

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, JULY 11, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
John R. Byers, Mount Vernon District  
Frank A. de la Fe, Hunter Mill District  
Joan M. DuBois, Dranesville District  
Janet R. Hall, Mason District  
John B. Kelso, Lee District  
Ronald W. Koch, Sully District  
Ilyong Moon, Commissioner At-Large  
Peter F. Murphy, Jr., Springfield District  
Linda Q. Smyth, Providence District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Suzanne F. Harsel, Braddock District

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The meeting was called to order at 8:15 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Hall MOVED THAT THE PUBLIC HEARING ON SE-01-M-041, KFC OF AMERICA, BE FURTHER DEFERRED TO A DATE CERTAIN OF JULY 17, 2002.

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

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Commissioner Kelso MOVED THAT THE PUBLIC HEARING ON RZ-2001-LE-048 AND FDP-2001-LE-048, CENTEX HOMES, BE DEFERRED TO A DATE CERTAIN OF SEPTEMBER 18, 2002.

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

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ-2001-SU-055, JAGDISH BERRY, TO A DATE CERTAIN OF OCTOBER 17, 2002.

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

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Commissioner Murphy MOVED THAT THE PUBLIC HEARING ON PCA-74-2-112-3 AND SE-01-S-055, MCDONALD'S CORPORATION, BE DEFERRED TO A DATE CERTAIN OF SEPTEMBER 11, 2002.

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

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Commissioner DuBois announced her intent to defer the public hearing on SE-2002-DR-005, John Milton Colton Hand, II, Alexandra H. Mateer and Victoria B. Hand, from July 18, 2002 to a date certain of July 25, 2002.

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Commissioner Alcorn, noting that he would be handling this case for Commissioner Kelso, announced his intent to defer the public hearing on SE-97-L-041, Shurgard Storage Centers, Inc., from July 17, 2002 to a date certain of July 25, 2002.

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S02-IV-MV1 - OUT-OF-TURN PLAN AMENDMENT (Lee) (Decision Only)  
(The public hearing on this application was held on June 27, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE TEXT IN THE STAFF REPORT FOR S02-IV-MV1 DATED MAY 16, 2002, WITH THE CHANGES AS SET FORTH IN THE HANDOUT DATED JULY 11, 2002.

Commissioner de la Fe seconded the motion which carried by a vote of 6-0-4 with Commissioners Alcorn, DuBois, Hall and Murphy abstaining; Commissioner Kelso not present for the vote; Commissioner Harsel absent from the meeting.

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#### ORDER OF THE AGENDA

In the absence of Secretary Harsel, Chairman Murphy established the following order for the agenda items:

1. CSP-C-020 - REGENCY TALL OAKS VILLAGE CENTER, LLC
2. CPA-86-C-121-10 - SUNSET HILLS TOWER LLC
3. PUBLIC FACILITIES MANUAL AMENDMENTS
4. S02-CW-1CP - OUT-OF-TURN PLAN AMENDMENT

This order was accepted without objection.

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CSP-C-020 - REGENCY TALL OAKS VILLAGE CENTER, LLC - Appl. under Sect. 12-210 of the Zoning Ord. for approval of a Comprehensive Sign Plan for Tall Oaks Shopping Center approved pursuant to RZ-C-020 on property located in the N.E. quadrant of the intersection of Wiehle Ave. & North Shore Dr. on approx. 9.94 ac. zoned PRC. Tax Map 18-1((5))8A1, 8A2 & 17-2((25))8C. HUNTER MILL DISTRICT. PUBLIC HEARING.

John Bellaschi, Esquire, with McGuire Woods LLP, reaffirmed the affidavit dated July 1, 2002. There were no disclosures by Commission members.

Ms. Cathy Belgin, 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.

Mr. Bellaschi noted that staff and the Reston Planning and Zoning Committee supported the application. He requested a favorable recommendation from the Planning Commission.

In response to a question from Commissioner de la Fe, Mr. Bellaschi said the name on the proposed sign would read "Tall Oaks Village Center" as opposed to Tall Oaks Shopping Center.

Chairman Murphy called for speakers from the audience, but received no response. He noted no rebuttal was necessary. There were no further questions or comments from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION APPROVE CSP-C-020, SUBJECT TO THE DEVELOPMENT CONDITIONS WHICH ARE NOW DATED JULY 10, 2002.

Commissioner DuBois seconded the motion which carried unanimously with Commissioner Harsel absent from the meeting.

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CPA-86-C-121-10 - SUNSET HILLS TOWER LLC - Appl. to amend the 10<sup>th</sup> Conceptual Plan for RZ-86-C-121 to permit high-density residential development on property located in the N.E. quadrant of the intersection of Sunset Hills Rd. & Reston Pkwy. on approx. 5.36 ac. zoned PRC. Tax Map 17-3((1))37. HUNTER MILL DISTRICT. PUBLIC HEARING.

Jonathan Rak, Esquire, with McGuire Woods, LLP, reaffirmed the affidavit dated June 25, 2002. There were no disclosures by Commission members.

Ms. Cathy Belgin, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Ms. Belgin responded to a question from Commissioner Alcorn about the applicant's commitment to construct a new right turn lane on Sunset Hills Road.

