

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JUNE 24, 1999**

PRESENT: 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
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Alvin L. Thomas, Commissioner At-Large
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large

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The meeting was called to order at 8:24 p.m. by Chairman Peter F. Murphy, Jr., 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 Coan MOVED THAT THE DECISION ONLY ON RZ-1998-PR-027, HEARTHSTONE VANGUARD JOINT VENTURE, BE DEFERRED TO A DATE CERTAIN OF JUNE 30, 1999.

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

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Commissioner Kelso MOVED THAT THE PUBLIC HEARING ON RZ-1998-LE-065, KINGSTOWNE COMMERCIAL LP, BE DEFERRED FROM JUNE 24, 1999 TO A DATE CERTAIN OF OCTOBER 6, 1999.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Downer and Koch not present for the vote; Commissioner Alcorn absent from the meeting.

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Commissioner Koch MOVED THAT FDPA-86-S-071-3, TRINITY LAKE LLC, BE DEFERRED FOR DECISION ONLY LEAVING THE RECORD OPEN FOR WRITTEN COMMENT TO JUNE 30, 1999.

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

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Chairman Murphy noted that the Planning Commission would meet on Wednesday, June 30, 1999, but that no meeting would be held on July 1, 1999.

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Commissioner Coan noted that a memorandum received from Mr. James Zook, Director, Department of Planning and Zoning dated June 24, 1999, concerning FS-P99-3 by CAI Wireless Systems, Inc., 1751 Pinnacle Drive, previously approved by the Planning Commission, recommended that minor modifications be made to the original application at the applicant's request. Therefore, Commissioner Coan MOVED THAT THE MEMORANDUM FROM THE DEPARTMENT OF PLANNING AND ZONING BE ENTERED INTO THE RECORD AND THAT THE REQUESTED MODIFICATIONS BE APPROVED CONSISTENT WITH THE ORIGINAL "FEATURE SHOWN" APPLICATION.

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

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Chairman Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO CHAIRMAN HANLEY AND THE BOARD OF SUPERVISORS THAT STAFF BE DIRECTED, NO MATTER WHAT THE ORDER IS WITH THE ZONING ADMINISTRATOR, TO ADDRESS THE 600 FOOT PRIVATE STREETS WAIVER.

Commissioners Coan, Hall and Palatiello seconded the motion which carried by a vote of 9-1 with Commissioner Kelso opposed; Commissioner Downer not present for the vote; Commissioner Alcorn absent from the meeting.

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Commissioner Kelso MOVED THAT THE DECISION ONLY ON PCA-C-448-20, FDPA-C-4485-3 AND SEA-94-L-004, KINGSTOWNE SHOPPING CENTER I LP, BE SCHEDULED ON JULY 15, 1999.

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

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RZ-1999-MV-007 - TRUSTEES OF MT. VERNON CONGREGATION OF JEHOVAH'S WITNESSES (Decision Only)

(The public hearing on this application was held on June 17, 1999. A complete verbatim transcript on the decision made is included in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ-1999-MV-007, SUBJECT TO THE REVISED PROFFERS DATED JUNE 22, 1999.

Commissioners Coan and Kelso seconded the motion which carried by a vote of 7-0-3 with Commissioners Koch, Murphy, and Thomas abstaining; Commissioner Downer not present for the vote; Commissioner Alcorn absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS ALONG THE NORTH, SOUTH, EAST, AND WEST PROPERTY LINES TO THE EXISTING VEGETATION, AS SHOWN ON THE GDP AND AS SUPPLEMENTED IN THE REVISED PROFFERS.

Commissioners Coan and Kelso seconded the motion which carried by a vote of 7-0-3 with Commissioners Koch, Murphy, and Thomas abstaining; Commissioner Downer not present for the vote; Commissioner Alcorn absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE BARRIER REQUIREMENTS ALONG THE NORTH, SOUTH, EAST, AND WEST PROPERTY LINES TO THAT SHOWN ON THE GENERALIZED DEVELOPMENT PLAN.

