

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MAY 26, 2011**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Jay P. Donahue, Dranesville District
Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
James T. Migliaccio, Lee District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Frank A. de la Fe, Hunter Mill District
Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:20 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 Hart noted that the Planning Commission's Environment Committee had met earlier this evening to continue discussion on the Green Building Policy strawman document. He announced that the Committee would meet again on the following dates:

- Thursday, July 7, 2011, 7 p.m., Board Conference Room – Continue discussion on the Green Building Policy strawman document and the process for stakeholder review and input.
- Wednesday, July 27, 2011, 7-9 p.m., Board Conference Room – Discussion with stakeholders on proposed revisions to the Green Building Policy.
- Wednesday, September 14, 2011, 7:30 p.m., Board Auditorium – Public Workshop on proposed changes to the Green Building Policy.

Commissioner Hart said everyone was welcome to attend these meetings.

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Commissioner Hart MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON THE PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL REGARDING PUBLIC STREETS AND SIDEWALKS TO A DATE CERTAIN OF JUNE 2, 2011, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioners Lawrence and Sargeant seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

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Commissioner Lawrence noted that 2232-P10-10 regarding Nodes 5, 8, and 9, proposed by NewPath Networks, LLC and New Cingular Wireless PCS, LLC, had been withdrawn.

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION APPROVE THE FOLLOWING MINUTES:

SEPTEMBER 9, 2009	SEPTEMBER 10, 2009	SEPTEMBER 17, 2009
SEPTEMBER 24, 2009	OCTOBER 1, 2009	OCTOBER 15, 2009
OCTOBER 22, 2009	OCTOBER 29, 2009	NOVEMBER 5, 2009
NOVEMBER 18, 2009	NOVEMBER 19, 2009	DECEMBER 2, 2009
DECEMBER 9, 2009	DECEMBER 10, 2009	JANUARY 7, 2010
JANUARY 13, 2010	JANUARY 14, 2010	JANUARY 21, 2010
JANUARY 28, 2010	FEBRUARY 4, 2010	FEBRUARY 25, 2010

Commissioner Hall seconded the motion which carried by a vote of 8-0-2 with Commissioners Lawrence and Migliaccio abstaining; Commissioners de la Fe and Murphy absent from the meeting.

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FS-M11-12 – FIBERTOWER, 6621 Columbia Pike

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT FS-M11-12, LOCATED AT MASON DISTRICT PARK, 6621 COLUMBIA PIKE, IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A “FEATURE SHOWN” PURSUANT TO THE *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

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FS-P11-22 – AT&T MOBILITY, 7115 Leesburg Pike

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH STAFF’S DETERMINATION AND FIND THAT THE PROPOSED TELECOMMUNICATIONS FACILITY AT 7115 LEESBURG PIKE IS A “FEATURE SHOWN” OF THE COMPREHENSIVE PLAN PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

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2232A-M01-16-1 – AT&T MOBILITY, 7212 Early Street

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT 2232A-M01-16-1, PROPOSED BY AT&T MOBILITY TO THE TELECOMMUNICATIONS FACILITY LOCATED AT BROYHILL CREST RECREATION CLUB, 7212 EARLY STREET, IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A “FEATURE SHOWN” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

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FSA-L08-1-1 – FIBERTOWER, 6700 Springfield Center Drive

Vice Chairman Alcorn MOVED THAT THE PLANNING COMMISSION APPROVE THE CONSENT AGENDA ITEM.

Without objection, the motion carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

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ST11-IV-LP1 – COMPREHENSIVE PLAN AMENDMENT (Village of Accotink Special Study) (Mount Vernon District) (Decision Only) (The public hearing on this item was held on May 11, 2011. A complete verbatim transcript of the decision is included in the date file.)

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE PLANNING COMMISSION'S RECOMMENDED TEXT FOR ST11-IV-LP1, AS SHOWN IN THE HANDOUT DATED MAY 24, 2011.

Commissioner Sargeant seconded the motion which carried by a vote of 8-0-2 with Commissioners Alcorn and Hall abstaining; Commissioners de la Fe and Murphy absent from the meeting.

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2232-D10-24 – FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (McLean District Police Station and Government Center) (Decision Only) (The public hearing on this application was held on May 5, 2011. A complete verbatim transcript of the decision is included in the date file.)

