

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, APRIL 14, 2010**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
Frank A. de la Fe, Hunter Mill District  
Jay P. Donahue, Dranesville District  
Earl L. Flanagan, Mount Vernon District  
Suzanne F. Harsel, Braddock District  
Janet R. Hall, Mason District  
James R. Hart, Commissioner At-Large  
Kenneth A. Lawrence, Providence District  
John L. Litzenberger, Sully District

ABSENT: Rodney L. Lusk, Lee District  
Peter F. Murphy, Jr., Springfield District  
Timothy J. Sargeant, Commissioner At-Large

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The meeting was called to order at 8:23 p.m., by Vice Chairman Walter L. Alcorn, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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**COMMISSION MATTERS**

Commissioner Alcorn announced that the Tysons Corner Committee would meet on Thursday, April 15, 2010, at 7:00 p.m., in Conference Rooms 4/5 of the Government Center to continue discussion on the proposed Plan Amendment and Zoning Ordinance Amendment for Tysons.

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Commissioner Alcorn announced that the Planning Commission would hold the public hearing on the Tysons Corner Plan Amendment and Zoning Ordinance Amendment in the Board Auditorium of the Government Center on Wednesday, April 21, 2010. He noted that the meeting would begin at 7:30 p.m. and would go no later than 1:00 a.m..

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**2010 ZONING ORDINANCE AMENDMENT WORK PROGRAM**

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE PROPOSED 2010 ZONING ORDINANCE AMENDMENT WORK PROGRAM BE APPROVED AS CONTAINED IN THE APRIL 9,

2010 MEMORANDUM FROM EILEEN McLANE, DIRECTOR, ZONING ADMINISTRATOR, DEPARTMENT OF PLANNING AND ZONING.

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

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Commissioner de la Fe MOVED THAT THE DECISION ONLY FOR RZ/FDP 2009-HM-019, COMSTOCK RESTON STATION HOLDINGS, LC, BE FURTHER DEFERRED TO A DATE CERTAIN OF APRIL 22, 2010.

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

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FSA-M96-19-3 – VERIZON WIRELESS, 7409 Eastmoreland Road  
FSA-M04-34-1 – T-MOBILE NORTHEAST LLC, 6129 Leesburg Pike

Commissioner Hall RECOMMENDED THAT THE PLANNING COMMISSION CONCUR WITH FSA-M96-19-3, VERIZON WIRELESS, LOCATED AT 7409 EASTMORELAND ROAD AND FSA-M04-34-1, T-MOBILE NORTHEAST LLC, LOCATED AT 6129 LEESBURG PIKE, AND FIND THAT THEY ARE IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD THEREFORE BE CONSIDERED “FEATURES SHOWN,” PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA* AS AMENDED.

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

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S09-CW-1CP – VISUAL & PERFORMING ARTS POLICY PLAN AMENDMENT  
(Decision Only) (The public hearing on this application was held on March 10, 2010. A verbatim transcript of the decisions made is in the date file.)

Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PROPOSED POLICY PLAN AMENDMENT S09-CW-1CP ON THE VISUAL AND PERFORMING ARTS, AS CONTAINED IN ATTACHMENT 1 OF MY MEMO TO THE PLANNING COMMISSION DATED MARCH 31, 2010.

Commissioner Flanagan seconded the motion which carried by a vote of 7-0-2 with Commissioners Alcorn and Harsel abstaining; Commissioners Lusk, Murphy, and Sargeant absent from the meeting.

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SEA 79-V-093-02 – MCDONALD’S CORPORATION (Decision Only)

(The public hearing on this application was held on March 10, 2010. A verbatim transcript of the decision made is in the date file.)

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 79-V-093-02, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED APRIL 14, 2010.

Commissioner Litzenberger seconded the motion which carried by a vote of 7-0-2 with Commissioners Alcorn and Harsel abstaining; Commissioners Lusk, Murphy, and Sargeant absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE PERIPHERAL PARKING LOT LANDSCAPE REQUIREMENTS IN FAVOR OF THAT SHOWN ON THE SEA PLAT.

Commissioner Litzenberger seconded the motion which carried by a vote of 7-0-2 with Commissioners Alcorn and Harsel abstaining; Commissioners Lusk, Murphy, and Sargeant absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE RICHMOND HIGHWAY STREETScape REQUIREMENTS ALONG RICHMOND HIGHWAY AND COOPER ROAD TO THAT SHOWN ON THE SEA PLAT.

Commissioner Litzenberger seconded the motion which carried by a vote of 7-0-2 with Commissioners Alcorn and Harsel abstaining; Commissioners Lusk, Murphy, and Sargeant absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A DEVIATION OF THE TREE PRESERVATION TARGET REQUIREMENTS OF CHAPTER 122 OF THE COUNTY CODE AND THE PUBLIC FACILITIES MANUAL BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND THE URBAN FORESTRY DEPARTMENT.

