

**MINUTES OF  
PLANNING COMMISSION MEETING  
JUNE 25, 1992**

PRESENT: Lawrence C. Baldwin, Commissioner At-Large  
David P. Bobzien, Centreville District  
John R. Byers, Mount Vernon District  
Patrick M. Hanlon, Providence District  
Suzanne F. Harsel, Braddock District  
Stephen J. Hubbard, Dranesville District  
Maya A. Huber, Commissioner At-Large  
Peter F. Murphy, Jr., Springfield District  
Carl L. Sell, Jr., Lee District  
Henry E. Strickland, Mason District  
Alvin L. Thomas, Commissioner At-Large

ABSENT: Ronald W. Koch, Sully District

//

The meeting was called to order at 8:28 p.m. by Chairman Peter F. Murphy, Jr.

//

COMMISSION MATTERS

Secretary Harsel MOVED FOR APPROVAL OF THE FOLLOWING SETS OF MINUTES:

1/17/91	4/04/91	9/11/91
1/24/91	4/17/91	10/03/91
2/12/91	5/02/91	10/10/91
2/21/91	5/22/91	10/30/91
2/26/91	5/23/91	11/06/91
3/20/91	7/25/91	

Commissioner Bobzien seconded the motion which passed unanimously with Commissioner Hanlon abstaining; Commissioner Sell not present for the vote; Commissioner Koch absent from the meeting.

//

Commissioner Huber announced her intent to defer the decision only on Phase II of the Chesapeake Bay Ordinance indefinitely on July 8, 1992, per the request by the Board of Supervisors that the Commission await Board action on Phase I.

//

Chairman Murphy announced that, effective immediately, a new streamlined staff report would be used to speed up application processing time and that the effectiveness of these new reports would be examined after a sufficient test phase.

//

ZONING ORDINANCE AMENDMENT – Zoological Parks (Decision Only)  
(The public hearing on this application was held on June 18, 1992. A complete verbatim transcript of the decision made on this item is included in the date file.)

Commissioner Bobzien MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT AMEND ARTICLES 6, 7, 8, AND 20 OF THE ZONING ORDINANCE, CONSISTENT WITH THE PROPOSAL CONTAINED IN THE STAFF REPORT DEALING WITH THE ZOOLOGICAL PARKS DATED APRIL 30, 1992 WITH THE FOLLOWING CHANGES:

SECTION 6-106, PARAGRAPH 4, ADD THE WORDS: "FOR GROUP 6 OUTDOOR RECREATION USE" BETWEEN THE WORDS "BOARD" AND "IN";

SECTION 6-106, PARAGRAPH 108 AND 8-612 #4, CHANGE "ANNUAL" TO "QUARTERLY"; and lastly,

SECTION 6-106, PARAGRAPH 10C AND SECTION 8-612 #5, AND ARTICLE 20, ADD THE WORDS: "ALL ANIMALS INCLUDING" BETWEEN THE WORDS "OF" AND "WILD."

Commissioners Hanlon and Thomas seconded the motion which passed by a vote of 8-1-2 with Commissioner Baldwin opposed; Commissioners Huber and Sell abstaining; Commissioner Koch absent from the meeting.

//

ORDER OF THE AGENDA ITEMS

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

1. RZ-91-P-021 – Leroy J. Blackwelder
2. SEA-80-L-139 – Mount Vernon Knights of Columbus Club, Inc.
3. SE-92-L-005 – Exxon Corporation

Without objection, it was so ordered.

//

RZ-91-P-021 – LEROY J. BLACKWELDER – Appl. to rezone approx. 5.75 ac. located approx. 1,000 ft. E. of Sutton Rd. opposite its intersection with Oleander Ave. from R-4 to R-8 to permit residential development at a density of 8.0 du/ac. Comp. Plan Rec: 4-5 du/ac. with an option for 5-8 du/ac. Tax Map 48-1((1))86. PROVIDENCE DISTRICT. PUBLIC HEARING.

