

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MAY 15, 1997**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Carl A. S. Coan, Jr., Providence District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John W. Hunter, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Alvin L. Thomas, Commissioner At-Large

ABSENT: John B. Kelso, Lee District
Ronald W. Koch, Sully District

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The meeting was called to order at 8:30 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 Palatiello announced that the decision only scheduled tonight on PCA-96-H-065 and FDPA-96-H-065, Van Metre at Woodland Park, required further deferral. He therefore **MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON PCA-96-H-065 AND FDPA-96-H-065 TO A DATE CERTAIN OF MAY 29, 1997, WITH THE RECORD TO REMAIN OPEN.**

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

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Commissioner Coan **MOVED THAT THE PUBLIC HEARING ON SE-94-P-020, CITIBANK FSB AND McDONALD'S CORPORATION, BE DEFERRED TO JULY 10, 1997.**

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

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Commissioner Coan noted that the decisions scheduled tonight on two concurrent cases in the Providence District required further deferral. He therefore MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISIONS ONLY ON RZ-96-P-009 AND FDP-96-P-009, HUNTING RIDGE ASSOCIATES, LLC, TO MAY 29, 1997, WITH THE RECORD REMAINING OPEN.

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

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Commissioner Coan also noted that the decision scheduled tonight on another case in the Providence District required further deferral. He therefore MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON RZ-96-P-011, GLENN M. BUCCI, TO MAY 29, 1997, WITH THE RECORD REMAINING OPEN.

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

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Chairman Murphy announced that the Board of Supervisors had recently authorized a public hearing for Phase II of the recommendations made by the Telecommunications Task Force. He noted that the Out-of-Turn Plan Amendment, S97-CW-1CP, would address design criteria for telecommunications equipment and was scheduled for public hearing by the Commission on Wednesday, June 11, 1997. Chairman Murphy added that a briefing by members of the Task Force and Office of Comprehensive Planning staff would take place at the Planning Commission meeting of either Wednesday, May 28, or Thursday, May 29, 1997, depending on the availability of Task Force members.

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Chairman Murphy announced that Burke Centre would be celebrating its 20th anniversary on Saturday, May 17, and Sunday, May 18, 1997. He invited everyone to join in the festivities, which would include a kick-off ceremony at 11:00 a.m. on Saturday and hot air balloon rides. Chairman Murphy noted that he, Congressman Tom Davis, and Commissioner Harsel would be attending.

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Chairman Murphy reminded Commissioners that their packets this evening contained a schedule for the Area Plans Review public hearings and markup in September and October.

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#9411-SD-01-1 - WALDEN OF McLEAN

On behalf of Commissioner Downer who had recused herself from the action on this item, Commissioner Murphy noted that the subdivision plan for Walden of McLean had been received as required by the proffers associated with RZ-95-D-037. He added that the subdivision plan was in substantial conformance with the generalized development plan and **MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE ACTING DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT APPROVE SUBDIVISION PLAN #9411-SD-01-1.**

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

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FS-H97-6 - AMERICAN PERSONAL COMMUNICATIONS, 2300 Dulles Corner Boulevard

Commissioner Palatiello **MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF THE DIRECTOR OF THE OFFICE OF COMPREHENSIVE PLANNING THAT FS-H97-6, BY APC AT 2300 DULLES CORNER BOULEVARD, BE DETERMINED TO BE A "FEATURE SHOWN", CONSISTENT WITH SECTION 15.1-456 OF THE *CODE OF VIRGINIA*.**

Commissioner Byers seconded the motion which carried unanimously with Commissioner Downer not present for the vote; Commissioners Kelso and Koch absent from the meeting,

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FS-D97-39 - AT&T WIRELESS SERVICES, 10516 Leesburg Pike

Commissioner Downer **(MOVED) THAT (THE PLANNING COMMISSION FIND THAT) THE TELECOMMUNICATIONS FACILITY PROPOSED BY AT&T WIRELESS FOR THE EXISTING MONOPOLE LOCATED AT 10516 LEESBURG PIKE, FS-D97-39, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN", PURSUANT TO SECTION 15.1-456 OF THE *CODE OF VIRGINIA*.**

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

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda.

