

**MINUTES OF
PLANNING COMMISSION MEETING
JUNE 26, 1996**

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
Robert v. L. Hartwell, Commissioner At-Large
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
Alvin L. Thomas, Commissioner At-Large

ABSENT: John W. Hunter, Commissioner At-Large
John M. Palatiello, Hunter Mill District

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Chairman Peter F. Murphy, Jr., convened the meeting at 8:30 p.m.

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COMMISSION MATTERS

Commissioner Hartwell noted that an Out-of-Turn Plan Amendment in Lee District, had been scheduled for public hearing this evening and MOVED THAT S96-IV-MV1, OUT-OF-PLAN AMENDMENT, BE DEFERRED TO A DATE CERTAIN OF THURSDAY, JULY 18, 1996.

Commissioner Byers seconded the motion which carried by a vote of 7-0-1 with Commissioner Kelso abstaining; Commissioners Coan and Downer not present for the vote; Commissioners Hunter and Palatiello absent from the meeting.

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR PCA-88-M-023 AND FDPA-88-M-023, SUITE VENTURE ASSOCIATES, L.P., TO A DATE CERTAIN OF WEDNESDAY, OCTOBER 23, 1996.

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

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Chairman Murphy announced that the Planning Commission would not hold public hearings on July 3 and 4, 1996; the next meeting would be held on Wednesday, July 10, 1996.

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S96-II-M2 – OUT-OF-TURN PLAN AMENDMENT (Decision Only)

(The public hearing on this case was held on Thursday, June 20, 1996. A complete verbatim transcript of the action taken on this case this evening may be found in the date file.)

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT OUT-OF-TURN PLAN AMENDMENT S96-II-M2 BE APPROVED, AS SHOWN IN THE HANDOUT DISTRIBUTED TO THE COMMISSION TONIGHT.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Harsel abstaining; Commissioner Coan not present for the vote; Commissioners Hunter and Palatiello absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel announced the following order of the agenda:

1. 456-S96-3 – American Personal Communications
2. SE-95-Y-012 – National Resources, Inc.
3. RZ-93-D-022 – Mena Corporation
FDP-93-D-022 – " "
4. SEA-85-M-101 – School for Contemporary Education
5. SE-96-M-013 – R. J. Snyder & Decker & Co., Inc., for Kenyon Oil Company
6. FDPA-82-P-069-1-11 – Fair Lakes Associates, L.C., Agent for Group Hospitalization & Medical Services, Inc

WITHOUT OBJECTION, it was so ordered.

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Since the following application was in the Springfield District, the Chair was turned over to Vice Chairman Byers.

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456-S96-3 – AMERICAN PERSONAL COMMUNICATIONS (APC)

– Under provisions of Sec. 15.1-456 of the Code of VA, as amended, an appl. to construct a telecommunications facility on the site of the Mott Community Center @ 12111 Braddock Rd., Fairfax. The proposed facility will include a 175-foot monopole w/9 panel antennas & 2 dish antennas, & 2 cabinets of radio equip. on an adjacent equip. pad on the ground. Tax Map 67-1((1))35. Area III. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Mr. Michael P. Hines, Planning Division, Office of Comprehensive Planning, furnished the staff report, a copy of which may be found in the date file. He stated that staff recommended that the Planning Commission find the proposed telecommunications base station facility at 12111 Braddock Road to be in substantial accord with the provisions of the Comprehensive Plan.

In response to a question from Commissioner Byers, Mr. Hines stated that Lot 37, directly west of the application property, had a direct access road off Braddock Road, immediately adjacent to the Parkway.

Mr. Thomas Hicks, represented American Personal Communications, and stated that they concurred with the staff report and felt that the application was in substantial accord with the Comprehensive Plan. He noted that the application had been reviewed and approved by both the Department of Housing and Community Development and the Mott Community Center Advisory Board. He then requested approval of the application.

Mr. Steve Muscarella, with Whalen and Company, showed a map which indicated the exact location of the proposed telecommunications facility. He noted that other locations had been considered but this was the best location since it was closer to the Fairfax County Parkway and provided the best coverage.

There being no listed speakers and none from the audience, no questions and comments, and no need for rebuttal, Vice Chairman Byers turned to Commissioner Murphy for action on this case. (A verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION APPROVE 456-S96-3.

