MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JULY 14, 2005

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Rodney L. Lusk, Lee District

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In the temporary absence of Chairman Peter F. Murphy, Jr., Vice Chairman John R. Byers announced that a workshop on the proposed Zoning Ordinance Amendment on Regional Rail Transit Facilities would be held prior to the regularly scheduled Planning Commission meeting.

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ZONING ORDINANCE AMENDMENT (REGIONAL RAIL TRANSIT FACILITIES) WORKSHOP

The workshop convened at 7:37 p.m. in the Board Auditorium, 12000 Government Center Parkway, Fairfax, Virginia 22035, to discuss a proposed Zoning Ordinance Amendment on Regional Rail Transit Facilities, scheduled for public hearing before the Planning Commission on July 21, 2005 and before the Board of Supervisors on July 25, 2005. Presentations were made by Cynthia Chambers, Zoning Administration Division, Department of Planning and Zoning, and Rick Stevens, Dulles Rail Project Coordinator, Department of Transportation. Lorrie Kirst, Zoning Administration Division, Department of Planning and Zoning participated in the question and answer period following the presentations. The workshop ended at 8:13 p.m.

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Assuming the Chair, Chairman Murphy called the meeting to order at 8:27 p.m. in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Byers MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON 2232-V04-16 TO A DATE CERTAIN OF OCTOBER 6, 2005.

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

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FS-V05-17 - OMNIPOINT COMMUNICATIONS, 8201 Terminal Road

Commissioner Byers MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "CONSENT AGENDA" ITEM ON FS-V05-17, OMNIPOINT COMMUNICATIONS.

Without objection, it was so ordered.

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARINGS FOR RZ 2002-HM-043 CONCURRENT WITH PCA 79-C-037-5, FDP 2002-HM-042, AND SE 2002-HM-046, L. FARNUM JOHNSON, JR. & JEFFREY J. FAIRFIELD, MANAGING CO-TRUSTEES OF THE RUTH C. LAUNDERS MARITAL TRUST, DAVID I. MEISELMAN AND WINIFRED C. MEISELMAN, TRUSTEES, AND MEISELMAN FAMILY LLC, TO A DATE CERTAIN OF SEPTEMBER 28, 2005.

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

Commissioner de la Fe MOVED THAT WE REQUEST THE BOARD OF SUPERVISORS TO SCHEDULE THEIR PUBLIC HEARING ON THESE CASES AFTER THE PLANNING COMMISSION HAS MADE A RECOMMENDATION.

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

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On behalf of Commissioner Lusk, Commissioner Alcorn made the following announcements:

- The Housing Committee would meet at 7:30 p.m. on Wednesday, July 27, 2005, in the Board Conference Room to continue discussion on the implementation of affordable housing recommendations.

- The intent to defer the decision only on SE 2004-LE-033, Franconia Moose Lodge # 646, from July 21, 2005 to September 15, 2005.

- The intent to defer the public hearing on SEA 01-L-024, Kingstowne Towne Center, from July 21, 2005 to July 28, 2005.

- The deadline on FS-L05-15 had been extended from July 20, 2005 to September 18, 2005.

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The next case was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman Byers.

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PCA 87-P-052-02 - EYA DEVELOPMENT, INC.
FDPA 87-P-052-02 - EYA DEVELOPMENT, INC.
PCA 84-P-007-03 - EYA DEVELOPMENT, INC.
FDPA 84-P-007-03 - EYA DEVELOPMENT, INC. (Decisions Only)
(The public hearings on these applications were held on July 13, 2005. A complete verbatim transcript of the decisions made is in the date file.)

Commissioner Murphy MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE PCA 84-P-007-03, SUBJECT TO THE PROFFERS DATED JULY 14, 2005.

Commissioners Hall and Koch seconded the motion which carried by a vote of 10-0-1 with Commissioner Alcorn abstaining; Commissioner Lusk absent from the meeting.

Commissioner Murphy MOVED THE PLANNING COMMISSION APPROVE FDPA 84-P-007-03, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY 13, 2005 AND THE BOARD OF SUPERVISORS' APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLANS.

