

**MINUTES OF
PLANNING COMMISSION MEETING
MAY 27, 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
Ronald W. Koch, Sully District
John M. Palatiello, Hunter Mill District
Carl L. Sell, Jr., Lee District
Alvin L. Thomas, Commissioner At-Large

ABSENT: Robert v. L. Hartwell, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
Henry E. Strickland, Mason District

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The meeting was called to order at 8:18 p.m. by Vice Chairman Patrick M. Hanlon.

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COMMISSION MATTERS

Commissioner Koch MOVED THAT WE DEFER SEA-82-S-087-2, MERRIFIELD GARDEN CENTER CORPORATION, UNTIL JUNE 24, 1993.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Thomas not present for the vote; Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

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Commissioner Koch announced his intent to defer RZ-88-Y-043 and PCA-88-S-109, David L. Hunter, from June 24, 1993 to July 15, 1993.

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Commissioner Palatiello announced his intent to take action on June 2, 1993 on the "feature shown" determination regarding the American Mobile Satellite site.

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Commissioner Byers noted that the Policy and Procedures Committee had completed the draft of A Citizen's Guide to the Plan Review Process. He added that the next meeting of that committee would be held on June 10, 1993 in the Board Conference Room at 8:00 p.m. and stated that the public was invited.

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In the absence of Commissioners Murphy and Strickland, Secretary Harsel announced the following intentions to defer:

- 1) RZ-89-S-030, Judith A. Bell and John E. Bell, from June 2, 1993 to July 15, 1993.
- 2) RZ-93-M-001, Antonio J. Calabrese, Agent for Marcbart, Inc., from June 17, 1993 to June 24, 1993.
- 3) RZ-93-M-003, Diehl Homes, Inc. and Ralph H. Stowe, from June 17, 1993 to June 24, 1993.

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Commissioner Sell announced his intent to defer several Kingstowne applications: PCA-86-L-033-2, PCA-85-L-101-3, PCA-84-L-020-5, PCA-C-448-9, and FDP-C-448-23, presently scheduled for June 24, 1993. He noted that a new date had not yet been determined.

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ORDER OF THE AGENDA ITEMS

Secretary Harsel established the following order for tonight's agenda:

1. County Code Amendments (Fee Schedule)
2. RZ-92-L-039 - MVQI Joint Venture
3. SEA-92-Y-038 - York Limited Partnership
FDPA-82-P-069-13-4 - York Limited Partnership
4. SE-93-D-003 - First Virginia Bank
5. SEA-86-P-101-4 - Paul J. Klaassen

This order was accepted without objection.

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COUNTY CODE AMENDMENTS (Fee Schedule) - On the matter of amendments to The Code of the Count of Fairfax Virginia, Chapt. 2, 61, 101, 104, & 112. The amendments propose to change Design

Review fees which are charged under Chap. 2, 101, 104 & 112 of the Co. Code for the review of subdiv. plats & site, public improvement, & related plans, for site inspections of improvements & for erosion & sedimentation control during land disturbing activities. The amendments eliminate the practice of charging filing fees at plan submission & reconciling DEM costs of providing services with fees paid. Instead, flat fees will be charged in the Div. of Design Review as is currently done in the Div. of Inspection Services. The proposal also eliminates the cap on erosion & sediment control review & inspection fees pursuant to legislation enacted by the 1993 VA General Assembly & makes editing revisions. Pursuant to the auth. granted by the *Virginia Code*, the amend, also propose to change Inspection Services fees which are charged under Chap. 61 of the Co. Code for building, electrical, mechanical & plumbing permits. The prop. amend. adjust the fees for after-hour inspections; reduce the fee for residential electrical appliances such as disposals, ceiling fans & compactors; increase the fee for permit extensions for new constr. & additions to commercial constr.; increase the bond posted by home improvement contractors & Class .8 electrical, mechanical, & plumbing contractors; & make minor editing revisions. The proposed amendments to Chapters 101, 104, & 112 would impose or increase the following fees as shown:

