

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JULY 16, 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
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Alvin L. Thomas, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District
John W. Hunter, Commissioner At-Large

//

The meeting was called to order at 8:30 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.

//

COMMISSION MATTERS

Chairman Murphy announced that Paul Baldino had been selected by the Board of Supervisors on Monday, July 13, 1998 to be the Director of the Fairfax County Park Authority. He noted that Mr. Baldino had served as the Deputy Director since February, 1997 and had been with the County in a variety of positions and responsibilities since 1973. He extended the Commission's congratulations.

//

98-II-7F - AREA PLANS REVIEW

Commissioner Coan noted that he had received a request for withdrawal from the attorney for the nominator of 98-II-7F and **MOVED THAT WE ACCEPT THAT WITHDRAWAL.**

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

//

PCA-86-D-093-12 - WORL GATE ASSOCIATES LIMITED PARTNERSHIP
FDPA-86-D-093-8 - WORLDGATE ASSOCIATES LIMITED PARTNERSHIP (Decisions Only) (The public hearing on these applications was held on July 9, 1998. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-86-D-093-12, SUBJECT TO THE EXECUTION OF PROFFERS DATED JULY 14, 1998.

Commissioner Koch seconded the motion which carried by a vote of 7-0-3 with Commissioners Byers, Harsel, and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting.

Commissioner Downer MOVED THAT THE PLANNING COMMISSION APPROVE FDPA-86-D-093-8, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY 16, 1998, AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF PCA-86-D-093-12.

Commissioner Koch seconded the motion which carried by a vote of 7-0-3 with Commissioners Byers, Harsel, and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting.

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A REAFFIRMATION OF A WAIVER OF TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE NORTH SIDE OF WORLDGATE DRIVE.

Commissioner Koch seconded the motion which carried by a vote of 7-0-3 with Commissioners Byers, Harsel, and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting.

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF SECTION 2-414 TO ALLOW BUILDINGS WITHIN 75 FEET OF THE RIGHT-OF-WAY OF THE DULLES ACCESS ROAD.

Commissioner Koch seconded the motion which carried by a vote of 7-0-3 with Commissioners Byers, Harsel, and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting.

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE TRAIL REQUIREMENT ALONG THE DAAR.

Commissioner Koch seconded the motion which carried by a vote of 7-0-3 with Commissioners Byers, Harsel, and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting.

//

RZ-1998-PR-004 - FRANK & BETTY JONES & ROBERT A. BARNETT, TR.
FDP-1998-PR-004 - FRANK & BETTY JONES & ROBERT A. BARNETT, TR. (Decisions Only) (The public hearing on these applications was held on July 9, 1998. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Coan MOVED THAT WE RECOMMEND APPROVAL OF RZ-1998-PR-004, SUBJECT TO THE PROFFERS DATED JULY 13, 1998.

Commissioners Alcorn and Byers seconded the motion which carried by a vote of 8-0-2 with Commissioners Harsel and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting.

Commissioner Coan MOVED THAT WE RECOMMEND APPROVAL OF A WAIVER OF THE TRAIL REQUIREMENT IN LIEU OF AN EXISTING FOUR-FOOT WIDE SIDEWALK ON PROSPERITY AVENUE.

Commissioners Alcorn and Byers seconded the motion which carried by a vote of 8-0-2 with Commissioners Harsel and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting.

Commissioner Coan MOVED THAT WE APPROVE FDP-1998-PR-004, SUBJECT TO THE BOARD'S APPROVAL OF RZ-1998-PR-004 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Byers seconded the motion which carried by a vote of 8-0-2 with Commissioners Harsel and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting.

//

2232-S98-6 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC. (Decision Only) (The public hearing on this application was held on July 9, 1998. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION, SINCE THIS IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND THE CRITERIA ESTABLISHED OF CHARACTER, LOCATION, AND EXTENT UNDER 2232, APPROVE 2232-S98-6.

Commissioner Thomas seconded the motion which carried by a vote of 8-0-2 with Commissioners Harsel and Palatiello abstaining; Commissioners Hall and Hunter absent from the meeting.

