

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JULY 9, 1998**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Carl A. S. Coan, Jr., Providence District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
Alvin L. Thomas, Commissioner At-Large

ABSENT: Suzanne F. Harsel, Braddock District
John W. Hunter, Commissioner At-Large
John M. Palatiello, Hunter Mill District

//

The meeting was called to order at 7:07 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.

//

COMMERCIAL REVITALIZATION INITIATIVES WORKSHOP

Robert O'Neill, County Executive, presented a brief overview of the intent of the Commercial Revitalization Initiatives. He commended staff and others who participated in development of the proposed Zoning Ordinance Amendments.

James Zook, Director, Department of Planning and Zoning (DPZ); Jane Gwinn, Zoning Administrator, Zoning Administration Division, DPZ; Barbara Byron, Director, Zoning Evaluation Division, DPZ; and Fred Selden, Director, Planning Division, DPZ, outlined the proposals scheduled for public hearing by the Planning Commission on Monday, July 20, 1998.

Following staff presentations, Mr. Zook; Ms. Gwinn; Ms. Byron; and Bruce Nassimbeni, Chief, Site Review Branch, Department of Public Works and Environmental Services, responded to questions from Commissioners Byers, Alcorn, Murphy, Kelso, and Downer regarding the proposals.

//

COMMISSION MATTERS

Commissioner Koch announced his intent to defer PCA-87-S-039-2 and FDPA-87-S-039-6, Fairfax Corner Associates LC, John F. Swart, Jr., Trustee, and Sarah C. Thompson Swart, from Wednesday, July 15, 1998 to an indefinite date.

//

Commissioner Coan MOVED THAT THE PUBLIC HEARING ON SEA-94-P-075, KLINE TYSONS IMPORTS, INC., BE DEFERRED TO A DATE CERTAIN OF JULY 22, 1998.

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

//

Commissioner Coan noted that more time was needed to review the parking issue on RZ-1997-PR-058 and SE-97-P-076, B. F. Saul Real Estate Investment Trust, and therefore MOVED THAT WE FURTHER DEFER DECISION ONLY ON THIS MATTER TO A DATE CERTAIN OF WEDNESDAY, JULY 15, 1998.

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

//

Chairman Murphy reminded the Commission that there would be a meeting of the Countywide Telecommunications Task Force on Tuesday, July 14, 1998 at 7:00 p.m. in the Conference Room 232 of the Government Center.

//

At the request of the applicants, Commissioner Coan announced his intention to defer the public hearings on RZ-1998-PR-011 and FDP-1998-PR-011, Madison Homes/Gallows Road LLC, and RZ-1997-PR-016 and FDP-1997-PR-016, American Land Developers, Inc., from July 23, 1998 to November 19, 1998.

//

Commissioner Coan announced his intention to defer the public hearing on RZ-1998-PR017 and SE-98-P-018, Zimmer Development Company, from July 30, 1998, to October 8, 1998.

//

Commissioner Downer announced that there would be a meeting of the Housing Committee on July 23, 1998 at 7:30 p.m. in the Board Conference Room.

//

LIGHTING PLAN FOR SEA-86-D-076-2

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO DEM THAT THE LIGHTING PLAN MARKED EXHIBIT I, WHICH SHOWS SHOEBOX TYPE LIGHTS MOUNTED ON 16 FOOT POLES, AND THE FLAGPOLE PLAN MARKED EXHIBIT II BE APPROVED AS PART OF THE SITE PLAN APPROVAL FOR SEA-86-D-076-2.

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

//

RZ-1997-MV-023 - WILLIAM M. NELSON AND MARY C. NELSON (Decision Only)
(The public hearing on this application was held on June 11, 1998. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ-1997-MV-023, SUBJECT TO THE PROFFERS DATED JULY 6, 1998.

Commissioner Kelso seconded the motion which carried by a vote of 6-0-3 with Commissioners Alcorn, Coan, and Murphy abstaining; Commissioners Harsel, Hunter, and Palatiello absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD APPROVE A WAIVER OF THE MINIMUM DISTRICT SIZE AND A WAIVER OF THE OPEN SPACE REQUIREMENTS, SUBJECT TO THAT OPEN SPACE SHOWN ON THE REVISED SITE PLAN.

Commissioner Kelso seconded the motion which carried by a vote of 6-0-3 with Commissioners Alcorn, Coan, and Murphy abstaining; Commissioners Harsel, Hunter, and Palatiello absent from the meeting.