Commissioners Coan and Kelso seconded the motion which carried by a vote of 7-0-3 with Commissioners Koch, Murphy, and Thomas abstaining; Commissioner Downer not present for the vote; Commissioner Alcorn absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF ZONING APPEALS APPROVAL OF SP-99-V-01 3, SUBJECT TO THE REVISED DEVELOPMENT CONDITIONS DATED JUNE 21, 1999.

Commissioners Coan and Kelso seconded the motion which carried by a vote of 7-0-3 with Commissioners Koch, Murphy, and Thomas abstaining; Commissioner Downer not present for the vote; Commissioner Alcorn absent from the meeting.

Commissioner Byers MOVED THAT PROFFER #8 IN THE CASE OF RZ-1999-MV-007 BE REVISED TO PUT A PERIOD AT THE END OF THE OPEN SPACE AND DELETE THE REMAINDER OF THAT PROFFER.

Commissioner Kelso seconded the motion which carried by a vote of 7-0-3 with Commissioners Koch, Murphy, and Thomas abstaining; Commissioner Downer not present for the vote; Commissioner Alcorn absent from the meeting.

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FDP-1999-SU-005 - WINCHESTER HOMES, INC. (Decision Only)

(The public hearing on this application was held on June 16, 1999. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FDP-1998-SU-005, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ-1999-SU-005 AND THE CONCEPTUAL DEVELOPMENT PLAN, AND FURTHER SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 24, 1999 AS PROPOSED BY STAFF AND AGREED TO BY THE APPLICANT.

Commissioner Byers seconded the motion which carried by a vote of 8-0-2 with Commissioners Coan and Murphy abstaining; Commissioner Downer not present for the vote; Commissioner Alcorn absent from the meeting.

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RZ-1998-DR-049 - RALPH B. EVANS (Decision Only)

(The public hearing on this application was held on May 20, 1999. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT RZ-1998-DR-049 BE APPROVED, SUBJECT TO THE EXECUTION OF THE PROFFERS DATED JUNE 24, 1999.

Commissioners Koch and Byers seconded the motion which carried by a vote of 10-1 with Commissioner Coan opposed; Commissioner Alcorn absent from the meeting.

Commissioner Downer MOVED THAT THE PLANNING COMMISSION FURTHER APPROVE THAT FDP-1998-DR-049 BE APPROVED, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ-1998-DR-049.

Commissioners Koch and Byers seconded the motion which carried by a vote of 10-1 with Commissioner Coan opposed; Commissioner Alcorn absent from the meeting.

Commissioner Downer FURTHER MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE REQUESTED WAIVER OF THE LIMITATION ON THE LENGTH OF PRIVATE STREETS BE GRANTED; THAT THE REQUESTED WAIVER OF THE SERVICE DRIVE REQUIREMENT ON DOLLEY MADISON BOULEVARD BE GRANTED; THAT THE REQUESTED MODIFICATION OF TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ADJACENT TO LOT 60 BE GRANTED AND THAT THE REQUESTED MODIFICATION OF TRANSITIONAL SCREENING AND BARRIERS INTERNAL TO THE PROPERTY BE GRANTED.

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

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF A VARIANCE TO ALLOW THAT \$955 PER UNIT WOULD BE USED FOR THE IMPLEMENTATION OF TRAILS IN THE PIMMIT RUN AREA.

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

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PCA-C-052-06 - CESC SEVEN SKYLINE PLACE LLC

FDPA-C-052-11 - CESC SEVEN SKYLINE PLACE LLC (Decisions Only)

(The public hearing on these applications was held on June 23, 1999. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT APPLICATION PCA-C-052-06 AND THE CONCEPTUAL DEVELOPMENT PLAN BE APPROVED, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JUNE 10, 1999.

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

Commissioner Hall MOVED THAT THE PLANNING COMMISSION APPROVE FDP-C-052-11, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JUNE 22, 1999 AND TO THE BOARD'S APPROVAL OF PCA-C-052-06.