//

ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. 456-L97-9 - WASHINGTON/BALTIMORE CELLULAR, LP
2. PY-96-HO-01, 02, 03, 04 - POLICY PLAN AMENDMENTS
3. SE-98-B-004 - BOARD OF MISSIONS OF MOUNT VERNON BAPTIST ASSOCIATION, LTD.
4. RZ-95-D-018 - EDGEMOORE HOMES, LLC
FDP-95-D-018 - EDGEMOORE HOMES, LLC
5. PCA-89-V-062 - COLCHESTER LAND COMPANY, LLC
SE-98-V-005 - COLCHESTER LAND COMPANY, LLC
SE-98-V-006 - COLCHESTER LAND COMPANY, LLC
2232-V98-4 - COLCHESTER LAND COMPANY, LLC
2232-V98-5 - COLCHESTER LAND COMPANY, LLC
6. S95-II-F1 - OUT-OF-TURN PLAN AMENDMENT

This order was accepted without objection.

//

456-L97-9 - WASHINGTON BALTIMORE CELLULAR LIMITED PARTNERSHIP - Appl. to construct a telecommunications facility to the rear of an existing warehouse at 6700 Springfield Center Dr. The proposed facility will include a 130 ft. monopole w/9 panel antennas & an associated equipment bldg. on the ground adjacent to the monopole. Tax Map 90-4((11))11A. LEE DISTRICT. PUBLIC HEARING.

Michael Hines, 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.

James Michal, Esquire, with Jackson and Campbell, noted that this application had been deferred, with the applicant's permission, pending resolution of an application by Bell Atlantic nearby, which had subsequently been withdrawn. He stated that the applicant had conducted a balloon test which showed that the proposed monopole would have very little impact on the nearest residential area. He pointed out that the subject property was located in an industrial area

and was heavily buffered with existing trees. Mr. Michal presented graphs depicting Cellular One's need for a facility in this area.

In response to a question from Commissioner Alcorn, Mr. Michal said the Lee District Land Use and Transportation Committee had reviewed the application and supported it.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no further comments, questions or closing staff remarks, he closed the public hearing and recognized Commissioner Kelso for action on this case. (A verbatim excerpt is in the date file.)

//

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION APPROVE APPLICATION 456-L97-9, BY WASHINGTON BALTIMORE CELLULAR LIMITED PARTNERSHIP, AS BEING IN SUBSTANTIAL ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN AND THAT IT SATISFIED THE CRITERIA OF LOCATION, CHARACTER AND EXTENT AS SPECIFIED IN 15.2-2232, FORMERLY 15.1-456, OF THE *CODE OF VIRGINIA*.

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

//

PY-96-HO-01, PY-96-HO-02, PY-96-HO-03, AND PY-96-HO-04 - POLICY PLAN AMENDMENTS - To consider four Housing nominations submitted as a part of the 1996 Policy Plan Review in accordance w/the *Code of VA*, Title 15.2, Chap. 22 which address development of an annual plan to implement the affordable housing goal & the distribution of affordable housing & County assisted housing. COUNTYWIDE. PUBLIC HEARING.

Heidi Merkel, 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 language outlined in the handout dated July 16, 1998, entitled "Proposed Revision to Staff Alternative," a copy of which is in the date file.

In response to questions from Commissioner Coan, Ms. Merkel explained that the programs referred to in the fourth bullet were included at the request of staff of the Department of Housing and Community development. She said she was not aware that these programs allowed occupancy by tenants with incomes in excess of 70 percent of the median income.

Commissioner Downer noted that the Housing Committee was scheduled to meet on July 23, 1998, to discuss these amendments and that it was her intention to defer the decision on these items.

In response to questions from Commissioner Palatiello, Ms. Merkel explained that the term "affordable housing" was used in the Policy Plan and the term "affordable dwelling unit" was used in the Zoning Ordinance. She compared these terms and responded to further questions from Commissioner Palatiello regarding the Affordable Dwelling Unit Ordinance in general and staff's recommendations for these proposed amendments.

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

Connie Lorentzen, 3900 Adrienne Drive, Alexandria, nominator of PY-96-HO-03, supported the staff recommendations, with the inclusion of the words "economically balanced communities." (A copy of her remarks is in the date file.)

Ms. Lorentzen responded to questions from Commissioners Palatiello and Coan regarding her position.

Earl Flanagan, 3117 Waterside Lane, Alexandria, nominator of PY-93-HO-04, also supported the staff recommendations, and, like Ms. Lorentzen, suggested that the term "economically balanced communities" be returned to the proposed language. (A copy of his remarks is in the date file.)

Mr. Flanagan and Chairman Murphy discussed his positions and the difference between assisted and affordable housing.

In response to a question from Commissioner Thomas, Fred Selden, PD, DPZ, explained that staff had deleted the phrase "economically balanced communities" because staff felt that the goal it was intended to encourage was more clearly stated in the economic section of the Policy Plan and did not necessarily assist the objectives for the housing section.