Commissioners Kelso and Thomas seconded the motion which carried by a vote of 8-0-1 with Commissioner Downer abstaining; Commissioner Coan not present for the vote; Commissioners Hunter and Palatiello absent from the meeting.

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SE-96-Y-012 – NATIONAL RESOURCES, INC. – Appl. under Sec. 3-204 of the Zoning Ord. to permit a child care center which has an enrollment of 100 or more students daily @ 12301 Lee Jackson Memorial Hwy. on approx. 0.91 ac. of land zoned R-2, HC & WS. Tax Map 46-3((1))pt. 18; 46-3((10))pt.C. SULLY DISTRICT. PUBLIC HEARING.

Robert A. Lawrence, Esquire, with Hazel and Thomas, P.C., reaffirmed that the affidavit dated March 29, 1996, was current and correct. There were no disclosures from the Planning Commissioners.

Miss Lorrie Kirst, Zoning Evaluation Division, Office of Comprehensive Planning, furnished the staff report, a copy of which may be found in the date file. She stated that staff recommended approval of the application, subject to the proposed development conditions dated June 26, 1996.

Mr. Lawrence stated that he agreed with the staff report and the proposed development conditions and requested approval of the application.

In response to a question from Commissioner Koch, Mr. Lawrence stated that he had contacted the immediate neighboring communities and there had been no objections to the application.

There being no listed speakers and none from the audience; no questions or comments and no need for rebuttal, Chairman Murphy closed the public hearing and turned to Commissioner Koch for action on the case. (A verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Koch MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY APPROVE SE-96-Y-012, SUBJECT TO THE JUNE 26, 1996 PROPOSED DEVELOPMENT CONDITIONS.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Coan not present for the vote; Commissioners Hunter and Palatiello absent from the meeting

Commissioner Koch also MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS A MODIFICATION OF THE SERVICE DRIVE REQUIREMENT ALONG ROUTE 50.

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

Commissioner Koch then MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER

REQUIREMENTS ALONG THE SOUTHERN, EASTERN AND WESTERN BOUNDARIES TO THAT REFLECTED ON THE SPECIAL EXCEPTION PLAT.

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

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RZ-93-D-022 – MENA CORPORATION – Appl. to rezone approx. 7.76 ac. located on the S. side of Leesburg Pike, approx. 600 ft. E. of its intersec. with Holly Knoll Dr. & @ the N. terminus of Safa St. fr. R-1 & HD to PDH-1 & HD to permit resident. develop. @ a density of 0.64 du/ac. & approval of the CDP. Comp. Plan Rec: 0.20-0.50 du/ac. Tax Map 6-3((1))20 & 30; 6-3((13))B. (Concurrent with FDP-93-D-022.) DRANESVILLE DISTRICT.

FDP-93-D-022 – MENA CORPORATION – Appl. to approve the FDP for RZ-93-D-022 to permit resident. develop. on prop located on the S. side of Leesburg Pike, approx. 600 ft. E. of its intersec. with Holly Knoll Dr. & at the N. terminus of Safa St. on approx. 7.76 ac. zoned PDH-1 & HD. Tax Map 6-3((1))20 & 30; 6-3((13))B. (Concurrent with RZ-93-D-022.) DRANESVILLE DISTRICT. JOINT PUBLIC HEARING.

Mr. Wael Alkhairo, with MARJAC Investments, Inc., 555 Grove Street, Herndon, Agent for the applicant, reaffirmed that the affidavit dated May 28, 1996 was current and correct. There were no disclosures from the Planning Commissioners

Ms. Leslie Johnson, Zoning Evaluation Division, Office of Comprehensive Planning, furnished the staff report, a copy of which may be found in the date file. She stated that staff recommended approval of RZ-93-D-022 and FDP-93-D-022, subject to the execution of proffers dated June 24, 1996.

Mr. Alkhairo gave an overview of the background of this application; stated that he agreed with the staff report. He then requested approval of the application.

Chairman Murphy called the listed speakers and explained the rules and procedures for addressing the Planning Commission.

The following individuals opposed the application because of their concerns related to the degradation of the valuable cultural and historic Dranesville Tavern; loss of environmental quality; and the potential for significant degradation of the economic viability of their community. Also, they noted that an abandoned rambler and trailer and construction equipment should be removed from the property before any building was initiated.