Commissioners Hall and Koch seconded the motion which carried by a vote of 10-0-1 with Commissioner Alcorn abstaining; Commissioner Lusk absent from the meeting.

Commissioner Murphy MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE PCA 87-P-052-02, SUBJECT TO THE PROFFERS DATED JULY 14, 2005.

Commissioner Hall seconded the motion which carried by a vote of 10-0-1 with Commissioner Alcorn abstaining; Commissioner Lusk absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 87-P-052-02, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY 13, 2005 WITH THE BOARD OF SUPERVISORS' APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Hall seconded the motion which carried by a vote of 10-0-1 with Commissioner Alcorn abstaining; Commissioner Lusk absent from the meeting.

Commissioner Murphy MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE USE LIMITATION FOR THE PDC DISTRICT BE MODIFIED TO PERMIT THE GROSS FLOOR AREA OF RESIDENTIAL TO EXCEED FIFTY PERCENT OF THE PRINCIPAL USES IN THE PDC DISTRICT TO PERMIT 322,000 SQUARE FEET OF RESIDENTIAL USES, INCLUDING AFFORDABLE DWELLING UNITS; THE 600 FOOT MAXIMUM LENGTH FOR PRIVATE STREETS BE WAIVED, THE 200 SQUARE FOOT PRIVACY YARD REQUIREMENT BE WAIVED FOR THE SINGLE FAMILY ATTACHED UNITS; AND THE LOADING SPACE REQUIREMENT BE MODIFIED TO PERMIT ONE LOADING SPACE FOR THE MULTI-FAMILY BUILDING.

Commissioner Hall seconded the motion which carried by a vote of 10-0-1 with Commissioner Alcorn abstaining; Commissioner Lusk absent from the meeting.

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Chairman Murphy resumed the chair.

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Commissioner Lawrence MOVED TO FURTHER DEFER THE DECISION ONLY ON RZ/FDP 2004-PR-024, ANTHONY DEVELOPMENT LIMITED, TO A DATE CERTAIN OF JULY 28, 2005, WITH THE RECORD TO REMAIN OPEN FOR COMMENT.

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

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2232-P05-3 - FAIRFAX COUNTY PARK AUTHORITY (Decision Only)
(The public hearing on this application was held on May 19, 2005. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Lawrence MOVED THAT FOR ALL THE REASONS I HAVE STATED, THE PLANNING COMMISSION DETERMINE THAT THE SUBJECT APPLICATION 2232-P05-3 FOR NOTTOWAY PARK, AS AMENDED THROUGH JUNE 9, 2005, IS SUBSTANTIALLY IN ACCORD WITH THE ADOPTED FAIRFAX COUNTY COMPREHENSIVE PLAN.

Commissioners Alcorn, de la Fe, and Hart seconded the motion which carried by a vote of 9-1-1 with Commissioner Wilson voting no; Commissioner Byers abstaining; Commissioner Lusk absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. RZ/FDP 2003-MV-060- D.R. HORTON, INC.
2. PCA 2005-MV-018 - COMMERCE BANK, NA
   SE 2005-MV-012 - COMMERCE BANK, NA
3. RZ 2005-PR-003 - DUNN LORING METRO APARTMENT PARTNERSHIP

This order was accepted without objection.

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RZ 2003-MV-060/FDP 2003-MV-060 - D. R. HORTON, INC. - Appls. to rezone from R-1 and HD to PDH-8 and HD to permit residential development at a density of 5.79 dwelling units per acre (du/ac) and approval of the conceptual and final development plans. Located on the E. side of Telegraph Rd. approximately 1,000 ft. N. of its intersection with Richmond Hwy. on approx. 12.79 ac. of land. Comp. Plan Rec: 8-12 du/ac. Tax Map 108 -1 ((1)) 12, 13, 14, 15 and 16; 108-1 ((3)) 1, 2 and 2A. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Martin Walsh, Esquire with Walsh, Colucci, Lubeley, Emrich & Terpak, PC, 2200 Clarendon Boulevard, Arlington, reaffirmed the affidavit dated September 30, 2004.

Commissioner Hart disclosed that although his law firm had a case pending with Mr. Walsh's law firm, there was no financial relationship and it would not affect his ability to participate in this case.