In response to questions from Commissioner Harsel, Mr. Selden confirmed that statistics regarding privately-owned affordable rental units were not kept separately. He added the policies proposed would cover private enterprises as well as public programs.

There being no further comments or questions from the Commission and Ms. Merkel 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 THE PLANNING COMMISSION DEFER ITS DECISION ON POLICY PLAN NOMINATIONS PY-96-HO-01 THROUGH -04 UNTIL A DATE CERTAIN OF THURSDAY, SEPTEMBER 24, 1998, AT 8:15 P.M.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall and Hunter absent from the meeting.

//

SE-98-B-004 - BOARD OF MISSIONS OF MOUNT VERNON BAPTIST ASSOCIATION, LTD. - Appl. under Sects. 3-104- & 9-301 of the Zoning Ordinance to permit a Public Benefit Assn. (campus ministry) on property located at 4609 & 4601 Roberts Rd. on approx. 4.0 ac. zoned R-1. Tax Map 68-2((1))22 & 23. BRADDOCK DISTRICT. PUBLIC HEARING.

William Robson, with Robson Group Architects, Inc., reaffirmed the affidavit dated June 23, 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 application.

Mr. Robson noted that the applicant's proposal consisted of two phases that would be explained by subsequent speakers. He spoke about the applicant's efforts to work with citizens in the area and expressed concern about some of the proposed development conditions. He said the applicant would appreciate a deferral in order to have time to address outstanding issues and get clarification of several of the conditions.

Reverend Stephen Welch, Executive Director of the Mount Vernon Baptist Association, 7200 Columbia Pike, Annandale, presented a brief outline of the organization and its mission. He explained that Phase 1 of the proposal before the Commission tonight would provide a campus ministry center and Phase 2 would provide a multi-functional building for committee meetings, training sessions, et cetera.

In response to a question from Commissioner Harsel, Reverend Welch said he understood that all operations would have to remain at the Columbia Pike location until the new building was constructed.

Alex Martin, Campus Minister for the Northern Virginia area, employed by the Virginia Baptist Mission Board, with headquarters in Richmond, Virginia, said it was his job to develop Baptist ministries for students at George Mason University and Northern Virginia Community College. He briefly described the programs that would be administered at the proposed facility, including tutoring, clothing and food banks, bible study, et cetera.

Mr. Martin responded to questions from Commissioner Harsel regarding his work with students and other youth groups.

Commissioner Harsel and Mr. Robson discussed the proposed hours of operation, phasing, and screening to be provided.

In response to questions from Commissioner Kelso, Mr. Robson said that Lots 21, 24, and 25 were developed with single family residences. He said that an attorney representing the owners of Lots 24 and 25 was present tonight.

Chairman Murphy called the first listed speaker.

Marcelle Habibion, 10032 Glenmere Road, Fairfax, expressed her concern for the possibility that the housing proposed on the subject property would become permanent residences and suggested that a limit of two weeks would be appropriate for temporary residents. She also expressed concern about how the situation would be monitored.

Ms. Habibion responded to questions from Chairman Murphy and Commissioner Kelso regarding her position.

Commissioner Harsel noted that there was a Plan Amendment being considered in this area that would be decided upon in September. She promised to keep Ms. Habibion informed.

Bruce K. Miller, 4525 Roberts Road, Fairfax, immediately north of the subject property, supported the application. He encouraged waiver of the barrier requirement on that side, saying that he did not want a fence between his property and the subject property. He also stated his opposition to an interparcel connection.

Commissioner Harsel explained to Mr. Miller that the interparcel connection would only take place if his property redeveloped at some time in the future as anything other than residential. She added that the proposed barrier would be erected 25 feet inside the subject property line and that because of the existing vegetation Mr. Miller would probably not even be able to see the fence. Mr. Miller commented that he still didn't see any need for the fence.

Robert Lawrence, Esquire, representing Mr. Robert Robbins, owner of Lots 24 and 25 (4617 and 4621 Roberts Road), immediately south of the subject property, did not object to the applicant's proposal, but asked that the type of barrier required on the south boundary of the subject property be clarified. He said it was his understanding that a six-foot wooden fence was required, but the development conditions were not specific. Mr. Lawrence requested that Mr. Robbins be given the same assurance that interparcel access would be provided in the event Lots 24 and 25 were redeveloped for other than residential uses. He further requested that public sewer be required when Phase 2 was built on the subject property and that the dumpster location be moved to the other side of the proposed building.

