

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, APRIL 23, 2003**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilyong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John R. Byers, Mount Vernon District
Joan M. DuBois, Dranesville District

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The meeting was called to order at 8:20 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 Smyth reported that the Policy and Procedures Committee had met earlier this evening to evaluate the Area Plans Review (APR) process and noted that a follow-up meeting would take place on Wednesday, June 18, 2003 at 7:30 p.m. in the Board Conference Room at which staff would present a proposal for the next APR cycle. She added that another Policy and Procedures Committee meeting was scheduled for Wednesday, May 21, 2003 at 7:00 p.m., also in the Board Conference Room, to discuss stormwater management and related issues.

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RZ-2002-HM-024 - ENGLE HOMES VIRGINIA
FDP-2002-HM-024 - ENGLE HOMES VIRGINIA (Decision Only)

(The public hearing on these applications was held on January 29, 2003. A complete verbatim transcript of the decision made is in the date file.)

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ-2002-HM-024, TO THE BOARD OF SUPERVISORS, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN ATTACHMENT 1 OF THE STAFF ADDENDUM.

Commissioner Koch seconded the motion which carried by a vote of 7-0-2 with Commissioner Wilson not present for the vote; Commissioners Alcorn and Hall abstaining; Commissioners Byers and DuBois absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2002-HM-024, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED APRIL 22, 2003 AND THE BOARD'S APPROVAL OF RZ-2002-HM-024.

Commissioner Koch seconded the motion which carried by a vote of 7-0-2 with Commissioner Wilson not present for the vote; Commissioners Alcorn and Hall abstaining; Commissioners Byers and DuBois absent from the meeting.

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Commissioner Alcorn reminded the Commission that another public hearing on amendments to various ordinances and the Public Facilities Manual necessitated by changes to the Chesapeake Bay Preservation Act was scheduled for Wednesday, April 30, 2003.

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Chairman Murphy noted that volunteer forms for the Fairfax Fair, to be held on June 6, 7, and 8, 2003, were in the Commissioners packets tonight. He asked that the forms be returned to Barbara Lippa, Executive Director, no later than May 7, 2003.

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In honor of Administrative Professionals Day, Chairman Murphy recognized all members of the Planning Commission Office staff and expressed the Commission's appreciation for their work throughout the year.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. SE-2002-MA-034 - TEO CHEW ASSOCIATION OF GREATER WASHINGTON
2. 2232-V03-3 - FAIRFAX CO./SPRING HILL SENIORS LLC/KSI SERVICES, INC.
3. PCA-1999-PR-034 - LCOR/JV ACQUISITIONS LLC
4. FDPA-1999-PR-034 - LCOR/JV ACQUISITIONS LLC
PCA-95-Y-016-4 - CHANTILLY 50-28 ASSOCIATES LP
5. SEA-95-Y-024-3 - CHANTILLY 50-28 ASSOCIATES LP
SE-2003-SU-001 - MULFORD ENTERPRISES, INC.

This order was accepted without objection.

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SE-2002-MA-034 - TEO CHEW ASSOCIATION OF GREATER WASHINGTON, INC. - Appl. under Sect. 3-404 of the Zoning Ordinance to permit a public benefit association. Located on the N. side of Annandale Rd., approx. 100 ft. E. of its intersection with Heron Dr. on approx. 14,434 sq. ft. of land zoned R-4. Tax Map 60-2 ((8)) 17. MASON DISTRICT. PUBLIC HEARING.

Patrick Via, Esquire, with Rees, Broome and Diaz, reaffirmed the affidavit dated March 21, 2003. There were no disclosures by Commission members.

Ms. Denice Thomas, 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. Via explained that this application had been submitted to correct issues noted by Zoning Enforcement. He noted that the home on the subject property would remain residential in nature and would be used for a social gathering place for a group of elderly Korean gentlemen. He added that the proposed development conditions would limit the capacity to five vehicles and fifteen people at one time. Mr. Via requested that the hours of operation be expanded to allow Sunday hours of 9:00 a.m. to 4:00 p.m. He stated that additional landscaping would be planted and that the applicant had met with the Mason District Land Use and Transportation Committee and Broyhill Park residents and contacted representatives of the Westlawn and Belleaire communities.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no comments or questions from the Commission or closing staff remarks, therefore he closed the public hearing and recognized Commissioner Hall for action on this applications. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT WE DEFER DECISION ON SE-2002-MA-034 TO A DATE CERTAIN OF APRIL 24, 2003, WITH THE RECORD TO REMAIN OPEN FOR ANY WRITTEN COMMENT.

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

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Chairman Murphy noted that he had been asked to handle this application in the absence of Commissioner Byers. Secretary Harsel therefore assumed the Chair.

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2232-V03-3- FAIRFAX COUNTY/SPRING HILL SENIORS LLC/
KSI SERVICES, INC. - Appl. to construct a sewer pump station and
associated force main located at 9751 Ox Road, Laurel Hill. Tax
Map 106-4 ((1)) 54. MOUNT VERNON DISTRICT. PUBLIC
HEARING.

Mr. David Marshall, 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 approval of the application.

Mr. Ed Byrne, representing Spring Hill Seniors, LLC and KSI Services, Inc., said that staff had adequately presented the application and offered to answer any questions.

In response to questions from Commissioner Wilson, Mr. Byrne said that the proposed sewer pump station would serve the Spring Hill Seniors facility only and that the high school planned for construction nearby would be served by a gravity sewer system to be constructed in conjunction with proposed residential development.

