREMENT BE WAIVED.

Commissioner Koch seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

Commissioner Murphy next MOVED (THAT) THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE PUBLIC FACILITIES MANUAL CUL-DE-SAC RADIUS REQUIREMENT BE MODIFIED TO 35 FEET AS SHOWN ON THE SPECIAL EXCEPTION PLAT.

Commissioner Koch seconded that motion which passed unanimously with Commissioner Baldwin absent from the meeting.

Commissioner Murphy lastly MOVED THAT THE BOARD OF SUPERVISORS DIRECT THE SITE PLAN BE RETURNED TO THE PLANNING COMMISSION PRIOR TO ITS FINAL APPROVAL BY THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT.

Commissioner Koch seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

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SE-91-S-046 – NORTHERN VIRGINIA ELECTRIC COOPERATIVE (Decision Only)
(The public hearing on this application was held on January 30, 1992. A complete verbatim transcript of the decision made on this item is included in the date file.)

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SE-91-S-046 BE APPROVED, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS SET FORTH IN ATTACHMENT 1 OF THE STAFF REPORT DATED FEBRUARY 20, 1992.

Commissioner Koch seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

Commissioner Murphy also MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DIRECT THE SITE PLAN TO BE RETURNED TO PLANNING COMMISSION FOR REVIEW PRIOR TO ITS FINAL APPROVAL BY THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT.

Commissioner Koch seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

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SE-91-P-007 – M. A. MOIENAMIN AND AHMAD MOIENAMIN (Decision Only)
(The public hearing on this application was held on February 27, 1992. A complete verbatim transcript of the decision made on this item is included in the date file.)

Commissioner Hanlon MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-91-P-007, SUBJECT TO THE DEVELOPMENT CONDITIONS THAT WERE DISTRIBUTED TONIGHT BY MISS JAMES WHICH DO NOT CONTAIN A CONTRIBUTION FOR ROAD IMPROVEMENTS IN THIS AREA.

Commissioner Bobzien seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

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PCA-85-D-081 – GKG LIMITED PARTNERSHIP (Decision Only)
(The public hearing on this application was held on January 30, 1992. A complete verbatim transcript of the decision made on this item is included in the date file.)

Commissioner Hubbard MOVED (THAT) THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-85-D-081, SUBJECT TO THE EXECUTION OF PROFFERS DATED FEBRUARY 28, 1992.

Commissioner Hanlon seconded the motion which passed by a vote of 9-1-1 with Commissioner Huber opposed; Commissioner Bobzien abstaining; Commissioner Baldwin absent from the meeting.

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ORDER OF THE AGENDA ITEMS

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

1. SP-90-M-090 – The Washington Sae Han Presbyterian Church
2. PCA-C-448-8 – Kingstowne SVD East, L.P.
FDP-C-448-22 – Kingstowne SVD East, L.P.
3. SE-91-M-040 – Song Bok and Jae Hwa Lee
4. SEA-89-S-058 – Amoco Oil Company

This order was accepted without objection.

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SP-90-M-090 – THE WASHINGTON SAE HAN
PRESBYTERIAN CHURCH – Appl. under Sect.
3-203 of the Zoning Ord. to permit a church & related
facilities on property located at 6901 Columbia Pike on
approx. 1.23 ac. zoned R-2 & HC. Tax Map 60-4((1))
23. MASON DISTRICT. PUBLIC HEARING.

Mr. Mark Mittereder, AIA, with ArchVest, Inc., the architect and agent for the Washington Sae Han Presbyterian Church, reaffirmed the affidavit. There were no disclosures by Commission members.

Mr. Greg Chase, Zoning Evaluation Division (ZED), Office of Comprehensive Planning (OCP), presented the staff report, a copy of which is in the date file. He stated that staff recommended approval of the application.

Mr. Mittereder gave a brief history of the church stating that it consisted of approximately 180 members who were predominately Korean-American. He noted that the size and scale of the proposed structure had been reduced so it would not be intrusive to the residential neighborhood adjoining the property.

Mr. Mittereder said that parking had been a major issue but it was felt to be adequately addressed with the addition of four more spaces for a total of 44. Overflow parking was still a concern by citizens, he pointed out, and with the extension of the service drive through the frontage of both the Mason Lodge and the church's property, it was hoped that that would provide an area for the overflow attendees to park. He cited the two development conditions which addressed the issue: (1) there would be no parking on residential streets and (2) the Columbia Pike access onto the

property with the Mason Lodge would be shared. Mr. Mittereder informed the Commission that the remaining issue was the screening of the site and he said that the landscape architect would outline that more in detail.