CHAPTER 101 (SUBDIVISION PROVISIONS)
and CHAPTER 112 (ZONING)
PLAN REVIEW

- (1) Construction plan base review fee:
 - (a) Constr. plan for a subdivision proposing less than 10 lots.....\$3,750
 - (b) Constr. plan for a subdivision proposing 10 lots or More.....\$5,000
 - (c) Constr. plans for public improvements only, including sanitary sewer, trail, sidewalk, storm sewer, channel improvements, waterline and/or road constr. pursuant to Chap. 2 of the Code
.....\$1,500
plus \$0.50 per lin. ft. of improvement
 - (d) Site plans.....\$4,000
plus \$900 per disturbed ac, or any fraction thereof greater than one ac. with a max, base fee of \$20,000

- (2) Constr. plan review fees in addition to the base fee:
 - (a) Add'l. plan review as a result of an approved rezoning, special exception, special permit, and/or variance appl. associated with proposed constr., with a max. cumulative fee of \$1,500:

- Sites subject to rezoning..... \$900
- Sites subject to special exception.....\$600
- Sites subject to special permit..... \$600
- Sites subject to variance..... \$450
- (b) Review of the site conditions & proposed improvements:
 - Problem soils.....\$450
 - Floodplain (watersheds greater than 70 ac.)\$300
 - Natural drainage way (watersheds 70 ac. or less).. \$300
 - Stormwater management facility..... \$375
for each facility serving the site
 - Best management practices (BMP) facility..... \$1,000
for each facility serving the site
- (c) Second submission of a constr. plan: A fee in accord. With para. 1, 2a, & 2b above shall be paid for a second submission of a constr. plan for changes in the number of lots (or disturbed acreage for site plans), zoning action, site conditions, and/or proposed improvements from those indicated on the first submission.
- (d) Resubmissions of a constr. plan after second submission...\$2,000 per submission
- (e) Resubmission of a constr. plan with public improvements only after second submission: A fee equal to 50% of the orig. fee shall be paid upon each subsequent submission of a constr. plan with public improvements only.
- (f) Sheet substitutions after first submission (inserts).
.....\$50 per sheet
- (g) Plan revisions.....\$450
plus additional fees for changes in the number of lots (or disturbed linear for site plans), zoning and/or site changes and/or newly proposed improvements per the above schedule
- (h) Constr. plan extension.....\$600
- (i) Sanitary sewer as-built.....\$225
- (j) Subdivision as-built.....\$150
- (3) Review Fees for Other Plans, Studies, Reports & Plats:
 - (a) Preliminary subdivision plats
 - less than 10 lots..... \$1,500 + \$25 per lot
 - 10 lots or more.....\$2,400 + \$25 per lot
 - (b) Preliminary site plan..... \$2,400
 - (c) Final subdivision plat redate..... \$225
 - (d) Floodplain studies.....\$1.20
per lin. ft. of baseline plus \$220 per road crossing or dam, not to exceed \$4,000
 - (e) Drainage study.....\$700
 - (f) Soils report..... \$1,200
initial submission; \$400 each subsequent submission
 - (g) Rough grading plan
 - Initial submission: \$350 per div. of land or disturbed area, whichever is greater, not to exceed \$5,000
 - Subsequent submission: 25% of initial submission

- (h) Rough grading plan revision: 25% of initial submission
- (i) Water quality impact assessment.....\$576
- (j) Resource protection area boundary delineation
 - Projects with 150 lin. ft. or less of baseline...\$150
 - Projects with greater than 150 lin. ft. of baseline
.....\$150
plus \$0.35 per lin. ft. each additional lin. ft.
- (k) Sheet substitutions..... \$50
per page

- (l) Parking study:
 - Request for a change in use.....\$360
 - Redesignate park. space delineations..... \$360
 - Request for a reduction in required park. spaces when total spaces are:
 - under 125 spaces.....\$1,000
 - 125 to 250 spaces.....\$1,800
 - 251 to 499 spaces.....\$2,800
 - 500 spaces or more.....\$5,800