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION FIND 2232-D10-24, AS AMENDED, SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners Migliaccio and Sargeant seconded the motion carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. PUBLIC FACILITIES MANUAL AMENDMENTS (EDITING AND FORMATTING CHANGES, ELIMINATION OF THE METRIC SYSTEM UNITS AND PLATES, AND A PFM REPRINT)
2. COUNTY CODE AND PUBLIC FACILITIES MANUAL AMENDMENTS (COUNTY SOILS MAP)
3. APR 09-IV-13MV – SOUTH COUNTY AREA PLANS REVIEW (APR) 527 ITEM (INOVA)
4. SE 2008-MA-011 – WASHINGTON BAPTIST UNIVERSITY, INC.
5. RZ/FDP 2010-SU-015 – LYLAB HOLDINGS, LLC (Rockland Village)
RZ/FDP 2011-SU-003 – LYLAB HOLDINGS, LLC (Rockland Village)

This order was accepted without objection.

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PUBLIC FACILITIES MANUAL (PFM) AMENDMENTS (EDITING AND FORMATTING CHANGES, ELIMINATION OF THE METRIC SYSTEM UNITS AND PLATES, AND A PFM REPRINT)

– To amend the Public Facilities Manual to include editing and formatting changes, elimination of the metric system units and plates, and reprint the updated PFM to include all amendments adopted by the Board of Supervisors since the last printing in 2001. COUNTYWIDE. PUBLIC HEARING.

Jan Leavitt, Code Analysis Division, Land Development Services, Department of Public Works and Environmental Services, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the proposed amendments.

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

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Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED AMENDMENTS AND REPRINT OF THE PUBLIC FACILITIES MANUAL, AS SET FORTH IN THE STAFF REPORT DATED APRIL 26, 2011, INCLUDING ANY NEEDED CHANGES TO THE NAMES OF GROUPS WITHIN LAND DEVELOPMENT SERVICES, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES, AND THAT THE AMENDMENT SHALL BECOME EFFECTIVE AT 12:01 A.M. ON JUNE 8, 2011.

Commissioners Lawrence and Hall seconded the motion which carried by a vote of 9-0-1 with Commissioner Harsel abstaining; Commissioners de la Fe and Murphy absent from the meeting.

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COUNTY CODE AND PUBLIC FACILITIES MANUAL (PFM) AMENDMENTS (COUNTY SOILS MAP) – To adopt an official County Soils Map based on a new Soil Survey, amend Chapter 107 (Problem Soils) of The Code of the County of Fairfax, Virginia, (County Code), and amend the Public Facilities Manual (PFM) as follows: The proposed amendments to Chapter 107 include:

Definitions of the new soil problem classes, problem soils, and marine clay; a listing of the soils within the new soils problem classes; and revisions to the requirements for notice to adjoining property owners. The proposed amendments to the PFM, with regard to soils, incorporate the following: information from the new soil survey, either directly or by reference; requirements for preparation of geotechnical reports and plan submissions, including construction requirements; a definition for "Expansive Soils" consistent with the Virginia Uniform Statewide Building Code; and prohibition of the use of expansive soils for structural fill and backfill around structures. COUNTYWIDE.
PUBLIC HEARING.

Bijan Sistani, Code Analysis Division, Land Development Services, Department of Public Works and Environmental Services, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the proposed amendments.

In response to a question from Commissioner Lawrence, Mr. Sistani clarified that a soils report was similar to a geotechnical report. He noted that the proposed amendments sought to replace "soils report" with "geotechnical report" to be consistent with terminology in the Virginia Unified Statewide Building Code.

Replying to a question from Commissioner Hart, Mr. Sistani confirmed that staff recommended removing references to the metric system to be consistent with the proposed PFM Amendments presented during the previous public hearing.

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 Hart for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE NEW COUNTY SOILS MAP AND PROPOSED AMENDMENTS TO CHAPTER 107, PROBLEM SOILS, OF THE CODE OF THE COUNTY OF FAIRFAX AND THE PUBLIC FACILITIES MANUAL, AS SET FORTH IN THE STAFF REPORT DATED APRIL 26, 2011, WITH THE EXCEPTION THAT THE METRIC UNITS AND PLATES BE DELETED TO BE CONSISTENT WITH THE PUBLIC FACILITIES MANUAL REPRINT, AND THAT THE AMENDMENTS SHALL BECOME EFFECTIVE AT 12:01 A.M. ON JUNE 8, 2011.

