

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MARCH 7, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:20 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Alcorn noted that the Development Criteria Review Committee met tonight and discussed the upcoming outreach effort relating to development criteria. He said the Committee would meet again on Wednesday, March 13, 2002 at 7:00 p.m. in the Board Conference Room to review draft outreach documents for public comment and discussion.

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Commissioner Alcorn also announced that the Environment Committee would meet on Thursday, March 14, 2002 at 7:30 p.m. in the Board Conference to discuss proposed noise study submission guidelines. He called the Commission's attention to a document in their packets from Ms. Jane Gwinn, Zoning Administrator, dated March 7, 2002 concerning this matter.

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Commissioner Smyth noted that the Policy and Procedures Committee would meet on Wednesday, March 20, 2002 at 7:00 p.m. to discuss affidavit, "feature shown", and Out-of-Turn Plan Amendment procedures.

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Commissioner Wilson MOVED THAT THE ADMINISTRATIVE HEARING ON VC-01-L-199, LAWRENCE DOLL COMPANY, BE DEFERRED TO APRIL 4, 2002.

Commissioner Byers seconded the motion which carried by a vote of 11-0-1 with Commissioner Kelso abstaining.

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Commissioner DuBois MOVED THAT THE DECISION ONLY ON 2232-D01-23, SPRINT PCS, BE FURTHER DEFERRED TO A DATE CERTAIN OF MARCH 20, 2002.

Commissioner Byers seconded the motion which carried by a vote of 11-0-1 with Commissioner Kelso abstaining.

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Chairman Murphy reminded Commissioners that a Capital Improvement Program (CIP) Workshop would be held during the Planning Commission meeting on Wednesday, March 13, 2002. He noted that Mr. Robert Stalzer, Deputy County Executive, would address the Commission at the beginning of the workshop.

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. RZ-2001-MV-039/FDP-2001-MV-039 - LORTON VALLEY EAST L.C.
PCA-2000-MV-057/FDPA-2000-MV-057 - LORTON VALLEY, L.C.
2. PCA-91-W-023-2 - FAIRFAX COUNTY BOARD OF SUPERVISORS
FDPA-91-W-023-3 - FAIRFAX COUNTY BOARD OF SUPERVISORS
3. 456A-M83-21-1 - FAIRFAX COUNTY POLICE DEPARTMENT
4. SE-01-Y-047 - UPPER OCCOQUAN SEWAGE AUTHORITY
2232-Y02-1 - UPPER OCCOQUAN SEWAGE AUTHORITY

This order was accepted without objection.

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RZ-2001-MV-039/FDP 2001-MV-039 - LORTON VALLEY EAST L.C. -
Appls. to rezone from R-1 to PDH-4 to permit residential development at a density of 3.98 du/ac & approval of the conceptual & final development plans on property located generally W. of I-95, E. of Furnace Rd., in the vicinity of the Shirley Acres Subdivision, on approx. 2.26 ac. Comp. Plan Rec: 1-2 du/ac

w/option for 3-4 du/ac. Tax Map 107-3((1))15. (Concurrent w/PCA/FDPA-2000-MV-057.) MT. VERNON DISTRICT.

PCA-2000-MV-057/FDPA-2000-MV-057 - LORTON VALLEY, L.C. -
Appls. to amend the proffers & final development plan for RZ-2000-MV-057 to permit the addition of one ADU at a density of 3.29 du/ac on property located at the S. terminus of 4th Pl., approx. 500 ft. E. of Furnace Rd. on approx. 60.87 ac. zoned PDH-4. Comp. Plan Rec: 1-2 du/ac w/option for 3-4 du/ac. Tax Map 107-3((1))13, 14 & 16. (Concurrent w/RZ/FDP-2001-MV-039.) MT. VERNON DISTRICT. JOINT PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated February 8, 2002. There were no disclosures by Commission members.

Ms. Mary Ann Godfrey, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Martin stated that approval of the applications would allow the subject property to be rezoned and incorporated into the previously approved development known as the Village at Lorton. He said the applicant was also requesting approval to modify the number of affordable dwelling units (ADUs). He explained that there was a growing list of handicapped citizens in the County looking for accessible, affordable units. He said KSI had worked closely with the Fairfax County Redevelopment and Housing Authority (FCRHA) and the Federation of Lorton Communities on the design of the units. He noted that the units would have rear windows, but no rear yards or entrances. He said the applicant had no problem with a development condition requiring a rear privacy yard and entrance, if desired by FCRHA or the architect. Mr. Martin pointed out that the applications had the support of staff, the Lorton Federation of Communities and the Mount Vernon Council, and requested favorable consideration.

