

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MARCH 21, 2007**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Earl L. Flanagan, Mount Vernon District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District

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The meeting was called to order at 8:26 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 de la Fe announced his intent to move that the Planning Commission accept the withdrawal, at the request of the applicant, of an appeal of a decision made by the Department of Public Works and Environmental Services for the PRC Plan at the Reston Sheraton, scheduled for public hearing on April 4, 2004.

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Commissioner Hart announced that the Planning Commission's Environment Committee would meet at 7:30 p.m., on March 29, 2007, in the Board Conference Room, to receive a presentation by the U. S. Green Building Council on Leadership in Energy and Environmental Design (LEED).

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Commissioner Lusk noted that the Capital Improvement Program (CIP) Committee had met tonight to discuss the Planning Commission's recommendations on the CIP for FY 2008-2012

scheduled for markup on March 29, 2007. He said that he would provide a draft motion to Commissioners prior to that date.

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Commissioner de la Fe MOVED THAT THE PUBLIC HEARING ON RZ 2006-HM-020 AND FDP 2006-HM-020, WINCHESTER HOMES, INC., BE DEFERRED TO A DATE CERTAIN OF MAY 16, 2007.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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Following discussion of outstanding issues with staff, Commissioner de la Fe MOVED THAT THE DECISION ONLY ON RZ 2006-HM-024, SEKAS HOMES, LTD, BE FURTHER DEFERRED TO A DATE CERTAIN OF MARCH 22, 2007.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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Commissioner Lusk MOVED THAT THE DECISION ONLY ON RZ 2006-LE-018, FLEET DRIVE LLC, BE FURTHER DEFERRED TO A DATE CERTAIN OF MARCH 22, 2007, LEAVING THE RECORD OPEN FOR COMMENT.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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Commissioner Koch MOVED THAT THE DECISION ONLY ON SE 2006-SU-024, WOLSELEY INVESTMENTS, INC., BE DEFERRED TO A DATE CERTAIN OF APRIL 4, 2007.

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

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON RZ 2006-PR-013 AND SE 2006-PR-005, WASHINGTON PROPERTY COMPANY, LLC, TO A DATE CERTAIN OF MARCH 29, 2007, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioners Lusk and Sargeant seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following order of the agenda:

1. 2232-P06-22 - FAIRFAX COUNTY PARK AUTHORITY
2. PCA 85-S-013-04 - SULLY STATION, LLC
PCA 84-S-027-07 - SULLY STATION, LLC
FDPA 84-S-027-05 - SULLY STATION, LLC
SEA 01-Y-040 - SULLY STATION, LLC
3. PCA 82-C-060-02 - ATHENA/RENAISSANCE RESTON, LLC
DPA 82-C-060-02 - ATHENA/RENAISSANCE RESTON, LLC

This order was accepted without objection.

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2232-P06-22 - FAIRFAX COUNTY PARK AUTHORITY - Appl. to develop South Railroad Street Park located at South Railroad Street, Dunn Loring. Tax Map 39-4 ((29)) B; 39-4((52)) B, C1, C2, C3, D; 39-4 ((50)) B, C, D, E. Area II. PROVIDENCE DISTRICT. PUBLIC HEARING.

Anita Capps, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff found the application to be substantially in accord with the provisions of the adopted Comprehensive Plan.

Sarah Ridgely, Project Manager, Park Planning Branch, Fairfax County Park Authority, stated that the creation of the South Railroad Street Park had been initiated by the community and that the Park Authority had worked closely with the community and Providence District Supervisor Linda Smyth's office throughout the acquisition and Master Planning process. She noted that the park would be comprised of natural and cultural resource areas, trails, interpretative signs, and a recreational zone with a multiple-use half court, a small playground, and a small picnic area. She pointed out that the W&OD Trail, located three blocks to the south, could be easily accessed from the site and signage and bike racks would enhance the use of the trail. Ms. Ridgeley said that funds through donations and development proffers would implement the first phase of the park and when additional funds became available, other phases would be developed. She said that the park would be accessible by sidewalks and trails and would provide a quiet natural area for the community to enjoy.