Commissioner Litzenberger seconded the motion which carried by a vote of 7-0-2 with Commissioners Alcorn and Harsel abstaining; Commissioners Lusk, Murphy, and Sargeant absent from the meeting.

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RZ/FDP 2009-PR-021 – ELM STREET COMMUNITIES, INC. (Decision Only)

(The public hearing on this application was held on March 25, 2010. A verbatim transcript of the decision made is in the date file.)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2009-PR-021, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE NOW DATED APRIL 6, 2010.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-2 with Commissioners Alcorn and Litzenberger abstaining; Commissioners Lusk, Murphy, and Sargeant absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2009-PR-021, SUBJECT TO BOARD APPROVAL OF RZ 2009-PR-021 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-2 with Commissioners Alcorn and Litzenberger abstaining; Commissioners Lusk, Murphy, and Sargeant absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following agenda:

1. 2232-V09-39 – FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS & ENVIRONMENTAL SERVICES
2. PCA/FDPA 2002-PR-016-02 – PARK CREST SPE PHASE I LLC

This order was accepted without objection.

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2232-V09-39 – FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS & ENVIRONMENTAL SERVICES – To construct a replacement vehicle maintenance facility at the site of the existing facility, 6900 Newington Road, Lorton, VA, 22079. Tax Maps 99-2 ((15)) 1; 99-4 ((1)) 17; and Portions of Tax Maps

99-2 and 99-4 (Virginia Department of Transportation right-of-way). Area IV. MOUNT VERNON DISTRICT. PUBLIC HEARING.

David Jillson, 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 that the Planning Commission find the proposal substantially in accord with the provisions of the adopted Comprehensive Plan.

Commissioner Flanagan announced his intent to defer the decision on this application at the end of the public hearing.

Ken Lim, Senior Engineer, III, Department of Public Works and Environmental Services (DPWES), explained that the Newington Department of Vehicle Services (DVS) Maintenance Facility had been approved as part of a 2006 bond referendum, and noted that a feasibility study found that a replacement building on the existing site would ensure the best use and highest value for the available funds. He said the existing facility, built in 1964, had significantly deteriorated and required extensive maintenance and repairs in order to meet current DVS standards. Mr. Lim noted that the service bays would be larger to accommodate today's vehicles and enhance safety, the gross floor area would increase by approximately 30,000 square feet, and the parking area would be expanded by 10 spaces to allow parking for large vehicles. He added that the facility would be designed with a goal of achieving a LEED Silver certification using the latest technologies, design principles, and low impact development guidelines to minimize environmental impacts. Mr. Lim noted that DPWES had proposed a noise barrier to ensure the site would be in compliance with the Noise Ordinance, and improvements to Newington and Cinderbed Roads to improve traffic congestion. He added that the expansion of the facility would be modest and had been discussed at length with the nearby communities.

In response to questions from Commissioner Hart, Mr. Lim said that upon seeing the letter from the Newington Civic Association, a copy of which is in the date file, DPWES commissioned a noise study consultant who found that buses leaving the site in the morning generated noise in excess of the Noise Ordinance. He said the proposed noise barrier would reduce the noise to the County required level and that DPWES was still working with the consultant to find a suitable way to address the issue.

Answering questions from Commissioner Lawrence, Mr. Lim pointed out that operations at the facility would remain unchanged with the construction of the new facility, but said that the proposal to realign Cinderbed Road would ease the current traffic flow and ensure that the intersection met with current Virginia Department of Transportation standards.

Commissioner Flanagan and Mr. Lim discussed traffic problems at the surrounding intersections and changes to the parking lot layout that would protect trees in the nearby Levelle Dupell Park.

When Commissioner Flanagan asked about the noise at the facility, Mr. Lim explained that 160 buses traveled from the site each day and that much of the noise came from the back-up signals on the vehicles, which prompted DPWES to propose a noise barrier adjacent to the park.

In reply to questions from Commissioner Litzenberger, Mr. Lim confirmed that noise levels at the facility were currently in violation of the Noise Ordinance.

Carey Needham, Chief, Building Design Branch, DPWES, clarified that the sound wall would be placed near the property line to mitigate the noise.

In response to questions from Vice Chairman Alcorn, Mr. Jillson explained that due to the size of the project, a 2232 application had been filed instead of a “feature shown” and noted that the existing site was currently split-zoned R-1 and I-5. Mr. Lim added that safety enhancements would be placed in the new larger bays and additional bathrooms would be needed to meet the current standard.

Vice Chairman Alcorn called for speakers from the audience and recited the rules for public testimony.

Lonny Flaharty, 6810 Bulkly Road, Lorton, representing the Newington Civic Association and its President, Cynthia Smith, spoke in opposition to the application. He read a letter from the Newington Civic Association, a copy of which is in the date file, which emphasized the onsite noise and violations of the Noise Ordinance.

Mr. Lim and Commissioner Donahue discussed the existing noise levels and measurement standards. Commissioner Hart pointed out that a 2232 application did not warrant additional noise measurements.

