

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, APRIL 14, 2004**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank 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
Ronald W. Koch, Sully District
Kenneth Lawrence, Providence District
Rodney L. Lusk, Lee District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:15 p.m. by Vice Chairman John F. Byers, 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 Harsel announced that there would be a Joint Planning Commission/School Board Committee meeting on Wednesday, April 21, 2004, at 7:30 p.m., in the Board Conference Room.

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Commissioner Wilson announced that a workshop on the proposed Zoning Ordinance Amendment on Cluster Subdivisions would take place on Wednesday, April 21, 2004, following the public hearings.

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION DEFER RZ 2003-MA-052 AND SEA 88-L-071, THE TRUSTEES FOR IMMANUEL BIBLE CHURCH, TO A DATE CERTAIN OF APRIL 29, 2004.

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

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ 2003-PR-043 AND FDP 2003-PR-043, VAN METRE LAND LIMITED PARTNERSHIP, TO A DATE CERTAIN OF APRIL 29, 2004.

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

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ 2003-MV-065, BOARD OF SUPERVISORS' OWN MOTION, TO A DATE CERTAIN OF APRIL 21, 2004.

Commissioners Hall and Koch seconded the motion which carried unanimously with Commissioners Alcorn and Wilson not present for the vote; Chairman Murphy absent from the meeting.

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FS-D04-19 – MILESTONE COMMUNICATIONS – 1633 Davidson Road

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION APPROVE "FEATURE SHOWN" APPLICATION FS-D04-19, MILESTONE COMMUNICATIONS, ON BEHALF OF CINGULAR WIRELESS AND T-MOBILE, PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioners Hart and de la Fe seconded the motion which carried unanimously with Commissioners Alcorn and Wilson not present for the vote; Commissioner Murphy absent from the meeting.

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Because the following case was in the Mount Vernon District, Vice Chairman Byers relinquished the Chair to Secretary Harsel.

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RZ 2003-MV-036 ROUBIN ASSOCIATES, L.L.C. AND MARY ANNE PEARSON SANKO REVOCABLE TRUST (Decision Only)

(The Public Hearing on this application was held on March 3, 2004. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE RZ 2003-MV-036, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED APRIL 14, 2004.

Commissioners de la Fe and Hopkins seconded the motion which carried by a vote of 9-0-2 with Commissioners Koch and Wilson abstaining; Commissioner Murphy absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS MODIFY THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE NORTHERN AND WESTERN PROPERTY LINES TO THAT DEPICTED ON THE GDP.

Commissioners de la Fe and Hopkins seconded the motion which carried by a vote of 9-0-2 with Commissioners Koch and Wilson abstaining; Commissioner Murphy absent from the meeting.

Commissioner Byers also MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BARRIER REQUIREMENTS ALONG THE NORTHERN PROPERTY LINE BE MODIFIED TO PERMIT A SEVEN-FOOT HIGH BOARD-ON-BOARD FENCE ALONG PORTIONS OF THIS PROPERTY LINE EXCEPT FOR THE BUILDING FRONTS ON NEWINGTON ROAD.

Commissioners de la Fe and Hopkins seconded the motion which carried by a vote of 9-0-2 with Commissioners Koch and Wilson abstaining; Commissioner Murphy absent from the meeting.

Commissioner Byers further MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS DENY A WAIVER OF THE TRAIL REQUIREMENT ALONG NEWINGTON ROAD.

Commissioners de la Fe, Hart and Hopkins seconded the motion which carried by a vote of 10-0-1 with Commissioner Wilson abstaining; Commissioner Murphy absent from the meeting.

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At the conclusion of this decision, Commissioner Byers resumed the Chair.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda items:

1. APR 01-II-1M – AREA PLANS REVIEW ITEM
2. S03-IV-MV4 – OUT-OF-TURN PLAN AMENDMENT

This order was accepted without objection.

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APR 01-II-1M – AREA PLANS REVIEW ITEM - Appl. to consider revisions to the Adopted Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22, concerning Subarea #1 of the McLean Community Business Center which is located on the southeast corner of Chain Bridge Road and Davidson Road. Subarea #1 (parcels 30-4((1)) 3,3A,4,5,5A,6) is planned for residential use at 8-12 dwelling units per acre. Plan guidance indicates that existing large trees should be preserved, that a central drainage swale should become open space, that there should be full consolidation of remaining parcels and that new development should be compatible in size and appearance with existing townhouses. The Plan Amendment will consider modifying or deleting some or all of these conditions. DRANESVILLE DISTRICT. PUBLIC HEARING.

Clara Quintero Johnson, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the nomination.

Keith Martin, Esquire, Sack, Harris, and Martin, representing the nominator, expressed support for the proposed text amendments.

There were no listed speakers; therefore, Vice Chairman Byers called for speakers from the audience but received no response. There were no comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Hopkins for action. (A verbatim excerpt is in the date file.)

