

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, APRIL 18, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large
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
Ilryong Moon, Commissioner At-Large
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John R. Byers, Mount Vernon District
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:25 p.m. by Secretary Suzanne F. Harsel.

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COMMISSION MATTERS

Commissioner Alcorn announced that the Development Criteria Review Committee would meet on Wednesday, May 1, 2002 at 7:30 p.m. in the Board Conference Room. He noted that the Planning Commission would not meet on that evening. He said the Committee would also meet on Thursday, May 2, 2002 at 7:00 p.m.

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Secretary Harsel also noted that the Planning Commission would not meet on Wednesday, April 24, 2002.

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Commissioner Smyth MOVED THAT THE DECISION ONLY ON RZ-2001-PR-050 AND FDP-2001-PR-050, STANLEY-MARTIN HOMEBUILDING, BE FURTHER DEFERRED TO A DATE CERTAIN OF MAY 16, 2002.

Commissioner Alcorn seconded the motion which passed unanimously with Commissioners Byers, Koch and Murphy absent from the meeting.

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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 MAY 2, 2002.

Commissioners de la Fe and Wilson seconded the motion which carried unanimously with Commissioners Byers, Koch and Murphy absent from the meeting.

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Commissioner Wilson announced that the decision only on S99-CW-TR2, Out-of-Turn Plan Amendment, Countywide Trails, would be held on April 25, 2002.

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2232A-P00-5-1 - AT&T - Route 50/I-495 (VDOT ROW)

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE MODIFICATIONS PROPOSED BY AT&T WIRELESS SERVICES FOR THE TELECOMMUNICATIONS FACILITY LOCATED ON VIRGINIA DEPARTMENT OF TRANSPORTATION PROPERTY AT ROUTE 50/ARLINGTON BOULEVARD INTERCHANGE AT I-495 IN MERRIFIELD ARE IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND CONSISTENT WITH THE PRIOR APPROVAL GRANTED BY THE PLANNING COMMISSION UNDER 2232-P00-5 ON MAY 11, 2000. THEREFORE, IT IS RECOMMENDED THAT THE MODIFICATIONS BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioners Hall and Kelso seconded the motion which carried unanimously with Commissioners Byers, Koch and Murphy absent from the meeting.

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FSA-P01-13-1 - AT&T - 2230 George Marshall Drive

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE MODIFICATIONS PROPOSED BY THE AT&T WIRELESS SERVICES FOR THE TELECOMMUNICATIONS FACILITY LOCATED AT THE RENAISSANCE APARTMENTS, 2230 GEORGE MARSHALL DRIVE, ARE IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND CONSISTENT WITH THE PRIOR APPROVAL GRANTED BY THE PLANNING COMMISSION UNDER FS-P01-13 ON MAY 30, 2001. THEREFORE, IT IS RECOMMENDED THAT THE MODIFICATIONS BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA* AS AMENDED.

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

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. SEA-90-P-050 - FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY
2232-P02-2 - FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY
2. FDPA-84-D-049-7 - TYSONS II LAND COMPANY
3. DPA-85-C-088-3 - WESTERRA RESTON, LLC
4. RZ-2001-HM-052 - KEYSTONE LLC

This order was accepted without objection.

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SEA-90-P-050 - FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY - Appl. under Sect. 9-301 of the Zoning Ord. to amend SE-90-P-050 previously approved for alternate uses of a public facility to permit bldg. expansion & increase in land area on property located at 2855 Annandale Rd. on approx. 13.17 ac. zoned R-4. Tax Map 50-4((1))47, 50, 51; 50-4((6))11, 12; 50-4((10))1 & 50-4((11))1. (Concurrent w/2232-P02-2.) PROVIDENCE DISTRICT.

