

**MINUTES OF
PLANNING COMMISSION MEETING
MAY 6, 1993**

PRESENT: Lawrence C. Baldwin, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Patrick M. Hanlon, Providence District
Suzanne F. Harsel, Braddock District
Robert v. L. Hartwell, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Carl L. Sell, Jr., Lee District
Henry E. Strickland, Mason District
Alvin L. Thomas, Commissioner At-Large

ABSENT: Ronald W. Koch, Sully District

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The meeting was convened at 8:27 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Downer noted that the applicant had requested deferral of PCA-88-D-010, Pierre L. Nys and John W. Leonard, which had been scheduled for public hearing this evening and
MOVED THAT THE ITEM BE DEFERRED TO JULY 1, 1993.

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

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Commissioner Strickland stated that SEA-81-M-097-2, Mobil Oil Corporation, had been scheduled for public hearing on Thursday, May 13, 1993; however, the applicant had requested additional time to work on outstanding issues. He then MOVED THAT SEA-81-M-097-2, BE DEFERRED TO A DATE OF JUNE 2, 1993.

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

Commissioner Sell noted that SEA-92-L-039 was scheduled for public hearing on Thursday, May 20, 1993 and would have to be deferred. He then MOVED THAT SEA-92-L-039, ACTION AUTO, BE DEFERRED TO A DATE TO BE DETERMINED.

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

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8612-SP-01 - CLIFTON SUBSTATION

Chairman Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT THAT IT APPROVE SITE PLAN 8612-SP-01, THE CLIFTON VEPCO SUBSTATION.

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

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Commissioner Baldwin announced that the next two meetings of the Environmental Committee would be held at 8:00 p.m., Wednesday, May 12, 1993, and Wednesday, May 19, 1993, in the Board Conference Room, rather than 7:30 p.m. as previously announced.

Chairman Murphy added that regarding the agenda for the Environmental Committee, they would be dealing with spilling of hazardous fluids at the meeting of Wednesday, May 12, 1993. He noted that at a previous meeting of the Board of Supervisors, Supervisor Dix had requested a study of pipelines and all underground utilities as they related to the Zoning Ordinance and land use in Fairfax County. At the time, Chairman Murphy understood that the Planning Commission was to set up a special committee to study all underground utilities in Fairfax County and their relationship to land use. He then stated that he had asked Supervisor Dix to clarify his intention at the next Board meeting.

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RZ-92-V-032 - STARR MANAGEMENT CORPORATION (Decision Only)

(The public hearing for this case was held on Wednesday, March 3, 1993. A complete verbatim transcript of the action taken on this case this evening may be found in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-92-V-032, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE CONTAINED IN ATTACHMENT 1 OF ADDENDUM I OF THE STAFF REPORT.

Commissioners Palatiello and Sell seconded the motion which carried unanimously with Commissioner Koch absent from the meeting.

Commissioner Byers also MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY MODIFY THE TRANSITIONAL SCREENING AND WAIVE THE BARRIER REQUIREMENTS ON THE SOUTHERN PERIPHERY OF THE SITE IN FAVOR OF THAT SHOWN ON THE GDP.

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

Commissioner Byers then MOVED THAT THE SITE PLAN BE RETURNED TO THE PLANNING COMMISSION FOR APPROVAL PRIOR TO FINAL APPROVAL BY DEM.

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

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PARKING REDUCTION FOR SKYLINE CENTER (Decision Only)

(The public hearing for this case was held on Wednesday, April 21, 1993. A complete verbatim transcript of the action taken on this case this evening may be found in the date file.)

Commissioner Strickland MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE PARKING REDUCTION FOR SKYLINE, WITH THE CONDITIONS DATED APRIL 29, 1993.

Commissioner Thomas seconded the motion which carried by a vote of 8-0-1, with Commissioner Hanlon abstaining; Commissioners Byers and Harsel not present for the vote; Commissioner Koch absent from the meeting.

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S92-I-B3 - OUT-OF-TURN PLAN AMENDMENT (Decision Only)

(The public hearing for this case was held on Thursday, April 29, 1993. A complete verbatim transcript of the action taken on this case this evening may be found in the date file.)

Commissioner Strickland MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE PLAN AMENDMENT S92-I-B3, DATED APRIL 8, 1993, WITH THE FOLLOWING CHANGES:

- ON PAGE 2, PARAGRAPH d, ABOUT THE MIDDLE OF THE PAGE, THE THIRD LINE FROM THE TOP, DELETE THE WORDS "OR PLANNED" SO THAT IT READS NOW: "...ADJACENT TO EXISTING RESIDENTIAL USE...."