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

Mr. Robson said the applicant was more than willing to discuss Mr. Lawrence's concerns and suggested that a staff member from the County's Department of Transportation be invited to the working session that would be necessary to resolve the outstanding issues so that the matter of interparcel access could be clarified. He suggested that providing that access could create a parking problem on the subject property.

In her closing staff comments, Ms. Stagg noted that the Comprehensive Plan required transitional screening between institutional and residential uses.

In response to a question from Commissioner Byers, Mr. Robson assured the Commission that the proposed housing on site would be strictly temporary residence for missionaries.

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

//

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON APPLICATION SE-98-B-004 TO A DATE CERTAIN OF THURSDAY, JULY 30, 1998.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall and Hunter absent from the meeting.

//

The Commission went into recess at 10:20 p.m. and reconvened in the hoard Auditorium at 10:35 p.m.

//

RZ-95-D-018 - EDGEMOORE HOMES, LLC - Appl. to rezones from R-1 to PDH-2 to permit residential development at a density of 1.76 du/ac; approval of the conceptual development plan; & a waiver of the 200 ft. setback requirement from the Dulles Airport Access Road on property generally located in the N.W. quadrant of the intersection of Leesburg Pike & the Dulles Airport Access & Toll Rds. on approx. 61.22 ac. Comp. Plan Rec: 1-2 du/ac. Tax Map 28-2((1))25, 26, 26A, 27, .28 & 29-1((1)) 8 & 9. (Concurrent w/FDP-95-D-018.)
DRANESVILLE DISTRICT.

FDP-95-D-018 - EDGEMOORE HOMES, LLC - Appl. to approve the final development plan for RZ-95-D-018 to permit residential

development on property generally located in the N.W. quadrant of the intersection of Leesburg Pike & the Dulles Airport Access & Toll Rds. on approx. 61.22 ac. zoned PDH-2. Tax Map 28-2((11)25, 26, 26A, 27, 28 & 29:1((1)) 8 & 9. (Concurrent w/ RZ-95-D-018.)
DRANESVILLE DISTRICT. JOINT PUBLIC HEARING.

H. Kendrick Sanders, Esquire, attorney for the applicant, reaffirmed the affidavit dated July 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.

In response to questions from Commissioner Downer and Chairman Murphy, Chuck Almquist, Department of Transportation, explained the transportation improvements planned in this area that would affect the subject property. He added that the interchange improvements were not on the Virginia Department of Transportation's (VDOT) six-year plan and that no funding had been identified for either engineering, design or construction.

In response to questions from Commissioner Coan, Mr. Almquist stated that the spine road and its main intersection would be public streets and that the remainder of internal streets would be private streets. He added that the right-of-way for the private streets would be narrower than those required on public streets and the turning radii would be less than allowed on public streets.

Mr. Sanders noted that the subject property had been in the same family since the 19th century and was the last large open space in this area. He noted that a lot of work had gone into the proposed development plan and pointed out that the proposed density of 1.58 dwelling units per acre (du/ac), not including affordable dwelling units (ADUs), was in conformance with the Comprehensive Plan recommendations for 1 to 2 du/ac. He presented background information on transportation problems in the area and the street network designed for the subject property. Mr. Sanders said that the applicant was concerned about donating land to VDOT that might never be used for road improvements, but might be used in the interim for objectionable uses. He said that the applicant was willing to set aside the land in question requested by VDOT, but wanted the new subdivision's homeowners association to be able to use the land until it was needed by VDOT. He noted that the existing sound wall would be extended to provide noise attenuation and that plans for a regional stormwater detention pond had been revised to accommodate concerns of adjacent residents. He explained that the ADUs had been relocated as requested. Mr. Sanders concluded by saying that the applicant had worked hard with staff and citizens to provide an attractive new community.

Mr. Sanders responded to questions from Commissioner Byers regarding parking to be provided.

Mr. Sanders agreed to a proffer that would prohibit conversion of garages to living space and added that the private streets would have the same pavement width as public streets and would therefore allow on-street parking for visitors.

In response to questions from Commissioner Alcorn, Mr. Sanders stated that the applicant was committed to construction of the ADUs, but that residents in the area had suggested that there was a possibility the ADU Ordinance would be amended to exclude developments such as the one proposed by the applicant and therefore requested that Proffer Number 14 include a clause that would allow the applicant to develop two additional single family detached units in lieu of the eight ADUs presently proposed.