Mr. Leroy Blackwelder, the applicant, affirmed that his affidavit was in order. 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 contained in the date file. She noted that proffer conditions for Addendum 1 had been distributed that night. She pointed out that the applicant's proposal for a requested density of 8 dwelling units per acre (8 du/ac) was not in conformance with the Comprehensive Plan's recommendation of 4-5 du/ac, with an option for development at 5-8 du/ac under specific conditions. She explained that one of the specific conditions was consolidation which was required for a higher density request. Ms. Godfrey said that because the applicant had not addressed the Plan's specific conditions and the generalized development plan, as proposed, did not have an adequate level of detail to allow staff to determine if all Zoning Ordinance requirements had been met, staff continued to recommended denial as submitted.

In response to Commissioner Hanlon's questions, Ms. Godfrey confirmed that the applicant had an easement across other property owners land and that the consolidation of the two access easements posed a question as to whether or not they were wide enough to accommodate the site as stipulated by the Public Facilities Manual.

Mr. Blackwelder maintained that he was in agreement with and was trying to accomplish what the County had requested of him; i.e., to provide an access entranceway opposite Oleander Avenue and the consolidation of lots 80 through 86. It was his contention that the County had blocked his property back in 1986 when it did not provide road access to lot 86 at the time of Country Creek subdivision's rezoning. Mr. Blackwelder stated that he was unable to consolidate the parcels because of the expense per acre. He requested that the Planning Commission allow him to build several model homes on his property, take some orders by speculation, and promised that he would consolidate lots 80 through 86 as soon as it could be done.

Chairman Murphy called for speakers from the audience. Receiving no response, he noted that no rebuttal was necessary. Ms. Godfrey had no closing staff comments; therefore Chairman Murphy closed the public hearing and recognized Commissioner Hanlon for a motion on this application. (Verbatim excerpts are in the date file.)

//

After making final remarks, Commissioner Hanlon MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DENY RZ-91-P-021.

Commissioner Bobzien seconded the motion which passed by a vote of 9-0-2 with Commissioners Byers and Sell abstaining; Commissioner Koch absent from the meeting.

//

SEA-80-L-139 – MOUNT VERNON KNIGHTS OF COLUMBUS CLUB INC. – Appl. under Sects. 3-204, 4-804, & 9-601 of the Zoning Ord. to amend SE-80-L-139 for a private club to permit expansion & renovation of the existing building & waiver of the minimum lot width requirement on property located at 8592 Richmond Hwy. on approx. 2.37 ac. zoned R-2, C-8, & HC. Tax Map 101-3((1))63. LEE DISTRICT. PUBLIC HEARING.

Mr. Edwin J. Williams, Jr., Chairman of the Construction Planning Committee for the Knights of Columbus, Inc., representing the applicant, reaffirmed the affidavit. 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 contained in the date file. She stated that staff recommended approval.

Mr. Williams gave a brief history of the club noting its charitable contributions and the benefits offered to the surrounding community. He explained that the requested addition was necessary for the club's expanded office and administration duties as well as much needed storage space. He noted that they had the support of the Lee District Land Use Advisory Committee, the Southeast Fairfax Development Corporation, and the Mount Vernon Planning and Zoning Committee, among others. Mr. Williams said that they had no objection to staff's conditions and would perform them at the appropriate time. He complemented the exemplary efforts of staff over its processing of their application.

Noting that there were no listed speakers, Chairman Murphy asked if there was anyone present who wished to address the special exception amendment application. Receiving no response, he noted that no rebuttal was necessary. Ms. Godfrey had no closing staff comments; therefore Chairman Murphy closed the public hearing and turned to Commission Sell for action on the case. (Verbatim excerpts are in the date file.)

//

Following summation remarks, Commissioner Sell MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SEA-80-L-139

BE APPROVED, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1.

Commissioner Byers seconded the motion which passed unanimously with Commissioners Baldwin and Strickland not present for the vote; Commissioner Koch absent from the meeting.

Commissioner Sell next MOVED (THAT) THE PLANNING COMMISSION RECOMMEND TO THE BOARD APPROVAL OF THE REQUESTED MODIFICATIONS OF TRANSITIONAL SCREENING AND BARRIERS AS DEPICTED ON THE SEA PLAT.

