

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MARCH 23, 2005**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Ronald W. Koch, Sully District

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The meeting was called to order at 8:25 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Lusk announced that the joint Planning Commission and Redevelopment and Housing Authority Committee would meet at 7:30 p.m. on May 4, 2005, in the Board Conference Room to discuss the Housing Preservation Task Force recommendations and the Housing Trust Fund and its associated projects.

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Commissioner Byers MOVED THAT THE PUBLIC HEARING ON SE 2004-MV-032, KRISTEN BALDWIN AND JAMES B. BALDWIN AND THE BOARD OF SUPERVISORS, BE DEFERRED TO A DATE CERTAIN OF JUNE 16, 2005.

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

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Commissioner Wilson MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON THE PUBLIC FACILITIES MANUAL AMENDMENTS FOR PARKING SPACES, CASH DEPOSITS, AND DRAINAGE DIVIDES, TO A DATE CERTAIN OF APRIL 21, 2005, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Byers and Lusk seconded the motion which carried unanimously with Commissioner Koch absent from the meeting.

Commissioner Wilson MOVED THAT THE BOARD OF SUPERVISORS DEFER ITS PUBLIC HEARING ON THE PUBLIC FACILITIES MANUAL AMENDMENTS, TO A DATE SUBSEQUENT TO THE PLANNING COMMISSION'S DECISION ONLY DATE.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Koch absent from the meeting.

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Commissioner Hall noted that the Policy and Procedures Committee would meet at 7:30 p.m. on Thursday, March 31, 2005, in the Board Conference Room to review the *Citizen's Guide to the 2005-2006 South County Area Plans Review*. She further noted that the draft had been distributed this evening and requested that Commissioners review it prior to the meeting.

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Chairman Murphy reminded the Planning Commission that there were no meetings on Thursday, March 24th and Wednesday, March 30th. He then wished everyone a Happy Easter.

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RZ 2004-LE-026- JCE, INC.

FDP 2004-LE-026 - JCE, INC (Decisions Only)

(The public hearing on these applications was held on March 17, 2005. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2004-LE-026 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS DATED MARCH 23, 2005.

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

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2004-LE-026, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED MARCH 3, 2005 AND CONTAINED IN APPENDIX 2 OF THE STAFF REPORT, AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2004-LE-026 AND THE CONCEPTUAL DEVELOPMENT PLAN.

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

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FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM MARK-UP (Decision Only)
(The public hearing on the Fairfax County Capital Improvement Program was held on March 17, 2005. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE ADVERTISED FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2006 THROUGH 2010, WITH FUTURE YEARS TO 2015, MODIFIED AS FOLLOWS:

THE PLANNING COMMISSION ENCOURAGES THE BOARD OF SUPERVISORS TO TAKE INTO ACCOUNT THE RECOMMENDATIONS OF THE PEDESTRIAN TASK FORCE AS IT REVIEWS AND APPROVES THE FY 2006 CIP.

Commissioners Byers and Hart seconded the motion which carried unanimously with Commissioner Koch absent from the meeting.

Commissioner Lusk ALSO MOVED THAT THE PLANNING COMMISSION REVISE ALL APPROPRIATE TEXT AND THE COST SUMMARIES TABLE IN THE LIBRARIES SECTION TO REFLECT THAT CONSTRUCTION OF BURKE CENTRE LIBRARY WILL COMMENCE IN FY 2006, AS ORIGINALLY ANTICIPATED, AND NOT DELAYED TO FY 2007 DUE TO CONSTRUCTION OF THE NEARBY VRE PARKING STRUCTURE OR INTERIM COMMUTER PARKING USE.

Commissioners Harsel, Hart, and Byers seconded the motion which carried unanimously with Commissioner Koch absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE FUTURE RENEWAL OF THE ANIMAL SHELTER AND ITS FUNDS BE INCLUDED IN THE PROPOSED FALL 2006 PUBLIC SAFETY BOND REFERENDUM.

The Commission as a whole seconded the motion which carried unanimously with Commissioner Koch absent from the meeting.

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FS-V05-2 - OMNIPOINT COMMUNICATIONS (T-MOBILE), 9751 Ox Road

Commissioner Byers MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE “FEATURE SHOWN” DETERMINATION IN FS-V05-2.

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

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RZ 2004-PR-008 - EDGEMOORE LAND, LLC

FDP 2004-PR-008 - EDGEMOORE LAND, LLC (Decisions Only)

(The public hearing on these applications was held on November 17, 2004. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2004-PR-008 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MARCH 23, 2005.