//

SEA-94-P-045 - SCHMITZ SERVICE, INC. (Decision Only)

(The public hearing on this application was held on June 25, 1998. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Coan noted that the date of the site plan referred to in Condition Number 3 should read "July 7, 1998" and suggested an amendment to Condition Number 12 as follows:

"FREE-STANDING SIGNS SHALL BE LIMITED TO TWO IN NUMBER AND SHALL NOT EXCEED 40 SQUARE FEET EACH IN SIGNAGE AREA AS DETERMINED BY THE ZONING ADMINISTRATOR. THE DESIGN AND SIZE OF THE SIGNS SHALL BE IN SUBSTANTIAL CONFORMANCE WITH THE PROPOSED SIGNS DEPICTED ON PAGE 3 OF 3 OF THE SPECIAL EXCEPTION PLAT TO THE SATISFACTION OF THE ZONING ADMINISTRATOR. SIGNAGE AFFIXED ON THE PUMPS SHALL BE LIMITED TO ONE SQUARE FOOT FOR EACH PUMP AND SHALL BE USED FOR THE SOLE PURPOSE OF IDENTIFYING THE SPECIFIC PRODUCT DISPENSED FROM THAT PUMP. SIGNAGE ON THE PUMP ISLAND CANOPY SHALL BE LIMITED TO AN IDENTIFICATION TRADEMARK LOGO AND/OR NAME OF THE FRANCHISE."

Commissioner Coan then MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-94-P-045, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 9, 1998 WITH THE AMENDMENTS PREVIOUSLY NOTED.

Commissioner Alcorn seconded the motion which carried by a vote of 7-0-2 with Commissioners Byers and Hall abstaining; Commissioners Harsel, Hunter, and Palatiello absent from the meeting.

Commissioner Coan MOVED THAT WE RECOMMEND APPROVAL OF A WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS, PURSUANT TO PARAGRAPH 5 OF SECTION 13-304.

Commissioner Alcorn seconded the motion which carried by a vote of 7-0-2 with Commissioners Byers and Hall abstaining; Commissioners Harsel, Hunter, and Palatiello absent from the meeting.

//

FS-P98-11 - CELLULAR ONE, 8027 Leesburg Pike

Commissioner Coan MOVED THAT WE FIND THAT THE FACILITY PROPOSED BY CELLULAR ONE AT 8027 LEESBURG PIKE CONFORMS TO THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

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

//

ORDER OF THE AGENDA

Chairman Murphy established the following order for the agenda items:

1. PCA-86-D-093-12 - WORLDGATE ASSOCIATES LIMITED PARTNERSHIP
FDPA-86-D-093-12 - WORLDGATE ASSOCIATES LIMITED PARTNERSHIP
2. RZ-1998-PR-004 - FRANK & BETTY JONES & ROBERT A. BARNETT, TRUSTEE
FDP-1998-PR-004 - FRANK & BETTY JONES & ROBERT A. BARNETT, TRUSTEE
3. 2232-S98-6 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC.
4. PCA-84-P-035-3 - JCJ, LC
FDPA-84-P-035-3 - JCJ, LC
CSP-84-P-035-3 - JCJ, LC

This order was accepted without objection.

//

PCA-86-D-093-12 - WORLDGATE ASSOCIATES LIMITED PARTNERSHIP - Appl. to amend the proffers for RZ-86-D-093 to permit office, retail, restaurant, & accessory uses w/an FAR of 0.70 & a waiver of the 75 ft. setback requirement from the Dulles Airport Access Rd. on property located in the N.W. quadrant of the Dulles Airport Access Rd. & Van Buren St. on approx. 8.8 ac. zoned PDC. Comp. Plan Rec: Alternative Uses. Tax Map 16-3((2))2 pt.; 16-4((2))23 & 24. (Concurrent w/FDPA-86-D-093-8.) DRANESVILLE DISTRICT.

FDPA-86-D-093-8 - WORLDGATE ASSOCIATES LIMITED PARTNERSHIP - Appl. to amend the final development plan for RZ-86-D-093 to permit office, retail, restaurant, & accessory uses on property located in the N.W, quadrant of the Dulles Airport Access Rd. & Van Buren St. on approx. 8.8 ac. zoned PDC. Tax Map 16-3((2))2 pt; 16-4({2})23 & 24. (Concurrent w/ PCA-86-D-093-12.) DRANESVILLE DISTRICT. JOINT PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich, and Lubeley, reaffirmed the affidavit dated June 8, 1998. There were no disclosures by Commission members.