Commissioners Flanagan, Lawrence, and Litzenberger seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

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APR ITEM #09-IV-13MV – SOUTH COUNTY AREA PLANS REVIEW (APR) 527 ITEM (INOVA) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. South County APR Item 09-IV-13MV concerns approx. 73 ac. generally located W. of Schelhorn Road and N of Sherwood Hall Lane (part), W. of Friars Ct. and Bayberry Dr., N. of Apple Hill Road and E. of Holland Road (Tax Map 102-1 ((1)) 1C, 2A, 4, ((7)) (7) 17B, 18A, ((35)) 100-408, ((36)) 1A, 2A, ((38)) 201-219, ((39)) 301-319, 401-419, and 501-515) in the Mount Vernon District. The area is planned for a govt. center/fire station/mental health fac./hospital and ancillary uses incl. medical office at an intensity up to .35 FAR w/conditions; office, public facilities, public parks; residential use at 5-8 du/ac. The nomination considers govt. center/fire station/ mental health fac./hospital, office, public facilities, public parks, and ancillary uses incl. medical office at an intensity up to .50 FAR w/conditions to create a campus setting, mitigate impacts on the community, reduce impervious surfaces, provide open space, pedestrian and bicycle centered design, and transit center; convert neighboring office uses to restaurant use to serve the campus when those uses are abandoned; and implement the recommendations of the Little Hunting Creek Watershed Plan for the area. Retain recommendation for residential use at 5-8 du/ac. Recommendations relating to the transportation network may also be modified. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Commissioner Flanagan explained that on July 28, 2010, the Planning Commission had recommended approval of the staff alternative for this APR nomination, but on September 28, 2010, the Board of Supervisors had voted to defer decision and directed staff to evaluate a new proposed alternative that involved the evaluation of an intensity of development up to 0.50 Floor Area Ratio (FAR) limited to Parcel 102-1 ((1)) 4 for the expansion of the INOVA Mount Vernon Hospital, and to accept a Virginia Department of Transportation (VDOT) Chapter 527 Transportation Impact Study. He announced his intent to defer the decision on this item at the end of the public hearing.

Aaron Klibaner, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended that the

Comprehensive Plan be amended to support the expansion of the INOVA Mount Vernon Hospital to include ancillary uses, such as medical office, restaurant, retail, and pharmacy, and expansion of the Mount Vernon Governmental Center, Fire Station, and Police Station at an intensity up to 0.50 FAR, as set forth in the staff alternative language outlined on pages 11 through 14 in the staff report.

In reply to questions from Commissioner Flanagan, Mr. Klibaner identified the roads surrounding the hospital. Thomas Burke, Fairfax County Department of Transportation (FCDOT), confirmed that the traffic impact study showed that 70 percent of the traffic to the site would come from Richmond Highway, 10 percent would come from Collingwood Road, and 20 percent would come from Fort Hunt Road. Mr. Klibaner also identified the location of the Gum Springs Conservation Area.

Responding to questions from Commissioner Hart, Mr. Klibaner explained that the transportation mitigation measures listed under the third bullet on page 13 in the staff report addressed specific concerns raised by residents in the surrounding community. Marianne Gardner, PD, DPZ, stated that the County Attorney's Office had not reviewed Transportation Mitigation Measures Numbers Four and Five to determine if they were within the scope of advertising for this Plan Amendment. She said the advertisement had noted that recommendations affecting the transportation network might be modified, and staff would verify that this level of specificity would cover the proposed transportation mitigation measures.

Commissioner Hall expressed concerns about including such explicit language in the Comprehensive Plan regarding transportation mitigation measures and contributions to funds, stating that the Plan was a guide, subject to change, and therefore should not contain mandatory language. She commented that such provisions would be more appropriate at the time of rezoning based on input from the surrounding community and the applicant. Ms. Gardner said that Plan language was becoming more specific with the advent of the VDOT Chapter 527 Transportation Impact Study requirement and difficulties of implementing transportation improvements related to infill development. She pointed out that the recent Plan Amendments for Springfield Mall and INOVA Fairfax Hospital included similar language. Ms. Gardner explained that additional Plan language was necessary to ensure that developers contribute toward transportation improvements to help offset impacts on roadway systems. For example, she noted that the Plan language approved by the Board of Supervisors on May 10, 2011 for APR Item #09-IV-2S concerning the Springfield INOVA Healthplex in the Lee District recommended that development contribute toward the future interchange at Beulah Road and the Franconia-Springfield Parkway and other necessary off-site transportation improvements.

Commissioner Hall commented that some flexibility was warranted in the Comprehensive Plan and emphasized the need to maintain a balance to achieve the necessary flexibility to respond appropriately.