1. Mr. Edwin McNichols, 1082 Safa Street, Herndon, for Shaker West Homeowners Association. (A copy of his statement may be found in the date file.)

Commissioner Byers noted that page 3 of Mr. McNichols' statement quoted the design guidelines for the Dranesville Tavern Historic Overlay District which were different from the interpretation in the staff report. He then stated that there was no memorandum from the Architectural Review Board (ARB) in the staff report and wanted to know why. Ms. Johnson said that a memo had been received from the ARB which stated that they approved the use of the property as shown on the Conceptual Development Plan; however, that memorandum had been received after the staff report had been printed. Commissioner Byers suggested that staff should contact the ARB and invite them to interpret the guidelines for the Planning Commission. Ms. Johnson agreed to arrange to have a representative of the ARB appear before the Planning Commission.

2. Mr. Kiah Warden, 1085 Safa Street, Herndon, Treasurer, Shaker West Homeowners Association. He also noted that there was an entrance marker into the subdivision which was maintained by the Homeowners Association and wanted to know if it would be replaced or remain.
3. Mr. John Gorag, President, Shaker West Homeowners Association.

In rebuttal, Mr. Alkhairo stated that they planned to build homes compatible with the surrounding communities. He said the ARB had indicated partial approval of the application but would look at the design plans and make a final decision. He again requested approval of the application.

There being no additional speakers, no further questions or comments and no further rebuttal, Chairman Murphy closed the public hearing and turned to Commissioner Downer for action on this case. (A verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Downer MOVED THAT WE DEFER THE DECISION ONLY ON APPLICATION RZ/FDP-93-D-022 TO A DATE CERTAIN OF WEDNESDAY, JULY 10, 1996, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hunter and Palatiello absent from the meeting.

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SEA-85-M-101 – SCHOOL FOR CONTEMPORARY EDUCATION – Appl. under Sec. 3-104 & 3-504 of the Zoning Ord. to amend SE-85-M-101 for a private school of general education to permit an increase in land area on prop. located in the N.W. quadrant of the intersec. of Braddock Rd. & Backlick Rd. on approx. 8.37 ac. zoned R-1 & R-5. Tax Map 71-3((8)) 5; 71-4((20))1 & 4 [Formerly 71-3((8))2, 5, 6, 6A & 7B.] MASON DISTRICT. PUBLIC HEARING.

Mr. Gregory A. Riegle, Urban Planner, with McGuire, Woods, Battle and Boothe, P.C., represented the applicant and reaffirmed that the affidavit dated June 21, 1996, was current and correct. There were no disclosures from the Planning Commissioners.

Miss Lorrie Kirst, Zoning Evaluation Division, Office of Comprehensive Planning, furnished the staff report, a copy of which may be found in the date file. She stated that staff recommended approval of SEA-85-M-101, subject to the proposed development conditions.

In response to a question from Commissioner Byers, Commissioner Hall stated that it was not the intent of the applicant to include a parking lot on this property at this time.

Mr. Riegle stated that the school was a nonprofit facility which provided educational opportunities for children with special needs and that this application would only use an existing residential dwelling to house approximately five (5) employees who were currently working in offsite space. He said there were no other changes to the school's programs. He noted that the application had the approval of the Mason District Land Use Advisory Committee and requested approval of the application.

Chairman Murphy called the listed speakers and reminded them of the rules and procedures for addressing the Planning Commission.

The following individuals resided adjacent to the school and stated that they had no objections to the application:

1. Mr. Edward S. Petros, 7104 Braddock Road, Annandale.
2. Mr. Deraldo Allela, next door to the school.

The following speakers objected to the application because the existing storm water drainage system was a ditch which went through the rear of their properties, was insufficiently drained and continuously had standing water. They noted that during the warm months the ditch harbored algae and mosquitoes. They asked that the problem be corrected before the school added anything else.

1. Mrs. Victoria Parrotta, 7127 Wilburdale Drive, Annandale.
2. Mr. Frank Parrotta, 7127 Wilburdale Drive, Annandale.

Commissioner Hall stated that the proposed development conditions would satisfy the problems related to the drainage.

Mr. Riegler, in rebuttal, stated that the school had pledged to review the matter of drainage and work out a solution that would be satisfactory to everyone involved. He again requested favorable consideration of the application.