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

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE REAFFIRMATION OF THE

WAIVER OF TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS BETWEEN RESIDENTIAL AND COMMERCIAL DEVELOPMENT WITHIN SKYLINE CENTER.

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

Commissioner Hall MOVED THAT THE COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE REAFFIRMATION OF THE WAIVER OF THE PFM STANDARDS OF PARAGRAPHS 1, 2 AND 7 OF SECTION 6-0303 AND PARAGRAPH 5 OF SECTION 6-0202, IN ORDER TO PERMIT THE PLACEMENT OF UNDERGROUND STORMWATER RETENTION FACILITIES WITHIN A RESIDENTIAL DEVELOPMENT.

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

Commissioner Hall MOVED THAT THE COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE REAFFIRMATION OF THE WAIVER OF THE 600 FOOT MAXIMUM LENGTH OF PRIVATE STREETS WITHIN A RESIDENTIAL DEVELOPMENT.

Commissioner Byers seconded the motion which carried by a vote of 8-1-1 with Commissioner Wilson opposed; Commissioner Coan abstaining; Commissioner Downer not present for the vote; Commissioner Alcorn absent from the meeting.

Commissioner Hall MOVED THAT THE COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE REAFFIRMATION OF THE (WAIVER OF THE) SERVICE DRIVE ALONG ROUTE 7.

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

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ORDER OF THE AGENDA

Secretary Harsel set the following order of the agenda items:

1. ZONING ORDINANCE AMENDMENTS (METRIC CONVERSION)
2. RZ-1997-MV-049 - ROBERT L. TRAVERS
3. S98-I-B1 - OUT-OF-TURN PLAN AMENDMENT
4. PCA-C-448-10 -- KINGSTOWNE, LP
FDP-C-448-32 - KINGSTOWNE, LP
5. PCA-C-448-19 - KINGSTOWNE SVD SOUTH, LP

FDP-C-448-35 - KINGSTOWNE, SVD SOUTH, LP

This order was accepted without objection.

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ZONING ORDINANCE AMENDMENTS (METRIC CONVERSION) - To amend Chaps. 101 & 112 of the Fairfax. Co. Code & to amend the PFM. The proposed amendments to the Subdivision Ord. allow preliminary plats, construction plans & final subdivision plats to be submitted w/the English equivalent to metric measurements & English scales. The proposed amendments to the Zoning Ord. remove the requirement for zoning applications (rezonings, special exceptions, special permits, and variances), development plans & PRC plans to be submitted in dual units & provide for the use of English units only. The amendments also allow site plans to be submitted w/the English equivalent to metric measurements & English scale & require that the measured distances from all structures to lot lines on house location plats be provided in both English & metric measurements if metric units are used. The proposed amendments to the PFM allow plats, subdivision plans, site plans, & studies to be submitted w/the English equivalent to metric measurements & w/English contours & scales. The amendments also specify conversion factors between metric & English units. PUBLIC HEARING.

John Lehman, Environmental Services Administration Division, 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 Zoning Ordinance Amendment.

In response to a question from Commissioner Thomas, Mr. Lehman said that Prince William County was reverting to English measurements on July 1, 1999, but would accept metric plans if metric engineering had been performed.

Chairman Murphy called for speakers from the audience, but received no response. There were no further comments or questions from the Commission and no closing staff remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Thomas for action on the proposed Amendment. (A verbatim excerpt is in the date file.)

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Commissioner Thomas MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED AMENDMENTS TO THE SUBDIVISION ORDINANCE, ZONING ORDINANCE AND PUBLIC FACILITIES

MANUAL, REFERENCE ENGLISH MEASURES, AS PRESENTED IN THE STAFF REPORT DATED MAY 3, 1999.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Downer, Hall, Harsel, and Koch not present for the vote; Commissioner Alcorn absent from the meeting.

