

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JUNE 1, 2000**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
Peter F. Murphy, Jr., Springfield District
Ilryong Moon, Commissioner At Large
John B. Kelso, Lee District
Ronald W. Koch, Sully District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Judith W. Downer, Dranesville District

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The meeting was called to order at 8:24 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

In the absence of Commissioner Downer, Commissioner Alcorn MOVED THAT WE DEFER THE PUBLIC HEARING ON RZ-2000-DR-002, JANET AND LOIS BEALL, TO A DATE CERTAIN OF JUNE 14, 2000.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioner Downer absent from the meeting.

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Commissioner Alcorn noted that each Commissioner would soon be receiving an e-mail message regarding the presentation of their individual background information to be made available on the Planning Commission's web page. He asked that everyone review and respond to the message as soon as possible.

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Commissioner Byers noted that, due to major revisions to the applicant's proposal, a new public hearing was needed for a Mount Vernon District case. He therefore MOVED THAT THE DECISION ONLY ON SE-99-V-028, GROVETON CAR WASH, BE CANCELLED AND A NEW PUBLIC HEARING SCHEDULED ON SEPTEMBER 7, 2000.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioner Downer absent from the meeting.

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Commissioner Palatiello announced that the Policy and Procedures Committee would meet on Wednesday, June 14 and Wednesday, June 28, 2000 to discuss Area Plans Review procedures. He added that both meetings would take place at 7:00 p.m. in the Board Conference Room.

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Chairman Murphy reminded everyone that there would be no Planning Commission meetings next week and that the Fairfax Fair would be held on June 9, 10, and 11, 2000.

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Chairman Murphy welcomed Mr. Brian George, who joined the Planning Commission staff as a Management Analyst II, on Monday, May 22, 2000. He noted that Mr. George had formerly been employed by Supervisors Frey and McConnell.

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ORDER OF THE AGENDA ITEMS

Secretary Harsel set the following order for the agenda items:

1. RZ-2000-LE-011 - MDP BUCKMAN LLC
2. RZ-1999-PR-026 - ALD GROUP, INC.
FDP-1999-PR-026 - ALD GROUP, INC.
3. SE-00-V-008 - SILVERBROOK LC

This order was accepted without objection.

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RZ-2000-LE-011 - MDP BUCKMAN, LLC - Appl. to rezone from C-8, R-2, CRD & HC to C-3, CRD HC to permit office development (South County Government Center) w/an overall FAR of 0.43 on property located on the N. side of Richmond Hwy. & E. of Buckman Rd. on approx. 8.86 ac. Comp. Plan Rec: 8-12 du/ac; retail & other related uses. Tax Map 101-3 ((1))16, 17A, 19B; 101-4((1))3, & a portion of previously abandoned public right-of-way for Richmond Hwy. LEE DISTRICT. PUBLIC HEARING.

Mr. Daryl Butcher, agent for the applicant, reaffirmed the affidavit dated April 5, 2000. 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 application.

In response to questions from Commissioners Kelso and Alcorn, Ms. Lewis pointed out the areas where waivers or modifications to Zoning Ordinance requirements had been requested by the applicant. She further explained why the waivers and modifications had been requested.

Commissioner Byers noted that the Mount Vernon Council had requested deferral of this public hearing to allow more time to address transportation issues. He announced his intention to abstain from the votes on this application.

In response to questions from Commissioner Byers regarding the proposed parking lot, Ms. Lewis explained that the applicant had reduced the number of parking spaces from 573 to 549 and increased the landscaping at staff's request.

Commissioner Kelso commented that the Lee District Land Use Advisory Committee and the Lee District Supervisor had met with surrounding homeowners associations. He said that it was discovered at that meeting that one development, Chateau Neuf, had been built when the parking requirement was one space for one unit. He added that a nearby condominium development currently used the Buckman Road right-of-way for overflow parking. He noted, therefore, that the additional parking at the proposed government center was welcomed by the neighbors and would prevent any possible impact on the critical parking shortage on surrounding properties.

Ms. Lewis, Mr. Charles Almquist, Department of Transportation, and Commissioner Kelso responded to questions from Commissioner Palatiello regarding staff's recommendation for a waiver of right-of-way dedication.

There being no further comments or questions from the Commission, Chairman Murphy called upon Mr. Butcher for the applicant's presentation.