There being no additional speakers, no further questions or comments, and no further rebuttal, Chairman Murphy closed the public hearing and turned to Commissioner Hall for action on this case. (A verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY APPROVE SEA-85-M-101, SUBJECT TO THE JUNE 12, 1996 PROPOSED DEVELOPMENT CONDITIONS, WITH THE FOLLOWING MODIFICATIONS:

- CONDITION NUMBER 4, ADD THE WORDS: "MAXIMUM DAILY" AFTER THE WORD "TOTAL", SO THAT THE SENTENCE READS: "THE TOTAL MAXIMUM DAILY ENROLLMENT OF THE SCHOOL SITE SHALL NOT EXCEED ONE HUNDRED THIRTY (130) STUDENTS AND THE MAXIMUM NUMBER OF EMPLOYEES SHALL NOT EXCEED NINETY-NINE (99)."
- CONDITION NUMBER 8; DELETE THE EXISTING CONDITION NUMBER 8 AND ADD A NEW CONDITION NUMBER WHICH READS: "THE EXISTING DRIVEWAY ACCESS TO LOT 1 FROM BACKLICK ROAD SHALL BE USED EXCLUSIVELY FOR MAINTENANCE AND/OR EMERGENCY ACCESS AND SHALL BE CLEARLY MARKED WITH A SIGN STATING SUCH. TO IMPROVE SITE DISTANCE AT THE DRIVEWAY ENTRANCE FROM LOT 1, THE EXISTING VEGETATION SHALL BE CLEARED FROM THE AREAS LOCATED ADJACENT TO THE DRIVEWAY ENTRANCE PRIOR TO OCCUPANCY OF A CONVERTED RESIDENTIAL STRUCTURE AND SHALL BE MAINTAINED AS A CLEARED AREA. ALL ROUTINE DELIVERIES ASSOCIATED WITH THE STRUCTURE ON LOT 1 SHALL BE MADE TO THE MAIN SCHOOL COMPLEX. ALL EMPLOYEES USING THE OFFICE SPACES ON LOT 1 SHALL PARK IN THE EXISTING SCHOOL PARKING LOT. AS DETERMINED BY DEM, PARKING SPACES FOR EMPLOYEES WITH OFFICE SPACE IN THE CONVERTED RESIDENCE SHALL BE LOCATED CLOSEST

TO LOT 1, EXCLUSIVE OF ACCESSIBLE PARKING SPACES AND SHALL BE CLEARLY MARKED AS RESERVED PARKING.”

- ADD A NEW CONDITION NUMBER 11 WHICH SHALL READ: “AT SUCH TIMES AS THERE IS A FUNDED ROAD PROJECT FOR THE IMPROVEMENTS OF BRADDOCK ROAD, UP TO SIX (6) FEET OF ADDITIONAL RIGHT-OF-WAY ALONG THE BRADDOCK ROAD FRONTAGE SHALL BE DEDICATED IN FEE SIMPLE TO FAIRFAX COUNTY TO ACCOMMODATE THE CONSTRUCTION BY OTHERS OF AN ADDITIONAL LEFT-TURNING LANE FOR EASTBOUND TRAFFIC AS DETERMINED BY DEM AND/OR VDOT, EXCEPT AS MODIFIED BY CONDITION 10.”

I also MOVE TO RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS BE MODIFIED ALONG THE NORTHERN AND SOUTHERN AND WESTERN BOUNDARIES TO THAT REFLECTED ON THE SPECIAL EXCEPTION PLAT.

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

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SE-96-M-013 – R.J. SNYDER & DECKER & COMPANY, INC., FOR KENYON OIL COMPANY – Appl. under Sec. 4-504 of the Zoning Ord. to permit a service station & a quick service food store @ 4133 Braddock Rd. on approx. 0.57 ac. of land zoned C-5. Tax Map 72-1((7))1 & 2. MASON DISTRICT. PUBLIC HEARING.

Mr. Conrad R. Decker, with Decker and Company, reaffirmed that the revised affidavit dated June 14, 1996, was current and correct. There were no disclosures from the Planning Commissioners.

Miss Kristen Abrahamson, Zoning Evaluation Division, Office of Comprehensive Planning, furnished the staff report, a copy of which may be found in the date file. She stated that staff recommended approval of SE-95-M-013, subject to the proposed development conditions contained in Appendix 1 of the staff report.