Commissioners Lusk and Byers seconded the motion which carried unanimously with Commissioner Koch absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2004-PR-008, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED MARCH 23, 2005, AND SUBJECT TO THE BOARD OF SUPERVISORS’ APPROVAL OF RZ 2004-PR-008 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioners Lusk and Byers seconded the motion which carried unanimously with Commissioner Koch absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO WAIVE THE FRONTAGE IMPROVEMENTS ALONG THE HUNTER ROAD FRONTAGE OF THE SUBJECT PROPERTY TO CONCUR WITH THE CONCEPTUAL DEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN.

Commissioner Lusk seconded the motion which carried unanimously with Commissioner Koch absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. RZ 2004-MV-030 - LUKEN COMPANY, LC
2. RZ 2004-PR-024/FDP 2004-PR-024 - ANTHONY DEVELOPMENT LTD
3. RZ 2004-SP-027/FDP 2004-SP-027 - RANDOLPH J. BENDER
4. RZ 2004-SP-036 - SEWAN ENTERPRISES, LLC

This order was accepted without objection.

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RZ 2004-MV-030 - LUKEN COMPANY, LC - Appl. to rezone from R-2 to R-3 to permit cluster residential development at a density of 1.90 dwelling units per acre (du/ac). Located on the W. side of Lukens La. and approx. 50 ft. N. of the intersection of Lukens La. and Old Mill Rd. on approx. 3.71 ac. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 110-1 ((1)) 40, 41 and 42. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Paul Wilder and James Turner, both with R.C. Fields Jr. and Associates, Inc., reaffirmed the affidavit dated December 23, 2004. There were no disclosures by Commission members.

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 application.

Mr. Wilder stated that the applicant had met with the Mount Vernon Council of Citizens Associations and citizens in the Mount Vernon area. He indicated that the proposed stormwater management pond was shown conceptually on the site plan and the applicant had reserved the right to request a waiver of the pond. He said the applicant would be willing to meet with the neighbors to provide additional information and address their concerns. Mr. Wilder explained that the applicant had agreed to install a 6-foot board-on-board fence on the south side of the subject property and plant landscaping around the pond to provide screening for the adjacent neighbors. He noted that a split-rail fence would also delineate the subject property from the individual lots and the resource protection area (RPA).

In response to questions from Commissioner Byers, Mr. Wilder said that the applicant had first met with the adjoining neighbors when the subject property began to consolidate but had only contacted the neighbors located to the south last week.

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

Walter Johns, 4900 Old Mill Road, Alexandria, noted that he had not had sufficient time to review the application and site plan.

Belinda Johns, 4900 Old Mill Road, Alexandria, disclosed that she also had not had adequate time to look over the proposal and had not been involved in any of the neighborhood meetings. She expressed concerns about the dry pond and wildlife and inquired about what the options were.

In response to a question from Commissioner Byers, Ms. Johns said she first learned about the proposed development through a letter she had received at work during the first week of March.

Jane Sirieys, 4914 Old Mill Road, Alexandria, presented photographs of North Fork Dogue Creek and her property. She expressed concerns about the proposed pond and described problems it would cause such as additional water runoff onto her property, safety and health risks, and destruction of trees, and suggested that it be moved to the other edge of the area. Ms. Sirieys inquired as to whether the Virginia Department of Game and Inland Fisheries (VDGIF) and the U.S. Fish & Wildlife Service (ISFWS) had been consulted about possible eagle nests on the subject property. She noted that a 12-foot wide, triangular strip of land along the creek ending at Lukens Lane had not been shown on the site plan and asked whether the developer had purchased it.

Ms. Sirieys responded to a question from Commissioner Harsel regarding open space.

Responding to questions from Commissioner Hart, Ms. Sirieys said she did not know where the eagle's nest might be located and drew the strip of land on a map.

Denis Sirieys, 4914 Old Mill Road, Alexandria, noted that the loss of trees would cause the creek to rise more when it rained, which would negatively affect the surrounding properties.

Anita Shifflett, 3804 Great Neck Court, Alexandria, noted that she was a trustee of the Johns' property and said she had not had sufficient time to review the application and site plan. She stated that according to Dr. Brian Watts, Director, Center for Conservation Biology, College of William & Mary, the subject property was located in an eagle conservation area and the VDGIF and ISFWS would need to be notified about the proposed development. Ms. Shifflett expressed concerns about flooding, the proposed dry pond, removal of trees, and survival of new plantings. She then presented photographs of the creek, floodplain, golf course, and the area where the pond would be located.

In response to a question from Commissioner Byers, Ms. Shifflett said she wanted to talk to staff about how the density formula had been applied.