Mary Ann Godfrey, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Ms. Strobel stated that these applications concerned Land Bays L and M of the previously approved Worldgate development. She explained that the applicant was requesting approval of four 85,000-square foot office buildings rather than the two previously approved office buildings of 140,000 square feet and 120,000 square feet, respectively. She noted that the overall density would not be increased and that the proposal would be compatible with the rest of Worldgate. Ms. Strobel spoke about the screening, landscaping, and pedestrian amenities to be provided. She stated that the Herndon Town Council supported the applications, with the condition that additional trees be provided along Monroe Street, to which the applicant had agreed and which was reflected in the proffers. She noted that the applications had received expedited processing and that a preliminary site plan had already been filed.

Commissioner Downer commented on a proffer associated with a previously approved Worldgate application that had yet to be fulfilled. She noted that the proffer concerned a specially designed stormwater detention pond that was intended to be somewhat of a wildlife habitat, but in actuality had never been developed and was now referred to as "The Pit" because of its unsightly appearance. She expressed her disappointment at this situation and announced her intention to defer decision on these two applications.

Chairman Murphy called for speakers from the audience, but received no response. He asked Ms. Strobel if she would like to rebut Commissioner Downer's remarks.

Ms. Strobel noted that the pond referred to was not on the subject property, but assured the Commission that she would do everything she could to address this issue as soon as possible.

Commissioner Downer commented that she had raised this issue in several previous Worldgate applications and had received the response that someone was "working on it." She expressed her hope that this matter could be resolved quickly.

There being no further comments or questions from the Commission and Ms. Godfrey having no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Downer for a deferral motion. (A verbatim excerpt is in the date file.)

//

Commissioner Downer MOVED THAT PCA-86-D-093-12 AND FDP-86-D-093-8 BE DEFERRED FOR DECISION ONLY, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT, TO JULY 16, 1998.

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

//

RZ-1998-PR-004 - FRANK & BETTY JONES & ROBERT A. BARNETT, TRUSTEE - Appl. to rezone from R-1 to PDH-4 to permit residential development at a density of 3.81 du/ac & approval of the conceptual development plan on property located in the N.W. quadrant of the intersection of Prosperity Ave. & Robin Ridge Rd. on approx. 4.27 ac. of land. Comp. Plan Rec: 3-4 du/ac. Tax Map 49-3((1)136 & 38. (Concurrent w/FDP-1998-PR-004.) PROVIDENCE DISTRICT.

FDP-1998-PR-004 - FRANK & BETTY JONES AND ROBERT A. BARNETT, TRUSTEE - Appl. to approve the final development plan for RZ-1998-PR-004 to permit residential development on property located in the N.W. quadrant of the intersection of Prosperity Ave. & Robin Ridge Rd. on approx. 4.27 ac. zoned PDH-4. Tax Map 49-3((1))36 & 38. (Concurrent w/RZ-1998PR-004.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Gary Hurst, with Hurst Real Estate, Inc., reaffirmed the affidavit dated March 4, 1998. There were no disclosures by Commission members.

Inda Stagg, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

In response to a question from Commissioner Coan, Ms. Stagg confirmed that the note on page 4 under the heading "Access" regarding the applicant's request for a waiver of cul-de-sac radii and sidewalk widths should be deleted as it was no longer applicable and had been included in the final draft of the staff report in error.

Mr. Hurst explained that the applications represented a consolidation of two properties for a PDH-4 development with 17 single family detached homes. He spoke about the surrounding land uses and noted that the development would have public streets with standard sidewalks. He noted that stormwater detention with best management practices and a trail would be provided on site. Mr. Hurst stated that the plan provided for 44 percent open space although only 20 percent was required.

Commissioner Coan noted that he had visited the site earlier today and had noticed a family of deer, including a stag, on the property. He urged Mr. Hurst to look into the possibility of
RZ-1998-PR-004 - FRANK & BETTY JONES & ROBERT A. BARNETT, TR. July 9, 1998

relocating them. Mr. Hurst said he had never seen the deer on the property and that it was possible they were just passing through.

Mr. Hurst responded to questions from Commissioner Coan regarding the stormwater detention measures planned and the trail to be provided.

In response to questions from Commissioner Alcorn concerning noise attenuation, Mr. Hurst stated that a noise study had not been conducted and that County staff had not indicated that the subject property was located within a noise overlay area.