Mr. Decker stated that Kenyon Oil had purchased the application property from Stuart Petroleum and they were requesting the addition of a quick service food store to an existing service station, they planned to build an addition to the building and add two (2) canopies over the existing gasoline pump islands. He noted that there would be no alcoholic beverages sold on that facility and they had agreed to relocate the proposed gated dumpster enclosure from the south side of the

existing building to the north side with pickups to be made between the hours of 9:00 A.M. to 3:00 P.M., Monday through Friday. Mr. Decker said that they had already removed an existing outside pay phone as requested by the Parklawn citizens; and shielded and downward directed canopy lighting that would be installed to prevent glare to adjacent properties. He stated that the existing roof floodlights on the building would be removed and no other floodlights would be used; the existing free standing sign would have to be retained in its present location. Mr. Decker also said that no auto repairs would take place on the property; the car repair function would be abandoned, should the application be approved; and the hours of operation would be from 5:00 a.m. to 11:00 p.m. Mr. Decker stated that the applicant agreed with the staff report and the proposed development conditions and requested approval of the application.

In response to a question from Chairman Murphy, Mr. Decker stated that the removal of the pay phone had been requested by the neighbors because it brought on loitering and loud confrontations from undesirables late at night.

Commissioner Hall asked Mr. Decker for a copy of his written statement because it contained commitments that she did not have. She also stated that there were many outstanding issues and she would defer the case following the public hearing this evening. Commissioner Hall reminded the citizens of Parklawn that she planned to meet with them at 7:30 p.m., Monday, July 8, 1996, to further discuss the issues in this case.

Chairman Murphy called the speakers and reminded them of the rules and procedures for addressing the Planning Commission.

The following individuals opposed the Special Exception request because of a potential increase in traffic, safety for school children, lack of landscaping, fences, hours of operation, hours for trash pickup, and maintenance of the green space, and they were concerned that beer and wine would be sold from the proposed mini-mart. They also noted that there was a small sign which indicated that the application property was currently operating illegally as a mini-mart and selling many of the items they proposed to carry in the future.

1. Mr. Samuel J. Watson, 6364 Hillcrest Place, Alexandria. (A copy of his letter may be found in date file.)
2. Mrs. Jackie Hill, 4002 Braddock Road, Alexandria.
3. Mr. Jack Lavoie, 6377 Landis Street, Alexandria. (A copy of his statement may be found in the date file.)
4. Mr. Warren Hill, 4002 Braddock Road, Alexandria.

In response to a question from Commissioner Hall, Ms. Abrahamson stated that to her knowledge, currently there was no restriction on the applicant to sell beer and wine on the premises but they would have to go through State regulations on this matter. She also stated that as the development condition was currently worded the applicant could not apply for a license to sell beer and wine on the premises.

In rebuttal, Mr. Decker stated that Kenyon Oil had purchased the property in January, 1995. He again reaffirmed that beer and wine would not be sold on the premises; the station would not be operated on a 24-hour basis; and, they would try to resolve most of the issues with the neighbors. In response to a question from Commissioner Hall, he stated that retail sales items were being sold such as cigarettes and the like.

Miss Abrahamson, in response to a question from Commissioner Hall, said that she was not aware of any citations for violations.

In response to a question from Commissioner Kelso, Mr. Decker said the closure of the curb cut on Hillcrest Drive would impede traffic flow from the other two (2) exits. He further noted that by placing speed bumps outside the three (3) exits to the service station, it would deter speeding cut-through.

Mr. Decker, answering questions from Commissioner Coan, said that there were three (3) medium temperature refrigerators on the property. Miss Abrahamson, responding to a question from Commissioner Coan, stated that to her knowledge, the applicant had not been cited for violations, and since the original use had been approved in the 1950's, she would need to research what was originally-approved to accurately comment on specific violations.

Commissioner Coan believed that they should discontinue operations at this time because of the violations.

Commissioner Hall stated that they were trying to resolve the issues and the issue of violations would be addressed at the community meeting on July 8, 1996.

There being no additional speakers, no further questions or comments, and no further rebuttal, Chairman Murphy closed the public hearing and turned to Commissioner Hall for action on this case. (A verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE-96-M-013, R. J. SNYDER AND DECKER AND COMPANY, INCORPORATED, FOR KENYON OIL COMPANY, UNTIL A DATE CERTAIN OF

WEDNESDAY, JULY 17, 1996, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioners Byers, Hartwell and Thomas seconded the motion which carried unanimously with Commissioners Hunter and Palatiello absent from the meeting.