Mr. Chris Fremuth, the landscape designer, addressed the screening issue pointing out that their main effort was to create as much screening as possible between the use and the neighboring residences and this was accomplished with the use of a variety of evergreen and deciduous plantings.

Chairman Murphy called for speakers from the audience and outlined the Planning Commission's rules for speakers.

Ms. Louella Black, the President of the Wynfield Civic Association, voiced concern over the already bad traffic congestion in the area and could only assume the church would exacerbate the problem. The other issue of concern, she cited, was the parking problem and it was feared that church goers would surely use her neighborhood's streets to park.

Ms. Cheryl Bugelski, representing the Columbia Pines Citizens Association, stated that it was her association's determination that the addition of another institutional site at the proposed location formed a clearly defined strip of land use along Columbia Pike and its effect was much more detrimental to the surrounding residential areas than would the impact of a single church use. She pointed out that a land use pattern of institutional uses was apparently being enforced where none had been anticipated nor adopted in the current Master Plan and suggested that the Planning Commission explore the land use implications of a third institutional use along Columbia Pike. The issues of a land use precedent, traffic and parking were of major concern, she concluded.

Discussion followed between Commissioner Sell, Commissioner Strickland, Commissioner Harsel, and Mr. Chase about the site's location along Columbia Pike, its access and egress and its location to the Masonic Lodge.

In rebuttal, Mr. Mittereder agreed that the issues raised by the citizens were parking, access and screening, all of which he believed had been satisfactorily addressed. He explained that the access issue had been satisfied by the proffering of full frontage improvements; parking was satisfied by the development condition which obligated the church to enter into a good faith agreement to share parking with the Masonic Lodge; and more screening was being provided than was required. Mr. Mittereder said that there were not many land use options for a lot that size and with its current market value and he believed that an institutional use was appropriate.

In response to Commissioner Strickland's query, Mr. Mittereder said that it was a good possibility that an arrangement could be worked out with the nearby Methodist Church, the Masonic Lodge and the Presbyterian Church for shared parking. In answer to Commissioner

Byers' question regarding whether there currently existed a fence along the side contiguous to the Masonic Lodge, the answer was "no," he replied.

Mr. Joseph Ko, representing the Washington Sae Han Presbyterian Church, clarified for Commissioner Harsel the church's scheduled hours for services and meetings.

In staff's closing comments, Mr. Chase confirmed that there was no fence along the western boundary of the site.

Chairman Murphy closed the public hearing and turned to Commissioner Strickland for action on the case. (Verbatim excerpts may be found in the date file.)

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Following final remarks, Commissioner Strickland MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF ZONING APPEALS THAT IT APPROVE SP-90-M-090, SUBJECT TO THE CONDITIONS WHICH WE'VE DISCUSSED HERE TONIGHT, AMENDED AND DATED MARCH 5, 1992.

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

Commissioner Strickland amended his motion as follows: REVISE THE PROPOSED DEVELOPMENT CONDITION #2 TO CHANGE THE DATE OF THE SPECIAL PERMIT PLAT FROM MARCH 20, 1992 TO MARCH 3, 1992.

This revision was accepted unanimously with Commissioners Hubbard and Huber not present for the vote; Commissioner Baldwin absent from the meeting.

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PCA-C-448-8 – KNGSTOWNE SVD EAST L.P. – Appl. to amend the proffers for RZ-C-448 to permit residential development at a density of 6.44 du/ac. on property located on Greendale Village Dr. approx. 2,000 ft. E. of its intersection with S. Van Dorn St. on approx. 108.87 ac. zoned PDH-4. Comp. Plan Rec: 3-4 du/ac. Tax Maps 81-4((1))pt. 52A; 91-2((1))pt.25A, 29A, 29B, pt.30; 91-2((12))pt.29, 30. (Concurrent with FDP-C-448-22). LEE DISTRICT.