Commissioner Lawrence commented that there would be no vehicular access to the park which would be used primarily by young children and that he was pleased to see that bike racks would be provided.

Responding to a question from Commissioner Hart, Ms. Capps said that there would be no temporary or permanent restroom facilities. In response to another question from Commissioner Hart, Ms. Ridgely said that the Virginia Department of Transportation had indicated that at this time they did not want to abandon the right-of-way shown on the plan, but the design of the park could accommodate that eventuality.

Chairman Murphy called the first listed speaker and recited rules for testimony before the Commission.

Laura Lane, 7995 Sandburg Ridge Court, Dunn Loring, President of the Sandburg Ridge Court Homeowners Association and the community coordinator for the park, said that she had started the process to build a much needed park in her community in December 2000. She said a petition had been signed by over 200 people that first year and the County and Supervisor Smyth's office had shown tremendous support for this project. Ms. Lane said that when it had come to her attention that additional funds would be needed, she held an open house which had raised \$11,500 with additional contributions promised. She urged the Commission to act favorably on the application tonight so that groundbreaking could take place soon.

Chairman Murphy commended Ms. Lane for her efforts and said she deserved a round of applause.

Responding to a comment from Commissioner de la Fe, Ms. Lane said that she had filled out an application for a grant to match the funds raised by the community.

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

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION FIND 2232-P06-22 IS IN SUBSTANTIAL ACCORD WITH THE ADOPTED COMPREHENSIVE PLAN.

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

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PCA 85-S-013-04 - SULLY STATION, LLC - Appl. to amend the proffers for RZ 85-S-013 previously approved for commercial development to permit a

drive-in bank with associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.24. Located E. of Westfields Blvd., approx. 400 ft. S. of its intersection with Stonecroft Blvd. on approx. 1.26 ac. of land zoned C-5 and WS. Comp. Plan Rec: Retail and Other. Tax Map 44-3 ((7)) B3 pt. (Concurrent with PCA 84-S-027-07, FDPA 84-S-027-05, and SEA 01-Y-040.) SULLY DISTRICT.

PCA 84-S-027-07/FDPA 84-S-027-05 - SULLY STATION, LLC - Appls. to amend the proffers and final development plan for RZ 84-S-027 previously approved for residential development with accessory retail to permit the addition of a drive-in bank with associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.24. Located E. of Westfields Blvd. S. of Stonecroft Dr. on approx. 13.1 ac. of land zoned PDH-3 and WS. Comp. Plan Rec: Retail and Other. Tax Map 44-3 ((7)) B3 pt. (Concurrent with PCA 85-S-013-04 and SEA 01-Y-040.) SULLY DISTRICT.

SEA 01-Y-040 - SULLY STATION, LLC - Appl. under Sect. 4-504 of the Zoning Ordinance to amend SE 01-Y-040 previously approved for a fast food restaurant to permit addition of a drive-in bank within Sully Station Shopping Center. Located E. of Westfields Blvd. S. of Stonecroft Blvd. on approx. 1.26 ac. of land zoned C-5 and WS. Tax Map 44-3 ((7)) B3 pt. (Concurrent with PCA 85-S-013-04, PCA 84-S-027-07, and FDPA 84-S-027-05.) SULLY DISTRICT. JOINT PUBLIC HEARING.

David Gill, Esquire, with McGuire Woods LLP, reaffirmed the affidavit dated February 8, 2007. Commissioner Hart disclosed that the law firm of Hart and Horan had a client who had engaged Tri-Tek Engineering, Inc., listed on the affidavit; therefore, he was ineligible to participate and recused himself.