Commissioner Downer noted that the community was concerned that construction of the ADUs would break the long standing tradition that no attached dwellings be allowed west of the Dulles Airport Access Road (DAAR).

Mr. Sanders responded to questions from Commissioner Palatiello regarding the applicant's consolidation efforts.

In response to a question from Commissioner Byers, Mr. Sanders explained that the responsibilities of the homeowners association were outlined in Proffer Number 6.

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

Kevin McCook, 1492 Old Ash Grove, Vienna, noted that his subdivision, Tysons Creek, was zoned R-1 and expressed concern over the increased density proposed by the applicant that would, he said, also increase traffic in the area.

Mr. McCook responded to questions from Commissioner Downer regarding his position. He acknowledged that the Comprehensive Plan recommended one to two dwelling units per acre, but still objected to the applicant's proposed density.

Edward Sheehan, 1488 Old Ash Grove, Vienna, stated that he objected to the proposed development for aesthetic reasons. He said the homes proposed were too large for the small lots planned and that, from the applicant's conceptual development plan, it appeared that the side of one home was no further than 20 feet from the side of another. He suggested that the applicant be required to obtain a permit from the U.S. Army Corps of Engineers.

Paul Gardiner, 2815 Marshall Street, Falls Church, representing the adjacent Berea Church of Christ, supported the application. He did not object to the proposed density, but suggested that the fence on the western side of the church property was not needed.

In response to a question from Commissioner Coan, Mr. Gardiner said he did not have a problem

with the ADUs.

RZ-95-D-018 - EDGEMOORE HOMES, LLC
FDP-95-D-018 - EDGEMOORE HOMES, LLC

July 16, 1998

Thomas Manteuffel, 81 13 Cricklewood Court, Vienna, representing the Wolftrap Woods Homes Association, explained that he and other residents of his community had worked with the applicant over the last three years to resolve outstanding issues. He stated that those issues, which included buffering, tree save, density, recreational amenities, noise attenuation, had been satisfactorily addressed by the current development plan. He added that the only two remaining issues were ones which were not within the applicant's power to resolve. The first one, he said, was the ADUs, which the community would prefer not to have on the subject property and the second was the need for additional schools in the area.

In response to questions from Commissioner Coan, Mr. Manteuffel said that the ADUs would be acceptable if they could be built as single family detached homes rather than attached dwellings.

Marcia McAllister, 151 1 Laurel Hill Road, Vienna, spoke in support of the applications. She concurred with Mr. Sanders' concern about the possible undesirable use of the land requested by VDOT until it was needed for road improvements.

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

Mr. Sanders reiterated that the applicant's proposal was in accord with the Comprehensive Plan recommendations. He noted that buffers would be provided between existing residences and the subject property and that the applicant would obtain all necessary permits for the stormwater detention facilities, including those required by the Corps of Engineers.

Mr. Sanders responded to questions from Commissioner Downer regarding the lot sizes of surrounding developments.

Mark Trostle, land development manager for Edgemoore Homes, responded to questions from Commissioner Downer regarding the stormwater management facilities. He stated that since the impact would be less than one third of an acre, a Corps of Engineers permit was not required, but that the applicant, in an abundance of caution, had applied for one anyway and approval was expected within a month.

In response to questions from Commissioner Coan, Mr. Sanders reiterated that citizens in the area had requested the clause in Proffer Number 14 indicating that the applicant would apply for a modification as appropriate if the ADU Ordinance was amended. Commissioner Coan and Mr. Sanders further discussed this issue, including the economic feasibility of providing the ADUs as single family detached homes. Mr. Sanders said he would be happy to delete the clause since it wasn't the applicant's idea in the first place.

Commissioner Downer announced her intent to defer the decision and that the ADU issue would be further reviewed in the interim. Commissioner Coan urged the applicant and Commissioner Downer to consider single family detached homes for the ADUs.

Commissioner Palatiello commented on the ADU issue, noting that the applicant could not be compelled to go above and beyond the ADU Ordinance requirements. He suggested, however, that a time limit be placed on the option to request a modification to the development plan.

In response to questions from Commissioner Palatiello, Mr. Trostle explained that the naturalized area proposed in Proffer Number 15C was not part of the stormwater management facilities.

In reply to Commissioner Palatiello's inquiry, John Bell, Zoning Administration Division, Department of Planning and Zoning, said that generally a Corps of Engineers permit was not required if the property disturbed was less than one acre.

In reply to a question from Commissioner Koch, Mr. Sanders confirmed that building the ADUs as detached units would not be revenue neutral to the applicant.