In reply to Commissioner Alcorn's inquiry, Ms. Stagg stated that staff had not considered noise to be an issue.

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

Henry Hahn, 2936 Rosemoor Lane, Fairfax, representing the North Pine Ridge Civic Association, spoke in support of the application. He said the community was happy to see residential development rather than more industrial.

In response to questions from Commissioner Coan, Mr. Hahn said he frequently took walks along the edge of the subject property and had never seen any deer there.

Fran Wallingford, 3230 Wynford Drive, Fairfax, was concerned about the lot sizes proposed, but was pleased with the amount of open space being proposed. She also expressed concern about stormwater runoff and requested that the applicable proffer be amended so that the pro rata share of stormwater assessment be allocated to currently unfunded projects identified in the immediate area. Ms. Wallingford also suggested that any park contributions be funneled to local neighborhood and community parks as determined by the Park Authority. She asked that the last sentence of Proffer Number 5 regarding liability be clarified and that the applicant proffer to donate at least two computers with appropriate accessories to Fairhill Elementary School.

In response to a suggestion from Commissioner Hall, Ms. Wallingford agreed that any computer equipment donated should be compatible with existing systems at the school.

Ms. Wallingford and Ms. Stagg responded to questions from Commissioner Coan regarding an unfunded stormwater project downstream from the subject property. Ms. Wallingford asked that the proffer be expanded to specifically identify the project.

Carrol Cole, 3915 Pineland Street, Fairfax, supported Ms. Wallingford's comments, specifically the stormwater management issue. She suggested that Proffer Number 13 be amended to indicate that the Park Authority, not the Merrifield Area Plans Review Task Force, which was still unformed, be given the responsibility of allocating the park contributions.

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

Mr. Hurst said he appreciated the suggestions made by the speakers and would be happy to work with them and staff to resolve any outstanding issues. He added that he would not object to a short-term deferral to allow time to work on these matters. Regarding Ms. Wallingford's request for computers, Mr. Hurst said the applicant would agree to a contribution, but would like to limit the amount to \$2500.

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

//

Commissioner Coan MOVED THAT WE DEFER DECISION ONLY ON THIS MATTER, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT, TO A DATE CERTAIN OF JULY 16, 1998.

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

//

Prior to the public hearing on the next case in the Springfield District, Vice Chairman Byers assumed the Chair.

//

2232-S98-6 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC. - Appl. under Sect. 15.2-2232 of the *Code of VA* to construct a telecommunications facility at 9730 Hampton Rd., Springfield. The proposed facility will include a 188-ft monopole w/3 omni-directional antennas mounted near the top & an unmanned equipment shelter on the ground near the monopole. The tops of the antennas will be approx. 199 ft. above ground. Tax Map 97-3((1))14. SPRINGFIELD DISTRICT. PUBLIC HEARING.

David Jillson, Planning 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 Murphy, Mr. Jillson confirmed that Roseland Drive was still under construction. He added that the area on both sides of Roseland Drive were being developed in single family detached homes on lots of approximately five acres.

Jim Michal, representing the applicant, spoke about the alternatives explored and the need for this proposed facility. He presented photographs of the site and indicated that ample screening would be provided.

In response to questions from Commissioner Byers, Mr. Michal explained that monopoles were as strong as lattice towers and would withstand severe weather, but that a general rule was that a tower was best if more than 200 feet was required.

Vice Chairman Byers called for speakers from the audience.

Francine Prokoski, 8721 Mount Valley Road, Fairfax Station, spoke in opposition. She suggested the Virginia Power tower as an alternate location. She said if that was not an option, then the applicant should move the proposed location of the monopole to a different part of the subject property where it would have less impact on residential properties. Ms. Prokoski stated that erecting the monopole at the currently proposed location would adversely affect property values.

In response to questions from Commissioner Downer, Ms. Prokoski said she had purchased her home within the last year and that existing towers were hidden by vegetation at that time, but became very visible when the deciduous trees shed their leaves. She again suggested that the proposed monopole be moved deeper into the interior of the subject property.

In response to an inquiry from Commissioner Downer, Mr. Jillson indicated on the map where the existing substation and electrical transmission lines were located. He said this affected the applicant's ability to designate an alternate location for the monopole.

In reply to Commissioner Murphy, Ms. Prokoski described the difference between the view from her property in summer and winter.