Mr. Butcher presented background information and spoke about the need to consolidate government services in the South County area. He stated that the application was in accord with the recommendations in the Comprehensive Plan and noted that the proposal had the support of the Lee District Land Use Advisory Committee. Mr. Butcher added that over 40 community meetings had been held to seek input from citizens in the area and that any delay would increase costs.

Mr. Butcher, Ms. Lewis and Commissioner Kelso responded to questions from Commissioner Alcorn regarding the proposed streetscape and trails.

Mr. Butcher and Mr. James Patteson, Department of Public Works and Environmental Services, responded to questions from Commissioner Byers regarding parking requirements and enforcement of parking regulations.

In response to a question from Commissioner Hall, Ms. Lewis stated the hours of operation were not usually included in applications for office buildings.

In reply to Commissioner Wilson's question, Mr. Patteson stated that there might be client visits or use of the conference center after the normal closing time for offices.

There being no further comments or questions from the Commission, Chairman Murphy called the first listed speaker and recited the rules for public testimony.

The following four individuals spoke in support of the proposal:

1. Mrs. Sharon Kelso, 8176 Fernlake Court, Alexandria, representing the United Community Ministries
2. Mr. Sy Berdux, 4201 Pickering Place, Alexandria representing the Southeast Fairfax Development Corporation
3. Mr. Tom Mozak, 4424 Pembroke Village Drive, Alexandria representing the Pembroke Village Condo Association.
4. Ms. Susan Randall, 7814 Giles Street, Springfield representing the Fairfax Area Disabilities Services Board.

Copies of statements from Mrs. Kelso, Mr. Berdux, and Ms. Randall are in the date file.

Commissioner Kelso noted that he had received numerous letters of support.

Commissioner Byers reported that a resident of the Mount Zephyr Subdivision had attended a Mount Vernon Council Planning and Zoning Committee meeting and presented a list of 50 questions. He explained that Mr. Howard Guba, Director of the Office of Capital Facilities, had prepared a memorandum answering all 50 questions. Commissioner Byers complimented County staff, Mr. Guba in particular, for their responsiveness and noted that the Mount Zephyr Citizens Association itself had no opposition to the applicant's proposal.

There being no further comments or questions from the Commission, Chairman Murphy noted that no rebuttal was necessary. Mr. Lewis had no closing staff remarks, therefore Chairman Murphy closed the public hearing and recognized Commissioner Kelso for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2000-LE-011, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 17, 2000.

Commissioner Alcorn seconded the motion which carried by a vote of 10-0-1 with Commissioner Byers abstaining; Commissioner Downer absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS AND WAIVER OF THE BARRIER REQUIREMENTS ALONG THE NORTH, EAST AND WEST PROPERTY LINES TO THAT SHOWN ON THE GDP AND NOTED IN THE PROFFERS.

Commissioner Alcorn seconded the motion which carried by a vote of 10-0-1 with Commissioner Byers abstaining; Commissioner Downer absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE RICHMOND HIGHWAY AND BUCKMAN ROAD STREETScape AND TRAIL REQUIREMENTS BE MODIFIED TO THAT SHOWN ON THE GDP AND AS NOTED IN THE PROFFERS.

Commissioner Alcorn seconded the motion which carried by a vote of 10-0-1 with Commissioner Byers abstaining; Commissioner Downer absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE COMPREHENSIVE PLAN DEDICATION REQUIREMENT FOR RICHMOND HIGHWAY AND BUCKMAN ROAD ALONG THE NORTHERN PORTION OF THE SITE BE WAIVED IN LIEU OF THE RIGHT-OF-WAY DEDICATION AND CONSTRUCTION OF FRONTAGE IMPROVEMENTS AS SHOWN ON THE GDP AND AS NOTED IN THE PROFFERS.

Commissioner Alcorn seconded the motion which carried by a vote of 9-0-2 with Commissioners Byers and Harsel abstaining; Commissioner Downer absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE COMPREHENSIVE PLAN REQUIREMENT FOR DEDICATION AND IMPROVEMENTS OF BUCKMAN ROAD BE WAIVED ALONG THE SOUTHERN PORTION OF THE SITE IN LIEU OF AN ESCROW OF FUNDS BY THE APPLICANT.