- ON THE SAME PAGE 2, THE NEXT CHANGE IS IN SUBPARAGRAPH e, THIRD LINE, ADD THE WORDS "TOWNHOUSE" AFTER THE WORD "EXISTING," SO IT SHOULD READ NOW: "...PLANNED OR EXISTING TOWNHOUSE MID OR HIGH-RISE RESIDENTIAL USE OR SCHOOL FACILITY."
- ON THE THIRD PAGE OF THE HANDOUT, AT THE TOP OF THE PAGE, SUBPARAGRAPH h, THE THIRD LINE FROM THE TOP, AFTER THE WORD "PROTECTION", INSERT THE WORDS "ADJACENT RESIDENTIAL COMMUNITIES."
- THE SECOND "IS" IN SUBPARAGRAPH f SHOULD BE CORRECTED TO READ, "AS."

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

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda:

1. FDPA-88-S-083 - Burke Investment Associates and Mason Associates
2. SEA-90-P-028-2 - LPC Commercial Services, Inc., Agent For Tysons Office Center, L.P.
3. SEA-86-L-008 - Christian Center School, Inc. and Christian Center Ministries

Without objection, it was so ordered.

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Chairman Murphy, in the absence of Commissioner Koch, handled the action on the following case and asked Vice Chairman Hanlon to take the Chair.

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FDPA-88-S-083 - BURKE INVESTMENT ASSOCIATES & MASON ASSOCIATES - Appl. to amend the final develop. plan for RZ-88-S-083 to permit reduction in density & change in unit type for previously approved residential develop. on property located in the N.W. quadrant of the intersection of Machen Rd. & Centrewood Dr. on approx. 15.56 ac. zoned PDH-20 & WS. Tax Map 65-1((1)) pt.3A. SULLY DISTRICT. PUBLIC HEARING.

David S. Houston, Esquire, with McGuire, Woods, Battle, and Boothe, representing the applicant, reaffirmed that the revised affidavit dated April 16, 1993, was current and correct. There were no disclosures from the Planning Commissioners.

Having determined that there were no listed speakers and none from the audience, no questions or comments from staff, Vice Chairman Hanlon waived the staff report, closed the public hearing, and recognized Commissioner Murphy for action on this case. (A verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION APPROVE FDPA-88-S-083, SUBJECT TO DEVELOPMENT CONDITIONS DATED APRIL 29, 1993, TO WHICH THE APPLICANT AGREES.

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

Commissioner Murphy then MOVED THAT THE PLANNING COMMISSION APPROVE THE REQUESTED WAIVER OF THE 600 FOOT LIMITATION ON THE LENGTH OF PRIVATE STREETS.

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

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SEA-90-P-028-2 - LPG COMMERCIAL SERVICES, INC., AGENT FOR TYSONS OFFICE CENTER L.P. - Appl. under Sect. 4-404 of the Zoning Ord. to amend SE-90-P-028 for an eating establishment to permit expansion of the existing facility on property located at 8133 Leesburg Pike on approx. 2.02 ac. zoned C-4, SC, & HC. Tax Map 39-2((2)) pt. 40, 42, 43, 44, 45. PROVIDENCE DISTRICT. PUBLIC HEARING.

Martin D. Walsh, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, representing the applicant, reaffirmed that the affidavit dated April 15, 1993, was current and correct. There were no disclosures from the Planning Commissioners.

Since there were no listed speakers and none from the audience, no questions or comments from staff, Chairman Murphy waived the staff report, closed the public hearing and recognized Commissioner Hanlon for action on this case. (A verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Hanlon MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-90-P-028-2, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 22, 1993, AND INCLUDED AS APPENDIX 1 TO THE STAFF REPORT.

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

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SEA-86-L-008 - CHRISTIAN CENTER SCHOOL,
INCORPORATED & CHRISTIAN CENTER MINISTRIES - Appl.
under Sect. 3-304 of the Zoning Ord. to amend SE-86-L-008 for a private school of gen. ed. & nursery school to permit a church & related facilities, child care center, an increase in enrollment, expansion of hours of operation, increase in land area & deletion of the nursery school on property located at 5411 Franconia Rd. & 6215 Gum St. on approx. 3.03 ac. zoned R-3 & HC. Tax Maps 81-4((1)) 66; 81-4((4)) 3. LEE DISTRICT. PUBLIC HEARING.

Mr. James F. Morgans, Director and Associate Pastor, represented the applicant and reaffirmed that the affidavit dated July 20, 1992 was current and correct. There were no disclosures from the Planning Commissioners.

Mr. Otis L. Robinson, Zoning Evaluation Division, Office of Comprehensive Planning, furnished the staff report, a copy of which may be found in the date file. He stated that staff had proposed a development condition to limit the use of the single family dwelling to church office space and would require the revision of barriers and transitional screening to mitigate impacts on the surrounding residential neighborhood. Mr. Robinson stated that the application was in harmony with the Comprehensive Plan and the Zoning Ordinance and staff recommended approval of the application, subject to the proposed development conditions dated May 5, 1993. He noted that staff further recommended approval of the waiver of the barrier requirement along the northern boundary of Parcel 66 and western boundary of Parcel 3, and modification of the transitional screening requirements along the eastern, western, and northern boundaries of Parcel 66 and along all boundaries of Parcel 3, subject to development conditions dated May 5, 1993.