2232-P02-2 - FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY - Appl. under Sect. 15.2-2232 of the *Code of Virginia* to permit bldg. expansion & increase in land area on property located at 2855 Annandale Rd. on approx. 13.17 ac. zoned R-4. Tax Map 50-4((1))47, 50, 51; 50-4((6))11, 12; 50-4((10))1 & 50-4((11))1. (Concurrent w/SEA-90-P-050.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Ms. Cynthia Ianni, Fairfax County Redevelopment and Housing Authority (FCRHA), reaffirmed the affidavit dated March 28, 2002. Commissioner Smyth disclosed that Rodney Smyth, with Hughes Group Architects, Inc., listed as an agent for FCRHA in application SEA-90-P-050, was her brother-in-law and that he and her husband, Nigel Smyth, were co-trustees of a trust that benefited her mother-in-law. She said she had consulted with the County Attorney's Office concerning this matter and it had been determined that under *Virginia Code Annotated*, Section 15.2-852A, this financial relationship did not preclude her participation in this matter.

Commissioner Harsel noted that the affidavit for SEA-90-P-050 had been signed by Mary Egan, Deputy Director, FCRHA, who had since retired. Ms. Ianni said although Ms. Egan had left the agency, she was still a County employee until some time in June, and that the County Attorney's Office had determined that the affidavit was valid.

Mr. William Mayland, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff report on SEA-90-P-050, a copy of which is in the date file. He noted that staff recommended approval of the application. Mr. David Jillson, Planning Division, DPZ, presented the staff report on 2232-P02-2, a copy of which is in the date file. He noted that staff found the application to be substantially in accord with the Comprehensive Plan.

Ms. Ianni explained that the residents of the James Lee Conservation area had been patiently waiting for over four years for the construction of the proposed improvements to the Community Center. She said the facility had been designed to meet the social and recreational needs of the community while at the same time creating a project that was in harmony with the Comprehensive Plan and in conformance with the Zoning Ordinance. She said the Community Center would improve the quality of life for the residents of the area without adversely impacting the character of the neighborhood.

Responding to a question from Commissioner Smyth, Ms. Ianni said discussions with the Virginia Department of Transportation were taking place concerning the traffic signal to be installed at the intersection of Annandale Road and James Lee Street.

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

Ms. Paulette Horne, 6705 Poplar Street, Falls Church, representing the James Lee Community Center Advisory Board, expressed support for the proposed renovations of the James Lee Community Center. She said the facility had undergone many transformations over the years, first as an elementary school, then a media center and now a community center, offering daycare, a seniors group, a sports program and an after school program. She noted that the James Lee community was comprised of several diverse generations who had taken advantage of the many programs offered at the Center. She said the Advisory Board and the Center were excited about the planned renovations and anxiously awaiting the start and completion of the project.

Ms. Winifred Owens-Hart, 6628 Sampson Street, Falls Church, said she was in favor of the renovations, but expressed concerns about the types of trees to be planted and the maintenance of the open space area. She also said she was in favor of an eight-foot wood fence. (A copy of her remarks is in the date file.)

In response to a question from Commissioner Smyth, Mr. Mayland said a board-on-board fence, a brick wall, or a chain link fence could be installed, but would not exceed six feet. Responding to another question from Commissioner Smyth, Mr. Mayland said that Development Condition

Number 9 allowed flexibility concerning the type of landscaping to be installed, with input from the Urban Forester and citizens about their preferences. Responding to a question from Secretary Harsel, Mr. Mayland said it would be the responsibility of the applicant to consult with the neighbors concerning the fulfillment of this Development Condition.

Ms. Vanessa Ferguson, 2757 Annandale Road, Falls Church, representing the Southgate/James Lee Civic Association, expressed strong support for the renovation and expansion of the Community Center, which she said had always been a vital part of the community. She said the Association had worked with the applicant and Providence District Supervisor Gerald Connolly's office concerning landscaping and maintenance issues and she was confident that these matters could be resolved satisfactorily to all parties concerned.

Ms. Alma Amaker, 2919 Random Road, Falls Church, said she was the third generation to live in the James Lee community. She said her concerns had been addressed and expressed support for the application. She said her son, H. Tommy Amaker, Head Basketball Coach, University of Michigan, was a product of the Center. She read into the record a letter he had written in support of the application. (A copy of the letter is in the date file.)

