

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MAY 30, 2002**

PRESENT: John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large
Ilyong Moon, Commissioner At-Large

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The meeting was called to order at 8:17 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON SEA-93-D-027-2, EXXON MOBIL CORPORATION, TO A DATE CERTAIN OF JULY 25, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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Commissioner Koch MOVED THAT THE PUBLIC HEARING ON PCA-95-Y-016-3 AND SEA-95-Y-024-2, CHANTILLY 50-28 ASSOCIATES, BE DEFERRED TO A DATE CERTAIN OF JUNE 27, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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Commissioner Byers MOVED THAT THE PUBLIC HEARING ON S02-IV-MV1, OUT-OF-TURN PLAN AMENDMENT, BE DEFERRED TO A DATE CERTAIN OF JUNE 27, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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Commissioner Smyth MOVED THAT THE DECISION ONLY ON PCA-1998-PR-058 AND SEA-83-P-045-4, TYCON TOWER I AND III, BE FURTHER DEFERRED TO A DATE CERTAIN OF JUNE 20, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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Commissioner Smyth MOVED THAT THE DECISION ONLY ON RZ/FDP-2001-PR-054, D. R. HORTON, INC., BE DEFERRED TO A DATE CERTAIN OF JUNE 27, 2002, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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Commissioner Kelso noted that the Planning Commission/School Facilities Committee would meet on June 12, 2002 at 7:30 p.m. in the Board Conference Room.

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Chairman Murphy reminded the Commissioners that the Fairfax Fair would be held at the Government Center on June 7, 8 and 9, 2002.

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FSA-60-1 - AT&T - 6911 Richmond Highway

Commissioner Byers MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN THE CASE OF FSA-60-1, AT&T, AT 6911 RICHMOND HIGHWAY.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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#0869-SD-01 - WINSTEAD MANOR

Commissioner Byers MOVED THAT THE PLANNING COMMISSION REQUEST THAT THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES NOTIFY THE APPLICANT THAT THE SUBDIVISION PLAT IN THE CASE OF RZ-2001-MV-002 IS SATISFACTORY.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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FSA-68-2 - AT&T - 3800 Powell Lane

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" ADDENDUM DETERMINATION IN FSA-68-2.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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FSA-67-1 - AT&T - 3407 Moray Lane

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-67-1.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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FSA-H96-22-1 - AT&T - 2201 Cooperative Way

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" AMENDMENT IN FSA-H96-22-1, AT 2201 COOPERATIVE WAY.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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FSA-H96-38-2 - AT&T - 2340 Dulles Corner Boulevard

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-H96-38-2, AT 2340 DULLES CORNER BOULEVARD.

Commissioner DuBois seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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#4462-SP-02 - BURKE LAKE SELF STORAGE

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES THAT SITE PLAN 4462-SP-02, TAX MAP TM 77-3((1))9 IN THE SPRINGFIELD DISTRICT, BE APPROVED.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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SE-01-H-049 - AT&T WIRELESS SERVICES, INC.
FSA-H99-21-1 - AT&T WIRELESS SERVICES, INC.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-01-H-049, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioners DuBois and Byers seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-H99-21-1.

Commissioners Byers and DuBois seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE NORTHERN AND EASTERN BOUNDARIES.

Commissioners Byers and DuBois seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. SE-01-H-049 - AT&T WIRELESS SERVICES, INC.
FSA-H99-21-1 - AT&T WIRELESS SERVICES, INC.
2. RZ-2001-PR-050 - STANLEY-MARTIN HOMEBUILDING, LLC
FDP-2001-PR-050 - STANLEY-MARTIN HOMEBUILDING, LLC

This order was accepted without objection.