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Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE ALTERNATIVE LANGUAGE THAT MODIFIES THE STAFF RECOMMENDATION BY REVISING THE FIRST SENTENCE TO INDICATE THAT THE LANDSCAPING AND PLANTING OF TREES SHOULD OCCUR IN THE AREA BETWEEN THE PROPOSED DEVELOPMENT AND THE EXISTING STONELEIGH COMMUNITY.

Commissioners de la Fe and Lawrence seconded the motion which carried unanimously with Commissioner Murphy absent from the meeting.

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The following case was in the Mount Vernon District; therefore, Vice Chairman Byers relinquished the Chair to Secretary Harsel.

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S03-IV-MV4 – OUT OF TURN PLAN AMENDMENT – Appl. to consider revisions to the Adopted Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, concerning approx. 1.23 ac. generally located on the east side of Richmond Hwy. between Preston Ave. and East Lee Ave., Tax Map Numbers 93-1 ((18)) (D) 117, 126, 138 and 130 (pt.). The area is partially within the Beacon/Groveton Community Business Center (CBC), Land Unit E, which is planned for townhouse-style office and/or retail use up to a .30 FAR and a maximum height of 35 feet. A portion of the site is in the Memorial Heights Neighborhood Conservation District and the Groveton Community Planning Sector and is planned for residential use at 3-4 du/ac. The Plan Amendment will consider expanding the boundaries of Land Unit E of the Beacon/Groveton CBC to include part of Parcel 130 and all of Parcel 138, increasing the FAR up to .50 and increasing building height up to 45 feet. An option for residential/mixed use development up to .80 FAR will also be considered. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Denise James, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff supported the first option recommending increasing the intensity and building height for townhouse style office and retail development with development conditions. She said, however, staff did not support the option for residential mixed-use development unless appropriate noise mitigation could be achieved.

Commissioner Byers commented that due to the topography of the subject parcel, it was very difficult to develop. He said tonight he had received a report from Polysonics Corporation indicating mitigation of the noise level within Zoning Ordinance requirements could be achieved. (A copy of the report is in the date file).

Secretary Harsel called the first listed speaker and recited the rules for public testimony.

Noor Ahmed, 3003 and 3007 Preston Avenue, Alexandria, spoke in opposition to the amendment because it would have an adverse affect on his property.

Greg Hawes, with Gallifant, Hawes, and Jeffers, Ltd., a surveying firm in Fairfax City, explained that Mr. Ahmed owned property across Preston Avenue from the subject site which he thought might be not developable if a portion of Preston Avenue was vacated. He said Mr. Ahmed was also concerned that several houses under construction to the east were too close to the street.

In response to a question from Secretary Harsel, Ms. James said it was her understanding that Mr. Ahmed had concerns about the proximity of the front yards of the new houses to the right-of-way, the location of the driveways on a "paper" street with no frontage improvements along Preston Avenue, and the dedication for public street right-of-way. Ms. James pointed out,

however, that there was no vacation proposal at this time and that this issue would be reviewed at the time of rezoning.

Responding to a question from Commissioner Hart, Mr. Hawes said Mr. Ahmed was concerned that approval of the nomination would prevent access to his property from Preston Avenue.

In response to a question from Commissioner Wilson, Ms. James said the "paper" street had not been turned over to VDOT but since she was not sure who owned it, she could not say whether the Board of Supervisors or VDOT would be responsible for the vacation of the property.

Responding to a question from Secretary Harsel, Ms. James said that the Fairfax County Department of Transportation did not recommend making Preston Avenue a public through street at this time. Ms. James explained that the houses under construction were by-right development; therefore, no road improvements had been required.

Jane Kelsey, Jane Kelsey and Associates, Inc., said her client, Tasos Design, Inc., had requested that the Board of Supervisor authorize the subject Out-of-Turn Plan Amendment, and if approved, would file a rezoning application. She spoke in support of the amendment which would allow retail, office and residential development.

Responding to a question from Commissioner Hall, Ms. Kelsey said that approval of the amendment and subsequent rezoning of the property would not have an adverse impact on Mr. Ahmed's property. She explained that because Mr. Ahmed would not agree to give the County an easement for the sanitary sewer lines that ran down the middle of Preston Avenue, access to the Tasos property would be via East Lee Street.

In response to questions from Commissioner Hart, Ms. Kelsey said a variance request was pending and if the nomination was approved and all issues had been addressed, the variance request could be withdrawn.

There were no other speakers. The Commission had no further comments or questions and staff had no closing remarks; therefore, Secretary Harsel closed the public hearing and recognized Commissioner Byers for action on this application. (Verbatim excerpts are in the date file.)

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Commissioner Byers MOVED THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE S03-IV-MV4.

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

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Vice Chairman Byers resumed the Chair and adjourned the meeting.

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The meeting was adjourned at 9:17 p.m.

Peter F. Murphy Jr., Chairman

Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Heidi Baggett/Linda Rodeffer

Approved on: November 9, 2006

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