In response to a question from Secretary Harsel, Ms. Amaker said in response to her concern, the applicant had agreed to install a chain link fence instead of a wooden fence. Ms. Amaker said she enjoyed the open feel of the community and it would also allow her to keep an eye on the property.

Commissioners Alcorn and Moon commented on the successful career of Ms. Amaker's son, who had attended Woodson High School and Duke University.

Ms. Beth-Hughes-Brown, 9530 Jomar Drive, Fairfax, on behalf of the Providence Players, said she enthusiastically endorsed the application. She said it was hoped that the Providence Players would become the resident theater troupe at the James Lee Community Center and that they were committed to working with the County and the James Lee community to develop a theater facility as a community resource. She said broadened the horizons of those who experienced it in any way, limited only by the bounds of their imagination.

There were no further speakers, therefore, Secretary Harsel called upon Ms. Ianni for a rebuttal statement.

Ms. Ianni said that she would continue to work with the citizens to address their concerns about transitional screening and barriers. She acknowledged that trash was a problem and said the property would be cleaned up and maintained. She said Supervisor Connolly and Commissioner Smyth were intimately involved with the project and the people in the neighborhood and would also continue to address their concerns.

Secretary Harsel inquired if staff had any closing comments. Mr. Jillson noted that although the Planning Commission was the approval authority for the 2232 application, it was the policy of the Board of Supervisors that FCRHA cases be heard by them as well.

There were no further comments or questions from the Commission, therefore, Secretary Harsel closed the public hearing and recognized Commissioner Smyth for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION FIND THAT THE ADDITION TO THE JAMES LEE COMMUNITY CENTER PROPOSED UNDER 2232-P02-2 SATISFIES THE CRITERIA OF LOCATION, CHARACTER AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE COMPREHENSIVE PLAN.

Commissioners Alcorn and Hall seconded the motion which carried unanimously with Commissioners Byers, Koch and Murphy absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-90-P-050, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED APRIL 17, 2002.

Commissioners Alcorn and Hall seconded the motion which carried unanimously with Commissioners Byers, Koch and Murphy absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS TO THE NORTH, SOUTH, EAST AND WEST IN ACCORDANCE WITH THE SPECIAL EXCEPTION PLAT.

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

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE BARRIER REQUIREMENTS TO THE NORTH, SOUTH, EAST AND WEST IN ACCORDANCE WITH THE SPECIAL EXCEPTION PLAT.

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

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FDPA-84-D-049-7 - TYSONS II LAND COMPANY, LLC - Appl. to amend the final development plan for RZ-84-D-049 to permit revised building layout for Building F on property located in the N.W. quadrant of the intersection of Galleria Dr. & Tysons Blvd. on approx. 3.06 ac. zoned PDC, HC & SC. Tax Map 29-4((10))2A2. PROVIDENCE DISTRICT. PUBLIC HEARING.

Benjamin Tompkins, Esquire, with Reed Smith, LLP, reaffirmed the affidavit dated March 18, 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 application.

Commissioner Smyth noted that Development Condition Number 10 required that a copy of each submission of the site plan for Building F would be submitted to the Providence District Planning Commissioner, not the Supervisor, for review and comment.

Mr. Tompkins said he would ensure that the site plans were submitted to Commissioner Smyth for review. He explained that the request before the Planning Commission was a simple Final Development Plan Amendment requesting approval of a minor modification of the building footprint, moving the building five feet further away from Tysons Boulevard and 23 feet closer to Galleria Drive at 35 feet above grade level. He noted that Tysons II was a large mixed-use area integrating three major components, office, regional retail and hotel, and allowed for a fourth component of high density housing. He said the Tysons Corner Urban Center Plan guidelines of moving buildings closer to the street, enhancing the streetscape and landscaping, and the integration of parking structures into the building design, had been incorporated into the application. He noted that the proposed development was in conformance with Comprehensive Plan objectives of creating pedestrian connections, useful open space and quality architectural design. He said the applicant was in agreement with the Development Conditions dated April 18, 2002 and requested approval of the application.

Mr. Tompkins responded to a question from Commissioner Smyth about the grade level of the building.