In response to questions from Commissioner Sargeant, Mr. Klibaner explained that the intent of the nomination was to redevelop the INOVA Mount Vernon Hospital area into a pedestrian-, bicycle-, and transit-friendly unified campus design theme. He noted that the original nominated area covered 73.3 acres, but the proposed alternative reduced the scope to cover only 38.2 acres. Mr. Burke indicated that the proposed increase in development intensity would generate an additional 8,027 daily vehicular trips, compared to more than 16,000 additional daily trips that would have been generated by the original nomination. Mr. Klibaner stated that the phasing of the proposed development and the provision of transportation mitigation measures should be coordinated until complete build-out in the year 2030. He said he believed that the boundary of the New Gum Springs Civic Association had not changed.

Commissioner Lawrence said he thought that on a case-by-case basis, particularly those involving egregious transportation problems or large infill development, it was appropriate to address specific transportation mitigation measures such as those identified in the VDOT Chapter 527 Transportation Impact Study results. He recommended that during the deferral period, staff consider adding more general language to the bulleted header listing the proposed transportation mitigation measures on page 13 in the staff report that stated, "Any and all, as appropriate," or other language to that effect. Commissioner Flanagan concurred with these remarks.

Vice Chairman Alcorn called the first listed speaker and recited the rules for public testimony.

Sarah Hall, Esquire, Blankingship & Keith, PC, representing INOVA Health Care Services, spoke in support of the proposal because it would serve a substantive role in expanding the Mount Vernon Hospital. She mentioned that INOVA had also submitted a Special Exception Amendment application (SEA-82-V-012-06) for the approximately 26-acre portion of Parcel 4 that contained the hospital and assisted living facility. She said INOVA had worked with staff, the Mount Vernon Council of Citizens' Associations, and the New Gum Springs Civic Association and other associations in the surrounding area on the proposed Plan language. Ms. Hall recommended that the transportation mitigation measures be deleted and replaced with more general language, as contained in her handout, a copy of which is in the date file. She said language regarding specific transportation improvements should not be included in the Comprehensive Plan but only in the context of Rezoning, SE, and Special Permit applications.

Responding to questions from Commissioner Flanagan, Ms. Hall stated that INOVA planned to redevelop the property in phases with total build-out expected in 15 to 20 years. She said she did not know the exact order or timing of the phases at this time, noting that this was dependent upon the needs of the community and evolving health care regulations. Ms. Hall indicated that the VDOT Chapter 527 Transportation Impact Study evaluated both this Plan Amendment and SEA-82-V-012-06. She pointed out that this study had recommended only some of the transportation mitigation measures proposed by staff.

In reply to a question from Vice Chairman Alcorn, Ms. Hall noted that INOVA was working with staff on commitments to transportation improvements as part of the SEA.

Replying to a question from Commissioner Flanagan, Mr. Burke clarified that the VDOT Chapter 527 Transportation Impact Study had identified a need for dual southbound left turn lanes on Richmond Highway at Sherwood Hall Lane and a second northbound left turn lane on Parkers Lane at Sherwood Hall Lane.

In response to questions from Commissioner Hart, Mr. Burke said that INOVA had not yet provided information on phasing the proposed development beyond the first phase; therefore, staff had not been able to identify the phasing of the transportation mitigation measures. Ms. Gardner cited that the second to last bullet on page 13 in the staff report stated, "Phase development in such a way that transportation measures are in place or substantially completed before proceeding to the next development phases." She noted that staff was considering a revision of this stipulation to link it with the five recommended transportation improvements.

Commissioner Lawrence suggested that the language describing the proposed transportation mitigation measures be revised to indicate that provisions should be made to enable safe, conflict-free, and free-flowing traffic to access the site at all entrances rather than specifying turn lanes at particular roads or the widening of certain roads to allow for flexibility in the Plan. Vice Chairman Alcorn agreed that the Plan should focus on achieving desired outcomes rather than specific solutions.

Patrick Rea, 9417 Mount Vernon Circle, Alexandria, representing the Mount Vernon Council of Citizens' Associations (MVCCA), stated that he was the nominator of the original nomination, on behalf of the MVCCA. He reviewed the background of the nomination. Mr. Rea said he supported the new Plan Amendment, but expressed concern about increased traffic in the area, citing the Parkers Lane/Sherwood Hall Lane intersection as a primary point of congestion. He pointed out that residents of the Gum Springs community were opposed to the proposal because it would exacerbate existing traffic congestion along Sherwood Hall Lane through their community. He explained that the following issues also needed to be addressed: 1) without a traffic light at the Sherwood Hall Lane/Holland Road intersection, which VDOT would not approve because it did not comply with current VDOT standards, all the traffic would be forced to use the Parkers Lane/Sherwood Hall Lane intersection, and 2) vehicles accessing the INOVA Mount Vernon Hospital would cause spillover traffic onto the surrounding neighborhood roads. He recommended that the decision on this proposal be deferred until these traffic issues were addressed.