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FDPA-82-P-069-1-11 – FAIR LAKES ASSOCIATES L.C.,
AGENT FOR GROUP HOSPITALIZATION & MEDICAL
SERVICES, INC. – Appl. to amend the first FDP for RZ-82-P-069 to permit resident. develop. on prop. located in the N.E. quadrant of the intersec. of Fairfax County Pkwy. & Monument Dr. on approx. 21.29 ac. zoned PDC & WS. Tax Map 45-4 ((1)) 24D & 24E. SULLY DISTRICT. PUBLIC HEARING.

Francis A. McDermott, Esquire, with Hunton and Williams, represented the applicant and reaffirmed that the affidavit dated May 31, 1996, was current and correct. There were no disclosures from the Planning Commissioners.

Miss Lorrie Kirst, Zoning Evaluation Division, Office of Comprehensive Planning, furnished the staff report, a copy of which may be found in the date file. She stated that staff recommended approval of FDPA-82-P-069-1-11, subject to the proposed development conditions contained in Attachment 1 of the staff report.

Mr. McDermott stated that the applicant agreed with the very thorough staff report. He described the location and history of the application property within Fair Lakes and its proximity to the other properties both retail and residential. He noted that the road system for Fair Lakes had been accomplished before the property began to develop. Mr. McDermott noted that though the application property had been approved for office use, it was never constructed because it did not fit the needs of Blue Cross/Blue Shield at the time. He noted that if this application were to be approved, Fair Lakes would have at build-out, forty percent (40%) office use and forty percent (40%) residential, and twenty percent (20%) retail. He referred to a package of photographs showing the existing apartment units and the FARs thereof and other projects within Fair Lakes. He then requested approval of the application. (Copies of photographs and letters from individuals in the Fair Lakes community who approved of the FDPA may be found in the date file.)

In response to questions from Commissioner Harsel, Mr. McDermott stated that the proposed development would consist of 595,000 square feet as a residential unit and each unit would average about 1,000 square feet with a mix of one (1), two (2) and three (3) bedrooms. He also noted that it was contemplated that the units would be rental throughout.

Commissioner Coan asked what the contemplated rental fees would be and Mr. McDermott stated that the proposed development would be the most expensive rental project within the Fairfax Center area because the units would be larger and they expected tenants who wanted more space with little maintenance. He also noted that they had not made a commitment toward having affordable dwelling units within this project since it was covered in the overall Fair Lakes project. Commissioner Coan suggested that they make a contribution toward affordable dwelling units with this project as well.

In response to a question from Commissioner Harsel, Miss Kirst stated that “market rate” was the average rental rate whereas the affordable dwelling unit was a percentile of the market rate. Mr. McDermott, stated that in 1984 there was no definition of affordable dwelling unit and at that time, builders were required to make “market rate” rental units within the Fair Lakes project.

The following individuals objected to the application because the density of the area would be doubled by substituting rental units in place of the Blue Cross Office building; the increased density would cause greater traffic through the surrounding communities; severe parking problems would be exacerbated; lack of tree preservation and tree buffering between the communities and the Fairfax Parkway extended; the applicant should be required to improve the intersection at Monument Drive and the Fairfax County Parkway; and should provide sound barriers.

1. Mr. Thomas J. Rosenbrook, represented the Fair Ridge Community Association, in the absence of Mr. Lewis Gray. (A copy of his statement may be found in the date file.)

At the request of Chairman Murphy, Miss Abrahamson showed the map of the subject property and indicated the location of the Fair Ridge community.

2. Mr. Robert C. Turrell, 12519 North Lake Court, Fairfax, for the North Lake Homeowners Association. (A copy of his point paper may be found in the date file.)
3. Ms. Adele Juzi, 12533 North Lake Court, Fairfax.
4. Ms. Linda Risse, 12501 North Lake Court, Fairfax.
5. Mr. Henry Baker, 12528 North Lake Court, Fairfax.
6. Ms. Carole Korzilius, 12511 North Lake Court, Fairfax.
7. Mr. Craig Clark, 4012 Lake Glen Road, Fairfax.
8. Mr. Stephen Pace, 4021 Lake Glen Road, Fairfax.