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

Mr. Turner noted that he had reviewed the plans with Joe Shifflett. He then proposed that a meeting with the citizens, Mount Vernon District Supervisor Gerald Hyland's Office, Commissioner Byers, and the Mount Vernon Council of Citizens Associations be convened to address concerns and provide information.

Responding to questions from Commissioner Hall, Mr. Turner said he had verified that nesting eagles were in the Mount Vernon area and the applicant could not build or remove trees in the floodplain or the RPA.

In response to a question from Commissioner Wilson, Mr. Braham explained that the applicant could submit a waiver request for the stormwater management detention requirements, but this would require a separate waiver process in which the applicant would have to submit an engineering justification. He said he had discussed this with Department of Public Works and Environmental Services stormwater management staff, who had indicated that pending analysis, it would not be likely that a waiver would be granted.

Mr. Braham responded to a question from Commissioner de la Fe regarding the Chesapeake Bay Ordinance and the house located in the floodplain.

Responding to a question from Commissioner Byers, Mr. Wilder, co-applicant representative, noted that the trees located along the southern property line had been proffered to be saved.

In response to a question from Commissioner Hart, Mr. Wilder and Mr. Braham said there was no record or evidence of the piece of land identified by Ms. Sirieys.

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 this case. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ 2004-MV-030 TO A DATE CERTAIN OF APRIL 28, 2005, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

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RZ 2004-PR-024/FDP 2004-PR-024 - ANTHONY DEVELOPMENT LTD - Appls. to rezone from R-1 to PDH-4 to permit residential development at a density of 3.08 dwelling units per acre (du/ac) and approval of the conceptual and final development plans and waiver of minimum district size. Located on the W. side of George Washington Rd., approximately 1,400 ft. N. of its intersection with Wolftrap Rd. on approx. 1.31 ac. of land. Comp. Plan Rec: 3-4 du/ac. Tax Map 39-1 ((9)) 39. PROVIDENCE DISTRICT. PUBLIC HEARING.

Roger Bohr, with R.C. Fields Jr. and Associates, Inc., reaffirmed the affidavit dated March 14, 2005. There were no disclosures by Commission members.

Cathy Belgin, 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 applications.

Mr. Bohr stated that a tree study had shown that only four trees, located near the front of the subject property, could be saved. He noted that the proposal provided more open space and landscaping than required. He explained that the applicant reserved the right to request a waiver of best management practices and stormwater detention on-site and if waived, the area would be landscaped and preserved as open space.

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

Thomas Hodge, 8257 George Washington Court, Vienna, spoke in opposition to the application due to concerns about excess drainage, damage to trees, incompatibility with the neighborhood, and safety hazards related to removal of asbestos and other harmful materials. He suggested that a sidewalk be constructed in front of the subject property. (A copy of his remarks is in the date file.)

Craig Gavin, 2025 George Washington Road, Vienna, noted that he lived directly across the street from the subject site and traffic generated by the proposed development would adversely affect the privacy of his home. He expressed opposition to the proposal, citing incompatibility with the surrounding neighborhood in density and layout, loss of trees and open space, uncertainty of whether trash cans and mailboxes would be located in front of his house, absence of a turn-around area on the proposed private road, and lack of notification and site diagrams.

The following speakers also opposed the proposed development, citing lack of harmony with the existing neighborhood, excessive density, severe speeding problems, unsafe conditions, inadequate tree save, insufficient stormwater drainage area, and a noncontiguous sidewalk.

- Doris Uher, 2030 George Washington Road, Vienna
- Kevin Uher, 2030 George Washington Road, Vienna

Mr. Uher submitted his statement in writing, a copy of which is in the date file. He mentioned he had a petition signed by 17 neighbors who opposed the proposed development. (A copy was not submitted for the date file.)

Robert Adams, 2015 Lord Fairfax Road, Vienna, said he had never been approached by the developer of the subject property, even though the developer had been told that he would be interested in selling a piece of land at the rear of his property to make the proposed development larger. He expressed concern about the tree line between his property and the subject property and noted that he had not had enough time to review the application to form a position.

Janet Bradley, 8250 Trailwood Court, Vienna, voiced objection to the proposal, citing excessive density, out-of-place development, and drainage concerns. She requested that the decision be deferred until the residents could meet with the developer and Commissioner Lawrence. (A copy of her remarks is in the date file.)

In response to a question from Commissioner Lawrence, Ms. Bradley said the applicant had not contacted the George Washington Neighborhood Association until this evening.

Ms. Bradley responded to questions from Commissioner Harsel about the open space on lot B and from Commissioner Hart about the average size of homes in the existing neighborhood.