In reply to questions from Commissioner Coan, Mr. Sanders confirmed that, from a land use standpoint, it would be possible to put detached style ADUs on small single lots and Mr. Trostle explained that the proposed quadraplex design for the ADUs would help integrate them into the overall development scheme. He added that small homes on small lots next to the larger market units would unfairly single out the affordable units which would look like cottages next to mansions.

Ms. Godfrey had no closing staff remarks; however, Chuck Almquist, Department of Transportation noted that a letter from Thomas Farley, District Administrator, VDOT, included in Appendix 6 of Addendum I of the staff report, recommended that right-of-way be reserved for both alternative configurations of the Route 7/Dulles Toll Road interchange.

There being no further comments or questions from the Commission, 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 WE DEFER DECISION ONLY ON RZ-95-P-018 AND FDP-95-D-018 TO A DATE CERTAIN OF JULY 30, 1998, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

//

PCA-89-V-062 - COLCHESTER LAND COMPANY, LLC - Appl. to amend the proffers for RZ-89-V-062 to permit industrial development w/an overall FAR of 0.22 on property located immediately E. of the Occoquan River on both sides of I-9.a & N. of Rt. 1 on approx. 108.05 ac. zoned 1-5 & 1-4. Comp. Plan Rec: Mixed use. Tax Map 113-3((1))5A, 5B, & 5C. (Concurrent w/SE-98-V-005, 2232-V98-4, SE-98-V-006, & 2232-V98-5.) MOUNT VERNON DISTRICT.

SE-98-V-005 - COLCHESTER LAND COMPANY, LLC - Appl. under Sect. 5-404 of the Zoning Ord. to permit a water purification facility on property located N. of Richmond Hwy., S. of 1-95, & E. of Furnace Rd. on approx. 0.92 ac. zoned 1 -4. Tax Map 113-3 ((1)) 5C pt. (Concurrent w/2232-V98-4, PCA-89-V-062, SE-98-V-006, & 2232-V98-5.) MOUNT VERNON DISTRICT.

SE-98-V-006 - COLCHESTER LAND COMPANY, LLC - Appl. under Sect. 5-404 of the Zoning Ord. to permit a sewage treatment & disposal facility on property located N. of Richmond Hwy., S. of 1-95, & W. of Furnace Rd. on approx. 1.31 ac. zoned 1-4. Tax Map 13-3((1))5B pt. (Concurrent w/2232-V98-5, PCA-89-V-062, SE-98-V-005, & 2232-V9EB-4.) MOUNT VERNON DISTRICT.

2232-V98-4 - COLCHESTER LAND COMPANY, LLC - Appl. under Sect. 15.2-2232 (formerly known as Sect. 15.1-45E S) of the *Code of VA* to permit a water purification facility on property located N. of Richmond Hwy., S. of 1-95 & E. of Furnace Rd. on approx. 0.92 ac. zoned 1-4. Tax Map 1133(11)5C pt. (Concurrent w/SE-98-V-005, PCA-89-V-062, SE-98-V-006, & 2232-V98-5.) MOUNT VERNON DISTRICT.

2232-V98-5 - COLCHESTER LAND COMPANY, LLC - Appl. under Sect. 15.2-2232 (formerly known as Sect. 15.1-45Ea) of the *Code of VA* to permit a sewage treatment & disposal facility on property located N. of Richmond Hwy., S, of 1-9 5 & W. of Furnace Rd. on approx. 1 .31 ac. zoned 1-4. Tax Map 113-3((1))58 pt. (Concurrent w/SE-98-V-006, PCA-89-V-062, SE-98-V-005, & 2232-V98-4.) MOUNT VERNON DISTRICT. JOINT PUBLIC HEARING.

PCA-89-V-062 - COLCHESTER LAND COMPANY, LLC
SE-98-V-005 and 006 - COLCHESTER LAND COMPANY, LLC
2232-V98-4 and 5 - COLCHESTER LAND COMPANY, LLC

July 16, 1998

Martin Walsh, Esquire, with Walsh, Colucci, Stackhouse, Emrich, and Lubeley, reaffirmed the affidavit dated July 2, 1998. There were no disclosures by Commission members.

Peter Braham, Zoning Evaluation Division, Department of Planning and Zoning, provided an overview of the four applications.

David Jillson, Planning Division, Department of Planning and Zoning, presented the staff report for 2232-V98-4 and 2232-V98-5, a copy of which is in the date file. He noted that staff recommended approval of these applications.