Secretary Harsel called for speakers from the audience, but received no response. She noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing comments, therefore, Secretary Harsel closed the public hearing and recognized Commissioner Smyth for action on this application. (A verbatim transcript is in the date file.)

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Commissioner Smyth MOVED THAT WE DEFER DECISION ONLY ON FDPA-84-D-049-7 TO A DATE CERTAIN OF MAY 2, 2002.

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

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DPA-85-C-088-3 - WESTERRA RESTON, LLC - Appl. to permit the 3rd amendment of the development plan for RZ-85-C-088 to permit mixed use development w/an overall FAR of 0.95 on property located W. of Library St., E. of Town Center Pkwy., S. of New Dominion Pkwy. & N. of the W&OD Trail on approx. 12.68 ac. zoned PRC. Comp. Plan Rec: Residential Planned Community-Town Center. Tax Map 17-1((16))17, 18; 17-3((1)) 3A; 17-3((10))16. HUNTER MILL DISTRICT. PUBLIC HEARING.

Mark Looney, Esquire, with Cooley Godward, LLP, reaffirmed the affidavit dated March 19, 2002. There were no disclosures by Commission members.

Ms. 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 application.

Mr. Looney stated that the applicant was requesting two minor amendments to the approved development plan for the urban core of the Reston Town Center. He said the first amendment would add an option for high density residential on Block 18, allowing a residential component within the hotel complex. He said the second amendment would allow a residential option to Section 89A, which was within walking distance to the planned transit station. He pointed out that proffers required the design of the residential uses be reviewed by the Planning Commission and the Reston Town Center Design Review Board. He noted that the applicant had agreed to dedicate land for the future transit facility.

In response to a question from Secretary Harsel, Mr. Looney said construction of the hotel use had not begun and the site was being used as a staging site for the residential development. Commissioner de la Fe added that this application did not affect the parking lot used by visitors to the Town Center. In response to another question from Secretary Harsel, Mr. Looney said that the residential units in the hotel would be for-sale units, not time-share units.

Secretary Harsel called for speakers from the audience.

Mr. Steve Marra, 12112 Kinsley Place, Reston, said he did not think additional residential development was appropriate for the area. He requested that the number of stories allowed be restricted and that no rentals or time shares be allowed in the hotel.

Commissioner Hall pointed out that because stories varied in height, they were not a good measurement of height.

There were no further speakers, therefore, Secretary Harsel called upon Mr. Looney for a rebuttal statement.

Addressing the concern about building height, Mr. Looney said that above-grade parking counted as a story on the development plan for the Urban Core. He said because three levels of above-grade structured parking were being proposed on Section 89A, 15 stories would look more like a 12 story building. He noted that although the proposed height was slightly higher than the existing development, the Comprehensive Plan encouraged greater building height and more residential uses close to the proposed transit station. He explained that the applicant would like the flexibility to work with the future hotel operator concerning the mix of hotel rooms versus residential units.

In response to a question from Commissioner de la Fe, Mr. Looney said the currently approved height limit on the hotel site was 21 stories, but noted that the applicant had agreed to a Development Condition requiring the finished building height along the frontage of New Dominion Parkway not to exceed the height of the existing parking structure.

Mr. Looney responded to questions from Commissioner Alcorn about discussions the applicant had had with surrounding property owners and the location of the bus transit center.

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 de la Fe for action on this application. (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 DPA-85-C-088-3, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 17, 2002, PLUS THE ADDITION OF SUCH CONDITIONS AS ARE NECESSARY TO ASSURE THAT THE SURROUNDING COMMUNITIES ARE CONSULTED.

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

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RZ-2001-HM-052 - KEYSTONE LLC - Appl. to rezone from R-1 to R-2 to permit residential development at a density of 1.38 du/ac on property located on the W. side of Reston Ave., approx. 300 ft. N. of Wiehle Ave. on approx. 2.17 ac. Comp. Plan Rec: 0.5-1 du/ac. Tax Map 11-2((1))47A. HUNTER MILL DISTRICT. PUBLIC HEARING.