Mr. Martin responded to questions from Commissioner Byers about access to the open area in the rear of the units.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was 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 Byers for action on these applications. (A verbatim transcript is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE PCA-2000-MV-057, SUBJECT TO THE PROFFERS NOW DATED FEBRUARY 25, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

Commissioner Byers MOVED THE PLANNING COMMISSION APPROVE FDPA-2000-MV-057, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 28, 2002 AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF PCA-2000-MV-057 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE A WAIVER OF THE PRIVACY YARD REQUIREMENT FOR THE ATTACHED UNITS, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 28, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

Commissioner Byers MOVED THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ-2001-MV-039 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 25, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

Commissioner Byers MOVED THE PLANNING COMMISSION APPROVE FDP-2000-MV-039, SUBJECT TO THE DEVELOPMENT CONDITIONS AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ-2001-MV-039 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD APPROVE A WAIVER OF THE PRIVACY YARD REQUIREMENTS FOR THE ATTACHED UNITS, SUBJECT TO THE DEVELOPMENT CONDITIONS.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

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PCA-91-W-023-2/FDPA-91-W-023-3 - FAIRFAX COUNTY BOARD OF SUPERVISORS - Appls. to amend the proffers & final development plan for RZ-91-W-023 (Fairfax Co. Public Safety Ctr.) to permit public uses w/an overall FAR of 0.76 on property located in the S.W. quadrant of the intersection of Main St. & Chain Bridge Rd. on approx. 26.91 ac. zoned PDC. Comp. Plan Rec: Public Facilities, Govt. & Institutional. Tax Map 57-4((1))14 & 14A. PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Ms. Ellen vanHully-Bronson, Planning and Design Division, Department of Public Works and Environmental Services, reaffirmed the affidavit dated February 12, 2002. There were no disclosures by Commission members.

Mr. Peter Braham, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Commissioner Smyth noted that she would be deferring a decision on these applications to March 14, 2002 to allow time for a redesign of the grade of the sallyport.

Commissioner Alcorn pointed out that although the Public Safety Center was located in the City of Fairfax, it was County property and located in the Providence District.

Ms. vanHully-Bronson stated that the subject applications had been filed as a result of building and site design changes. She said that the proposed expansion of the Public Safety Center would allow for the co-location of the Juvenile and Domestic Relations District Court with the Circuit and General District Courts and the construction of seventeen new courtrooms. In addition, she said the plans included an expansion of the cafeteria, the law library, the offices of the Commonwealth Attorney, the Sheriff and Police Liaison and a new data and telecommunications center and office park for satellite agencies. She explained that in response to building code issues and security concerns, a rectangular- shaped building with a large interior courtyard and a greater setback on Judicial Drive and Chain Bridge Road was now being proposed. She said at the request of the City of Fairfax, a landscaped pavilion would be placed at the corner of Chain Bridge Road and Judicial Drive, as well as a landscaped walkway around Legato School. She said the design change referred to by Commissioner Smyth proposed the removal of the sallyport from an on-grade location to below-grade and that new drawings would be transmitted to the Commission next week. Ms. vanHully-Bronson noted that the City of Fairfax and the surrounding community had been continually briefed on the project. She added that the proposed changes would have a positive impact on the overall design by enhancing the organization and campus-like character of the site and promoting a sense of civic space.

In response to a question from Commissioner DuBois, Ms. VanHully-Bronson said that the lower elevations of the expansion would be in a red brick similar to the old courthouse, with the higher elevations transitioning to a light colored brick matching the existing precast building.

Chairman Murphy called for speakers from the audience.

The Honorable Michael McWeeney, Chief Judge, Fairfax County Circuit Court, stated that the proposed changes in the setback and the footprint of the building had been in response to new security issues. He said the design would enhance the concept of a public safety campus and preserve the historic courthouse. He pointed out that the new design would facilitate traffic flow and access to parking facilities. He urged the Commission to recommend approval of the applications.

The Honorable David Shell, Chief Judge, Fairfax County Juvenile and Domestic Relations Court, said the proposed changes to the design of the building would allow the Juvenile and Domestic Relations Court Clerk's Office and courtrooms to be located on one floor. He said the underground sallyport would provide a greater level of security for juveniles brought to the holding facility and allow them to maintain their dignity. He said approval of the expansion would result in a superior Juvenile and Domestic Relations Court.