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. Walsh explained that the applicant had worked with staff and the community to revise and improve the plan for the Lyndam Hill II property. He said the South County Federation supported the proposed development since the applicant had complied with their request to provide for single family detached housing along Telegraph Road. Mr. Walsh stated open space had been increased to 35 percent by filling in sloped areas on the site and eliminating two units

by the entrance. He added that stormwater management provisions had been revised to comply with the Department of Public Works and Environmental Services' Public Facilities Manual standards. Mr. Walsh said the applicant had increased the contribution to the Park Authority and would provide a recreational area on the property. He then introduced the applicant and asked him to address issues relating to the completion of Lyndam Hill I.

Michael Jones, Vice President, D. R. Horton, said he had anticipated the two parcels would be developed as one as evidenced by the transportation and stormwater management designs. He explained that some of the customers' anxiety over the delay in delivering the homes was due to the difficulty in obtaining dry fill for the site. Mr. Jones stated they were working on the installation of street lights and the completion of street paving and landscaping. He added that due to delays, there had been a stockpile of landfill which had damaged some of the landscaping so additional work would be needed.

In response to questions from Commissioner Hart, Mr. Walsh said "screened porches" could be added to Proffer Number 8H. He indicated that since the decision was going to be deferred, the applicant would reevaluate the front yard set-back of five feet on single family lots and inform the Commission of its decision on that matter.

Commissioner Hart commented that staff might want to review the location of the houses situated on lots 29 and 32. He said that if the homeowners added a deck, the houses would then be only five feet from the street.

Commissioner Byers commented that many of the houses were too close together and would have small backyards and narrow driveways. Mr. Walsh suggested that some buyers might prefer this lifestyle.

Commissioner Wilson presented pictures of Lyndam Hill I properties and expressed concern that the same problems that had occurred there could also happen in the proposed development. Mr. Walsh stated that the applicant would proffer wider driveway aprons to prevent damage to landscaping and concrete. In addition to the terraced landscaping and hand rails to be provided in the sloped backyards, Mr. Walsh agreed to add security fencing to the retaining walls. He indicated that the proposed homes were set farther apart than in the first development so there should be no problem with water collecting between the houses.

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

Ramon Thermoso, 7244 Lyndam Hill Circle, Lorton, expressed dissatisfaction with the unfinished work on his Lyndam Hill I property. He described the conditions he had encountered in the hope that they would not occur with the proposed development. Mr. Thermoso said his backyard had such a steep slope the developers had blocked his walkout basement doors with a railing. He said since the railing prevented the use of the backyard, he had to incur the cost of adding a deck. Mr. Thermoso also noted that due to the improper grading, the developer had

installed a temporary and partial wood retaining wall but he felt this would not correct potential erosion to his property and had filed a complaint with the County.

Commissioner Wilson presented pictures of Mr. Thermoso's property which showed the steep slope in the backyard. She pointed to water flowing from his air conditioner condenser onto the neighbor's property.

In response to questions from Commissioners Hall and Koch, Mr. Thermoso said that he had paid extra for a basement walkout to a yard he couldn't use.

Commissioner Hart pointed out that if zoning prohibited the addition of decks on certain lots, a railing should not be installed closing off the walkout doors. He said that would lead the purchaser to believe they would be able to build a deck.

Yemi Gbadamosi, 7242 Lyndam Hill Circle, Lorton, presented pictures of his property and described landscaping problems that had not been addressed by the developer. He commented that there was no sufficient recreation area for the children of the neighborhood and added that the developer had not returned his telephone calls.

Hassan Yacout, 7240 Lyndam Hill Circle, Lorton, said he had concerns that the developer would not address existing problems until the proposed development had been built. He said snakes were living in piles of landfill left by the applicant and insects were breeding in the stormwater management pond that was not being maintained.

In response to a question from Commissioner de la Fe, Mr. Jones said that there had been a homeowner's association for Lyndam Hill I but they had dispensed with their management company and were now trying to self-manage the association. He noted that this was the first time he had heard about some of the issues and that he would address them with the homeowners.

Commissioner de la Fe commented that the homeowners association should be either handling some of the issues or ensuring the developer completed the work.