9. Mrs. Elizabeth Fong, 12508 North Lake Court, Fairfax.
10. Mr. Robert Bester, 12730 Marlboro Lane, Fairfax.
11. Ms. Cynthia Blau, 12610 James Bergan Way, Fairfax. She also read, for the record, a letter from Ms. Elizabeth A. Gauss, President of the Birch Pond Homeowners Association. (A copy of that letter may be found in the date file.)
12. Mr. William Ridenaur, 4222 Mayport Lane, Fairfax, Second Vice President of the Greenbriar Civic Association.
13. Mr. Thomas McDonald, 12307 Cannon Ball Road, Fairfax, President, Buckner Forest Homeowners Association. (A copy of his statement may be found in the date file.)
14. Mr. Robert C. Rubinstein, 12526 North Lake Court, Fairfax.
15. Ms. Anne D. Chittum, 12509 North Lake Court, Fairfax.
16. Mr. William Orzechowski, 12522 North Lake Court, Fairfax. (He read a letter of opposition to the application from Mr. and Mrs. Joseph Owen, who could not attend this evening's meeting; a copy of the letter may be found in the date file.)
17. Mr. Raymond Lunceford, 12505 North Lake Court, Fairfax.
18. Mr. Ed Risse, 12501 North Lake Court, Fairfax.

The following individuals supported this application:

1. Mr. David Tufaro, Executive Vice President of Summit Properties, 1629 Thames Street, Baltimore, Md. He stated that the demand for apartments of this type was great in this area because the occupants would be older, with grown children and they no longer had need for a single family home. He also noted that they would build a top quality apartment community to serve the greater Fair Lakes/Fair Oaks area. (Speaker # 10 in succession)
2. Mr. Kevin Graves, Systems Research & Application, Little Rocky Run Lane, Stafford, VA., who stated that his was a growing organization currently with over two hundred (200) employees, and that they had chosen Fair Lakes because of the proximity to their work, less travel time, a good mix of residential, retail and office use; and the quality of life. He noted that the median salary for their employees was between \$50,000.00 to \$100,000.00 per year and the proposed apartments would be affordable for them. Mr. Graves said that his company was committed to Fair Lakes because this was an excellent location and perfect for their needs. (Speaker # 11 in succession)

In response to a statement from Commissioner Koch regarding the fact that things change over the years, Mr. Risse stated that there was no opposition to changing from an office building to residential but this project should be comparable in site design, buffers and density with the surrounding communities.

The applicant's rebuttal was provided first by Mr. James Todd, President, HP Companies, who stated that he had been responsible for the development of Fair Lakes since it began in 1984. He noted that since 1984, HP Companies had built 1,228 affordable units in the Fair Lakes community using only private funds, consisting of nine hundred fifty-two (952) rental units and two hundred seventy-six (276) condominiums and they had followed the rules for affordable housing from the very beginning. Mr. Todd stated that this application was entirely consistent with the past years and had never departed from the high standards established years ago. He stated that the proposed Summit at Fair Lakes would be an example of an outstanding project planned and designed to meet the public needs. He said it would exceed Fairfax County standards and would be totally compatible with what they had done over the years. He then requested approval of the application.

Mr. McDermott, in rebuttal, stated that the applicant had met the standards for an FDPA, complied with the approved proffers and the approved conceptual development plan. He noted that by having residential instead of office use, there would be fewer people and fewer peak hour trips with less traffic. Mr. McDermott also said that the buffers and set-backs had been increased; the number of units had been reduced from five hundred seventy-eight (578) to five hundred thirty (530); the number of buildings had been reduced from twenty-one (21) to fifteen (15); and there would be forty percent (40%) open space. He again requested approval of this application.

There being no additional speakers, no further questions or comments, and no further rebuttal, Chairman Murphy closed the public hearing and turned to Commissioner Koch for action on this case. (A verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Koch MOVED THAT THIS APPLICATION BE DEFERRED TO A DATE CERTAIN OF WEDNESDAY, JULY 10, 1996, LEAVING THE RECORD OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hunter and Palatiello absent from the meeting.

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CLOSING

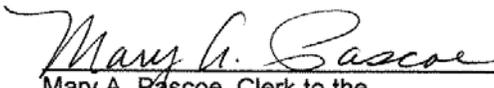
June 26, 1996

The meeting adjourned at 1:45 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.

Meeting By: Dorothy E. Brittingham

Approved on: September 4, 1997



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