Veronica Prokoski, 8721 Mount Valley Road, Fairfax Station, also opposed the application. She said the area already had more than its share of towers and that any additions would be detrimental to the character of the area.

Robert Riedel, 518 Springvale Road, Great Falls, explained that he was a friend of the Prokoski family. He wanted to know what Nextel's plans for the future were in this area.

Commissioner Murphy and Mr. Riedel discussed the deliberations and recommendations of the Board appointed Telecommunications Task Force, specifically Virginia Power's role and involvement.

There being no further speakers, Vice Chairman Byers called upon Mr. Michal for a rebuttal statement.

Mr. Michal explained that siting of the monopole was limited in the area of the subject property available because of the existing Virginia Power facilities on the site. He added that it was his understanding that Virginia Power itself, as the property owner, intended to expand its facilities on the subject property at some time in the future.

In response to a question from Commissioner Downer, Mr. Michal said the applicant would be happy to work with Virginia Power and the neighbors to see if additional evergreen screening could be provided.

In response to questions from Commissioner Alcorn, Mr. Michal said that the Virginia Power representatives had made it clear that the proposed area of the subject property was the only area in which a monopole would be allowed.

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

//

Commissioner Murphy MOVED THAT WE DEFER DECISION ONLY ON 2232-S98-6 TO A DATE CERTAIN OF JULY 16, 1998, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

//

At the conclusion of this case, Chairman Murphy resumed the Chair.

//

PCA-84-P-035-3 - JCJ, LC - Appl. to amend the proffers for RZ-84-P-035 to permit retail, car wash, service station, & quick service food store uses w/an overall FAR of 0.27 on property located on the N. side of Leesburg Pike, approx. 350 ft. E. of Chain Bridge Rd. on approx. 1.78 ac. zoned PDC, HC, & SC. Comp. Plan Rec: Retail & other commercial uses. Tax Map 29-4((2))14A. (Concurrent w/FDPA-84-P-035-3 & CSP-84-P035.) PROVIDENCE DISTRICT.

FDPA-84-P-035-3 - JCJ, LC
CSP-84-P-035-3 - JCJ, LC

FDPA-84-P-035-3 - JCJ, LC - Appl. to amend the final development plan for RZ-84-P-035 to permit retail, car wash, service station, & quick service food store on property located on the N. side of Leesburg Pike, approx. 350 ft. E. of Chain Bridge Rd. on approx. 1.78 ac. zoned PDC, HC & SC. Tax Map 29-4((2))14A. (Concurrent w/PCA-84-P-035-3 & CSP- 84-P-035.) PROVIDENCE DISTRICT.

CSP-84-P-035 - JCJ, LC - Appl. under Sect. 12-210 of the Zoning Ord. to approve a Comprehensive Sign Plan for the commercial development approved in PCA-84-P-035-3 and FDPA-84-P-035-3 on property located at 8218 Leesburg Pike on approx. 1.78 ac. zoned PDC, HC, & SC. Tax Map 29-4((2)) 14A. (Concurrent w/PCA-84-P-035-3 & FDPA-84-P-035-3.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Robert Lawrence, Esquire, with Hazel and Thomas, reaffirmed the affidavit for CSP-84-P-035 dated June 10, 1997 and for PCA-84-P-035-3 and FDPA-84-P-035-3 dated June 22, 1998. There were no disclosures by Commission members.

Donna McNeally, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff reports, a copy of which is in the date file. She noted that staff recommended approval of the applications.

In response to an inquiry from Commissioner Coan, Ms. McNeally reviewed the differences between the applicant's and staff's proposed development conditions.

In response to a question from Commissioner Coan, Ms. McNeally explained how staff arrived at the figure of 80 square feet for the proposed sign on Leesburg Pike.

Mr. Lawrence noted that the applicant's proposed conditions included a provision for outside drying of a portion of oversize vehicles at the car wash, such as stretch limousines and recreational vehicles. He added that the building extension proposed would be constructed of similar materials as the main building so as to give the appearance of a single structure, but that exact materials were unavailable. He stated that this extension would allow 90 percent of the car washing activities to be kept inside and that the applicant was requesting permission, on an occasional basis, to have personnel outside for spot drying of vehicles that had already exited the car wash and for oversize vehicles as previously explained.

Mr. Lawrence responded to questions from Commissioner Byers regarding the applicant's intentions to ensure that the outside activities occurred on an occasional basis only, and from Commissioner Coan regarding the applicant's, and his predecessor's, failure in the past to abide by approved conditions.