Commissioner Donahue said he believed that given the expected future traffic demand within the existing transportation system, specific transportation mitigation expectations were needed in this Plan language.

Answering a question from Commissioner Donahue, Mr. Rea said he supported the proposed transportation mitigation measures either in the Plan Amendment or the SEA because there were few alternatives available to help mitigate the increased traffic.

In reply to questions from Commissioner Hart, Mr. Rea said he believed that the MVCCA would not support Transportation Mitigation Measure Number 4, which recommended contribution to a fund for the future widening of Sherwood Hall Lane to four lanes between Richmond Highway and Parkers Lane, because this would adversely impact the surrounding residential neighborhoods. He noted, however, that the MVCCA had not taken a formal position on this.

Responding to questions from Commissioner Flanagan, Mr. Rea said he would likely speak at the Board of Supervisors' public hearing on this proposal and the MVCCA might take a position on the transportation mitigation measures prior to that hearing. He noted that he was uncomfortable presuming whether the MVCCA would support the expansion of the INOVA Mount Vernon Hospital based on the amount of traffic expected to be generated by the expansion or with the caveat that the anticipated one-percent-per-year growth actually occurred, improvements should be made to Sherwood Hall Lane.

In response to questions from Commissioner Sargeant, Mr. Rea stated that the original nomination had requested an increase in allowable development intensity from a 0.35 to a 0.50 FAR for a total area of 73.3 acres, which had envisioned a much lower traffic addition to the area. He noted that the amended nomination requested that the increased 0.50 FAR be applied to Parcel 4 only, covering an area of 38.2 acres, and the remaining area should not exceed 0.35 FAR. Mr. Rea clarified that the MVCCA had supported the original nomination until the traffic count was made available at which time the MVCCA reconsidered the proposed intensity.

Commissioner Flanagan pointed out that the Mount Vernon District APR Task Force had voted not to recommend approval of the original nomination and to retain the adopted Plan.

Queenie Cox, 8100 Fordson Road, Alexandria, President, New Gum Springs Civic Association, stated that her community concurred with Mr. Rea's position. She noted that there were only two entrances into her community via Sherwood Hall Lane and Fordson Road. She expressed concern that widening Sherwood Hall Lane to four lanes between Richmond Highway and Parkers Lane would essentially divide the Gum Springs community and cause a conflict with the neighboring community. She explained that her community opposed the proposed 0.50 FAR because it would significantly increase traffic along Sherwood Hall Lane and negatively impact the quality of life of the residents. (A copy of Ms. Cox's statement is in the date file.)

Replying to questions from Commissioner Flanagan, Ms. Cox confirmed that Sherwood Hall Lane was four lanes wide, but there were parking lanes on each side of the road. She described the layout of Sherwood Hall Lane and existing uses in the immediate area. She expressed concern that any expansion to the hospital would trigger the restriping of Sherwood Hall Lane to

four lanes and require the elimination of on-street parking throughout the corridor, which would potentially impact local residents and church-goers along the corridor.

Vice Chairman Alcorn reminded Commissioner Flanagan that the phasing of the proposed development was not part of this Plan Amendment, but this should be addressed in the SEA.

Commissioner Hart stated that the residents along Sherwood Hall Lane should be informed that the proposed restriping of Sherwood Hall Lane to four lanes would require the elimination of on-street parking and questioned whether this could be included in the Plan if it was not within the scope of the advertising. Vice Chairman Alcorn agreed that this issue should be addressed, noting that typically Plan changes allowed for more flexibility and did not identify specific transportation solutions.

Vice Chairman Alcorn called for speakers from the audience.

James Gray, 8200 Hinson Farm Road, Alexandria, said he shared the concerns expressed by Ms. Cox and Mr. Rea. He noted his chief concern was the phasing of the proposed development. He said not specifying transportation mitigation measures in the Plan language ignored a major piece of the outcome. He stated that the expected influx of approximately 4,000 new employees to the Fort Belvoir Main Post under the Base Realignment and Closure (BRAC) process needed to be factored into the traffic impact study, noting that this would exacerbate traffic problems in the area.

Responding to a question from Commissioner Flanagan, Mr. Burke stated that the estimated annual one-percent background traffic growth rate assumed the implementation of BRAC at Fort Belvoir.

In response to questions from Commissioner Sargeant, Mr. Burke explained that a land use-based model that incorporated the BRAC adjustments had been used to determine the one-percent traffic growth rate. Ms. Gardner noted the difficulty of expanding the land uses to cover the total area of 73.3 acres because the majority of the surrounding land was publicly owned and developed to the highest intensity possible, and the site had limited accessibility.