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RZ-1997-MV-049 - ROBERT L. TRAVERS - Appl. to rezone from R-1 to 1-6 to permit a storage yard w/no attributable FAR on property located in the N.E. quadrant of the intersection of Backlick & Cinder Bed Rds. on approx. 0.90 ac. Comp. Plan Rec: Industrial Use. Tax Map 99-4((1))10C. MOUNT VERNON DISTRICT. PUBLIC HEARING.

William Thomas, Esquire, with Fagelson, Schonberger, Payne and Deichmeister, PC, reaffirmed the affidavit dated June 1, 1999. There were no disclosures by Commission members.

Cathy Sieber, 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 a question from Commissioner Byers, Ms. Sieber said that the applicant had agreed to the exclusion of certain uses which had been prohibited by development conditions of a previously approved application for adjacent property.

Commissioner Byers said that he had visited the property this afternoon and saw a considerable amount of bricks stored outside, and asked Ms. Sieber if this was in violation of the Zoning Ordinance. Ms. Sieber replied that it was.

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

Joseph Cammarata, 6860 Tiddle Way, Lorton, President of Raceway Farms 11 Homeowners Association, said he believed the application should be denied due to the Zoning Ordinance violation which prohibited outside storage on R-1 property. He also expressed concern about the hours of operation and lighting, and requested that the applicant work with the community on unresolved issues.

Cynthia Smith, 6713 Catskill Road, Lorton, spoke in opposition to the application and expressed concern about the storage of bricks. She agreed with Mr. Cammarata's request that the community be involved in resolving outstanding issues.

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

Mr. Thomas said that although he had no explanation as to why the bricks were being stored on the property, they would be removed immediately. He noted that rezoning the property to 1-6, with proffers limiting the allowable uses, would result in development compatible with adjacent properties. He said Mr. Travers would then have the responsibility of making the improvements shown on the Generalized Development Plan.

Mr. Thomas responded to questions from Commissioner Byers about when the applicant planned to make the proposed improvements and about the parcel to the east of the subject property, which was a resource protection area.

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

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Commissioner Byers MOVED THAT THE DECISION ONLY ON RZ-1997-MV-049 BE DEFERRED TO A DATE CERTAIN OF JUNE 30, 1999 WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

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S98-I-B1 - OUT-OF-TURN PLAN AMENDMENT - To consider proposed revisions to the adopted Comprehensive Plan for Fx. Co. in accordance w/the *Code of VA*, Title 15.2, Chap. 22 concerning the Virginia Heights neighborhood, an area of approximately 7.2 ac, located in the Baileys Crossroads area, N. of Leesburg Pike at Forest Dr. & adjacent to the Arlington Co. line. The area is planned for residential use at 2-3 du/ac. The Plan Amendment will consider residential use at 8-12 du/ac. Recommendations relating to the transportation network may also be modified. Tax Map 62-1((5))11-15, 23, & 8B1; 62-3((5))5A-10A, 16-19B, & 22. MASON DISTRICT. PUBLIC HEARING.

Bruce Kriviskey, 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 retention of the Adopted Plan for residential use at 2-3 dwelling units per acre while adding two options for higher density residential redevelopment, as explained on page 6 of the staff report.

Sterling Wheeler, PD, DPZ, responded to questions from Commissioner Byers about adjacent property located in Arlington County.

Chairman Murphy called the first listed speaker.

Jo Ann Redditt, 3510 Washington Court, Alexandria, spoke in favor of retaining the Adopted Plan. She said a nomination for the same amendment had been considered in the fall of 1998 and had been denied.

Commissioner Hall commented that the Plan Amendment considered by the Commission during the 1998 Area Plans Review had included only a portion of the Virginia Heights neighborhood and that the Board of Supervisors had authorized an Out-of-Turn Plan Amendment to evaluate the entire neighborhood.

Commissioner Hall responded to a question from Commissioner Byers about the number of vacant properties in the neighborhood.

George Goetzke, 1255 South Hamilton Drive, Arlington, expressed opposition to the proposed Plan Amendment and said he did not understand why a change was necessary.