Commissioner Byers seconded the motion which passed unanimously with Commissioners Baldwin and Strickland not present for the vote; Commissioner Koch absent from the meeting.

Commissioner Sell also MOVED (THAT) THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT IT APPROVE A WAIVER OF THE PERIPHERAL PARKING LOT LANDSCAPING ALONG THE EASTERN SIDE OF THE PARKING LOT.

Commissioner Byers seconded the motion which passed unanimously with Commissioners Baldwin and Strickland not present for the vote; Commissioner Koch absent from the meeting.

Commissioner Sell lastly MOVED (THAT) THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE MINIMUM LOT WIDTH.

Commissioner Byers seconded the motion which passed unanimously with Commissioners Baldwin and Strickland not present for the vote; Commissioner Koch absent from the meeting.

//

SE-92-L-005 – EXXON CORPORATION – Appl. under Sects. 4-804 & 7-607 of the Zoning Ord. to permit renovation of an existing service station & the addition of a quick service food store in a Highway Corridor Overlay District on property located at 7312 Richmond Hwy. on approx. 30,099 sq.ft. of land zoned C-8 & HC. Tax Map 92-4((1))78D. LEE DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, of Walsh, Colucci, Stackhouse, Emrich, and Lubeley, representing the applicant, reaffirmed the affidavit. 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 contained in the date file. She stated that there were no outstanding issues with the application and that staff recommended approval.

Mr. Martin briefly explained the proffers to which the applicant had committed regarding road improvements and precautions and prevention methods for oil dissemination and disposal. He noted a development condition distributed that night which limited the sale of certain food items and commented that that condition had become a standard in the Lee District. Mr. Martin said that they were in agreement with staff's request to leave the Exxon sign at its present location. The only development condition in contention, he said, was Condition #11 which required the removal of the median break on Route 1. He explained that Exxon Corporation believed it important for southbound traffic to be able to access the site from Route 1. Mr. Martin concluded his presentation by reminding the Commission that the application had staff's and the Lee District Land Use Advisory Committee's recommendation of approval and he requested the same of the Planning Commission.

In response to Commissioner Sell's inquiry, Mr. Martin said that the station was company leased to an independent operator with rights of lease renewal under the new type of operation. He explained the reasons why Exxon Corporation was phasing out gas/service stations. Mr. Martin conceded that it was unfortunate that the station's previous use and good reputation for quality vehicle maintenance could no longer be continued.

Commissioner Hanlon voiced his concern over Mr. Martin's statements regarding the reasons for the discontinuance of vehicle service type gas stations.

In response to Commissioner Harsel's question, Mr. Martin explained that Exxon leases retain the authority to renovate and/or reconstruct facilities and during that time the lease amount would be rebated for any loss of business and at the end of the lease term, the current operator could enter into negotiations with Exxon to renew the lease under the new operation.

In reply to Commissioner Byers' question, Commissioner Sell said that the use of microwave ovens in the service station was a convenience and consideration factor for those who wanted certain food items warmed up; that the use of this type oven would not involve the staff; and that their use would not get out of hand.

There being no listed speakers, Chairman Murphy asked if there was anyone who wished to address the application. Seeing none, he noted that no rebuttal was necessary. Ms. Murray had no closing staff comments; therefore Chairman Murphy closed the public hearing and recognized Commissioner Sell for a motion on this application. (Verbatim excerpts are in the date file.)

//

Following summation remarks, Commissioner Sell MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-92-L-005, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THIS REPORT, AND:

DELETE THE EXISTING CONDITION #11; AND REPLACE IT WITH THE LIMITATIONS ON THE SALES ROOM AND

MARKED STORAGES DEPICTED ON THE SPECIAL  
EXCEPTION PLAT LANGUAGE THAT IS PASSED OUT  
TONIGHT.

Commissioner Hanlon seconded the motion which passed by a vote of 8-2 with Commissioners Byers and Harsel opposed; Commissioner Hubbard not present for the vote; Commissioner Koch absent from the meeting.

//

The meeting was adjourned at 10:02 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: Paula A. McFarland

Approved on: October 14, 1992

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