Commissioner Lawrence emphasized the importance of maintaining a balance between the intensification of land use and transportation, such as in the case of Tysons Corner redevelopment.

In reply to questions from Commissioner Flanagan, Mr. Klibaner said the restriping of Sherwood Hall Lane to four functional lanes would allow for a freer flow of traffic. He noted that there might not be enough right-of-way to construct a boulevard along this corridor.

Commissioner Flanagan stated that during the deferral period, he planned to address the concern expressed by the Chief of Police about potential security risks imposed by the proposed parking structure that would overlook the Mount Vernon Police Station.

There were no more 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 excerpt is in the date file.)

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Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR APR NOMINATION 09-IV-13MV TO A DATE CERTAIN OF JUNE 16, 2011, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

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SE 2008-MA-011 – WASHINGTON BAPTIST UNIVERSITY, INC. –
Appl. under Sects. 4-304 and 9-622 of the Zoning Ordinance to permit a university and modifications and waivers in a CRD. Located at 4300 and 4302 Evergreen Lane on approx. 50,225 sq. ft. of land zoned C-3, HC, SC, and CRD. Tax Map 71-2 ((2)) 13; 71-2 ((30)) (1) 101-104, 201, 202, and 204. MASON DISTRICT. PUBLIC HEARING.

William Baskin Jr., Esquire, Baskin, Jackson & Duffett, PC, reaffirmed the affidavit dated March 5, 2011. There were no disclosures by Commission members.

Commissioner Hall asked that Vice Chairman Alcorn ascertain whether there were any speakers for this application. There being none, she asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Vice Chairman Alcorn closed the public hearing and recognized Commissioner Hall for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2008-MA-011, SUBJECT TO THE DEVELOPMENT CONDITIONS FOUND IN APPENDIX 1 OF THE STAFF REPORT DATED MAY 5, 2011.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

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The Commission went into recess at 10:22 p.m. and reconvened in the Board Auditorium at 10:31 p.m.

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RZ 2010-SU-015/FDP 2010-SU-015 – LYLAB HOLDINGS, LLC –

Appls. to rezone from R-1 and WS to PDH-8 and WS to permit residential development at a density of 8 dwelling units per acre (du/ac), approval of the conceptual and final development plans, and waiver of the minimum district size and open space requirements. Located on the S. side of Dallas St. approx. 500 ft. E. of its intersection with Walney Rd. on approx. 21,806 sq. ft. of land. Comp. Plan Rec: 16-20 du/ac. Tax Map 44-2 ((2)) 7. SULLY DISTRICT.

RZ 2011-SU-003/FDP 2011-SU-003 – LYLAB HOLDINGS, LLC –

Appls. to rezone from R-1 and WS to PDH-8 and WS to permit residential development at a density of 8 dwelling units per acre (du/ac), approval of the conceptual and final development plans, and waiver of the minimum district size and open space requirements. Located in the NW quadrant of the intersection of Elmwood and Dallas Sts. on approx. 21,914 sq. ft. of land. Comp. Plan Rec: 16-20 du/ac. Tax Map 44-2 ((2)) 21. SULLY DISTRICT. JOINT PUBLIC HEARING.

Lori Greenlief, Esquire, McGuireWoods LLP, reaffirmed the affidavits dated May 11, 2011. Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a case representing a party adverse to Dale G. Strawser and Anita Huffman-Strawser, owners of Parcel 21, listed in the affidavit for RZ/FDP 2011-SU-003, but indicated that this case had concluded in 1999, there was no financial relationship, and it would not affect his ability to participate in this case.

Bobby Katai, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff reports for both applications, copies of which are in the date file. He noted that staff recommended approval of the applications.

In reply to questions from Commissioner Sargeant, Mr. Katai confirmed that the proffers dated May 12, 2011, were the most recent. He further clarified that Proffer Number 3 stated that the subject properties would be incorporated into the existing Rockland Village Homeowners Association (RVHOA) and would therefore, take advantage of the RVHOA's open space and

recreational facilities. Referring to Proffer Number 4, Dedication to HOA, Mr. Katai noted that the new lots would be assessed the RVHOA's maintenance fees.