CONSTRUCTION PLAN SECTION

- (1) Base fee: \$12 per disturbed ac. per agreement month with a min. of \$425 & a max. of \$7,500
- (2) Fees in addition to the base fee:
 - (a) Public utility fee(s):
 - Storm drainage: \$500 for the first 100 lin. ft. plus \$1.10 for ea. add'l lin. ft.
 - Stormwater management facilities:
 - detention ponds with an embankment less than or equal to 6 feet high..... \$500
 - detention ponds with an embankment greater than 6 feet high..... \$1,000
 - Dedicated streets..... \$700
for the first 100 lin. ft. plus \$3.00 for ea. add'l lin. ft.
 - Private streets.....\$575
for the first 100 lin. ft. plus \$2.35 for ea. add'l lin. ft.
 - Other paved area..... \$ 0.50 per sq. yd.
 - Driveway entrances..... \$ 50 ea.
 - Pedestrian walkways/trails.....\$120
for the first 100 lin. ft. plus \$0.60 ea. add'l lin. ft.
 - Sanitary sewer systems.....\$700
for the first 100 lin. ft. of main plus \$2.25 for ea. add'l lin. ft.
 - (b) Other bonded & proffered work: based on a percentage of the bonded amount as follows:
 - Cast in place culverts.....5%
of the bonded amt. up to \$50,000 plus 2.5% of the bonded amt. between \$50,001

- & \$200,000 plus 1% of the bonded amount greater than \$200,000
- All other work.....5%
- of the bonded amt. up to \$50,000 plus 1% of the bonded
amt. greater than \$50,000
- (c) Constr. plan inspection extension.....\$12
per disturbed ac. per agreement month
- (d) Inspection after stop work order.....\$200
ea. payable at next bonding action
- (e) Inspection after violation.....\$100
ea. payable at next bonding action

CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL)

- (1) Grading plan
 - Bonded lots..... \$450
first lot, \$375 ea. add'l lot submitted together
 - Non-bonded lots.....\$500 per lot
 - Parcels with 5 ac. lots or more.....\$500 per lot
- (2) Grading plan revisions/resubmissions
 - Bonded lots.....\$15 first lot,
..... \$75 ea. add'l lot
 - Non-bonded lots..... \$200 per lot
 - Parcels with 5 ac. lots or more.....\$200 per lot
- (3) Floodplain studies.....\$1.20
per lin. ft. of baseline plus \$220 per road crossing or dam, not to exceed \$4,000
- (4) Drainage study.....\$700
- (5) Soils report.....\$800
per lot not to exceed \$1,600
- (6) Rough grading plan
 - Initial submission.....\$350
per div. of land or disturbed area, whichever is greater, not to exceed \$5,000
 - Subsequent submission.....25%
of initial submission
- (7) Rough grading plan revision.....25%
of initial submission
- (8) Sheet substitutions (Insert).....\$50 per page
- (9) Inspection following a violation.....\$100
for each inspection. PUBLIC HEARING

Ms. Anne-Marie Von Kahle, Assistant Director, Department of Environmental Management, presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of the changes to the County Code as outlined in the staff report.

Ms. Von Kahle responded to questions from Commissioner Baldwin concerning fees charged in other jurisdictions.

Vice Chairman Hanlon called for speakers for these amendments, but received no response. Ms. Von Kahle had no closing staff comments; therefore, Vice Chairman Hanlon closed the public hearing and recognized Commissioner Baldwin for action on these amendments. (Verbatim excerpts are in the date file.)

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Commissioner Baldwin MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADJUSTMENT OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S FEE SCHEDULE BY ADOPTION OF THE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA, REVISING CHAPTERS 2, 61, 101, 104, AND 112.

Commissioner Sell seconded the motion which carried unanimously with Commissioner Thomas not present for the vote; Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

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RZ-92-L-039 MVQI JOINT VENTURE - Appl. to rezone approx. 3.80 ac. located on the N.W. side of Richmond Hwy. approx. 250 ft. S.W. of its intersection with Skyview Dr. from C-8 & MC to R-16 & HC to permit residential development at a density of 12.9 du/ac. with a waiver of the min. district size & lot width requirements. Comp. Plan Rec: Mixed use. [Pending Plan Amendment to permit residential use at a density of 12-16 du/ac.] Tax Map 101-3((1)) 37. LEE DISTRICT. PUBLIC HEARING.