In response to questions from Commissioner Koch, Mr. Jones indicated that he had noticed problems during site visits and that he was responsible for the bond improvements for Lyndam Hill I. He said the attorney for the first phase of the development had been Keith Martin formerly of Walsh, Colucci, Lubeley, Emrich & Terpak

Commissioner Byers read portions of e-mails received from Brian Robertson, dated June 30, 2005, and Sherry Tran, dated July 8, 2005, homeowners at Lyndam Hill I, stating that D. R. Horton had been unresponsive to their requests and listed problems such as: unfinished driveways and streets; incomplete landscaping; no street lights; untidy and unsafe conditions; drainage problems; a construction fence; a gap in the siding; and a crack in a foundation and floor. Commissioner Byers said he was reluctant to recommend that the Board of Supervisors approve another D. R. Horton development at this time. In response to a question from

Commissioner Byers, Mr. Jones said he had recently become aware of some of the problems and would take steps to correct them at the appropriate time. (Copies of the e-mail messages are in the date file.)

Commissioner Hall questioned whether the Commission should approve this application while Lyndam Hill I had many unresolved problems. Mr. Jones responded that immediately after the sale of the last houses closed, they had begun to touch-up areas and finish the landscaping. He said the concrete work and final landscaping could not be completed until weather allowed. Mr. Jones said he had not been contacted by the homeowners association about these particular issues but had already instructed his customer service department and vice president of construction to begin addressing them. Commissioner Hall asked the speakers to inform the Commission if and when the work had been completed.

Commissioner Koch suggested that Mr. Jones determine why the problems had not been taken resolved.

Chairman Murphy commented that the final responsibility lay with Mr. Jones and that he needed to correct the problems.

In response to a question from Commissioner Harsel, Mr. Jones said he was the Vice President of D. R. Horton for Land Acquisition and Development and that he had noticed problems when he had last visited the site. He said the usual course of action would be to wait until the homeowners had moved in and the fill site had settled before they topped the driveway but in this case they had waited too long.

Commissioner Lawrence requested that during the deferral period the applicant forward a firm schedule for resolving the issues at Lyndam Hill I. Mr. Jones commented that he thought a schedule had been forwarded, but would send it again. He stated that he did not feel it would be appropriate to make a determination on rezoning one parcel due to issues related to a different property.

In response to questions from Commissioner Wilson, Mr. Walsh said that there would be no parking on the 25 foot wide section of the lower category public street. He stated the applicant would reevaluate the plans for the homes situated over the underground springs and respond back to the Commission.

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

Commissioner Byers requested that he be kept informed as the new proffers for Lyndam Hill II were drafted to avoid any further problems.

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Commissioner Byers MOVED THAT WE DEFER THE DECISION ONLY ON RZ AND FDP 2003-MV-060 TO A DATE CERTAIN OF SEPTEMBER 29, 2005, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioners Hall and Wilson seconded the motion which carried unanimously with Commissioner Lusk absent from the meeting.

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PCA 2005-MV-018 - COMMERCE BANK, NA - Appl. to establish proffers on unproffered land and a modification of streetscape requirements in a Commercial Revitalization District, (CRD). Located on the E. side of Richmond Hwy. approx. 300 ft. S. of Dawn Dr. and N. of Beddoo Rd. on approx.1.65 ac. Of land zoned C-8, R-4, CRD and HC. Comp. Plan Rec: Office and Retail with an option for Residential. Tax Map 93-1 ((1)) 25. (Concurrent with SE 2005-MV-012.) MOUNT VERNON DISTRICT.

SE 2005-MV-012 - COMMERCE BANK, NA - Appl. under Sect. 7-607 of the Zoning Ordinance to permit a drive-in bank in a Highway Corridor Overlay District and modification of the streetscape requirement in a Commercial Revitalization District, (CRD). Located at 6615 Richmond Hwy. on approx. 41,920 sq. ft. of land zoned C-8, CRD and HC. Tax Map 93-1 ((1)) 25 pt. (Concurrent with PCA 2005-MV-018.) MOUNT VERNON DISTRICT. JOINT PUBLIC HEARING

Fred Taylor, Esquire with Bean, Kinney & Korman, PC, reaffirmed the affidavit dated July 1, 2005. Commissioner Hart noted that he would not vote on this case. (Note: Commissioner Hart did not state a reason why he recused himself from this item.)