William O'Donnell, 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 denial of the applications because the proposed drive-through facility would create unsafe traffic and pedestrian circulation patterns and therefore, was not in harmony with the Comprehensive Plan.

Mr. Gill stated that the plan before the Commission tonight had changed significantly from the original proposal. He said the proposed use would generate two percent less traffic than by-right development. He noted that the applications had received the endorsement of the Western Fairfax County Citizens Association (WFCCA). He disagreed with staff's conclusion that the proposed development would create unsafe traffic patterns. Mr. Gill pointed out that there would be no offsite impacts and improvements to the parking lot, traffic calming measures, and interparcel access would result in better vehicular and pedestrian circulation than by-right development.

Commissioner Koch pointed out that the applications had been presented to WFCCA and the Sully Station Community Association and although the vote had not been unanimous, it had been in the applicant's favor. He noted that Sully District Supervisor Michael Frey believed these applications presented a good opportunity to obtain interparcel access so cars did not have to go out onto the main road to get from one part of the center to the other. Commissioner Koch also said that the proposal would encourage the use of the existing under-utilized rear parking spaces. Mr. Gill noted that a proffer required employees of future leased space to use the rear spaces as part of the lease.

Responding to a question from Commissioner Koch, Mr. Gill said that most likely by-right development would not result in improvements to the traffic pattern.

Commissioner Koch noted that he would be deferring the decision on these applications after the close of the public hearing to allow time to further review staff's rationale for recommending denial of the applications.

In response to a question from Commissioner Lawrence, Mr. O'Donnell said that staff believed the drive-through bank would create pedestrian and vehicular conflicts in an area that had no existing drive-through uses. Responding to another question from Commissioner Lawrence, Mr. Gill said that the plan would create a central lateral aisle dividing the parking allocated to the inline retail uses and the pad sites and that the orientation of the bank pad would segregate parking and discourage cut-through traffic.

Mr. Gill responded to questions from Commissioner Sargeant about parking, noting that the peak hours of the bank would not be the same as those of the neighboring Blue Water Grill Restaurant and the Post Office.

Ms. Abrahamson explained that staff's main concern was adequate, safe, and convenient parking, noting that drive aisles would have to be crossed to get to the bank and the restaurant. She explained that although it was a good idea to locate employee parking in the rear, there would not be enough employees to fill that lot. She noted that staff did not have a problem with the intensity of the uses but removal of parking spaces to accommodate the bank would create competition for spaces convenient to those uses.

Mr. Gill responded that allocation of the parking spaces had been based on actual observations of what spaces were used and when.

In response to a question from Chairman Murphy, Mr. Gill said he would confirm the hours of operation of the bank and incorporate them into a development condition. He explained that the two drive-through aisles would have vacuum tube windows, and if an ATM was provided, it would be next to one of the windows. He said if 24-hour operation of the ATM would be a problem, its use could be limited.

Responding to a question from Commissioner Flanagan, Ms. Abrahamson said that although the number of parking spaces exceeded minimum standards, staff's concern was that they were located in rear of the shopping center in an area that was not heavily utilized or easily accessible. Mr. Gill added that 7 of the required 16 spaces would be adjacent to the bank and persons parking in the 9 spaces not adjacent to the bank would have to cross over an auto-oriented travel lane.

In response to a question from Chairman Murphy about safety of the ATM, Mr. Gill pointed out that it would be located in a drive-through aisle; therefore, customers would not have to get out of their cars.

Responding to questions from Commissioners Lawrence and Harsel, Mr. Gill said he would ensure that development conditions required signage identifying the usage of each drive-through aisle and hours of operation.

There were no listed speakers; therefore, Chairman Murphy called for speakers from the audience.

Leslie Kent, 4355 Donegal Church Court, Chantilly, said he owned a salon in the shopping center and had observed that the parking spaces between the Blue Water Grill and the Post Office were not heavily used either day or night. He said he thought a bank would increase the vitality of the center.