Martin D. Walsh, Esquire, Walsh, Colucci, Stackhouse, Emrich & Lubeley, reaffirmed the affidavit dated May 12, 1993. There were no disclosures by Commission members.

Ms. Mary Ann Godfrey, 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.

Mr. Walsh said that all of the outstanding issues in this case had been resolved and that the applicant concurred with the revised list of proffers presented in the staff report.

In response to a question from Commissioner Sell, Mr. Walsh agreed to an additional proffer indicating that the applicant would contribute \$15,000 to Woodlawn Park for recreational purposes.

Vice Chairman Hanlon called for speakers for this case, but received no response. There being no further questions or closing staff comments, he therefore closed the public hearing and

recognized Commissioner Sell for action on the application. (Verbatim excerpts are in the date file.)

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Commissioner Sell MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT RZ-92-L-039 BE APPROVED, SUBJECT TO EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 11, 1993 AND WITH THE ADDITIONAL PROFFER FOR THE \$15,000 CONTRIBUTION TO THE FAIRFAX COUNTY PARK AUTHORITY FOR WOODLAWN PARK.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Thomas abstaining; Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

Commissioner Sell then MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE REQUESTED MODIFICATION OF TRANSITIONAL SCREENING REQUIREMENTS AS SHOWN ON THE GDP FOR ALTERNATIVES 1 AND 2 AND A WAIVER OF THE BARRIER REQUIREMENTS FOR ALTERNATIVES 2 AND 3.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Thomas abstaining; Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

Commissioner Sell further MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD APPROVAL OF THE WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG ROUTE 1.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Thomas abstaining; Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

Commissioner Sell also MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD A WAIVER OF THE MINIMUM DISTRICT SIZE FROM 4 TO 3.8 ACRES.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Thomas abstaining; Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

Commissioner Sell then MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD WAIVER OF THE MINIMUM LOT WIDTH FROM 18 TO 16 FEET.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Thomas abstaining; Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

Commissioner Sell lastly MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD A WAIVER OF THE TRAIL REQUIREMENT ALONG RICHMOND HIGHWAY IN FAVOR OF A SIDEWALK.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Thomas abstaining; Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

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SEA-92-Y-038 - YORK LIMITED PARTNERSHIP - Appl. under Sect. 6-205 of the Zoning Ord. to amend SE-92-Y-038 to permit two free-standing fast food restaurants with drive-through windows & an increase in land area in place of fast food restaurant uses in a single building with a drive-through window on property located on the S. side of Fair Lakes Pkwy. approx. 600 ft. E. of Fair Lakes Blvd. on approx. 2.60 ac. zoned PDC & WS. Tax Map 55-2((4)) pt.2 [Formerly 45-4((1)) pt.30.] (Concurrent with FDPA-82-P-069-13-4.) SULLY DISTRICT.

FDPA-82-P-069-13-4 - YORK LIMITED PARTNERSHIP - Appl. to amend the thirteenth final development plan for RZ-82-P-069 to modify the site layout on property located in the S.E. quadrant of the intersection of Fair Lakes Pkwy. & Fair Lakes Blvd. on approx. 14.30 ac. zoned PDC & WS. Tax Map 55-2((4)) 1 & 2 [formerly 45-4((1)) pt.30.1 (Concurrent with SEA-92-Y-038.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Francis A. McDermott, Esquire, Hunton and Williams, reaffirmed the affidavits dated May 25, 1993. There were no disclosures by Commission members.

Ms. Lorrie Kirst, 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 denial of the applications because the two proposed fast food restaurants were not integrated with each other or the shopping center as a whole.

Mr. McDermott disagreed with staff's evaluation of the applications. He explained why he felt the proposed restaurants were compatible, both within the shopping center and within the entire Fair Lakes Development. He noted that a 50-foot buffer and berm combination would prevent any adverse visual impact from the highway and that extensive pedestrian access would be provided. Mr. McDermott maintained that pedestrian and vehicular traffic conflict would be minimized.

In response to a question from Commissioner Hanlon, Mr. McDermott stated that Building 7 was planned for retail development.

Mr. McDermott responded to questions from Commissioner Baldwin concerning pedestrian and vehicular traffic flow, particularly from the adjacent TRW complex.