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SE-01-H-049 - AT&T WIRELESS SERVICES, INC., D/B/A AT&T WIRELESS - Appl. under Sect. 2-514, 6-302 & 9-101 of the Zoning Ord. to permit construction of a telecommunications facility (equipment cabinet) on property located within a portion of the right-of-way of the intersection of Baron Cameron Ave. & the Fairfax County Pwky. on approx. 1.91 ac. zoned PRC. Formerly part of Tax Map 17-1((12))8. HUNTER MILL DISTRICT. PUBLIC HEARING.

Mr. Christopher Hembree, with AT&T Wireless Services, reaffirmed the affidavit dated March 28, 2002. Commissioner Byers disclosed that he owned a small number of shares of AT&T stock, but that it would have no bearing on his consideration of this application.

Ms. Cathy Belgin, 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 application and that the facility proposed under FSA-H99-21-1 be considered a "feature shown" pursuant to Section 15.2-2232 of the *Code of Virginia*.

Mr. Hembree stated that the applicant was seeking approval to replace the existing telecommunications equipment cabinet with a larger cabinet and to add two smaller cabinets for a total area of 67 square feet. He explained that upgrades to the existing facility were needed to address capacity needs of both commuters and residents using wireless phones in the immediate area. He noted that special exception approval was required pursuant to a Zoning Ordinance Amendment, adopted on January 23, 2001, because the cabinet was located within 35 feet of the boundary of the power easement. He said in response to concerns expressed in meetings with the Planning and Zoning Committee of the Reston Citizens Association, Japanese holly trees would be planted on all sides of the cabinets to screen the facility.

Commissioners Kelso and Byers both commended Mr. Hembree for his efforts to address concerns they had had about telecommunications facilities in their Districts.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on this item.

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-01-H-049, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioners DuBois and Byers seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-H99-21-1.

Commissioners Byers and DuBois seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE NORTHERN AND EASTERN BOUNDARIES.

Commissioners Byers and DuBois seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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RZ-2001-PR-050/FDP-2001-PR-050 - STANLEY-MARTIN
HOMEBUILDING, LLC - Appls. to rezone from R-1 & HC to PDH-12 &
HC to permit residential development at a density of 9.64 du/ac & approval of
the conceptual & final development plans on property located on the S. side of
Lee Hwy., approx. 600 ft. E. of its intersection w/Nutley St. on approx. 4.46
ac. Comp. Plan Rec: 8-12 du/ac. Tax Map 48-4((1))15 & 16.
PROVIDENCE DISTRICT. PUBLIC HEARING.

Robert Lawrence, Esquire, with Reed Smith, LLP, reaffirmed the affidavit dated March 12, 2002. There were no disclosures by Commission members.

Ms. Cathy Lewis, 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.

In response to a question from Commissioner Koch, Ms. Lewis identified the location of a cemetery in the vicinity.

Mr. Lawrence stated that the proposed development was consistent with surrounding land uses. He said Proffer Numbers 10 and 16 had been revised to increase monetary contributions to Fairhill Elementary School and for a traffic signal at the intersection of Lee Highway and Ellenwood Road. He said the applicant was not in agreement with Development Condition Number 3, limiting the height of sunrooms to two stories, or with Condition Number 4, requiring the provision of a vehicular turnaround at the eastern end of the private street servings Lots 14-19. He explained that the minimum setback of the buildings had been increased to allow for three-story sunrooms and that a turnaround, which was not required by either the Public Facilities Manual or the Fire Marshal, would be very seldom used, encroach upon open space and increase impervious area. Mr. Lawrence requested that the Planning Commission recommend approval of a partial waiver of the service drive at the western end of the site due to topography constraints, noting that the applicant had proffered to provide a pedestrian link at that location. He requested favorable consideration.

Ms. Lewis responded to a question from Commissioner Smyth about the applicant's request for a partial waiver of the service drive.

Responding to a question from Commissioner Kelso, Mr. Lawrence said a three-story sunroom was an optional extension of the townhouse at the back.

Chairman Murphy called the first listed speaker and recited rules for testimony before the Commission.