Commissioners Alcorn and Koch seconded the motion which carried by a vote of 9-0-2 with Commissioners Byers and Harsel abstaining; Commissioner Downer absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE SERVICE DRIVE REQUIREMENT ALONG RICHMOND HIGHWAY BE WAIVED IN LIEU OF THE PROPOSED INTERPARCEL ACCESS DEPICTED ON THE GDP.

Commissioner Alcorn seconded the motion which carried by a vote of 10-0-1 with Commissioner Byers abstaining; Commissioner Downer absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION ADVISE THE SITE PERMIT SECTION OF DPW&ES THAT THE FINAL SITE PLAN BE PROCESSED TO THE LEE DISTRICT PLANNING COMMISSIONER FOR REVIEW AND COMMENT PRIOR TO ISSUANCE OF FINAL SITE PERMIT.

Commissioner Alcorn seconded the motion which carried by a vote of 10-0-1 with Commissioner Byers abstaining; Commissioner Downer absent from the meeting.

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RZ-1999-PR-026 - ALD GROUP, INC. - Appl. to rezone from R-1 & R-2 to PDH-3 to permit residential development at a density of 2.89 du/ac & approval of the conceptual development plan on property located on the E. side of Sandburg St., approx. 400 ft. N. of its intersection w/Oak St. on approx. 4.83 ac. Comp. Plan Rec: 3-4 du/ac. Tax Map 39-4((1))92, 95, 96, 97 & 98. (Concurrent w/FDP-1999-PR-026.) PROVIDENCE DISTRICT.

FDP-1999-PR-026 - ALD GROUP, INC. - Appl. to approve the final development plan for RZ-1999-PR-026 to permit residential development on property located on the E. side of Sandburg St., approx. 400 ft. N. of its intersection w/Oak St. on approx. 4.83 ac. zoned PDH-3. Tax Map 39-4 ((1))92, 95, 96, 97 & 98. (Concurrent w/RZ-1999-PR-026.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Mark Jenkins, Esquire, reaffirmed the affidavit dated May 5, 2000. 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 application.

Ms. Lewis responded to questions from Commissioner Palatiello regarding the 200-foot setback waiver requested for the existing home; from Commissioners Harsel and Byers regarding what would happen if the waiver was not approved; and from Commissioner Alcorn regarding the exact location of the 200-foot setback line.

Mr. Jenkins explained that all new structures would be outside the 200-foot setback line. He commented on the tree preservation planned and the right-of-way to be dedicated. He added that the proposed waiver was for the existing home only and that noise attenuation

measures would be added to that home. Mr. Jenkins stated that the applicant proposed two-story homes with brick facades, supplemental plantings and a variety of fencing. He pointed out that the proffers included contributions to the Housing Fund and the Park Authority and that stormwater management and access issues had been addressed.

Mr. Jenkins and Ms. Lewis responded to questions from Commissioner Wilson regarding the applicant's tree preservation proposal.

In response to questions from Commissioner Hall, Mr. Jenkins explained that the existing home had a garage that was located in an area designed for open space in the development plan. He added that that garage would be removed and a new garage built closer to the existing home.

In response to questions from Commissioner Hall, Ms. Lewis stated that the owner would be responsible for demolition if the existing house was condemned.

Commissioner Smyth said that there was not much likelihood of condemnation. She pointed out that the existing home was not alone, that there were other homes on the street that were not part of the application property. She added that there was actually a house across the street that was even closer to the highway.

Mr. Jenkins responded to questions from Commissioners Harsel and Byers about what would happen if the existing, non-conforming house was sold.

Mr. Jenkins and Ms. Lewis replied to questions from Commissioner Smyth about what would happen if the existing home was abandoned or demolished.

Chairman Murphy called the first listed speaker.

Mr. Franklin Blackstone, 7956 Robarge Court, Dunn Loring, representing the Tysons Glen Homeowners Association, spoke in opposition to the application. He said that the new homes would not be compatible with existing development and would have an adverse impact on public facilities, such as schools.

In response to questions from Commissioner Smyth, Mr. Blackstone said he would prefer that the sound wall be constructed as soon as possible.

Mr. Blackstone responded to questions from Commissioners Hall, Alcorn and Harsel regarding the zoning and lot size of his property and why he felt the proposed homes would be incompatible.

Mr. Brian Burke, 7951 Robarge Court, Dunn Loring, cited the lack of consolidation, density requested, and small lot sizes as his reasons for opposing the application.