The Honorable Michael Cassidy, Judge, Fairfax County General District Court, said the new design of the building was more appropriate to its location and addressed security issues. He said more courtroom space and parking were desperately needed and that the new facility would serve the citizens of Fairfax County in years to come.

There were no further speakers. Ms. vanHully-Bronson declined to make a rebuttal statement. The Commission had no comments or questions and staff had no closing remarks. Therefore, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on these applications. (A verbatim transcript is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION DEFER DECISION ONLY ON PCA-91-W-023-2 AND FDPA-91-W-023-3 TO A DATE CERTAIN OF MARCH 14, 2002.

Commissioners Hall and Wilson seconded the motion which carried unanimously with Commissioner Byers not present for the vote.

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456A-M83-21-1 - FAIRFAX COUNTY POLICE DEPARTMENT - Appl. under provisions of the Code of Virginia Sects. 15.2-2204 & 15.2-2232 to discontinue access for community meetings at the Public Safety Communications Center, formerly known as the Pine Ridge Elementary School, located at 3911 Woodburn Road, Annandale. Tax Map 59-3((1))11B. MASON DISTRICT. (PUBLIC HEARING.)

Mr. David Marshall, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Major Charles Peters, Commander, Technical Services Bureau of the Fairfax County Police Department stated that the Pine Ridge facility currently housed the Public Safety Communications Center, the Operations Support Bureau and the Emergency Management Center. He explained that the removal of the meeting room use would enhance security of the facility and meet the need for additional space.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was 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 Hall for action on this application. (A verbatim transcript is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION FIND 456A-M83-21-1 TO BE SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners Wilson and Koch seconded the motion which carried unanimously with Commissioner Byers not present for the vote.

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SE-01-Y-047 - UPPER OCCOQUAN SEWAGE AUTHORITY - Appl. under Sects. 9-101 & 9-606 of the Zoning Ord. to permit expansion of existing sewage pumping facility located within an existing floodplain on property located at 14631 Compton Rd. on approx. 14.50 ac. zoned R-C & WS. Tax Map 64-2((1))23 & 24. (Concurrent w/2232-Y02-1.) SULLY DISTRICT.

2232-Y02-1 - UPPER OCCOQUAN SEWAGE AUTHORITY - Appl. under Sect. 15.2-2232 of the *Code of Virginia* to permit expansion of existing sewage pumping facility located within an existing floodplain on property located at 14631 Compton Rd. on approx. 14.50 ac. zoned R-C & WS. Tax Map 64-2((1))23 & 24. (Concurrent w/SE-01-Y-047.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Dexter Odin, Esquire, Odin, Feldman and Pittleman, PC, reaffirmed the affidavit dated October 19, 2001. There were no disclosures by staff members.

Ms. Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff report on SE-01-Y-047, a copy of which is in the date file. She noted that

staff recommended approval of the application. Mr. David Jillson, Planning Division, DPZ, presented the staff report on 2232-Y02-1, a copy of which is in the date file. He noted that staff recommended that the application be found to be substantially in accord with the provisions of the adopted Comprehensive Plan.

Mr. Odin explained that the need for the expansion of the existing pumping facility was unquestionable and requested a favorable recommendation.

Ms. Lewis responded to a question from Commissioner Koch about the requested waiver of a trail on the south side of Compton Road immediately adjacent to the subject property.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was 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 Koch for action on this application. (A verbatim transcript is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION FIND THAT THE SUBJECT PROPOSAL BY THE UPPER OCCOQUAN SEWAGE AUTHORITY TO CONSTRUCT IMPROVEMENTS TO THE EXISTING CUB RUN PUMP STATION, LOCATED AT 14631 COMPTON ROAD IN CENTREVILLE, SATISFIES THE CRITERIA OF LOCATION, CHARACTER AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA* AND IS IN SUBSTANTIAL ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers not present for the vote.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE-01-Y-047, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED MARCH 6, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers not present for the vote.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENT ALONG THE NORTH PROPERTY LINE TO THE PROPOSED SINGLE ROW OF TREES AND THE SIX-FOOT HIGH CHAIN LINK FENCE AS DEPICTED ON THE SE PLAT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers not present for the vote.

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The meeting was adjourned at 9:17 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

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

Minutes by: Linda B. Rodeffer

Approved on: September 10, 2003

Mary A. Pascoe, Clerk to the Commission