Andrew C. Bisulca, Esquire, with Mitchell, Bisulca and Slaughter, represented the applicants and stated that the applicants were in agreement with the development conditions with the following exceptions:

- Development Condition Number 7 regarding use of the outdoor recreation area on Parcel 3 which prohibited use of the recreation area by the church except for Monday through Friday, 8:00 a.m. to 6:00 p.m. The church would like to use that area during church services to allow supervision of small children not attending worship services.

He said they would also like to use that area for special occasions during the year.

- Development Conditions Number 16 and 17 for a seven foot high wood stockade fence which the Church would like to change from seven feet to six feet because seven foot sections would be more expensive as they required special order.
- Development Condition Number 16 regarding the requirement of transitional screening of a minimum of ten feet along the eastern side of Parcel 66. He said that there would not be space for ten feet of transitional screening near the entrance and requested that the minimum not be applied to that area opposite the foyer entrance on the east side of the building.
- Development Condition Number 21 - he suggested the following language: "Gates will be installed on the east and west driveway, along the side of the building on Parcel 66. Those gates will remain closed and locked during the hours that the recreation space in Parcel 3 is in use. When the children are arriving or departing from school, the recreation space on Parcel 3 will be closed; the chain link fence around the recreation space will be closed and locked during the dismissal times."

He then requested approval of the application.

Chairman Murphy called the listed speakers and explained the rules and procedures for addressing the Planning Commission.

Mrs. Charlotte Boyer, 6213 Gum Street, Alexandria, represented the Gum Street residents and stated that the community approved the application, if the revised proposed conditions dated May 5, 1993 were met. She stated that the community did not believe that a seven-foot fence was unreasonable because of the raised grading of the church property.

Mr. William Hoover, 6220 Gum Street, Alexandria, and Mr. James Wilson, 6216 Gum Street, Alexandria, also agreed with the statements made by Mrs. Boyer.

Commissioner Sell stated that the church had been attempting to do what the neighborhood wanted in order to obtain their goals.

There was a lengthy discussion regarding the height of the fence and Mr. Bisulca, in rebuttal, stated that they would investigate the cost of an eight-foot fence as suggested by Commissioner Hartwell.

There being no additional speakers, no further questions or comments, and no further rebuttal, Chairman Murphy closed the public hearing and turned to Commissioner Sell for action on this case. (A complete verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Sell MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SEA-86-L-008 BE APPROVED, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 5, 1993, WITH THE REVISION TO NUMBER 11, AT THE END OF THE SIXTH LINE THAT TO READ: "...BE NO SCHOOL OR CHILD CARE ACTIVITY WITHIN THE RESIDENTIAL DWELLING OR THAT PORTION RUNNING 190 FEET TO NORTHWEST AND SOUTHWEST CORNERS OF PARCEL 3, LOCATED AT 6215 GUM STREET." THE OTHER WOULD BE TO SUBSTITUTE THE LANGUAGE IN CONDITION NUMBER 21, AS FOLLOWS:

CHANGE CONDITION NUMBER 21, TO READ: "TO ENSURE THE SAFETY OF CHILDREN TRAVELING BETWEEN PARCELS 66 AND THE OUTDOOR RECREATION AREA IN PARCEL 3, GATES SHALL BE INSTALLED AT THE EAST AND WEST DRIVEWAY, ALONG THE SIDE OF THE BUILDING ON PARCEL 66 WHICH PREVENT VEHICULAR ACCESS TO THE DRIVEWAY LOCATED ALONG THE SOUTHERN BOUNDARY OF PARCEL 66. THESE GATES WILL REMAIN CLOSED DURING THE HOURS THAT THE RECREATION SPACE IS IN USE. WHEN THE CHILDREN ARE ARRIVING OR DEPARTING FROM SCHOOL, THE RECREATION SPACE ON PARCEL 3 WILL BE CLOSED. THE CHAINLINK FENCE AROUND THE RECREATION SPACE WILL BE CLOSED AND LOCKED DURING THE ARRIVAL AND DISMISSAL TIMES."

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

Commissioner Sell also MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT IT APPROVE THE WAIVER OF THE BARRIER REQUIREMENT ON THE NORTHERN BOUNDARY OF PARCEL 66 AND THE WESTERN BOUNDARY OF PARCEL 3, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 5, 1993, AS AMENDED TONIGHT.

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

Commissioner Sell then MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS ALONG THE EASTERN, WESTERN, AND NORTHERN BOUNDARIES OF PARCEL 66,

AND ALL BOUNDARIES OF PARCEL 3, SUBJECT TO THE DEVELOPMENT
CONDITIONS DATED MAY 5, 1993, AS AMENDED TONIGHT.

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

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The meeting was adjourned at 10:12 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: Dorothy E. Brittingham

Approved On: July 29, 1993

A handwritten signature in cursive script that reads "Mary A. Pascoe". The signature is written in black ink and is positioned above a horizontal line.

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