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

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On behalf of Commissioner Byers, Commissioner Murphy MOVED THAT THE PLANNING COMMISSION APPROVE 2232-V03-3.

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

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At the conclusion of this public hearing, Chairman Murphy resumed the Chair.

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PCA-1999-PR-034/FDPA-1999-PR-034 - LCOR/JV ACQUISITIONS LLC - Appls. to amend the proffers and final development plan for RZ-1999-PR-034 to permit two additional dwelling units with no change in project FAR of 2.25, layout or any other features as previously approved. Located in the S.W. quadrant of the intersection of Gallows Rd. and Prosperity Ave. on approx. 2.18 ac. of land zoned PRM. Comp. Plan Rec: Mixed use. Tax Map 49-2 ((1)) 15A pt., 17 pt. and 17A pt. PROVIDENCE DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Lubeley, Emrich and Terpak, reaffirmed the affidavit dated March 31, 2003. There were no disclosures by Commission members.

Ms. Tracy Swagler, 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. Martin noted that this was a housekeeping item to revise the actual number of units proposed from 257 to 259. He added that the project density was based on a gross floor area measurement, not a dwelling unit per acre measurement, therefore the two additional units did not necessitate a change of the zoning district.

In response to a question from Commissioner Smyth, Mr. Martin confirmed that all of the original proffers were still in effect.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no comments or questions from the Commission or closing staff remarks, therefore he closed the public hearing and recognized Commissioner Smyth for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-1999-PR-034, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED APRIL 7, 2003.

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

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION APPROVE FDPA-1999-PR-034, SUBJECT TO THE BOARD'S APPROVAL OF PCA-1999-PR-034.

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

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PCA-95-Y-016-4 - CHANTILLY 50-28 ASSOCIATES LIMITED PARTNERSHIP - Appl. to amend the proffers for RZ-95-Y-016 previously approved for retail and hotel use to permit site modifications with an overall Floor Area Ratio (FAR) of 0.25. Located on the E. side of Lee Rd., approx. 1,100 ft. S. of Lee Jackson Memorial Hwy. on approx. 14.40 ac. of land zoned C-8, HC, WS and AN. Comp. Plan Rec: Mixed use. Tax Map 34-3 ((13)) 1, 2, 3 and 4 (Formerly known as 34-3 ((1)) pt. 7B and pt. 19). (Concurrent with SEA-95-Y-024-3.) SULLY DISTRICT.

SEA-95-Y-024-3 - CHANTILLY 50-28 ASSOCIATES LIMITED PARTNERSHIP -Appl. under Sects. 4-804 and 9-607 of the Zoning Ordinance to amend SE-95-Y-024 previously approved for an increase in building height and waiver of certain sign regulations to permit site modifications. Located at 14409 Lee Jackson Memorial Hwy. on approx. 14.40 ac. of land zoned C-8, HC, WS and AN. Tax Map 34-3 ((13)) 1, 2, 3 and 4 (Formerly known as 34-3 ((1)) pt. 7B and pt. 19). (Concurrent with PCA-95-Y-016-4.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Ms. Elizabeth Baker, a planner with Walsh, Colucci, Lubeley, Emrich and Terpak, reaffirmed the affidavit dated March 24, 2003. There were no disclosures by Commission members.

Ms. Tracy Swagler, 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.

Ms. Baker explained that the purpose of these applications was to replace approved hotel and recreation uses with a furniture store. She noted that the proposal implemented a recent Plan Amendment and included a contribution to nearby recreational facilities to offset the loss of the originally planned private recreation use. She added that the applicant had worked closely with the Western Fairfax County Citizens Association.

Chairman Murphy called the two listed speakers and recited the rules for public testimony.

The following speakers supported the application: Mr. Ralph Gay, 5800 Cub Stream Drive, Centreville, representing Sully Station II, and Ms. Fran Fisher, 2539 Donns Way, Oakton.

There were no further speakers and no comments or questions from the Commission. Ms. Baker had no rebuttal and Ms. Swagler had no closing staff remarks, therefore Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on these applications. (A verbatim transcript is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-95-Y-016-4, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED APRIL 22, 2003.

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

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-95-Y-024-3, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 9, 2003.

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

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SE-2003-SU-001 - MULFORD ENTERPRISES, INC. - Appl. under Sect. 3-C04 of the Zoning Ordinance to permit a nursery school. Located at 15109 Lee Hwy. on approx. 7.52 ac. of land zoned R-C and WS. Tax Map 64-2 ((3)) 22. SULLY DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Lubeley, Emrich and Terpak, reaffirmed the affidavit dated November 14, 2002. There were no disclosures by Commission members.

Ms. Kristen Shields, 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. Martin stated that the Mulford School had been in operation in Centreville for almost 40 years and now wished to relocate to a new facility, also in Centreville. He said that the 7 ½-acre subject property would allow the school to retain its equestrian program. He added that the application had the support of the Western Fairfax County Citizens Association, especially with regard to architectural design.

In response to a question from Commissioner Koch, Mr. Martin confirmed that the equestrian program would be restricted to Mulford students.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no comments or questions from the Commission or closing staff remarks, therefore he closed the public hearing and recognized Commissioner Koch for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-2003-SU-001, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED APRIL 21, 2003.

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

Commissioner Koch MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION TO THE TRANSITIONAL SCREENING REQUIREMENTS AS SHOWN ON THE SE PLAT AND MODIFIED BY THE DEVELOPMENT CONDITIONS.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers and DuBois absent from 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: Gloria L. Watkins

Approved on: March 31, 2005

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