Ms. Belgin responded to questions from Commissioner Hart regarding the waiver of the minimum district size of two acres and tree save in a conventional zoning district and from Commissioner Hall regarding the use of open space on the subject property and the possibility of less than four dwelling units being constructed.

Commissioner Hall then expressed concerns about the requested density and the fact that the owners of the four proposed houses would have to pay for maintenance of the private road. She said that it would not be a good solution for the use of the property.

Ms. Belgin responded to questions from Commissioner Wilson about the reasons for a private street, stormwater management, and bioretention facilities, and from Commissioner Harsel about the maintenance and functions of the bioretention pond.

Dmytro Halkyn, representing the Madrillon Manors Association, 8270 Trailwood Court, Vienna, said he was impressed with the proposed tree save area, but expressed concerns regarding the waiver of the minimum district size of two acres; asbestos hazard; building standards; height, structure, and exterior of and separation between the proposed homes; and drainage. He noted that his property would be adversely affected by the rezoning since it backed up to the subject lot. Mr. Halkyn proposed the following: enforcement of the 25-foot minimum rear yard setback; addition of at least 25 feet of common area with no trees planted for screening to ensure adequate separation between his home and any new construction on the subject property; restoration of trees in the area; installation of a brick wall along the property line between the

subject property and the community; removal of the existing chain-link and barbwire fence from the vines; clearing of scrub brush; and responsibility of the developer to keep construction debris off adjacent properties; and to professionally clean the exterior of the homes and windows.

Robert Singleton, 2024 George Washington Road, Vienna, noted that he had owned the subject property for 28 years. He requested that a condition be added that would allow him to stay on the property for 60 days after it had been rezoned. Chairman Murphy pointed out that the applicant could respond to his request but said it was outside the purview of the Planning Commission to do so.

Kelley Gillespie, 8255 George Washington Court, Vienna, presented photographs of the community and asked that the appearance of the existing community be considered when making a recommendation on the applications.

Omar Khatwa, 8254 George Washington Road, Vienna, voiced objection to the waiver of the minimum district size of two acres and the proposed rezoning because the proposed development would be inconsistent with the surrounding neighborhood. (A copy of his remarks is in the date file.)

There being no additional speakers, Chairman Murphy called for a rebuttal statement from Mr. Bohr.

Mr. Bohr explained that the proposed development would be consistent with the density of the surrounding neighborhood and that setbacks would meet standard subdivision requirements. He said the applicant would agree to build two-story homes with a brick exterior similar to the other homes in the neighborhood. Mr. Bohr explained that if the bioretention facility was waived, the applicant would install a ditch alongside the proposed private road with an inlet at the end to connect into the sewer system, enabling a larger open space area. He noted that a five-foot buffer between the property line and the disturbed area would save trees and that the applicant had worked with the Urban Forester to identify off-site trees.

Commissioner Lawrence requested that Ms. Belgin discuss with Department of Public Works and Environmental Services staff the policy about shifting from regional ponds to stormwater management on-site. He then suggested that Mr. Bohr exchange contact information with members of the community to set up meetings to address their concerns.

Commissioner Hart recommended that Mr. Bohr find out where the garbage cans and mailboxes for the proposed homes would be located.

Responding to a question from Commissioner Hall, Ms. Belgin reported that the minimum district size for a cluster development was from two to three and a half acres and would require special exception approval.

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 Lawrence for action on these cases. (A verbatim excerpt is in the date file.)

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ/FDP 2004-PR-024 TO A DATE CERTAIN OF APRIL 28, 2005, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

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The next two public hearings were in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Secretary Harsel.

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RZ 2004-SP-027/FDP 2004-SP-027 - RANDOLPH J. BENDER -
Appls. to rezone from C-8, R-1 and WS to PDH-2 and WS to permit residential development at a density of 1.98 dwelling units per acre (du/ac) and approval of the conceptual and final development plans. Located on the S. side of Lee Hwy., approx. 500 ft. E. of Holly Ave. and 500 ft. W. of Robertson Farm Ct. on approx. 8.07 ac. of land. Comp. Plan Rec: Fairfax Center Area 1-2 du/ac. Tax Map 56-1 ((1)) 46 and 56-1 ((7)) 1A. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Lizabeth Lee Walther, Esquire, with Henry, O'Donnell, Dahnke & Walther, PC, reaffirmed the affidavit dated December 16, 2004. There were no disclosures by Commission members.

Kristen Crookshank, 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 applications.

In response to a question from Commissioner Hart, Ms. Walther said outlot A had been approved with the Robertson Farm development and could be dedicated as a public street, if needed.