Commissioner Hall explained to Mr. Goetzke that the proposed Amendment had been nominated by residents of the Virginia Heights community.

Marcus Redditt, 3522 Washington Court, Alexandria, expressed opposition to an increase in density because it would increase traffic, pollution and noise, and result in loss of trees.

At Commissioner Palatiello's request, Mr. Redditt identified the location of his property.

Cathy Redditt, 3522 Washington Court, Alexandria, expressed opposition to the proposed Plan Amendment and suggested that the nominators were hoping to realize financial gains.

Commissioner Hall pointed out to Ms. Redditt that the homes of the residents who were in favor of the proposed Amendment served as a buffer to her neighborhood and that they had been severely impacted by the development along Route 7.

Mr. Kriviskey responded to questions from Commissioner Byers about the number of homeowners who had requested the original Plan Amendment and about the number of absentee homeowners. Mr. Kriviskey and Mr. Wheeler responded to questions from him about staff's rationale for the recommended density and amount of consolidation.

Mr. Wheeler responded to a question from Commissioner Kelso about the impact of consolidation on the adjacent parcel located in Arlington County.

George McClung, 3535 Forest Drive, Alexandria, said he was in favor of 8-12 dwelling units per acre with "substantial" consolidation.

Commissioner Byers called to the Commission's attention a letter from the Columbia Forest Civic Association, dated June 21, 1999, which expressed opposition to an increase in density. (A copy of this letter is in the date file.)

In response to a question from Commissioner Coan, Mr. McClung said an increase in density would make the area compatible with surrounding development.

Davis Jones, address unknown, said he had made an offer to purchase lot 18 on which he hoped to build a single family home. He said he did not want the character of the neighborhood to change. Mr. Jones asked how many of the homeowners were for and how many were against the proposed Amendment. Commissioner Hall replied that she could not say for sure because the numbers kept changing.

Angie Hedburg, 3527 Forest Drive, Alexandria, said she was opposed to the proposed nomination, and asked if 75 percent of the owners had to agree to consolidation before an amendment would be approved.

In response to Ms. Hedburg's question, Mr. Sterling Wheeler, PD, DPZ, said Policy Plan guidelines for neighborhood consolidation for purposes of redevelopment called for at least 75 percent of owners and area to be included. He said that although the initial nomination met that guidance, the Out-of-Turn Plan Amendment before the Commission tonight was not subject to that policy, but would probably become a factor in any forthcoming rezoning.

E. J. Terminelia, 1260 South Hamilton Drive, Arlington, expressed opposition to the proposed Plan Amendment.

There being no further speakers, no comments, or questions from the Commission and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Hall for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION INDEFINITELY DEFER THE DECISION ON S98-I-B1, OUT-OF-TURN PLAN AMENDMENT.

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

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PCA-C-448-10 - KINGSTOWNE, LP - Appl. to amend the proffers for DPA-C-448-2 & PCA-C-448-7 regarding a public park on property located S. of Kingstowne Village Pwy., approx. 3,200 ft. S.W. of its intersection w/Hayfield Rd. & N. of Old Telegraph Rd. on approx. 76.04 ac. zoned PDH-4 & NR. Comp. Plan Rec: Public Park. Tax Map 91-3((1))63A pt. (Concurrent w/FDP-C-448-32.) LEE DISTRICT.

FDP-C-448-32 - KINGSTOWNE, LP - Appl. to amend previously approved final development plan for DPA-C-448-2 regarding a proffered public park on property located S. of Kingstowne Village Pwy., approx. 3,200 ft. S.W. of its intersection w/Hayfield Rd. & N. of Old Telegraph Rd. on approx. 76.04 ac. zoned PDH-4 & NR. Tax Map 91-3((1))63A pt. (Concurrent w/PCA-C-448-10.) LEE DISTRICT. JOINT PUBLIC HEARING.