Ms. Greenlief described both applications as infill development within the adjacent Rockland Village subdivision. She noted that the proposed lots had not been included in the original rezoning that created Rockland Village. She stated that the proposed density, sizes of the lots and houses, and architectural style of the dwellings were compatible with the surrounding properties. She said the applicant had worked with the RVHOA and a letter of support from the RVHOA was contained in Appendix 5 of the staff report. Ms. Greenlief noted that RZ/FDP 2010-SU-015 sought to expand the curb of Bell Ridge Court and the sidewalk around the east side of the street. She explained that the proffers addressed architectural compatibility; ENERGY STAR qualification; disclosure to prospective homeowners of the proximity of the site to Dulles Airport; provision of trees; and allowance of decks or deck-related additions to the rear of the houses. She stated that the Sully District Council and Western Fairfax County Citizens Association supported the applications. She said the proposed houses would become a seamless addition to the Rockland Village subdivision in a manner that was consistent with the infill development policies of the Comprehensive Plan.

Vice Chairman Alcorn pointed out that at the time of approval of the original rezoning and development plans, the Rockland Village applicant had supplied a conceptual plan showing how these parcels could be developed at a future date in a manner that was compatible with the planned community. Ms. Greenlief added that there were nine properties within the potential development area that had declined to participate in the initial Rockland Village rezoning.

Ms. Greenlief responded to questions from Commissioner Litzenberger regarding the applicant's community outreach.

Commissioner Harsel expressed concerns that the proffer regarding setbacks would allow the installation of a bay window onto the side of a house or encroachment of any of the listed additions into the sidewalk area.

Answering questions from Commissioner Harsel, Ms. Greenlief explained that stormwater from Lot 7 would drain into two off-site ponds and stormwater from Lot 21 would drain into an existing pond within the Rockland Village development. She confirmed there was no septic system or well on Lot 7.

Responding to questions from Commissioner Lawrence, Ms. Greenlief acknowledged that Lot 21 had 20-foot backyards, but Lot 7 had different backyard dimensions.

Commissioner Lawrence requested that a disclosure be made to potential homeowners informing them of the limitations on deck sizes. She said minimum setbacks and restrictions of this proffer

would be disclosed to all prospective homeowners in a memorandum prior to entering a contract of sale and included in the RVHOA documents.

Commissioner Hart pointed out that in previous P-District rezoning applications involving small lots, Zoning Ordinance requirements had prohibited the addition of decks or severely limited the size, although homeowners had been led to believe that they would be able to build a deck. He advocated stipulations in the original approval that allowed the homeowners to build bigger decks than would otherwise be permitted. He explained that the proffer regarding setbacks was not intended to permit deck-related additions, such as lattice, to encroach into the side yards, noting that there might be building code or permit restrictions concerning additions located closer than five feet to a lot line. Kristen Abrahamson, ZED, DPZ, concurred with these assessments.

In reply to a question from Commissioner Harsel, Commissioner Hart stated that building permit requirements would limit the extent of additions such as bay windows. Ms. Abrahamson stated that staff would modify the proffer language regarding setbacks to clarify that these additions could encroach into the minimum rear yard provided that they meet the applicable Zoning Ordinance regulations and would not be closer than five feet to any lot line.

Replying to questions from Commissioner Flanagan, Ms. Greenlief acknowledged that all the trees would need to be removed on Lot 21. She noted that the landscape plan showed that the proposed landscaping would meet the tree cover requirements. She described the kinds of trees that would be planted. Ms. Abrahamson stated that the Urban Forestry Management Division of the Department of Public Works and Environmental Services had reviewed the proposal but had provided no comments. She stated that the proposed landscaping would comply with the required tree coverage of 20 to 30 percent for a P-District.

Vice Chairman Alcorn called the first listed speaker.

Matthew Blevins, 13905 Lindendale Lane, Chantilly, noted that he was representing a group of RVHOA members. He said he did not object to RZ/FDP 2010-SU-015. He stated that the site plans, drawings, and other details related to RZ/FDP 2011-SU-003 had not been effectively communicated to the community by the RVHOA. Mr. Blevins explained that the proposed orientation of the new houses facing Elmwood Street would create safety problems; eliminate much-needed street parking; cause problems for the new homeowners in trying to resolve maintenance, repair, or damage issues with Elmwood Street since it was owned by the Virginia Department of Transportation; and be incompatible with the design of the houses on the western side of McCloskey Court. He recommended that the new houses be reoriented so that they faced McCloskey Court to address these concerns, as shown in his amended aerial photograph. (Copies of Mr. Blevins' remarks and photograph are in the date file.)

In reply to questions from Commissioner Lawrence, Mr. Blevins said 18 members of the RVHOA had signed a petition in support of the views expressed in his statement, a copy of which is in the date file. He stated that the RVHOA fees covered maintenance of McCloskey Court, but the new houses facing Elmwood Street would be denied such benefit since Elmwood Street was not owned by the RVHOA. Commissioner Lawrence said he thought that the RVHOA fees for the new homeowners would need to be adjusted so that they were not paying for maintenance of McCloskey Court.