Mr. Needham noted that current background noise extended toward the park and some of the nearby residential lots and was above the 55dBA requirement, and said that the proposed site configuration, with the new building, parking pattern, and proposed sound wall, would significantly reduce the level of noise.

In response to a question from Commissioner Flanagan, Mr. Jillson confirmed that there was no deadline for the completion of the revisions to the existing drawings.

Mr. Needham assured Commissioner Litzenberger that the noise barrier would be erected, as submitted in the plan.

There were no further speakers, no further comments or questions from the Commission, and staff had no closing remarks; therefore, Vice Chairman Alcorn closed the public hearing and recognized Commissioner Flanagan for action on this item. (A verbatim transcript is in the date file.)

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Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR 2232-V09-39, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES, TO A DATE CERTAIN OF MAY 5, 2010, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Lawrence seconded the motion carried unanimously with Commissioners Lusk, Murphy, and Sargeant absent from the meeting.

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PCA 2002-PR-016-02/FDPA 2002-PR-016-02 – PARK CREST SPE PHASE I, LLC – Appls. to amend the proffers, conceptual, and final development plans for RZ 2002-PR-016 previously approved for mixed-use development to permit residential and retail development and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 3.0 and a maximum of 1,354 multi-family dwelling units. Located in the N.W. quadrant of the intersection of West Park Dr. (Rt. 5601) and Park Run Dr. (Rt. 6062) on approx. 13.54 ac. of land zoned PRM. Comp. Plan Rec: Mixed Use. Tax Map 29-4 ((7)) A6, A9; 29-4 ((13)) C1, 102-109, 113-117, 201-219, 301-319, 401-419, 501-519, 601-619, 701-719, 801-819, 901-919, 1001-1019, 1101-1119, 1201-1219, 1301-1319, 1401-1419, 1501-1519, 1601-1619, 1701-1719, 1801, 1802, 1808, 1810, 1812, 1814, 1816, 1818, 1819, 1901, 1902, 1906, 1908, 1910, 1912, 1914, 1916, 1918, and 1919; 29-4 ((14)) C1 and 1C. PROVIDENCE DISTRICT. PUBLIC HEARING.

Lynne Strobel, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavit dated April 2, 2010. Commissioner Hart disclosed that Hart and Horan, PC, had one case pending with Ms. Strobel's law firm but indicated that there was no financial relationship and that it would not affect his ability to participate in this case.

Suzanne Lin, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of the applications.

Commissioner Lawrence announced his intent to defer the decision on these applications at the end of the public hearing.

In response to questions from Commissioner Lawrence, Ms. Lin said that the number of residential units would remain unchanged and that the number of one-bedroom units would remain the same, as originally approved on January 7, 2003.

Ms. Strobel explained that the applicant proposed to build a single 6-story building on a site that had been previously approved for two 13-story buildings and pointed out that there would be no change to the overall number of dwelling units or floor area ratio. She added that the building height would be compatible with existing and proposed development conditions and that the new building footprint would remain essentially unchanged. She pointed out that a previously approved freestanding retail/health building would be eliminated, along with one of the access points on Westpark Drive, to be replaced by a water wall and plaza area with fountains. Ms. Strobel noted that while some of the proffers would be carried forward, several had been updated because the applicant had made a number of significant monetary payments required by the proffers, as well as improvements on the site. Additionally, she said new proffers had been added, such as a nursery for trees which would later be transplanted to other portions of the site; the water wall and plaza; energy conservation and green building techniques; and a transportation demand management program.

In response to questions from Commissioner Lawrence, Ms. Strobel confirmed that the applicant would build according to the elevations provided in the plans; the building height would decrease from 13 stories to 6; the building would be located on an elevated portion of the site; and it would be compatible with surrounding development.

Commissioner Harsel and Ms. Strobel discussed the tree nursery and subsequent transplants, the elimination of the retail/health building and the plaza, and the proposed street grid.

Answering questions from Commissioner Hart, Ms. Strobel confirmed that the applicant had removed the sweetgum trees as requested in the memorandum from Todd Nelson, dated March 15, 2010, Appendix 7 of the staff report. With regard to the memorandum from Fairfax County Public Schools, dated April 8, 2010, Ms. Strobel noted that the original application had been approved prior to the adoption of the school formula and explained that since the applicant did not intend to change the number of units or the density of the site, the amount offered by the applicant should be appropriate. (Copies of both memoranda are in the date file.)

Additional discussion ensued regarding the proposed new building, the number and types of units, and contributions made by the applicant.

In reply to a question from Commissioner Flanagan, Ms. Strobel reiterated that one 6-story building would be erected instead of the previously approved two 13-story buildings.

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

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PCA/FDPA 2002-PR-016-02, PARK CREST SPE PHASE I, LLC, TO A DATE CERTAIN OF APRIL 22, 2010, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

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

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The meeting was adjourned at 10:09 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, VA 22035.

Minutes by: Jeanette Nord

Approved: June 23, 2011

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Kara A. DeArrastia, Clerk to the  
Fairfax County Planning Commission