Ms. Joyce Dreisback, 3014 Covington Street, Fairfax, President, Hampton Commons Homeowners Association, expressed concerns about the protection of their privacy and view, preservation of existing trees, the proposed pedestrian path between the Hampton Commons development and the subject property, and the sewer easement.

Responding to a question from Commissioner Byers, Commissioner Smyth said the proposed path would provide pedestrian access to the Pam Am Shopping Center.

Ms. Susanna Clarendon, 3022 Covington Street, Fairfax, expressed concern about the proposed sunrooms, the impact of construction on the existing neighborhood, tree preservation and the sewer easement.

Chairman Murphy pointed out to Ms. Clarendon that Proffer Number 20 addressed construction hours.

Ms. Kate Schwarz, address unknown, said a sidewalk was needed on the southbound side of Lee Highway to allow pedestrians to safely walk to the Metro Station. She also requested assurance that the timing of the traffic signal at Ellenwood Road would be synchronized with the signal at Nutley Street and Lee Highway.

Ms. Lewis responded to a question from Commissioner Smyth about the service drive and the proposed walkway.

Ms. Fran Wallingford, 3311 Mantua Drive, Fairfax, Community Liaison for Technology for Fairhill Elementary School, thanked the applicant for the contribution to the technology program at Fairhill Elementary School.

Mr. Lee Calvert, 3034 Braxton Wood Court, Fairfax, President, Braxton Homeowners Association, expressed concern about tree preservation, the loss of parking on the Lee Highway access road and the sewer easement. (A copy of his remarks is in the date file.)

Ms. Lewis suggested that Mr. Calvert contact the Department of Transportation to determine if parking on the access road was legal.

There were no further speakers, therefore, Chairman Murphy called upon Mr. Lawrence for a rebuttal statement.

Addressing concerns about the sewer easement, Mr. Lawrence said that there was a recorded easement in the Braxton subdivision to serve the subject property. He said because two trees had been planted in that area in violation, an agreement was being negotiated with Hampton Commons for an alternative easement for both water and sewer lines. He explained that if the easement was granted, Hampton Commons would be compensated for it as well as for any damage to trees, and the Braxton easement would not be used. He pointed out that County regulations required the complete restoration of easement areas. He noted that other issues raised by Hampton Commons concerning buffering, a gate and lock, construction hours, and a tree preservation plan for their property, were addressed in the proffers. He reiterated the fact that the setback of the buildings had been increased to allow for three-story sunrooms.

In response to a question from Commissioner Smyth, Mr. Lawrence said that the applicant had discussed the tree preservation proffer with Ms. Ida Lee Carey, the owner of parcels 15 and 16.

Commissioner Smyth noted that she was going to defer a decision on this matter to allow time for the resolution of issues raised in the public hearing.

Mr. Lawrence responded to a question from Commissioner Wilson about the covenant prohibiting the use of the garages for living space.

Mr. Dennis Quinn, with Stanley-Martin Homebuilding, LLC, responded to questions from Commissioners Wilson and Harsel about the size of the rear yards of homes both with and without sunrooms.

Mr. Steven Alloy, President, Stanley-Martin Homebuilding, LLC, responded to questions from Commissioners Smyth, Hall and Harsel about minimum setback requirements and backyard fences.

Mr. Lawrence and Ms. Lewis responded to questions from Commissioners Kelso and Smyth about Proffer Number 3 concerning recreational facilities.

In response to a question from Commissioner Wilson, Commissioner Smyth said units with both decks and sunrooms had to be five feet from the property line, which needed to be clarified on the development plan.

Ms. Lewis and Commissioner Smyth responded to questions from Commissioner Wilson about the size of privacy yards permitted in the P-District.

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

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Commissioner Smyth MOVED THAT WE DEFER DECISION ONLY ON RZ/FDP-2001-PR-050 TO A DATE CERTAIN OF JUNE 20, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Moon absent from the meeting.

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The meeting was adjourned at 10:01 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: Linda B. Rodeffer
Approved on: October 15, 2003

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