Mr. Braham presented the staff report for PCA-89-V-062, SE-98-V-005, and SE-98-V-006, a copy of which is in the date file. He noted that staff recommended denial of these applications due to the applicant's failure to provide an adequate contribution to the Lorton Area Road Fund (LARF).

Mr. Walsh offered a land use history of the subject property. He explained that the original proffer for a substantial contribution to the LARF was intended to offset the cost of truck ramps which were no longer needed. He spoke about the interest in the property by the Drug Enforcement Agency (DEA) for office and training facilities and noted that the property would be undevelopable without provisions for sewer and water. He said that the proposed well on one portion of the subject property would be approximately 350 feet deep with a pump set at approximately 250 feet. Mr. Walsh said that three proposed use was a low traffic generator and that contributions to the LARF were more applicable for traffic intense development. He listed the transportation improvements Iwo be provided and noted that the applicant had recently agreed to contribute \$200,000 to the LARF within two years after the approval of these applications. He thanked Commissioner Byers, Supervisor Hyland and all of the staff members for their efforts.

In response to questions from Commissioner Alcorn, David Rigby, Wastewater Management, consultant for the applicant, responded regarding monitoring of the wells to be drilled on the subject property. Mr. Braham noted that there were two separate aquifers in the area.

In reply to Commissioner Kelso's query, Mr. Walsh stated that the applicant would be widening Furnace Road to four lanes from Richmond Highway to 1-495, with additional improvements along the frontage of the subject property.

Chairman Murphy called the only listed speaker for these applications.

Earl Flanagan, 3117 Waterside Lane, Alexandria, representing the Mount Vernon Council of Citizens Associations, spoke in opposition to the applicant's request that the contribution to the LARF be reduced. (A copy of his remarks is in the date file.)

PCA-89-V-062 - COLCHESTER LAND COMPANY, LLC
SE-98-V-005 and 006 - COLCHESTER LAND COMPANY, LLC
2232-V98-4 and 5 - COLCHESTER LAND COMPANY, LLC

July 16, 1998

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

Mr. Walsh reiterated his client's reasons for asking that the LARF contribution be reduced and responded to questions from Commissioner Coan regarding the location and intensity of DEA's proposed use.

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

//

Commissioner Byers suggested that Proffer Number 13 be revised as follows:

"IN ADDITION TO THE TRANSPORTATION DEDICATION AND IMPROVEMENTS CONTAINED IN PROFFERS NUMBERS 10 AND 12 ABOVE, THE APPLICANT SHALL CONTRIBUTE \$200,000 TO FAIRFAX COUNTY FOR OFF-SITE ROADWAY IMPROVEMENTS IDENTIFIED IN THE LORTON-SOUTH ROUTE 1 COMMUNITY PLANNING SECTOR, LP2. TWO EQUAL PAYMENTS OF \$100,000 EACH SHALL BE MADE TO FAIRFAX COUNTY, THE FIRST PAYMENT SHALL BE MADE ONE YEAR FROM THE DATE OF APPROVAL OF THIS PCA BY THE BOARD OF SUPERVISORS. THE SECOND PAYMENT SHALL BE MADE TWO YEARS FROM THE DATE OF APPROVAL OF THIS PCA BY THE BOARD OF SUPERVISORS."

Commissioner Byers then MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE PCA-89-V-062, SUBJECT TO THE PROFFERS DATED JULY 16, 1998, AS AMENDED TONIGHT.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall and Hunter absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE-98-V-005, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN THE STAFF REPORT.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall and Hunter absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION FIND IN ACCORDANCE WITH SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED, THAT THE PROPOSED WATER TREATMENT FACILITY (2232-V98-4) AND THE

PCA-89-V-062 - COLCHESTER LAND COMPANY, LLC
SE-98-V-005 and 006 - COLCHESTER LAND COMPANY, LLC
2232-V98-4 and 5 - COLCHESTER LAND COMPANY, LLC

July 16, 1998

PROPOSED SEWAGE PUMP STATION (2232-V98-5) ARE SUBSTANTIALLY IN ACCORD WITH THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall and Hunter absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT THE PREVIOUSLY-GRANTED TRANSITIONAL SCREENING YARD REQUIREMENT MODIFICATION AND BARRIER REQUIREMENT WAIVER ALONG THE NORTHERN AND SOUTHERN BOUNDARIES OF LAND BAYS A, B, C, AND ALONG THE NORTHERN BOUNDARY OF LAND BAY D BE RE-AFFIRMED.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Hall and Hunter absent from the meeting.