1. S96-III-UP2 - OUT-OF-TURN PLAN AMENDMENT
2. SE-97-P-004 - EXXON CORPORATION
3. FDP-96-V-006 - CURRY DEVELOPMENT, INC.
4. SE-97-V-003 - CENTRAL FIDELITY NATIONAL BANK
5. SEA-82-V-044-2 - COAKLEY-BACKLICK ROAD

This order was accepted without objection.

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S96-III-UP2 - OUT-OF-TURN PLAN AMENDMENT - To consider proposed revisions to the Adopted Comprehensive Plan for Fairfax County in accordance with the *Code of Virginia*, Title 15.1, Chapter 11, on 1.77 ac. located at 1241 Reston Ave. Tax Map 11-2 ((1)) 46. The area is planned for 0.5-1 du/ac. This Amendment will consider whether to replan this parcel to allow it to be incorporated within the Reston Planned Residential Community zone. Recommendations relating to the transportation network may also be modified.
HUNTER MILL DISTRICT. PUBLIC HEARING.

Heidi Merkel, Planning Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the language outlined in the staff document dated May 15, 1997, a copy of which is also in the date file.

Chairman Murphy noted there were no listed speakers and called for speakers from the audience, reciting the rules for public testimony.

Martin Walsh, Esquire, with Walsh, Colucci, Stackhouse, Emrich & Lubeley, representing Miller and Smith, the contract purchaser of the subject property, said that Miller and Smith intended to develop the subject property as the second phase of the adjacent Vintage Place. He noted that a previous proposal for 12 townhouses met with community opposition; and, after a series of meetings, the community agreed to support development of five single family detached units.

Roger Lambert, 1161 Reston Avenue, Herndon, stated his opposition to this amendment because

say that he believed it was deceiving to claim that the proposal had community support. He said the meetings were not well attended because of other commitments, but that if they had been, strong opposition would have been expressed.

In response to questions from Commissioner Downer, Commissioner Palatiello stated that the line of demarcation for the Reston PRC zone was addressed in the last bullet of the handout outlining his proposed amendment. In response to a question from Commissioner Alcorn, Ms. Merkel explained that since a rezoning application had already been filed, the conceptual plan was included in the staff report for informational purposes only.

There being no further speakers, no further comments or questions from the Commission and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Palatiello for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE OUT-OF-TURN PLAN AMENDMENT S96-III-UP2, AS SHOWN IN THE HANDOUT DATED MAY 15, 1997.

Commissioners Hunter and Thomas seconded the motion which carried by a vote of 6-3-1 with Commissioners Alcorn, Byers, and Coan opposed; Commissioner Downer abstaining; Commissioners Kelso and Koch absent from the meeting.

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SE-97-P-004- EXXON CORPORATION - Appl. under Sect. 7-607 of the Zoning Ord. to permit a service station/mini-mart in a Hwy. Corridor Overlay District on property located at 8021 Leesburg Pike on approx. 22,028 sq. ft. of land zoned C-7, HC, & SC. Tax Map 39-2 ((15)) 32. PROVIDENCE DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich & Lubeley, reaffirmed the affidavit dated May 5, 1997. There were no disclosures by Commission members.

Inda Stagg, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

In response to a question from Commissioner Coan, Ms. Stagg explained that the most recent plat submitted by the applicant was dated May 12, 1997.

Mr. Martin noted that the applicant was requesting a special exception in order to renovate an

multiple-dispenser pump islands covered by a canopy. He concurred with the development conditions suggested by staff and requested the Commission's favorable recommendation.