In response to a question from Commissioner Koch, Mr. Kent said the Blue Water Grill's busiest hours were from 11:30 a.m. to 12:30 p.m. and then again at about 5:30 p.m. until closing. Commissioner Koch pointed out that since the bank would be closed during the peak evening hours of the restaurant, some of the parking concerns would be alleviated.

Responding to a question from Chairman Murphy, Mr. Kent said employees could access stores from the rear parking lot and that senior citizens living behind the shopping center used a central walkway from the back of the center to the front.

In response to a question from Commissioner Harsel, Chairman Murphy noted that when the shopping center had been planned in 1984, it had been in the Springfield District. He said drive-through uses had been prohibited simply because there had not been a huge demand for them at that time.

There were no further speakers and Mr. Gill had no rebuttal comments. There were no additional 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 these applications. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY, LEAVING THE RECORD OPEN FOR WRITTEN COMMENT, ON PCA 84-S-027-07, FDPA 84-S-027-05, PCA 85-S-013-04, AND SEA 01-Y-040, SULLY STATION, LLC, TO A DATE CERTAIN OF APRIL 4, 2007.

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

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PCA 82-C-060-02/DPA 82-C-060-02 - ATHENA/RENAISSANCE RESTON, LLC - Appls. to amend the proffers and development plan for RZ 82-C-060 previously approved for residential development at a density of 30.28 dwelling units per acre (du/ac) to permit a change in the site design and multi-family unit type. Located in the N.E. quadrant of the intersection of Temporary Rd. and Reston Pkwy. and on the W. side of North Shore Dr. on approx. 22.99 ac. of land zoned PRC. Comp. Plan Rec: PRC, High Density Residential. Tax Map 17-2 ((1)) 23; 17-2 ((1)) 24; 17-2 ((1)) 24A; 17-2 ((40)) (01) 1-12; 17-2 ((40)) (02) 1-12; 17-2 ((40)) (03) 1-18; 17-2 ((40)) (04) 1-18; 17-2 ((40)) (05) 1-32; 17-2 ((40)) (06) 1-32; 17-2 ((40)) (07) 1-12; 17-2 ((40)) (08) 1-18; 17-2 ((40)) (09) 1-32; 17-2 ((40)) (10) 1-22; 17-2 ((40)) (11) 1-22; 17-2 ((40)) (12) 1-32; 17-2 ((40)) (13) 1-22; 17-2 ((40)) (14) 1-32; and 17-2 ((40)) (15) 1-20. HUNTER MILL DISTRICT. PUBLIC HEARING.

Mark Looney, Esquire, Cooley Godward Kronish LLP, reaffirmed the affidavit dated February 20, 2007. There were no disclosures by Commission members.

Andrew Hushour, 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 denial of the applications due to concerns about the proposed height of the residential high-rise building. He said staff believed that the overall proposed building height was inappropriate within the context of the existing ParcReston development and the adjacent community.

Responding to a question from Commissioner de la Fe, Mr. Hushour said the reason for staff's denial was because the proposed height of the building was not compatible with existing buildings.

Mr. Looney reviewed the history of the subject property, built in the early 1980s as part of Reston's multi-family center near the future Reston Town Center urban core. He said at this time the applicant desired to construct a high-rise building with underground parking on part of the property in lieu of the already approved seven-story mid-rise building. He noted that the number of units would not change. Mr. Looney described design features and amenities and said

proffers, not required under the current approval, would provide affordable/workforce housing and contributions to schools and parks. He said proffers also provided for inter-modal improvements, pedestrian connectivity, bicycle racks, a TDM plan, and enhancements to roads and the tunnel under Reston Parkway. He noted that the Design Review Board of the Reston Planning and Zoning Committee had endorsed a 16-story building but after consultation with staff and the community it had been scaled back to 14 stories. Mr. Looney said the proposal had received the unanimous approval of the Reston Planning and Zoning Committee and that he did not agree staff's assertion that it would not be in keeping with the surrounding area.