Mr. McDermott continued with his presentation, noting that he concurred with the proposed development conditions suggested by staff with the exception of Condition #3 regarding Building 4. He explained why the alternate design for Building 4, separating it into two buildings, would be the most advantageous. He commented on the tree save area and noted that the summary of the Fairfax Center Checklist on page 8 of the staff's memorandum (see copy in date file) indicated that the applications met 13 out of 14 applicable basic development elements and 20 out of 21 applicable essential development elements. He added that the point of disagreement with staff was the minimization of the vehicular/pedestrian conflict issue. He maintained that the applications had satisfactorily addressed that issue. In conclusion, Mr. McDermott stated that the applicant's proposal was an integrated part of both the overall Fair Lakes Development and the retail center in which it was located. He added that the separation of Building 4 should not be an issue in this case since it had been previously approved in the original FDP.

Mr. McDermott responded to questions from Commissioner Byers regarding the type of restaurants proposed for Building 4 and explained the pedestrian access from the nearby retail buildings.

Mr. McDermott responded to questions from Commissioner Harsel regarding pedestrian access and the location of the proposed drive-in windows. They also discussed the difference in size of Building 4 if it were to be separated into two buildings.

In response to questions from Commissioner Koch, Mr. McDermott said that the exact layout of the interior of each proposed fast food restaurant was undetermined at this time since the exact tenants were not known. He added that the applicant requested flexibility in order to adapt the buildings to the specific tenants.

Mr. McDermott responded to questions from Commissioner Palatiello regarding access to the proposed fast food restaurants from Fair Lakes Parkway. Mr. McDermott explained that the entrance would be right in/right out only and that it had the approval of the Virginia Department of Transportation. Ms. Kirst commented that the proposed development conditions regarding this issue included a monitoring function which indicated that the entrance would be allowed to remain open only if no problems occurred. Mr. McDermott said that it was the applicant's position that the addition of that entrance would somewhat relieve traffic at the main entrance to the shopping center.

Vice Chairman Hanlon called for speakers from the audience for these applications, but received no response. He noted that no rebuttal was necessary.

In her closing staff comments, Ms. Kirst commented that staff and the applicant had philosophical differences in the interpretation of Zoning Ordinance provisions. She responded to questions from Commissioner Hanlon regarding the compatibility issue.

Commissioner Harsel commented that if the applicant wanted to compare the proposed development to the whole area, then the whole area should have been included in the FDPA subject property.

Commissioner Sell disagreed, noting that the Ordinance stated that the proposed development should be viewed for compatibility with the approved PDC development.

Commissioners Sell and Hanlon and Ms. Kirst discussed the pedestrian/vehicular conflict issue.

Commissioner Baldwin said that he objected to the entrance on Fair Lakes Parkway and for that reason, felt that the applicant's proposal was not compatible and not in accord with the provisions of the Zoning Ordinance.

In response to questions from Commissioner Harsel, Ms. Kirst explained that Building 5 had previously been approved for fast food restaurants. She noted that there had been a change in the Zoning Ordinance since that approval.

There being no further comments or questions, Vice Chairman Hanlon closed the public hearing and recognized Commissioner Koch for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Koch MOVED THAT FDPA-82-P-069-13-4 BE APPROVED, SUBJECT TO THE MAY 27, 1993 PROPOSED DEVELOPMENT CONDITIONS WITH ONE CHANGE: THE SECOND AND THIRD SENTENCES OF CONDITION #3 WILL BE CHANGED TO READ: "BUILDING 4 MAY BE SEPARATED INTO MORE THAN ONE BUILDING AND MAY BE DEVELOPED AS DEPICTED ON THE ILLUSTRATIVES CONTAINED ON SHEET 5 OF THE FDPA. AN ALTERNATE DESIGN THAT IS EQUIVALENT IN QUALITY TO THOSE SHOWN ON SHEET 5 OF THE FDPA MAY BE APPROVED FOR THE SEPARATION OF BUILDING 4 AS DETERMINED BY DEM AND OCP."

Commissioner Thomas seconded the motion which carried by a vote of 6-2-1 with Commissioners Baldwin and Harsel opposed; Commissioner Byers abstaining; Commissioners Hartwell, Murphy and Strickland absent from the meeting.