In response to questions from Commissioner Coan, Mr. Martin stated that the old fence on the southern property line would be removed; that one tree in that area would be lost; and that the travelway between the subject property and the property next door would be kept open.

In response to questions from Commissioner Coan, Ms. Stagg stated that the Virginia Department of Transportation (VDOT) had requested that the easternmost entrance to the service drive in front of the property be closed and that the applicant had agreed.

In response to questions from Commissioner Coan, Mr. Martin stated that, while this station would not have repair bays, there were other stations nearby that did. He added that the subject property was located in a commercial corridor and was not a local, neighborhood-serving facility.

Chairman Murphy called for speakers, but received no response. He noted that no rebuttal was necessary.

Ms. Stagg responded to questions from Commissioner Harsel about the items that would be allowed to be sold at the mini-mart.

There being no further comments or questions from the Commission, and Ms. Stagg having no final staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Coan for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Coan MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS THAT SE-97-P-004 BE APPROVED, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED MAY 12, 1997.

Commissioner Alcorn seconded the motion which carried by a vote of 9-0-1 with Commissioner Byers abstaining; Commissioners Kelso and Koch absent from the meeting.

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FDP-96-V-006 - CURRY DEVELOPMENT, INC. - Appl. to approve the final development plan for RZ-96-V-006 to permit residential development on property located in the N.E. quadrant of the intersection of Richmond Hwy. & Gunston Rd. on approx. 29.80 ac. zoned PDH-8. Tax Map 107-4 ((1)) 38; 1 13-2 ((1)) 7-10 and 15. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Antonio Calabrese, Esquire, with McGuire, Woods, Battle and Boothe, reaffirmed the affidavit dated March 26, 1997. There were no disclosures by Commission members.

Inda Stagg, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

In response to a question from Commissioner Byers, Ms. Stagg confirmed that this application was essentially a housekeeping item because the number of dwelling units approved by the Board of Supervisors in the associated rezoning had been reduced, thereby necessitating a new final development plan which required the Commission's approval.

Mr. Calabrese reiterated Commissioner Byers' explanation of the purpose of the application, noting that the number of units had been reduced from 192 to 180. He stated that the Board had already approved the rezoning and conceptual development plan and requested the Commission's approval of this application.

In response to a question from Commissioner Harsel, Mr. Calabrese explained that parcel 39 was not part of this application, but was planned for residential development at a density of five to eight dwelling units per acre.

Chairman Murphy called the only listed speaker.

Elvin Heiberg, representing the Mason Neck Civic Association, maintained that the majority of citizens in the area were opposed to the proposed development of the subject property despite a petition submitted by the applicant containing 400 plus signatures in support. He said that he had examined the petition very carefully and had discovered the following: 1) only 170 signatures appeared to be valid; 2) seven were very clearly signed in the same handwriting; 3) three had addresses listed as "Lorton Reformatory"; 4) many were illegible and without addresses; and 5) 20 or 30 signatures were from citizens out of the area, many from Woodbridge.

There being no further speakers, Chairman Murphy called upon Mr. Calabrese for a rebuttal statement.

Mr. Calabrese noted that a citizens group had brought the petition to him, that it had not been solicited by the applicant. He added that the signatures had been gathered quickly over a three or four day period and represented only the "tip of the iceberg" of citizen support.

In response to a question from Commissioner Coan, Mr. Calabrese confirmed that the only change in the Final Development Plan was the reduction of dwelling units and the resulting increase in open space.

There being no further comments or questions and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE FDP-96-V-006, SUBJECT TO THE DEVELOPMENT CONDITIONS IN ATTACHMENT 1 OF THE STAFF REPORT.

Commissioner Hunter seconded the motion which carried by a vote of 9-0-1 with Commissioner Downer abstaining; Commissioners Kelso and Koch absent from the meeting.