Responding to a question from Commissioner Harsel, Mr. Looney said one parking space would be provided with the unit and a second one could be purchased. Mr. Hushour said he believed the parking requirement was 1.6 spaces per unit.

In response to a question from Commissioner Alcorn, Mr. Looney said the reason affordable/workforce housing would not be provided without cost was because the applicant was not requesting an increase in the number of units.

Responding to a question from Commissioner Koch, Mr. Looney said Fairfax County Redevelopment and Housing Authority (FCRHA) would be responsible for monthly assessments as long as they owned the affordable/workforce units.

In response to a question from Commissioner Lawrence, Mr. Looney said he did not think the larger community would be precluded from participation in the TDM program in the future. Commissioner Lawrence suggested that a sentence be included in the proffer to that effect. Commissioner de la Fe pointed out that the TDM proffer called for coordination and assistance with the existing Reston LINK Program, noting that this site was served by the Reston Internal Bus System and commuter buses.

Responding to another question from Commissioner Lawrence, Mr. Hushour said staff's concern about the height of the proposed building was its placement in context with the surrounding community.

In response to a question from Commissioner Flanagan, Mr. Looney said 10 of the affordable units had been conveyed to FCRHA about a year ago. He said the remaining 13 units would be scattered within the development and some would be partially ADA compliant.

Chairman Murphy suggested that a proffer address what type and size of telecommunications facilities could be placed on top of the building. Commissioner de la Fe noted that telecommunications facilities were subject to review by the Reston Association's Design Review Board.

In response to questions from Commissioner Sargeant, Mr. Looney enumerated proposed roadway improvements and said he could add proffer language addressing low impact development techniques and identifying alternative stormwater management techniques.

Chairman Murphy called the first listed speaker.

Ernest Grady, 1719 Wainwright Drive, Reston, President, Wainwright Cluster Association, expressed concern that the proposed development would adversely impact his community and that new high-rise development would change the character of Reston.

Alice Abrash, 11534 Hickory Cluster, Reston, also expressed concern about the affect of new development on "old" Reston and said she feared it would become another "Seven Corners" where high-rise development dwarfed the older stable single family neighborhoods.

Commissioner de la Fe said he understood the speakers' concerns and noted that the same concerns had been expressed many years ago when the Heron House, a high-rise building, had been constructed. He said high-rise buildings had always been part of the plan for Reston.

There were no further speakers; therefore, Chairman Murphy called upon Mr. Looney for rebuttal remarks.

Mr. Looney noted that density would be concentrated in the southwestern corner of the property so that it would not adversely affect the areas to the north and east. He explained that there would still be 360 units, as previously approved, but that they would be in a different configuration. He said under the existing approval, school, park, and affordable housing contributions were not required. He noted that FCRHA was holding the ten units purchased previously and he did not know the long terms plans for them or for the additional 13 units.

Commissioner Alcorn said he supported high-rise development in this area of Reston. Commissioner Flanagan expressed support for the proposal and commended the TDM program.

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 de la Fe for action on these applications. (A verbatim transcript is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 82-C-060-02, SUBJECT TO THE PROFFERS NOW DATED MARCH 21, 2007.

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

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION APPROVE DPA 82-C-060-02, SUBJECT TO THE DEVELOPMENT CONDITION DATED JANUARY 25, 2007 AND THE APPROVAL OF PCA 82-C-060-02 BY THE BOARD OF SUPERVISORS.

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

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE NORTHERN PROPERTY LINE IN FAVOR OF THE EXISTING VEGETATION.

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

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION APPROVE A WAIVER OF THE BARRIER REQUIREMENT ALONG THE NORTHERN PROPERTY LINE.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Hopkins and Lusk not present for the vote; Commissioner Hall absent from 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: Linda B. Rodeffer

Approved on: September 11, 2008

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