St. Clair Williams, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Commissioner Byers said he had planned to recommend approval of these applications but since the addendum with the revised SE plat and proffers had not been distributed until this evening, he would be deferring the decision only.

Mr. Taylor said the recent changes to the application included expanding the buffer and eliminating a row of parking. He said the applicant was aware of the environmentally sensitive areas and the planned stormwater management would improve the property. Mr. Taylor said the proffer to keep half an acre undeveloped added open space and for that reason the request for four drive-through lanes was appropriate. He noted that all lanes would remain open through business hours to ease traffic conditions. Mr. Taylor said the applications had been well

received by the Southeast Fairfax Development Corporation, the Spring Bank Citizens Association, and the Mt. Vernon Council.

In response to a question from Commissioner de la Fe, Mr. Taylor said that the applicant would require extra parking spaces due to a large staff.

In response to questions from Commissioner Lawrence, Mr. Taylor said to address safety concerns, the pedestrian crosswalk and the exit to the restaurant site would be prominently marked.

Mr. Taylor responded to questions from Commissioner Wilson about the proposed locations and construction of the walkways leading to the bank.

Chairman Murphy called for speakers from the audience but received no response. He noted that rebuttal was not necessary. There were no comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on these cases. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT WE DEFER THE DECISION ONLY ON PCA 2005-MV-018 AND SE 2005-MV-012 TO A DATE CERTAIN OF JULY 21, 2005, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

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The Commission went into recess at 10:19 p.m. and reconvened in the Board Auditorium at 10:31 p.m.

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> RZ 2005-PR-003 - DUNN LORING METRO APARTMENT PARTNERSHIP- Appl. to rezone from R-20 to R-30 to permit residential development at a density of 34.28 dwelling units per acre (du/ac) including bonus density for ADU's, and waiver of minimum district size. Located on the E. side of Gallows Rd. and approx. 200 ft. S. of Park Tower Dr. on approx. 38,114 sq. ft. of land. Comp. Plan Rec: 35-40 du/ac. Tax Map 49-2 ((1)) 41. PROVIDENCE DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Sack, Harris & Martin, PC, reaffirmed the affidavit dated March 1, 2005. There were no disclosures by Commission members.

Aaron Shriber presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Martin presented a photograph of the existing multifamily apartment building and neighboring structures and said the proposed building would conform to the surrounding newly-revitalized area. He added, that although not required, the proposed development included two affordable dwelling units. He said the development would provide underground parking and 30 percent open space; proffered Best Management Practices (BMP); Transportation Demand Management (TDM); and parks, schools, and fire contributions. Mr. Martin said the initial application had been denied due to Virginia Department of Transportation (VDOT) concerns about curb alignment which the applicant had since corrected.

Mr. Martin, in response to a concern previously expressed by Commissioner Lawrence, said that a waiver of the minimum district size was used primarily for newly created lots.

In response to questions from Commissioner Wilson, Kristen Abrahamson, Zoning Evaluation Division, Department of Planning and Zoning, said to conform to the density range set forth in the Comprehensive Plan, consolidation or approval of a waiver of the minimum district size would be necessary. She said staff felt that since the proposed development met the Ordinance standards and consolidation was not an option, a waiver would be appropriate. Mr. Martin added that the property was less than a quarter mile south of the Dunn Loring Metro Station.

Chairman Murphy called the listed speaker.

Rebecca Cate, 8119 Westchester Drive, Vienna, spoke in favor of the application. She said that local civic and homeowner associations had reviewed the application and were pleased that, in addition to the items mentioned by Mr. Martin, synthetic stucco would not be used on the exterior of the units. Ms. Cate said the Fairfax County Non-Motorized Transportation Committee supported the dedication of an on-road bike lane which was an important component of the Trails Plan. She noted that the TDMs and amenities provided by the applicant, such as bike storage and sidewalk and landscaping conducive to walking, would encourage residents to utilize methods of travel other than automobiles. She said she hoped that VDOT would refine their estimate of the necessary right-of-way to allow the applicant to enlarge the landscaped area. Ms. Cate said that approval of a waiver of the minimum lot size would permit redevelopment of the property and conform to the Merrifield plan and the immediate neighborhoods. She said she appreciated the applicant's commitment to continue working with the neighboring communities.