//

S95-II-F1 - OUT-OF-TURN PLAN AMENDMENT - to consider proposed revisions to the Adopted Comprehensive Plan for Fairfax County, Virginia, in accordance w/the *Code of Virginia*, Title 15.2, Chapter 22 concerning approx. 19 ac. generally located in the N.W. quadrant of the intersection of Chain Bridge Rd. & Hunter Mill Rd. The area is planned for residential use at .5-1 du/ac & private open space w/options for residential use at 4-5 du/ac, office uses up to .25 FAR, & neighborhood-serving retail & office uses up to .25 FAR. The Plan Amendment will consider retaining the planned residential use at .5-1 du/ac & private open space, modifying the option for residential use at 4-5 du/ac, retaining the option for office use up to .25 FAR & deleting the option for retail & office use. APR Item 97-II-11F which proposes to delete the retail option & modify the residential option for the subject property is also being considered in conjunction w/S95-II-1F. Tax Map 47-2 ((1)) 19, 20, 21, 22, 24, 25, & 27E pt. PROVIDENCE DISTRICT. PUBLIC HEARING.

Charlene Fuhrman-Schulz, 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 language outlined on pages 7 through 9 of the staff report.

In response to a question from Commissioner Coan, Ms. Fuhrman-Schulz confirmed that the traffic impact of development in accord with this Plan Amendment would be less than if the subject property was developed by right.

In reply to questions from Commissioner Palatiello, Ms. Fuhrman-Schulz listed the proposed road improvements preliminarily planned for Hunter Mill Road to mitigate the traffic impact of development.

In response to a question from Commissioner Alcorn, Ms. Fuhrman-Schulz explained how options in the Comprehensive Plan could be implemented.

Chairman Murphy called the first listed speaker.

The following individuals spoke in favor of the proposed Plan Amendment. They cited the lower traffic impact and deletion of the retail option as reasons for their support.

1. Rodney Lowman, 10313 Mystic Meadow Way, Oakton, representing the Hunterbrooke HOA
8. Richard Alpin, 2965 Oakborough Square, Oakton, representing Oakborough Square HOA
9. Dee Dishon, 6030 Florence Lane, Alexandria, representing Unity of Fairfax, at 2854 Hunter Mill Road, Oakton
11. Robert Lawrence, Esq., with Hazel and Thomas, 3110 Fairview Park Drive, Suite 1400, Falls Church, representing the nominator. (A copy of the documents accompanying his presentation is in the date file,)

Mr. Lowman responded to questions from Commissioners Coan and Palatiello regarding his position. Mr. Alpin responded to questions from Commissioner Coan concerning his position.

Ms. Fuhrman Schulz responded to questions from Commissioner Palatiello following Mr. Lawrence's testimony.

Commissioner Coan read a letter into the record (copy in date file) from Paula Gori, representing HAND (Homeowners Against Neighborhood Destruction) in support of the proposed amendments.

The following individuals spoke in opposition to the proposed Plan Amendment. They cited increased density and adverse school impact as their main objections.

2. Joe Freund, 10508 Walter Thompson Drive, Vienna
3. George Lehnigk, 3019 Oakton Meadows Court, Oakton, representing the Oakton Mains HOA (A copy of his remarks is in the date file.)
14. Lila Johns, 2938 Chain Bridge Road, Oakton, representing Appalachian Outfitters
5. Amy Burton, 2907 Hunting Hills Court, Oakton
6. Jan Garlitz, 291 5 Hunter Mill Road, Oakton
7. Joseph Merenda, 3009 Oakton Meadows Court, Oakton
10. Eloise Baliles, 3002 Philmore Place, Oakton
12. William Flanagan, 9810 Fosbak Drive, Vienna
13. Jule Walowac, 2832 Hunter Mill Road, Oakton

14. Marie Merenda, 3009 Oakton Meadows Court, Oakton
15. Debbie Greg, 2902 Hunting Hills Court, Oakton

Mr. Freund responded to questions from Commissioners Palatiello and Harsel regarding his position. Mr. Lehnigk responded to questions from Commissioners Byers and Coan regarding his position on this Plan Amendment and his knowledge of the Area Plans Review process.

Sterling Wheeler, PD, DPZ, responded to questions from Chairman Murphy following Mr. Lehnigk's testimony.

There being no further speakers or questions from the Commission and Ms. Fuhrman-Schulz 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 ON THESE MATTERS, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT, TO A DATE CERTAIN OF JULY 23, 1998.

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

//

The meeting was adjourned at 2:29 a.m.
Peter J. 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