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SE-97-V-003 - CENTRAL FIDELITY NATIONAL BANK - Appl. under Sect. 7-607 of the Zoning Ord. to permit a drive-in bank in a Hwy. Corridor Overlay District on property located at 6717 Richmond Hwy. on approx. 0.85 ac. zoned C-8 and HC. Tax Map 93-1 ((17)) 501 A & 502. MOUNT VERNON DISTRICT. PUBLIC HEARING.

William C. Thomas, Esquire, with Fagelson, Schonberger, Payne and Deichmeister, reaffirmed the affidavit dated November 27, 1996. There were no disclosures by Commission members.

David Hunter, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

In response to a question from Commissioner Byers, Mr. Hunter explained the alternate route the residents of Schooley Drive would have to take to their homes when the service drive was closed by the applicant. He added that, as Commissioner Byers had requested, the Police Department had supplied statistics regarding the number of traffic accidents at the intersection of Route 1 and Beacon Hill Road which supported transportation staff's suggestion that the service drive be closed.

Mr. Thomas explained that an existing bank with a drive-through window occupied the subject property and the applicant was requesting permission to add a 420-square foot office addition at the back of the building. He noted that the property had been brought up to Code standards and the application had the support of the Southeast Fairfax Development Corporation. Mr. Thomas concurred with the development conditions suggested by staff and offered to answer any questions the Commission might have.

In response to a question from Commissioner Byers, Mr. Thomas confirmed that landscaping would be provided in the back of the property, to include replacement of a tulip tree that would be lost due to the proposed construction.

Chairman Murphy called the only listed speaker.

Maria-Marlene Stefanik, 2800 Schooley Drive, Alexandria, expressed her concern for the closing of the entrance to the service drive. She stated that the accident report from the Police Department indicated that many of the accidents were pedestrian related. She noted that the residents of Schooley Drive were not the only ones adversely affected by the closing and that residents and patrons of the adjacent businesses would create additional traffic problems by being forced to make U-turns on an eight lane highway to reach their destinations. Ms. Stefanik suggested that closing the service drive would delay emergency vehicles and could cost a life.

There being no further speakers, Chairman Murphy called upon Mr. Thomas for a rebuttal statement. Mr. Thomas declined.

Mr. Hunter and Commissioner Byers, at Commissioners Downer and Coan's request, explained how the traffic circulation pattern would be changed and why it was imperative that the entrance to the service drive be closed.

There being no further comments or questions and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD APPROVE SE-97-V-003, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS IN APPENDIX 1 OF THE STAFF REPORT.

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

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SEA-82-V-044-2 - COAKLEY-BACKLICK ROAD L.P. - Appl.
under Sect. 2-904 of the Zoning Ord. to amend SE-82-V-044 for uses in a floodplain to permit changes to previously approved development conditions on property located at 8501 Backlick Rd. on approx. 4.56 act zoned 1-6. Tax Map 994((1))9B. MOUNT VERNON DISTRICT.
PUBLIC HEARING.

Sarah Hall, Esquire, with Blankingship and Keith, reaffirmed the affidavit dated November 7, 1996. There were no disclosures by Commission members.

David Hunter, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. He noted that the applicant was proposing two building alternatives: Scenario #1 for one building with 300 parking spaces and Scenario #2 for two buildings with 139 parking spaces. He added that both scenarios would include 99,390 square feet of development and that Scenario #2 had been approved with SEA-82-V-044-1. Mr. Hunter stated that a revised set of conditions, dated May 14, 1997, had been distributed last night and that staff recommended approval of the application under either scenario.

Mr. Hunter responded to questions from Commissioners Byers and Harsel regarding the history of the property, best management practices, parking, uses allowed on site and the residential area to the east. He pointed out that Condition 9 listed uses which would not be allowed on the subject property.