FDP-C-448-22 – KINGSTOWNE SVD EAST L P. – Appl.
to approve the twenty-second final development plan for
RZ-C-448 to permit residential development on property
located on Greendale Village Dr. approx. 2,000 ft. E. of its
intersection with S. Van Dorn St. on approx. 71.55 ac. zoned
PDH-4. Tax Maps 81-4((1))pt.52A; 91--2((1)) pt.25A, 29A,
29B, pt.30. (Concurrent with PCA-C-448-8.) LEE DISTRICT.
JOINT PUBLIC HEARING.

Robert Lawrence, Esquire, with Hazel & Thomas, P.C., representing the applicant, reaffirmed the affidavit. There were no disclosures from Commission members.

Ms. Lorrie Kirst, Zoning Evaluation Division (ZED), Office of Comprehensive Planning (OCP), presented the staff report, a copy of which is in the date file. Because of three outstanding issues, the reduced buffer between the proposed townhouse units and the existing residential units; the addition of more units backing up to the site's northern boundary than had been previously depicted; and the problem of stormwater management and water quality which had been addressed insufficiently by the applicant; staff recommended denial of the application.

Mr. Lawrence stated that the properties' density had been approved in 1985 and the final development plans were subject to the approval of geotechnical review. He explained that, at the time of the original rezoning, the questioned sections had been approved conceptually in that the buffering, the density and the types of units had been set forth and stipulated. He maintained that the applicant had honored his commitment to go through geotechnical review to ascertain the conditions of the steep slopes in the area. Mr. Lawrence explained that the application's redesign was the result of geotechnical review and new Federal Wetland Policies because of the inclusion of wetlands which had not been present on site in 1985. He noted that there was a reduction in density from 7.55 to 6.44 dwelling units per acre (du/ac). Sufficient parking was provided, he said, with the addition of 2.4 spaces per unit up from 2.2 on the original application. Upon completion of meetings with both the Kingstowne Board of Trustees and some adjoining residents which resulted in revisions to their landscaping plan for Section 52, they had the support of the Lee District Land Use Advisory Committee, Mr. Lawrence said. He explained the proffers of Kingstowne noting their detail and consideration to Kingstowne's interrelationship with its surrounding communities. He noted that landscape "zones" had been provided rather than spelling out each of the landscaping plans for the over 50 neighborhoods and those zones were defined in accordance with their locations. It was the developer's contention, Mr. Lawrence maintained, that the issue of BMPs had been satisfied with the development of a stormwater detention lake that cost over \$3,000,000. He added that the law did not require the applicant to provide any more stormwater management because their acreage had already been handled in terms of detention and BMP controls. In conclusion, Mr. Lawrence stated that the application was ready to go forward and he requested the recommendation of approval from the Planning Commission.

During the temporary absence of Chairman Murphy from the room, Vice Chairman Hanlon assumed Chairmanship of the proceedings.

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Discussion followed between Mr. Lawrence and Commissioners Byers, Huber and Sell over the question of the site's steep slopes, the presence of marine clay, the requirement for and results of a geotechnical review and the access through and use of a fire lane at the end of Guilford Drive on a cul-de-sac.

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At this time Chairman Murphy resumed the Chair and he called the first listed speaker.

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Mr. R. Keith Thomas, 6223 Guilford Drive, Alexandria, stated that he had submitted a letter in opposition to the emergency fire lane placed in the cul-de-sac on Guilford Drive, a copy of which is in the date file. He summarized his neighborhood's concerns with the buffering, the fact that the fire lane caused problems for his community, pointing out that there were more direct alternate routes which were closer to the fire station and he noted that Guilford Drive did not connect through to Franconia Road.

Commissioner Bobzien stated for the record that Mr. Thomas was a professional colleague as well as a friend.

Mr. Thomas Paradis, representing the Guilford Community, submitted written testimony, a copy of which is in the date file. The issues of adequate buffering, the requirement of the cul-de-sac, the closeness of a Kingstowne unit's foundation to a Guilford's residence, and the possible safety hazards of a nearby gas pipeline all were cited by Mr. Paradis.

Commissioner Sell commented on the issue of a cul-de-sac and a requirement by the Virginia Department of Transportation (VDOT) stating that VDOT intended to review them on an individual basis.

Mr. James Scott, 6227 Guilford Drive, Alexandria, said his issues of concern were the lack of buffering and the light pole in the cul-de-sac which he and his neighbors had worked hard to have placed and which might have to be taken down if the fire lane were required.