Commissioner Koch also MOVED THAT A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT AND A WAIVER OF THE BARRIER REQUIREMENT BE APPROVED ALONG FAIR LAKES BOULEVARD AS DEPICTED ON THE FINAL DEVELOPMENT PLAN.

Commissioner Thomas seconded the motion which carried by a vote of 7-1-1 with Commissioner Baldwin opposed; Commissioner Byers abstaining; Commissioners Hartwell, Murphy and Strickland absent from the meeting.

Commissioner Koch MOVED THAT SEA-92-Y-038 BE APPROVED, SUBJECT TO THE MAY 27, 1993 PROPOSED DEVELOPMENT CONDITIONS.

Commissioner Thomas seconded the motion which carried by a vote of 6-2-1 with Commissioners Baldwin and Harsel opposed; Commissioner Byers abstaining; Commissioners Hartwell, Murphy and Strickland absent from the meeting.

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SE-93-D-003 - FIRST VIRGINIA BANK - Appl. under Sects. 4-604 & 7-607 of the Zoning Ord. to permit addition of a third drive-through window to an existing drive-in bank in a Highway Corridor Overlay District on property located at 6824 Tennyson Dr. on approx. 11,987 sq.ft. of land zoned C-6, HC & SC. Tax Map 30-2((8)) 20. DRANESVILLE DISTRICT. PUBLIC HEARING.

Sarah H. Reifsnyder, Esquire, Blankenship and Keith, reaffirmed the affidavit dated January 8, 1993. There were no disclosures by Commission members.

Ms. Regina Murray, 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.

Ms. Reifsnyder said that there were no outstanding issues in this case, that it had the support of the McLean Citizens Association, and that she would be happy to answer any questions.

In response to a question from Commissioner Downer, Ms. Reifsnyder said that the nearest intersection was 100 feet away and that no new curb cuts were proposed.

Vice Chairman Hanlon called for speakers from the audience for this case, but received no response. He noted that there was no need for rebuttal. Ms. Murray had no closing staff comments; therefore, Vice Chairman Hanlon closed the public hearing and recognized Commissioner Downer for action on this application. (Verbatim excerpts are in the date file.)

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Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE-93-D-003, SUBJECT TO THE CONDITIONS IN APPENDIX 1 OF THE STAFF REPORT.

Commissioners Byers and Thomas seconded the motion which carried by a vote of 7-0-1 with Commissioner Koch abstaining; Commissioner Sell not present for the vote; Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

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Prior to the public hearing on this application, Vice Chairman Hanlon asked Secretary Harsel to assume the Chair.

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SEA-86-P-101-4 - PAUL J. KLAASSEN - Appl. under Sect. 3-104 of the Zoning Ord. to amend SE-86-P-101 for a child care center, private school of general education & medical care facility to permit an increase in building height on property located at 9211 Arlington Blvd. on approx. 6.86 ac. zoned R-1. Tax Map 48-4((1)) 49.
PROVIDENCE DISTRICT. PUBLIC HEARING.

Mr. Keith Tunell, agent for the applicant, reaffirmed the affidavit dated March 17, 1993. There were no disclosures by Commission members.

Commissioner Hanlon asked that Secretary Harsel ascertain whether there were any speakers for this case. Receiving no response and there being no comments or questions, Secretary Harsel waived the presentation of the staff report, closed the public hearing and recognized Commissioner Hanlon for action on the application. (Verbatim excerpts are in the date file.)

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Commissioner Hanlon MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA-86-P-101-4, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Byers seconded the motion carried unanimously with Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

Commissioner Hanlon MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND A MODIFICATION OF THE BARRIER REQUIREMENTS ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIPHERIES OF THE SITE IN FAVOR OF THAT SHOWN ON THE SEA PLAT AND AS SPECIFIED IN THE PROPOSED DEVELOPMENT CONDITIONS.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hartwell, Murphy, and Strickland absent from the meeting.

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At the conclusion of this case, Vice Chairman Hanlon resumed the Chair.

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ADJOURNMENT

May 27, 1993

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: Gloria L. Watkins

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