Ms. Hall pointed out that the property was zoned 1-6 and listed the uses allowed by right in that district. She spoke about similar uses nearby and commented on the history of the property, including previous approvals by the Board of Supervisors. She noted that the applicant was requesting waiver of the stormwater detention requirements because they were not needed, but was not seeking a waiver of the best management practices (BMP) regarding water quality. She concurred with the revised development conditions and noted that the applicant had agreed to plant a row of 5-foot high leyland cypress trees along approximately 200 feet on the western boundary of the subject property adjacent to the residential area. She added that a letter to that effect had been sent to Mr. Joseph Cammarata, the representative of Raceway Farms 11. (A copy of Ms. Hall's letter to Mr. Cammarata is in the date file.) Ms. Hall pointed out that the subject property was developed before the residential area and that a substantial number of trees had been removed by the developer of that subdivision, Raceway Farms II. She explained that the proffer for leyland cypress trees was the applicant's attempt to replace those previously removed.

Ms. Hall responded to questions from Commissioner Byers regarding the storage of construction equipment on the subject property. Commissioner Byers noted that the applicant had been informed in 1995 that such storage was a zoning violation. Ms. Hall said the applicant was under the impression that since the equipment belonged to the Virginia Department of Transportation (VDOT), a state agency, that the use was allowed. Commissioner Byers refuted this argument, noting that such a use would require a special exception, which the applicant had not even attempted to obtain. He announced that he intended to defer decision on this application until the matter was resolved.

Mr. Hunter responded to questions from Commissioner Hall regarding fill in the floodplain and access to the subject property.

Chairman Murphy called the only listed speaker.

SEA-82-V-044-2 - COAKLEY-BACKLICK ROAD L.P.

May 15, 1997

Joseph Cammarata, 6860 Tiddle Way, Lorton, representing Raceway Farms II, spoke in opposition to the application. He commented on the current zoning violations and noted that the applicant's plans were too vague to be adequately assessed. (A copy of his remarks is in the date file.)

Mr. Cammarata responded to questions from Commissioner Hall regarding his position.

In response to Mr. Cammarata's request for additional buffering, Commissioner Byers commented on the substantial buffer of existing trees between the subject property and the homes on Tiddle Way, noting that the construction equipment was not visible. He acknowledged that the trees were mostly deciduous and that more of the subject property would be revealed in the winter when the trees were bare. He suggested that further discussion between himself, the applicant's representative, and staff was needed.

Chairman Murphy called for speakers from the audience, but received no response. He therefore called upon Ms. Hall for a rebuttal statement.

Ms. Hall said she welcomed the opportunity to work with Commissioner Byers, Mr. Cammarata and staff. She explained that the fill on the subject property had taken place between 1979 and 1981 before the current owner acquired the property. She added that at that time no one investigated the eventual use of the land or access to it, thereby creating the current situation requiring additional fill in the floodplain to bring the present access into conformance with established standards. Ms. Hall pointed out that permission to add the additional fill, consisting of 4.05 cubic yards, had been obtained in 1991 and was not part of this application as clearly stated in the last sentence of the first paragraph of staff's description of the application on the seventh page of the staff report. She added that this application was simply to increase the number of permitted uses and allow an option for one building instead of the previously approved two buildings.

Commissioner Coan and Ms. Hall discussed the current and allowed uses on the subject property.

In response to Chairman Murphy's offer to present closing staff comments, Mr. Hunter stated that the Zoning Enforcement Office had notified the subject property owner of violations last year and that the situation had been corrected. He knew of no outstanding violations at this time.

In response to a question from Commissioner Harsel, Mr. Hunter said that Zoning Enforcement had no record of current violations because there had been no recent complaints.

There being no further comments or questions, Chairman Murphy closed the public hearing and recognized Commissioner Byers for a motion. (A verbatim excerpt is in the date file.)

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SEA-82-V-044-2 - COAKLEY-BACKLICK ROAD L.P.

May 15, 1997

Commissioner Byers MOVED THAT WE DEFER THE DECISION ONLY ON SEA-82-V-044-2 TO A DATE CERTAIN OF 29 MAY 1997 WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

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The meeting was adjourned at 10:53 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: November 11, 1998

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