Ms. Margaret Lawrence, 6228 Guilford Drive, Alexandria, voiced concern over a fence being constructed near the fire lane and the pedestrians from the townhouses having to walk down Van Dorn Road or Guilford Drive to go to Franconia Road. She suggested a gate for the fence if the fence was required. Ms. Lawrence also wanted clarification from the builder as to whether or not the trees, which were promised as screening, were to be 10-foot or 15-foot on center.

Mr. Richard Dawson, 5505 Woodway Drive, Alexandria, was concerned over parking along Woodway Drive and an influx of foot traffic and wanted to know what kind of barrier or screening was to be provided along the northwest section of the site.

Mr. Lawrence responded to Ms. Lawrence's question, clarifying that the trees would be 10-foot on center and staggered. He pointed out that the applicant had proffered significant road improvements, over \$14,000,000 in 1985, a large public park, affordable housing units, and housing for the elderly and that these proffers had not been required by Ordinance at that time. He reminded the Commission that the emergency access had been determined in 1985, was only going to be used infrequently and its design, being a double-ended access, resulted in significant environmental benefits because the original loop road design would have been constructed right through wetlands and a sensitive stream valley.

Commissioner Sell requested that Mr. Lawrence address the issue of Unit 383, the provision of a fence and the adequacy of the buffer zone.

In response Mr. Lawrence said that Unit 383 would be relocated to provide more open space and that the applicant would provide a fence along the property line.

Commissioner Sell requested that several more citizens be allowed to address the Commission.

Ms. Geraldine Hein, 5501 Woodway Drive, Alexandria, requested that the applicant provide both a buffer zone with plantings and a fence along Woodway Drive.

In response, Mr. Lawrence assured Ms. Hein's that there would be a 25-foot transitional yard with landscaping as proffered to by Ordinance.

Mr. Hubert Lovell, 6232 Park Terrace, Alexandria, was concerned over the fire lane stating that perhaps it should be moved. He said it was apparent that it was not well known by the fire department because residents have had to go out onto Franconia Road to bring fire trucks into the development when there had been fires. He voiced concern over the buffer zone and the exact placement of the fence.

For staff's closing comments, Mr. Peter Braham, Branch Chief, Special Projects/Applications Management Branch, ZED, OCP, said that staff recognized the density and unit types had been approved in 1985 but some of the features shown had been impacted when the applicant changed the site's layout. He addressed the issue of clearing and grading and pointed out that staff used the original conceptual development plan as a point of comparison. He stated that staff's concern over the issue of stormwater detention was what impact the site's water runoff would have on Dogue Creek, its watershed and Huntley Meadows Park downstream. It was believed the water runoff would travel to inadequate outfall situations, Mr. Braham explained, with resulting impacts within the stream valley and the creation of silts. Staff was not asking the applicant to redesign the stormwater management on the site but wanted some indication that they would address the impact on the stream valley, he said.

Mr. Randall Stouder, Long Range Planning Division (LRPD), OCP, addressed Commissioner Huber's question regarding the impact expected with the location of townhouse units on steep slopes with marine clay and explained that many of the assumptions the Department of Environmental Management (DEM) had made in their 1985 report had questioned the residual friction angle, the narrow search limits for deep seated slope failures, and the actual weight of the townhouses which had not been properly accounted for. Mr. Stouder said that staff was concerned with providing a stable foundation for the units and that there should be a limit on clearing and grading on marine clay and steep slopes. All issues would have to be resolved before the site plan was approved, he said.

Commissioner Sell interjected that any request for a limit of clearing and grading in Kingstowne would require a proffer interpretation to be reviewed first by the Planning Commission, then by the Kingstowne community, then it would be signed off by County staff and the Planning Commission.

There being no further questions nor comments, Chairman Murphy closed the public hearing and recognized Commissioner Sell for action on this case. (Verbatim excerpts may be found in the date file.)

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Following closing comments, Commissioner Sell MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT PCA-C-448-8 BE APPROVED, SUBJECT TO THE DRAFT PROFFERS DATED MARCH 4, 1992, AS SHOWN ON THE PLAN.

Commissioner Thomas seconded the motion which passed by a vote of 4-1-4 with Commissioners Koch, Murphy, Sell and Thomas in favor; Commissioner Huber opposed; Commissioners Bobzien, Byers, Harsel, Hubbard abstaining; Commissioners Hanlon and Strickland not present for the vote; Commissioner Baldwin absent from the meeting.