Antonio Calabrese, Esquire, with McGuire, Woods, Battle and Boothe, reaffirmed the affidavit dated June 8, 1999. There were no disclosures by Commission members.

Peter Braham, 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 denial of the applications pending resolution of outstanding issues concerning Kingstowne Park.

Lynn Tadlock, Planning and Development Division, Park Authority, responded to questions from Commissioners Harsel and Kelso about proposed recreation facilities.

Mr. Calabrese stated that significant progress had been made in addressing outstanding park issues as reflected in revised proffers disseminated to the Commission in May and again on June 15, 1999. He noted that the hydrological analysis provided by Tri-Tek Engineering had been beneficial in resolving issues raised by Mr. Robert D. McLaren, Lee District Land Use Advisory Committee. He explained that while staff was in favor of additional trails, Lee District and Kingstowne residents were concerned about having too many trails within the park. Mr. Calabrese said that the applicant had agreed to a contribution of 90,000 dollars towards water irrigation systems within the Clermont Park site, but was not willing to commit to totally irrigating the site because the cost of 260,000 dollars was prohibitive. He noted that staff and the applicant hoped to reach an agreement on bonding and surety. In conclusion, he said consideration of these applications had begun 18 months ago, and they had almost a unanimous recommendation of approval from the Lee District Land Use Committee.

Commissioner Kelso said that basically there were only two disagreements between staff and the applicant, which were solutions to the environmental issues and trails around the southern end of the park.

Chairman Murphy called the first listed speaker.

Sam Eden, 51 17 Ballycastle Circle, Kingstowne, member of the Board of Trustees of Kingstowne, spoke in favor of the park.

Kathleen Snyder, 6314 Alderman Drive, Kingstowne, President, Kingstowne Residential Owners Corporation, said residents were very excited about having a passive park and about new and improved recreational facilities. She said they had been waiting years for a resolution of a problem that had not been created by the developer or the County, but by the Environmental Protection Agency (EPA) and its environmental laws. She urged a recommendation of approval and noted that the applications had received outstanding and overwhelming community and Lee District support.

Ms. Snyder and Mr. Braham responded to questions from Commissioner Coan about the failure of the developer to provide recreation facilities under previously approved proffers and EPA's involvement in the matter.

Bonita Brock, 7039 Ashleigh Manor Court, Kingstowne, Vice President, Kingstowne Residential Owners Corporation, urged the Commission to recommend approval of the Proffered Condition Amendment, saying the completion of the development in Kingstowne was long overdue.

Robert Wilkinson, 6111 Paulonia Road, Alexandria, President, Pioneer Baseball and Softball, Inc., spoke in support of the subject applications and said that softball and soccer fields would be a significant enhancement to the community.

Commissioner Kelso noted that if the applications were approved, recreation facilities would be a reality much sooner than if they had to be provided by the Park Authority.

Johna Gagnon, 701 1-A Manchester Boulevard, Alexandria, member of the Lee District Land Use Committee, spoke in support of the applications and said it was time to move forward. (A copy of her remarks is in the date file.)

Helen Hardin, address unknown, said her home was adjacent to the proposed park and thought it was a wonderful idea. However, she said she was concerned about the impact of the proposed dog run on her property and Piney Run stream.

Commissioner Kelso and Ms. Tadlock responded to Ms. Hardin's concerns.

Commissioner Kelso noted for the record that the Virginia Hills Citizens Association and the Manchester Lakes Master Association had voiced strong support for approval of the applications.

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

Mr. Calabrese expressed his commitment to work with staff to resolve outstanding issues.

There were no questions or comments from the Commission and no closing staff remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Kelso for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Kelso MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY TO A DATE CERTAIN OF JULY 15, 1999 ON PCA-C-448-10 AND FDP-C-448-32, KINGSTOWNE, LP, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Downer and Thomas not present for the vote; Commissioner Alcorn absent from the meeting.