Mr. Peter Tamburello, with Keystone, LLC, reaffirmed the affidavit dated April 1, 2002. There were no disclosures by Commission members.

Ms. Denice Thomas, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Tamburello said he had nothing to add to the staff report. He thanked staff and the Hunter Mill Land Use Committee for their assistance on this application.

Secretary Harsel called for speakers from the audience.

Mr. Marcus Luczak, 11557 Southington Lane, Herndon, said he was a resident of Shaker Woods and that his property, located north of the development site, would be directly affected by the proposed development. He expressed concern about loss of trees and requested that 15 foot hemlock trees be installed to screen his development from the proposed development.

Secretary Harsel commented that trees of six feet would have a better chance of survival than 15 foot trees. Ms. Johnson said staff preferred to let the Urban Forester decide what type and size of trees should be planted.

Mr. Luczak requested that he be involved in the decision concerning plantings. Secretary Harsel explained to Mr. Luczak that once he had been notified that the subdivision plan had been filed, he could review it. Commissioner de la Fe pointed out that Proffer Number 6 extensively addressed tree preservation. He added that hemlock trees died quickly and that he would like to rely upon the Urban Forester to determine the best type of trees to be planted. Commissioner Hall agreed that the decision should be left up to the Urban Forester. Mr. Luczak said his primary concern was that the trees provide a barrier between the two developments all year long.

In response to a question from Commissioner Wilson, Leslie Johnson, ZED, DPZ, said, if agreed to by the applicant, language could be added to the proffer that the Urban Forester would consult with adjacent property owners about their tree preferences. Commissioner de la Fe said he would prefer that no language be added specifying what type of trees were to be planted. He reiterated his confidence in the Urban Forester to make this decision. Commissioner Smyth added that the new tree proffer developed by staff was excellent and said she believed the tree proffer in this application should be revised accordingly.

Ms. Julie Cepulis, 11555 Southington Lane, Herndon, also expressed concern about the loss of trees. In addition, she said she was concerned about the grading of the property and stormwater management. She noted that the applicant had been denied a drainage easement by one of the adjacent property owners and planned to use rain gardens to manage stormwater, and requested more information about them.

In response to a question from Secretary Harsel, Ms. Cepulis said that the Shaker Woods Homeowners Association had chosen not to get involved in this matter due to other pressing concerns. Commissioner de la Fe commented that although the Association had not been involved in the proposed development, immediate neighbors had attended the Hunter Mill Land Use Committee meetings.

Ms. Thomas and Ms. Johnson responded to questions from Commissioner Smyth and Secretary Harsel about stormwater management and tree preservation.

There were no further speakers, therefore, Secretary Harsel called upon Mr. Tamburello for a rebuttal statement.

Mr. Tamburello said that if a stormwater management pond was required, the average lot size of the three lots would have to be reduced, but the development would still meet the requirements of the Zoning Ordinance. He said the rain gardens had been proposed in response to a recommendation by staff and that all grading would be done on-site.

In response to a question from Secretary Harsel, Mr. Tamburello said he would be happy for concerned residents to meet with the Urban Forester and walk the site.

Mr. Tamburello and Ms. Thomas responded to questions from Commissioners Alcorn and Smyth about stormwater management.

Commissioner de la Fe said that due to the unresolved issues concerning tree preservation and stormwater management, he would defer a decision on this application to allow time to address them.

Commissioner Kelso said it might be a good idea to require the final engineering plans to come back to the Planning Commissioner prior to site plan approval.

There were no further comments or questions from the Commission.

Secretary Harsel asked Ms. Thomas if she had any closing remarks. Ms. Thomas said that she would meet with the applicant to discuss revision of the tree preservation and stormwater management proffers.

Secretary Harsel closed the public hearing and recognized Commissioner de la Fe for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED TO DEFER THE DECISION ONLY ON RZ-2001-HM-052 TO A DATE CERTAIN OF APRIL 25, 2002.

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

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CLOSING

April 18, 2002

The meeting was adjourned at 10:56 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: October 15, 2003

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission