

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MAY 26, 1999**

PRESENT: Waiter 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 B. Kelso, Lee District
Ronald W. Koch, Sully District
John M. Palatiello, Hunter Mill District
Alvin L. Thomas, Commissioner At-Large
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:20 p.m. by Vice Chairman John R. Byers, 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 Kelso MOVED THAT THE PUBLIC HEARING ON PCA-C-448-19 AND FDP-C-448-35, KINGSTOWNE SVD SOUTH, LP, BE DEFERRED FROM MAY 26, 1999 TO A DATE CERTAIN OF JUNE 24, 1999.

Commissioner Coan seconded the motion which carried unanimously with Commissioners Hall, Harsel, Thomas, and Wilson not present for the vote; Commissioner Murphy absent from the meeting.

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Commissioner Kelso announced his intent to defer the public hearing on RZ-1998-LE-074 and FDP-1998-LE-074, Archstone Communities Trust, from June 3, 1999 to a date to be determined.

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Commissioner Koch MOVED THAT THE PUBLIC HEARING ON RZ-1998-SU-067, PCA-85-C-091-4, AND SEA-84-C-076-5, INOVA HEALTH CARE SERVICES, BE DEFERRED FROM MAY 26, 1999 TO A DATE CERTAIN OF JUNE 2, 1999.

Commissioner Coan seconded the motion which carried unanimously with Commissioners Hall, Harsel, Thomas, and Wilson not present for the vote; Commissioner Murphy absent from the meeting.

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Commissioner Downer MOVED THAT THE PUBLIC HEARING ON RZ-1998-DR-070, ALD GROUP, INC., BE DEFERRED FROM MAY 26, 1999 TO A DATE CERTAIN OF JUNE 23, 1999.

Commissioner Coan seconded the motion which carried unanimously with Commissioners Hall, Harsel, Thomas, and Wilson not present for the vote; Commissioner Murphy absent from the meeting.

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In the absence of Commissioner Murphy, Vice Chairman Byers MOVED THAT THE PUBLIC HEARING ON PCA-88-S-097-2 AND FDPA-88-S-097-01-1, EXXON LAND DEVELOPMENT, INC., BE DEFERRED FROM MAY 26, 1999 TO A DATE CERTAIN OF JULY 21, 1999.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall, Harsel, Thomas, and Wilson not present for the vote; Commissioner Murphy absent from the meeting.

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Commissioner Hall MOVED THAT THE PERSONNEL AND BUDGET COMMITTEE GO INTO EXECUTIVE SESSION ON JUNE 2 AND 3, 1999 FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTERS REGARDING OUR OWN STAFF, PURSUANT TO *VIRGINIA CODE* SECTION 2.1-344(A)(1).

Without objection, so ordered.

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ORDER OF THE AGENDA

In the absence of Secretary Harsel, Vice Chairman Byers set the order of the agenda items:

1. ZONING ORDINANCE AMENDMENT
2. RZ-95-Y-056 - MOBIL OIL CORPORATION
SE-95-Y-071 - MOBIL OIL CORPORATION
PCA-74-2-112 - MOBIL OIL CORPORATION
PCA-87-S-023-2 - MOBIL OIL CORPORATION

This order was accepted without objection.

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ZONING ORDINANCE AMENDMENT - To amend Articles 8, 9, 16, & 18 of Chap. 112 of the 1976 Code of the County of Fairfax to clarify that an amendment application may be filed on a portion of the property subject to proffered condition, development plan, SE or SP permit approval; to provide for written notice of the public hearings for such applications; to clarify that any development in the PDH, PDC, or PRC Dists. must be in substantial conformance w/approved development plan conditions; and to clarify that all public hearings for final development plan applications require written notice. PUBLIC HEARING.

Lorrie Kirst, Zoning Administration Division, Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of the proposed Zoning Ordinance amendment.

Commissioner Alcorn explained that the intent of the proposed Zoning Ordinance was in no way intended to relieve any commitments previously made on development not incorporated into the amendment application.

Barbara Byron, Zoning Evaluation Division, DPZ, responded to questions from Commissioner Downer about notice requirements if the proposed Ordinance amendment was adopted.

At Commissioner Alcorn's request, Ms. Byron outlined procedures to be followed by an applicant who wished to file a partial amendment.

Vice Chairman Byers called for speakers from the audience and recited the rules for testimony before the Commission.

ZONING ORDINANCE AMENDMENT

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Keith Martin, Esquire, Walsh, Colucci, Stackhouse, Emrick, and Lubeley, PC, expressed support for the proposed Ordinance Amendment on behalf of his law firm. He said it would help codify a process which had been handled on an ad hoc basis in the past and commended staff for their work on the proposed amendment.

Vice Chairman Byers noted that no rebuttal was necessary. Staff had no closing comments; therefore, he closed the public hearing and recognized Commissioner Alcorn for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION ENDORSE THE PROPOSED CHANGES TO THE ZONING ORDINANCE AMENDMENT IN ARTICLES 8, 9, 16, AND 18 AS SHOWN IN THE HANDOUT DATED MAY 26, 1999.

Commissioner Thomas seconded the motion which carried unanimously with Commissioner Hall not present for the vote; Commissioner Murphy absent from the meeting.

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RZ-95-Y-056 - MOBIL OIL CORPORATION - App. to rezone from I-5 and WS to C-8 and WS to permit service station/quick service food store and car wash w/an overall FAR of 0.07 on property located on the E. side of West Ox Rd., approx. 20 ft. from its intersection w/Piney Branch Rd. on approx. 1.12 acres. Comp. Plan Rec: Industrial/Office, Fairfax Center. Tax Map 56-1 ((13))1. (Concurrent w/PCA-74-2-112, PCA-87-S-023-02, & SE-95-Y-071.) SULLY DISTRICT.

SE-95-Y-071 - MOBIL OIL CORPORATION - App. under Section 4-804 of the Zoning Ordinance to permit a service station/quick service food store w/an accessory fast food restaurant, car wash, and waiver of lot width requirement on property located on the E. side of West Ox Rd., approx. 20 ft. from its intersection w/Piney Branch Rd. on approx. 1.12 ac. zoned C-8 & WS. Tax Map 56-1((13))1. (Concurrent w/PCA-74-2-112, PCA-87-S-023-02, & RZ-95-Y-056.) SULLY DISTRICT.

PCA-74-2-112 - MOBIL OIL CORPORATION – App. to amend the proffers for RZ-74-2-11 2 to permit 1.12 ac. to be rezoned to C-8 Dist. for commercial development w/an overall FAR of 0.07 on property located on the E. side of West Ox. Rd., near its intersection w/Piney Branch Rd. on approx. 9.35 acres zoned I-5, R-1 & WS. Comp. Plan Rec: Fairfax Center Area: Industrial/ Office Uses. Tax Map 56-

RZ-95-Y-058, SE-95-Y-071, PCA-74-2-112, and PCA-87-S-023-2
MOBIL OIL CORPORATION

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1((13))1, 2, 3, & 4. (Concurrent w/PCA-87-S-023-02, SE-95-Y-071, & RZ-95-Y-056.) SULLY DISTRICT.

PCA-87-S-023-2 - MOBIL OIL CORPORATION - App. to amend the proffers for RZ-87-S-023 to permit a driveway entrance for commercial development on property located in the N.E. quadrant of the intersection of West Ox Rd. & Piney Branch Rd. on approx. 0.28 acres zoned C-6 & WS. Comp. Plan Rec: Fairfax Center. Tax Map 56-1((16))B1. (Concurrent w/PCA-74-2-112, SE-95-Y-071, & RZ-95-Y-056.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Marie Travesky, with Travesky & Associates, Ltd., agent for the applicant, reaffirmed the affidavit dated May 24, 1999. There were no disclosures by Commission members.

Leslie Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Ms. Travesky stated that the applications sought approval to allow one parcel of land to be used for a service station. She said, at the request of staff, that an easement had been obtained to allow left turn lanes into the property. She described the proposed landscaping and lighting and noted that the applicant had the support of the Sully District Council and three neighboring communities, Windsor Mews, Cambryar and Dix-Cen-Gato. She noted that the Windsor Mews Community Association, which owned the parcel on which the easement was located, had requested two development conditions concerning the hours of operation for the car wash and trash pickup, to which the applicant had no objection.

In response to a question from Vice Chairman Byers, Ms. Johnson said that development conditions had been revised to limit the hours of operation for the car wash from 8:00 a.m. to 10:00 p.m. with the service station and quick service food store open 24 hours a day.

Responding to a question from Commissioner Koch, Ms. Travesky said that the owners of the property, Gary and Regina Dalton, wanted to confer with the adjacent residential property owners concerning the buffer, and that the applicant had no objection to a deferral of the decision on these applications for one week.

Vice Chairman Byers called the listed speaker.

Brad Wright, President, Cambryar Homeowners Association, 4612 Cambryar Street, Fairfax, expressed support for the service station and quick service food store and said that the concern about the hours of operation for the car wash had been addressed.

RZ-95-Y-058, SE-95-Y-071, PCA-74-2-112, and PCA-87-S-023-2
MOBIL OIL CORPORATION

May 26, 1999

There were no further speakers. Vice Chairman Byers noted that no rebuttal was necessary.

Staff had no closing comments; therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Koch for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT RZ-95-Y-056, SE-95-Y-071, PCA-74-2-112, AND PCA-87-S-023-2 BE DEFERRED FOR DECISION ONLY, LEAVING THE RECORD OPEN FOR WRITTEN COMMENT, UNTIL JUNE 2, 1999.

Commissioner Coan seconded the motion which carried unanimously with Commissioner Murphy absent from the meeting.

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The meeting was adjourned at 8:52 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: Linda B. Gibson

Approved on: June 28, 2000



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