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PCA-C-448-19 - KINGSTOWNE SVD SOUTH, LP - Appl. to amend the proffers for RZ-C-448 to permit residential development at a density of 4.49 du/ac on property located on the E. side of the intersection of Kingstowne Blvd. & South Van Dorn St. on approx. 16.72 ac. zoned PDH-4. Comp. Plan Rec: 3-4 du/ac. Tax Map 91-2((1))30B pt. (Concurrent w/FDP-C-448-35.) LEE DISTRICT.

FDP-C-448-35 - KINGSTOWNE SVD SOUTH, LP - Appl. to approve the 35th final development plan for RZ-C-448 to permit residential development on property located on the E. side of the intersection of Kingstowne Blvd. & South Van Dorn St. on approx. 16.72 ac. zoned PDH-4. Tax Map 91-2((1))30B pt. (Concurrent w/PCA-C-448-19.) LEE DISTRICT. JOINT PUBLIC HEARING.

Erika L. Byrd, Esquire, with McGuire, Woods, Battle and Boothe, LLP, reaffirmed the affidavit dated June 8, 1999. There were no disclosures by Commission members.

Catherine 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 denial of the applications because the outstanding issues regarding the previously committed 74 acre Kingstowne Park should be resolved prior to the approval of these applications.

Ms. Byrd stated that the application sought to change a plan for a 176 unit apartment building to 75 single family detached dwelling units. She explained that only about 11 percent of Kingstowne was comprised of single family detached dwellings and that the community had strongly recommended that the developer increase the low ratio of single family detached houses. She noted that the plan included a large tree save area which would serve as an excellent

management upgrades and landscaping which was well above Ordinance minimums. She said that the developer had worked extensively with the community and had received strong support from the Kingstowne Residential Owners Corporation and the Lee District Land Use Committee, and that all but a few minor issues had been resolved.

In response to a question from Commissioner Byers, Ms. Byrd said that the issue of the outflow from Dogue Creek would be addressed at the time of subdivision approval. Commissioner Kelso added that a possible solution would be for the piping to be fanned out at the outlet so that it didn't disturb the soil and create more silt. He added that this matter would be addressed at the time of site plan approval.

Ms. Byrd and Antonio Calabrese, Esquire with McGuire, Woods, Battle and Boothe, LLP, responded to questions from Commissioner Coan about the need for private streets.

A discussion ensued about the 600 foot limitation on private streets.

Chairman Murphy called the listed speaker.

Kathleen Snyder, 6314 Alderman Drive, Kingstowne, President, Kingstowne Residential Owners Corporation, citing the need for more single family homes, said the community strongly supported the subject applications. She said that the Corporation was adamantly opposed to a development condition which would require a restrictive covenant governing garages because their by-laws addressed this issue and would be enforced. She noted that the Corporation had no problem with the request to waive the 600 foot maximum length of private streets.

Commissioner Kelso noted that because Proffer #12 required that garages be used for parking vehicles only, he was going to propose that the Development Condition addressing this issue be deleted.

Bonita Brock, 7039 Ashleigh Manor Court, Kingstowne, expressed support for the applications, citing the need for single family homes in the area.

Addressing the issue of garage restrictions, Mr. Braham said that the covenant proposed by staff had been used in similar circumstances throughout the County and was not intended to supersede enforcement activities of homeowners' associations. However, he said it did give the County authority to take action if necessary.

There being no further speakers, no comments or questions from the Commission and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Kelso for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Kelso MOVED THAT WE DEFER DECISION ON PCA-C-448-19 AND FDP-C-448-35 TO A DATE CERTAIN OF JULY 15, 1999 WITH THE RECORD REMAINING OPEN FOR PUBLIC COMMENT.

Commissioners Byers and Coan seconded the motion which carried unanimously with Commissioners Downer and Thomas not present for the vote; Commissioner Alcorn absent from the meeting.

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The meeting was adjourned at 12:50 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.

Meeting taken by: Mary A. Pascoe

Minutes by: Linda B. Gibson

Approved on: July 26, 2000



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