Chairman Murphy called for speakers from the audience but received no response. He noted that rebuttal was not necessary.

In response to a question from Commissioner de la Fe, Ms. Abrahamson stated that she did not think the waiver request was uncommon or precedent-setting. She said that staff would compile data on district size waivers that had been granted in the subject area for the Commission's review.

Responding to a question from Chairman Murphy, Ms. Abrahamson explained the property was approximately one-third the size of the R-30 District minimum size requirement of three acres.

In response to questions from Commissioner Lawrence, Ms. Abrahamson and Mr. Shriber said that the standards for redevelopment areas outlined in the Public Facilities Manual were based on whether impervious surfaces would be increased, not on stormwater management controls already in place. Mr. Shriber said he thought there were no present controls on the property for stormwater detention.

Mr. Martin, responding to a question from Commissioner Lawrence, said at the request of the Commission, the applicant would not ask for a waiver of the stormwater management quantity. Commissioner Lawrence said that since this was a redevelopment it would be reasonable to consider quantity as well as quality.

In response to questions from Commissioner Lawrence, Mr. Shriber explained that the proposed development would provide 30 percent open space which was more than the R-30 Affordable Dwelling Unit (ADU) requirement of 26 percent but less than the conventional R-30 District requirements of 40 percent. He said open space could not be increased due to the size of the proposed building. He added that the asphalt trail was the only outdoor amenity being proposed. Mr. Shriber said that the landscaped strip had to be modified to comply with the VDOT requirement for lane width. He noted the applicant had provided the sufficient amount of right-of-way in the bike lane modification, as shown in the Generalized Development Plan (GDP). Mr. Shriber stated the Ordinance requirement for tree cover on this site was approximately 10 percent and though the calculations had not been provided on the GDP, they would be on the site plan.

Commissioner Lawrence said that the tree save was commendable. He expressed concern that there would be no way to determine if the goals set forth in the TDM proffer had been achieved.

In response to questions from Commissioner Harsel, Ms. Abrahamson and Mr. Martin said that an R-30 District zoning was more appropriate than a PRM District because the property was located between PDH and conventional R zoned properties. Ms. Abrahamson added the property was within walking distance to the Metro Station and that internal recreation areas and underground parking had been included in the application. She pointed out that the impervious surface area would not be increased. Ms. Abrahamson said staff would review stormwater quantity waivers at the time the site plan was submitted.

In response to a question from Commissioner Hart, Ms. Abrahamson said that because there were no increased densities allowed by-right on the property, the applicant had to request this rezoning. Mr. Hart discussed the categories he would like included in the report requested by Commissioner de la Fe.

Chairman Murphy suggested that Commissioner Lawrence defer the decision to allow the Commission time to review the addendum and determine whether it was based on sound land use and legal principles.

In response to a question from Commission Alcorn, Ms. Abrahamson said the affordable units would be subject to the control period in effect at the time the Board approved the application. She said, however, she would work with the applicant to see if he would agree to a change in the control period if so recommended by the current ADU Task Force.

In response to Commissioner Wilson, Ms. Abrahamson explained that if the application had been a special exception for senior housing, the applicant would have been able to develop four times the number of proposed units while still retaining an R-20 zoning.

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

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Commissioner Lawrence MOVED TO DEFER APPLICATION RZ 2005-PR-003 TO A DATE CERTAIN OF SEPTEMBER 22, 2005, WITH THE RECORD TO REMAIN OPEN FOR COMMENT AND FURTHER MOVED THAT THE BOARD DATE FOR THIS APPLICATION BE ADJUSTED TO SUIT THE DECISION DATE.

Commissioners Alcorn, Byers, and Wilson seconded the motions which carried unanimously with Commissioner Lusk absent from the meeting.

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The meeting was adjourned at 11:11 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: Susan M. Donovan

Approved on: July 26, 2007

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