Commissioner Sell then MOVED THAT FDP-C-44822 BE APPROVED, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MARCH 5, 1992 AS FURTHER AMENDED:

THAT UNIT 383 BE RELOCATED AND THE AREA VACATED BE LEFT AS OPEN SPACE;

THAT A FENCE BE INSTALLED ALONG THE NORTHERN PROPERTY LINE OF BOTH WOODWAY DRIVE AREA AND BERNARD STREET, LOT 53, OVER TO THE ROSE HILL APARTMENTS;

THAT THE LOCATION OF THE FENCE AND THE LANDSCAPING WITH IT BE SUBJECT TO A PLAN THAT WILL BE BROUGHT BACK TO THE PLANNING COMMISSION FOR APPROVAL BEFORE A FINAL SITE PLAN IS APPROVED;

AND DELETE THE FIRE ACCESS.

Commissioner Thomas seconded the motion.

Following discussion, Commissioner Sell WITHDREW HIS EARLIER MOTION AND MOVED TO DEFER THE (DECISION ON THE) FDP UNTIL THURSDAY, MARCH 19, 1992.

Commissioner Bobzien seconded the motion which passed unanimously with Commissioners Hanlon and Strickland not present for the vote; Commissioner Baldwin absent from the meeting.

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The Commission recessed at 11:46 p.m. and reconvened at 11:58 p.m.

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SE-9-M-040 – SONG BOK & JAE HWA LEE – Appl. under Sects. 4-804 & 9-601 of the Zoning Ord. to permit a vehicle major service establishment with a waiver of minimum lot size, lot width & open space requirements on property located at 6304 Little River Tnpk. on approx. 20,912 sq.ft. of land zoned C-8 & HC. Tax Map 72-4((1)) 6C. MASON DISTRICT. PUBLIC HEARING.

John A. DiNucci, Esquire, agent for the applicant, reaffirmed the affidavit. No disclosures were made by the Planning Commission.

Mr. Greg Chase, Zoning Evaluation Division (ZED), Office of Comprehensive Planning (OCP), presented the staff report, a copy of which is in the date file. He stated that staff recommended approval.

Mr. DiNucci addressed the Commission explaining that the application was a request for a special exception to permit the subject property to perform major vehicle service. The prior use, he said, was a Shell Gasoline Station and the change in use necessitated the application. He noted that the request for waiver of the minimum lot size and width was technically not required because the property was subject to the grandfather clause but if the waiver were required, the

fact was that the property, because of its size constraints, would be unusable. Mr. DiNucci said that the applicant was also requesting a waiver of the service drive requirement because the property would be basically cut in half, rendering it unusable, if the widening of Route 236 were to occur. It was the applicant's contention, he said, that the proposed use should be of benefit to the neighborhood and would have less impact than the former, more intense use when it was a gasoline station.

Chairman Murphy noted that there were no listed speakers for the application and asked if there was anyone present who wished to address the case.

Ms. Kathleen Chevalier, President of the Lincolnia Park Civic Association, said that the issues of traffic and appearance were their concerns. She noted that the site had repeatedly had complaints against it for using it as a place to store old and disabled cars which gave it the unattractive appearance of a junk yard. Ms. Chevalier said that the site's owners had been contacted by the County about the special exception procedures which were to be completed before the site could be used for vehicle storage and repair, yet continued violations of the Zoning Ordinance were cited at the Mason District Land Use Task Force meetings of January 6 and February 10, 1992 and her civic association's meeting of January 22, 1992. She stated that each of these meetings were attended by Mr. DiNucci who assured them that the site would be brought up to conformance until the special exception was granted. Only after the Zoning Enforcement Division took action was the Ordinance adhered to, she said. Because the site was too small to accommodate a vehicle major repair service, Ms. Chevalier stated, they were requesting that the Planning Commission deny the application. She also pointed out that there was no oil/grit separator on site which posed a serious ecological threat to Turkey Cock Run and eventually to the Chesapeake Bay.