Mr. Paul Heavener, 2203-A Sandburg Street, Dunn Loring, said that noise from the highway was very noticeable on his property and expressed concern about the location of the possible stormwater detention pond.

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

Mr. Jenkins noted that a detailed landscape plan had not been finalized, but that the applicant was working with neighbors to accommodate their concerns and provide additional plantings. He noted that the applicant had requested a waiver of the stormwater detention pond and fully expected it to be granted. He added, however, that there would be a fence between Mr. Heavener's property and the stormwater detention area regardless of whether a pond was required.

Commissioner Smyth commented that the matter of access to the two nearby lots whose owners had chosen not to be part of this application had yet to be resolved.

In response to Commissioner Smyth's request, Mr. Heavener returned to the podium and explained how the outlet road had been created and noted that it belonged to the homeowners association of a nearby development built by Madison Homes.

In response to questions from Commissioner Harsel, Mr. Jenkins explained that staff and the applicant agreed that the open space in the northwest corner of the subject property was not a good location for recreation facilities because it was within 200 feet of the highway.

Commissioner Smyth noted that the area in the northwest corner was heavily wooded and would be left in its natural state.

There being no further comments or questions from the Commission and Ms. Lewis having no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION DEFER DECISION ONLY ON RZ/FDP-1999-PR-026 TO A DATE CERTAIN OF JUNE 21, 2000.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Downer absent from the meeting.

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SE-00-V-008 - SILVERBROOK, LC - Appl. under Sects. 4-804 & 9-610 of the Zoning Ord. to permit a child care center which has an enrollment of 100 or more students daily & a waiver of the min. lot size requirements on property located in the S.E. quadrant of the intersection of Silverbrook Rd. & Royal Robin La. on approx. 36,369 sq. ft. of land zoned C-8. Tax Map 107-4((17))C & C1 pt. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated May 5, 2000. There were no disclosures by Commission members.

Mr. Charles Burnham, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

In response to questions from Commissioner Byers, Mr. Burnham confirmed that the applicant had offered to contribute \$500 to the Lorton Area Road Fund and that the County's Department of Transportation had neither supported nor opposed the offer. He added that Ms. Strobel could explain further.

Mr. Burnham responded to questions from Commissioner Wilson regarding parking requirements for the proposed use.

Ms. Strobel explained that two uses were proposed on the subject property, a dance studio and a child care center, but only the child care center required special exception approval. She noted that the Federation of Lorton Communities supported the application. She pointed out that one of the proposed development conditions required the applicant to provide a four-foot brick wall along the property's Silverbrook Road frontage. Regarding the road fund issue, Ms. Strobel explained that the applicant, in conjunction with previous development at Gunston Corner, had already constructed transportation improvements totaling more than \$1.5 million. She added that a letter outlining the details of those improvements had been submitted to staff and was included in the staff report. She maintained that these improvements constituted a substantial contribution to the transportation network in this area as recommended in the Comprehensive Plan. She pointed out that there was no official Lorton Area Road Fund at this time, but that the applicant had, at Department of Transportation staff's suggestion, offered the \$500 to illustrate the applicant's commitment. With regard to the parking issue, Ms. Strobel noted that the parking requirements for a dance studio was the same for children as adults, but added that the tenant of the studio on the subject property did not intend to accept adult students.

In response to questions from Commissioner Byers, Ms. Strobel maintained that the road contribution offered was sufficient, given the previous contributions. She pointed out that this application did not request a change in zoning and that the floor area ratio, a measure of intensity in a non-residential development, was less than that allowed by right.

Commissioner Wilson commented that a more substantial road fund contribution was warranted.

Ms. Strobel responded to questions from Commissioner Wilson regarding the appearance of the proposed building.

In response to questions from Commissioner Hall, Commissioner Wilson stated that there were no adopted design standards for development in the Lorton area.

In response to questions from Commissioner Wilson, Ms. Strobel explained that the color of the brick to be used for the wall had not yet been determined.

Commissioner Hall commented that it would be reasonable to require the applicant to comply with established design standards if such standards existed, but to ask such detailed questions at this point in the development process was not really productive.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no further comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Byers for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Byers MOVED THAT WE DEFER THE DECISION ONLY ON SE-00-V-008 TO A DATE CERTAIN OF 22 JUNE 2000, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Downer absent from the meeting.

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The meeting was adjourned at 11:06 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: March 1, 2001

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