In response to questions from Commissioner Hart, Ms. Abrahamson explained that if the new houses were reoriented to face McCloskey Court, accessory structures, such as sheds and play structures, would be prohibited in the front yard and fencing around the backyard along Elmwood Street would be limited to four feet in height.

Vice Chairman Alcorn called for speakers from the audience.

Elizabeth Silisty, 13964 James Cross Street, Chantilly, President, RVHOA, described the extensive community outreach activities, noting that she had received only positive feedback. She said the RVHOA fully supported the project with no modifications because it would raise home values in the Rockland Village community.

Responding to a question from Commissioner Litzenberger, Ms. Silisty stated that the homeowners along McCloskey Court had not voiced significant concerns aside from how the new houses would affect traffic flow. She added that if the houses were reoriented to face McCloskey Court, as recommended by Mr. Blevins, this new orientation would be aesthetically unpleasing from the view of Elmwood Street.

Replying to questions from Commissioner Sargeant, Ms. Silisty noted that she, the Treasurer of the RVHOA, and Sully District Supervisor Michael Frey had been working with the applicant for a year. She claimed that all the Rockland Village homeowners had been kept informed of the proposal. She indicated that the RVHOA Board of Directors had voted unanimously to support the proposal. She said several community meetings had been held to discuss the proposal, which had been well attended by residents.

In reply to questions from Commissioner Flanagan, Ms. Silisty noted where Mr. Blevins resided in the community. She said she and the applicant had spoken to all the homeowners who resided along McCloskey Court.

Dinesh Pateriya, 4196 Week Place, Chantilly, noted that he served as Treasurer on the RVHOA Board of Directors. He pointed out that the applicant had contributed \$30,000 toward road maintenance and improvements.

Dale Rainey, 4170 McCloskey Court, Chantilly, explained that he preferred that the driveways face Elmwood Street because if they were reoriented to face McCloskey Court, this would pose a safety hazard for children playing on McCloskey Court.

There being no more speakers, Vice Chairman Alcorn called for a rebuttal statement from Ms. Greenlief.

Addressing Mr. Blevins' recommendation that the houses be reoriented to face McCloskey Court, Ms. Greenlief stated that the Fairfax County Department of Transportation and DPZ staff supported the orientation of the houses facing Elmwood Street because this would not cause any transportation conflicts and would be compatible with suburban style neighborhoods fronting on local public streets. She explained how the proposed layout provided a more desirable appearance; created less impervious surface; avoided the creation of three front yards on the corner lot on Elmwood Street; and eliminated only three parking spaces.

Responding to questions from Commissioner Harsel, Ms. Greenlief explained that the septic field would be abandoned, the well would be closed properly, and all eight houses would be connected to public water and sewer systems. Ms. Abrahamson pointed out that the applicant would be required to do this per the County Code. She said staff could add a development condition to clarify this procedure. Commissioner Harsel expressed concern that this was not depicted on the plats for both applications.

Commissioner Hart commented that the Residential Development Criteria recommended that the layout include usable yard areas that would accommodate the future construction of decks, sunrooms, porches, and/or accessory structures and provide adequate privacy space in the rear yard. He said if the new houses were reversed, this would limit the usable space to the front of the house only; therefore, he said he believed that the proposed orientation facing Elmwood Street was the most optimal layout.

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 Litzenberger for action on these cases. (A verbatim excerpt is in the date file.)

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Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2010-SU-015, SUBJECT TO THE EXECUTED PROFFERS DATED MAY 12, 2011.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2010-SU-015, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 OF THE STAFF REPORT AND SUBJECT ALSO TO THE BOARDS' APPROVAL OF RZ 2010-SU-015.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE MINIMUM DISTRICT SIZE OF TWO ACRES FOR THE PDH DISTRICT.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE MINIMUM OPEN SPACE REQUIREMENT FOR THE PDH-8 DISTRICT.

Commissioner Flanagan seconded the motion which carried by a vote of 9-0-1 with Commissioner Harsel abstaining; Commissioners de la Fe and Murphy absent from the meeting.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ/FDP 2011-SU-003 TO A DATE CERTAIN OF JUNE 2, 2011, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioners Flanagan and Hall seconded the motion which carried unanimously with Commissioners de la Fe and Murphy absent from the meeting.

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The meeting was adjourned at 11:34 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

CLOSING

May 26, 2011

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Meeting taken by: Kara A. DeArrastia

Minutes by: Jacob Caporaletti

Approved on: April 18, 2012

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