Mr. Rak stated that the zoning of the subject property allowed either residential or office development and that the applicant had elected to seek approval for high-rise rental housing to fulfill a need within the Reston community. He said such development would also support the goals of recent revisions to the Comprehensive Plan encouraging pedestrian oriented mixed-use development near future transit stations. He noted that the Reston Citizens Association Planning and Zoning Committee supported the proposed development but opposed the widening of Sunset Hills Road, the only issue associated with this case. He said the community was opposed to the widening of the road and that a traffic analysis had concluded that it was not necessitated by the proposed development. In addition, he said it would increase barriers to pedestrian traffic in the Reston Town Center area and would not significantly improve the existing or forecast levels of service at the intersection of Sunset Hills Road and Reston Parkway. He said, however, the applicant had agreed to dedicate right-of-way and to site the building so that future widening of the road could be accommodated.

Chairman Murphy called for speakers from the audience but received no response. He noted that no rebuttal was necessary. The Commission had no comments or questions and staff had no closing remarks, therefore Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION APPROVE THE CONCEPTUAL DEVELOPMENT PLAN CPA-86-C-121-10, SUBJECT TO THE CONCEPTUAL PLAN NOTES NOW DATED JULY 11, 2002.

Commissioner DuBois seconded the motion which carried unanimously with Commissioner Harsel absent from the meeting.

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PUBLIC FACILITIES MANUAL AMENDMENTS - The proposed amendments address issues related to letters of credit, pond access barricades & the abandonment & removal of sanitary sewer pipes & vacation of the existing easement easements. PUBLIC HEARING.

Ms. Jan Leavitt, with the Department of Public Works and Environmental Services, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the amendments.

Chairman Murphy called for speakers from the audience but received no response. He noted that no rebuttal was necessary. The Commission had no comments or questions and staff had no closing remarks, therefore Chairman Murphy closed the public hearing and recognized Commissioner Wilson for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND FOR APPROVAL THE PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL CONCERNING LETTERS OF CREDIT, POND ACCESS BARRICADES AND THE ABANDONMENT AND REMOVAL OF SANITARY SEWER PIPES AND THE VACATION OF THE ASSOCIATED EASEMENT, AS SET FORTH IN THE STAFF REPORT DATED JUNE 17, 2002 AND AS RECOMMENDED BY STAFF.

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

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S02-CW-1CP - OUT-OF-TURN PLAN AMENDMENT - To consider a proposed amendment to the Policy Plan that would provide new objectives, policies & background text related to the use of conservation/open space easements to preserve the County's natural & heritage resources. Changes to the Land Use, Transportation, Environment, Parks & Recreation, & Heritage Resources sections will be considered, as well as some definitions in the Glossary. Additional explanatory text is also proposed for the Parks & Recreation section regarding the types of property that are generally appropriate for public parks. This summary of the proposed Plan Amendment under consideration does not constitute a detailed description. The text of these proposed amendments may be modified through the public hearing process. PUBLIC HEARING.

Ms. Alison Kriviskey, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the amendment.

In response to a question from Commissioner Byers concerning Objective 16, Policy b., Ms. Kriviskey said that the County would only review prospective easements when the Board of Supervisors was going to hold or co-hold the easement with a private land trust.

Ms. Sandra Stallman, Park Authority, responded to a question from Commissioner Smyth about revisions to the Park Classification System and from Commissioner DuBois about the policy concerning citizen input for non-parcel specific park recommendations.

Chairman Murphy called the first listed speaker and recited rules for testimony before the Commission.

Ms. Adrienne Whyte, 6704 West Falls Way, Falls Church, representing the McLean Land Conservancy, expressed general support for the Amendment. (A copy of her remarks is in the date file.)

Mr. Paul Gilbert, 4022 Hummer Road, Annandale, President, Northern Virginia Conservation Trust, said the Trust strongly endorsed approval of the Amendment. (A copy of his remarks is in the date file.)

Ms. Katie Goldberg, 4022 Hummer Road, Annandale, Director of Land Protection, Northern Virginia Conservation Trust, also expressed support for the Amendment because it would facilitate and encourage private easement donations.

Ms. Goldberg responded to a question from Commissioner de la Fe about the position of the Conservation Trust concerning Objective 16, which described the character of Fairfax County.

Mr. Mike Cavin, 8119 Westchester Drive, Dunn Loring, expressed support for the proposed Amendment with the revisions as outlined in his letter to the Commission dated July 11, 2002. (A copy of this letter is in the date file.)

Mr. Roger Diedrich, 3322 Prince William Drive, Fairfax, spoke in favor of the proposed Amendment. He suggested that "... land associated with the Potomac and Occoquan Rivers." in Objective 11 be further defined, and that standards for open space easements and the amount of open space desired by the County be included in the Amendment.

Ms. Kriviskey responded to a question from Commissioner Alcorn concerning liability issues which might arise as a result of a County held easement. Commissioner Alcorn said that he would like staff to consult with the County Attorney's Office and the Northern Virginia Conservation Trust on this issue.

Mr. Fred Selden, PD, DPZ, responded to another question from Commissioner Alcorn about specific goals of the County for open space and about future revisions to the Environment Section of the Policy Plan.

Commissioner de la Fe commented that the Park Authority had, for its own purposes, goals of acreage for population served.

Commissioner Smyth suggested to staff that perhaps the proposed amendment was too detailed in its references to such things as the titles of specific County employees and the number of recorded heritage resources because they were subject to change. Mr. Selden said he would consider her suggestion.

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

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Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON S02-CW-1CP, PROPOSED OUT-OF-TURN PLAN AMENDMENT, TO A DATE CERTAIN OF JULY 25, 2002.

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

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The meeting was adjourned at 9:31 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: Linda B. Rodeffer

Approved on: May 6, 2004

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Linda B. Rodeffer, Deputy Clerk to the  
Fairfax County Planning Commission