PCA-84-P-035-3 - JCJ, LC

July 9, 1998

FDPA-84-P-035-3 - JCJ, LC
CSP-84-P-035-3 - JCJ, LC

Mr. Lawrence continued his presentation. He expressed concern about Zoning Enforcement's interpretation of one of staff's conditions requiring that no car wash activities be visible to the public. He explained that this was impossible to comply with since car wash activities would obviously be visible when the exit door was opened to allow a vehicle out at the end of the process. He stated that his client was doing his best to comply with all the requirements and work with neighbors to alleviate their concerns. Regarding the sign plan, Mr. Lawrence requested clarification of proposed Conditions Numbers 5 and 6.

In response to a request from Commissioner Coan, Ms. McNeally explained that the provisions of Condition Number 6 would not require the applicant to return with a comprehensive sign plan amendment application for small signs not covered by CSP-84-P-035.

Following clarification of which set of conditions were currently being considered, and in response to a question from Commissioner Coan, Mr. Lawrence stated that Condition Number 6 and the 80 square foot sign were acceptable to the applicant.

Chairman Murphy called the first listed speaker.

Dr. Pat Palumbo, 8206 Leesburg Pike, #401, Vienna, part owner of an adjacent office building, concurred with the proposed building extension and 80-square foot sign. He was strongly opposed, however, to any outdoor activities on the car wash property.

Thomas Dungan, 8230 Leesburg Pike, Vienna, owner of the building at that location, spoke in support of the applications. He complimented the operator of the car wash on the improvement of the subject property and the professional manner in which he operated the business. He said that all drying activities at the car wash were done outside when he originally bought the building next door and that he didn't understand why they should now be forced inside. He suggested that perhaps some people might be offended by the sight of honest labor, but he wasn't.

Mr. Dungan responded to questions from Commissioner Hall regarding the possibility of screening the drying activities rather than enclosing them.

Larry Work, 8240 Leesburg Pike, Vienna, agreed with Mr. Dungan's remarks. He said it was unreasonable to require the car wash owner/operator to expend a large sum of money to enclose an honest and legal activity simply because certain people were offended by the sight of manual labor being performed.

John Walsh, 1369 Carpers Farm Way, Vienna, also a business owner nearby, echoed Mr. Dungan's and Mr. Work's comments. He said he had known the car wash operator for a long time and respected him as a businessman. He commented on the improvements to the site since he acquired the property and said that it was absolutely ludicrous to put him through this process because of one irate neighbor who objected to the use.

Joseph Chang, owner/operator of the subject property, noted that he had lived and worked in Fairfax County for 34 years and that he was doing his best to follow all the rules and regulations required.

In response to a question from Chairman Murphy, Ms. McNeally said that the requirement for all activities to be kept inside stemmed from the proffers of the original rezoning approved in 1984.

Mr. Chang responded to questions from Commissioner Hall about alternatives to the proposed building extension.

In response to a question from Commissioner Thomas, Ms. McNeally stated that further staff review would be needed to determine if additional screening and/or a tent-like structure would satisfy the indoor activity requirement.

In reply to questions from Commissioner Coan, Mr. Chang said he was not aware of the conditions governing the use when he purchased the property.

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

Mr. Lawrence reiterated the reasons for the applicant's requests for occasional outdoor drying activities.

Commissioner Coan, Mr. Lawrence, and Ms. McNeally discussed the location of the proposed 80 square foot sign.

In response to a question from Chairman Murphy, Ms. McNeally said she did not know why the proffer requiring all activities to be indoors had been approved.

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

//

Commissioner Coan MOVED THAT WE APPROVE APPLICATION CSP-84-P-035-3,
SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 9, 1998

Commissioners Hall and Alcorn seconded the motion which carried unanimously with Commissioners Harsel, Hunter, and Palatiello absent from the meeting.

PCA-84-P-035-3 - JCJ, LC
FDPA-84-P-035-3 - JCJ, LC
CSP-84-P-035-3 - JCJ, LC

July 9, 1998

Commissioner Coan MOVED THAT WE DEFER DECISION ON PCA/FDPA-84-P-035-3 TO A DATE CERTAIN OF JULY 23, 1998.

Commissioners Hall and Alcorn seconded the motion which carried unanimously with Commissioners Harsel, Hunter, and Palatiello absent from the meeting.

//

The meeting was adjourned at 11:17 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.

Minutes by: Gloria L. Watkins

Approved on: December 2, 1999



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