Ms. Walther said the proposed high-quality development would be compatible with the adjacent Robertson Farm community. She noted that the proposal met the requirements of the Route 29 Visibility Study and other transportation objectives through right-of-way dedication, provisions of a service drive, interparcel access, and escrow for construction of a third lane.

Ms. Walther explained that a large stand of trees on the southern portion of the subject site and sufficient treed open space would be preserved and limits of clearing and grading and specific measures to protect off-site trees would be established.

In response to a question from Commissioner Murphy, Ms. Walther agreed to add the sentence, "Furthermore, the Applicant and every builder shall direct its agents and employees involved in the marketing and sale of the residential units on the Subject Property to adhere to this proffer," at the end of Proffer Number 37 depicted in the proffers dated March 23, 2005.

Secretary Harsel called the first listed speaker.

Jonathan Kee, 11808 Robertson Farm Circle, Fairfax, said he wanted to meet with the applicant to address his community's concerns. He expressed opposition to the waiver for construction of the proposed road and suggested that the barbwire fence located in the 15-foot buffer zone be removed.

Commissioner Murphy noted that the applications had been presented to the Springfield District Fairfax Center Area Land Use Committee on December 7, 2004. Mr. Kee responded that he did not attend the meeting because he had not been aware of the applications until recently.

Pong Ko, 11822 Robertson Farm Circle, Fairfax, requested that 50 feet be added to the proposed separation between her property line and the subject property and that more trees be saved. She voiced objection to the number of proposed homes, citing excessive density and lack of privacy.

Chung Kim, 11818 Robertson Farm Circle, Fairfax, noted that her property was adjacent to the service road that would connect her neighborhood with the proposed development. She spoke in opposition the proposal due to the nonexistent need for a side road to adjoin the neighborhoods, increased traffic, and safety hazard.

Assad Mattin, 11812 Robertson Farm Circle, Fairfax, representing the Robertson Farm Homeowners Association's Board of Directors, expressed opposition to the applications, citing safety concerns, loss of trees, and the unnecessary connector road. He said the association would like to meet with the applicant.

Thomas Lee, 11810 Robertson Farm Circle, Fairfax, commented that his community should have been notified earlier about the applications. Commissioner Murphy replied that there had been a citizens meeting and the Robertson Farm community had been notified.

Mr. Lee expressed concerns about the impact of the proposed development on the environment and wildlife. He then responded to questions from Commissioner Wilson about the premium he had paid for his property.

There being no additional speakers, Secretary Harsel called for a rebuttal statement from Ms. Walther.

Ms. Walther indicated that since the applications had been accepted, letters to the adjoining property owners' associations including one to Mr. Kee had been sent. She further indicated that a Fairfax Center Land Use Committee meeting had been held, in which Mr. Mattin and other members of the Robertson Farm Homeowners Association's Board of Directors had been present. She said the applicant would be willing to meet with them again.

Commissioner Murphy noted that Robertson Farm residents should have known that at some time outlot A would connect with their community since it had been identified as an interparcel connection.

Commissioner Wilson requested that the applicant extend a sidewalk or trail around the temporary cul-de-sac.

Ms. Walther responded to questions from Secretary Harsel and Commissioner Wilson regarding the proffered sign at the temporary cul-de-sac.

Ms. Crookshank responded to a question from Commissioner de la Fe regarding Proffer Number 30 related to interparcel access.

Commissioner Wilson suggested that notification about the interparcel access be given to prospective homeowners.

Secretary Harsel called for concluding staff remarks from Ms. Crookshank, who declined.

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

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ/FDP 2004-SP-027 TO A DATE CERTAIN OF APRIL 28, 2005, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

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RZ 2004-SP-036 - SEWAN ENTERPRISES, LLC - Appl. to rezone from R-1 to R-2 to permit residential development at a density of 2.0 dwelling units per acre (du/ac). Located on the E. side of Lee Chapel Rd. directly opposite of Ironmaster Dr., approx. 1,600 ft. S of Old Keene Mill Rd. on approx. 1.01 ac. of land. Comp. Plan Rec: 2-3

du/ac. Tax Map 88-1 ((1)) 28. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Peter Rinek, with The BC Consultants, Inc., reaffirmed the affidavit dated March 7, 2005. There were no disclosures by Commission members.

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

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ 2004-SP-036, SUBJECT TO THE PROFFERS DATED MARCH 22, 2005.

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

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Chairman Murphy resumed the Chair and adjourned the meeting.

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The meeting was adjourned at 11:41 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: Kara A. DeArrastia

Approved on: May 16, 2007

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