In rebuttal, Mr. DiNucci noted that, as indicated in the transportation analyses report, the traffic from the proposed use would be less than the prior use when it was a gasoline station. With respect to the site's appearance, he pointed out, the plat indicated that the applicant would provide additional transitional screening on all four sides of the property. Mr. DiNucci assured the Commission that adequate measures would be taken to remove any waste products generated and they would be disposed of in accordance with state, federal and local law. He added that the applicant already had a contract with a waste removal company to have any waste products removed in accordance with the law. Mr. DiNucci said that 25 automobiles were expected to be serviced per day and the applicant would abide by the law as to the number of cars allowed on the site at one time. With respect to cars being currently on site, he said that he was unaware of any and that he had been in contact with the Zoning Enforcement Division four weeks ago and believed that the issues of materials and cars on site had been resolved; anything to the contrary he had not heard to date.

In response to Commissioner Hanlon's question, Mr. Chase said that an oil/grit separator was generally required when there was the presence of a large number of vehicular traffic but staff agreed that the proposed use would not generate sufficient traffic volume to warrant one for that site. He added that the applicant was also required to meet all state and federal requirements for waste containment and disposal.

Commissioner Byers voiced his disagreement with staff's determination saying that he believed more oil would be spilled at a major service center than at other places because oil was spilled when oil was being changed and engines were worked on.

There being no further questions or comments, Chairman Murphy closed the public hearing and turned to Commissioner Strickland for a motion on this application. (Verbatim excerpts are in the date file.)

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After making comments, Commissioner Strickland MOVED THAT SE-91-M-040 BE DEFERRED FOR DECISION ONLY, WITH THE RECORD REMAINING OPEN, TO A DATE OF MAY 20, 1992.

Commissioner Hanlon seconded the motion which passed unanimously with Commissioner Baldwin absent from the meeting.

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Prior to the next case in the Springfield District, Chairman Murphy asked Vice Chairman Hanlon to take the Chair.

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SEA-89-S-058 – AMOCO OIL COMPANY – Appl. under Sect. 4-604 of the Zoning Ord. to amend SE-89-S-058 for a service station & a car wash to permit expansion of the car wash on property located at 9550 Old Keene Mill Rd. on approx. 33,759 sq.ft. of land zoned C-6. Tax Map 88-1((1)) 14A. SPRINGFIELD DISTRICT. PUBLIC HEARING.

John F. Cahill, Esquire, of Hazel & Thomas, P.C., representing the applicant, reaffirmed the affidavit. The Commission members had not disclosures.

Commissioner Murphy requested Vice Chairman Hanlon to ask if there was anyone present who wanted to speak in opposition to the application. There being none, Commissioner Murphy asked to waive the staff report, a copy of which is in the date file, and proceed directly to his motion. There being no objection, Vice Chairman Hanlon waived the public hearing and recognized Commissioner Murphy for action on the case. (Verbatim excerpts are in the date file.)

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After making final remarks, Commissioner Murphy MOVED (THAT) THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SEA-89-S-058, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED FEBRUARY 28, 1992.

Commissioners Bobzien and Byers seconded the motion which passed unanimously with Commissioner Strickland not present for the vote; Commissioner Baldwin absent from the meeting.

Commissioner Murphy ALSO MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT REITERATE THE MODIFICATION OF THE FOLLOWING REQUIREMENTS PREVIOUSLY GRANTED PURSUANT TO APPROVAL OF SE-89-S-058:

1. MODIFICATION OF THE MINIMUM DISTANCE OF A CURB CUT FROM AN INTERSECTION OF 60 FEET TO 54 FEET;
2. MODIFICATION OF THE MINIMUM DISTANCE OF CURB CUTS FROM THE PROPERTY LINE FROM 20 FEET TO 12.5 FEET AND THE MINIMUM DISTANCE BETWEEN CURB CUTS FROM 40 FEET TO 25 FEET;
3. MODIFICATION OF TRANSITIONAL SCREENING REQUIREMENT OF 50 FEET TO 25 FEET ALONG TORRENCE STREET;
4. WAIVER OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG OLD KEENE MILL ROAD;
5. WAIVER OF THE BARRIER REQUIREMENTS ALONG OLD KEENE MILL ROAD TO TORRENCE STREET.

Commissioner Bobzien seconded the motion which passed unanimously with Commissioner Strickland not present for the vote; Commissioner Baldwin absent from the meeting.

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At the conclusion of this case, Vice Chairman Hanlon returned the Chair to Chairman Murphy, who adjourned the meeting.

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ADJOURNMENT

March 5, 1992

The meeting was adjourned at 12:45 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of the meeting, reference may be made to the audio and video recordings which can be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Paula A. McFarland

Approved on: July 30, 1992



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