

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JULY 19, 2000**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District

ABSENT: Laurie Frost Wilson, Commissioner At-Large

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The meeting was called to order at 8:20 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ/FDP-2000-PR-007, JCE, INC., TO A DATE CERTAIN OF SEPTEMBER 14, 2000.

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

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Commissioner Harsel, citing unresolved issues, MOVED THAT THE DECISION ONLY ON SE-00-B-009, FIRST WASHINGTON REALTY AND MCDONALD'S INC., BE FURTHER DEFERRED TO A DATE CERTAIN OF JULY 26, 2000, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried by a vote of 9-1-1 with Commissioner Koch opposed; Commissioner Hall abstaining; Commissioner Wilson absent from the meeting.

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Chairman Murphy paid tribute to Commissioner Kelso's wife, Sharon, Executive Director of United Communities Ministries, who had been recognized in the *Burke Connection* for her 20 years of dedicated service. He noted that Supervisor Dana Kaufmann, Lee District, said that she was the "conscience of the Route 1 Corridor," believing that everyone should benefit from the economic development of the area.

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Chairman Murphy also welcomed back Barbara Lipka, Executive Director of the Planning Commission, who had been in Hawaii for a convention after having been installed as Governor of District 3 of Zonta International.

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FS-Y00-44 - XM SATELLITE RADIO, 10112 Legato Road

Commissioner Koch MOVED THAT WE FIND THAT THE TELECOMMUNICATIONS FACILITY PROPOSED FOR XM SATELLITE RADIO FOR THE ROOFTOP OF THE EXISTING BUILDING LOCATED AT 4000 LEGATO ROAD IN FAIRFAX CENTER, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

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

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CP-86-C-119-3 - BOSTON PROPERTIES, INC.

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION APPROVE CONCEPTUAL PLAN 86-C-119-3, SUBJECT TO THE NOTES DATED JULY 19, 2000.

Commissioners Alcorn and Byers seconded the motion which carried 10-0-1 with Commissioner Moon abstaining; Commissioner Wilson absent from the meeting.

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ORDER OF THE AGENDA ITEMS

Secretary Harsel set the following order for the agenda items:

1. SEA-83-S-058 - FRIENDS OF FAIRFAX STATION, INC.
2. SE-00-H-016 - BRE/VCD ASSOCIATES, L.L.C.
3. CSPA-86-S-071 - TRINITY LAKE, L.L.C.
4. SE-00-B-021 - SHENANDOAH'S PRIDE DAIRY, L.L.C.
5. SE-00-Y-018 - COSCAN WASHINGTON, INC.

This order was accepted without objection.

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

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SEA-83-S-058 - FRIENDS OF FAIRFAX STATION, INC. - Appl.
under Sect. 3-C04 of the Zoning Ord. to amend SE-83-S-058
previously approved for a museum to permit a bldg. addition & site
modifications on property located at 11200 Fairfax Station
Rd. on approx. 5.00 ac. zoned R-C & WS. Tax Map 76-2 ((1))9.
SPRINGFIELD DISTRICT. PUBLIC HEARING.

Ms. Joan Rogers, agent for Friends of Fairfax Station, Inc., reaffirmed the affidavit dated May 8, 2000. There were no disclosures by Commission members.

Commissioner Murphy asked that Vice Chairman Byers ascertain whether there were any speakers present for this application. There being none, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Murphy for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SEA-83-S-058, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 5, 2000.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE WESTERN AND SOUTHEASTERN BOUNDARIES IN FAVOR OF THE EXISTING VEGETATION.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE MODIFICATION OF THE BARRIER REQUIREMENT ALONG THE WESTERN AND SOUTHEASTERN BOUNDARIES IN FAVOR OF THE EXISTING SPLIT RAIL FENCE.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Wilson absent from the meeting.

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Chairman Murphy resumed the Chair.

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SE-00-H-016 - BRE/VCD ASSOCIATES, L.L.C. - Appl. under Sect. 4-604 of the Zoning Ord. to permit two fast food restaurants, one which contains a drive-through window, on property located on the S. side of Fox Mill Rd., approx. 300 ft. S.E. of the intersection of Centreville Rd. & Fox Mill Rd., w/in the Village Center at Dulles on approx. 1.17 ac. zoned C-6. Tax Map 16-3((1))pt. 15B. HUNTER MILL DISTRICT. PUBLIC HEARING.

Frederick Taylor, Esquire, with Bean, Kinney and Korman, P.C., reaffirmed the affidavit dated of June 28, 2000. There were no disclosures by Commission members.

Mr. Bill Mayland, 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 application.

Mr. Taylor stated that the proposed development represented a continuing effort to upgrade McNair Farms Village Center at Dulles by the applicant who was requesting approval for a Baha Fresh Restaurant and a Starbucks with a drive-through. He explained that he had visited the Starbucks with a drive-through in the Mason District and that there had been between zero and three cars stacked at any one time, with orders being filled in three minutes or less. He said that he had spoken to a representative of the McNair Farms community who said that the proposed uses would be a welcomed addition to the Center.

Mr. Taylor responded to questions from Commissioner Palatiello about the traffic circulation of the drive-through lanes. Commissioner Palatiello commented that he had received a letter from Mr. Stephen M. Rubino, proprietor of another food service establishment in the shopping center, which raised a concern about the internal traffic circulation. (A copy of this letter is in the date file.) Commissioner Palatiello said he was satisfied that the proposed restaurants would not exacerbate the internal traffic circulation.

Mr. Taylor responded to questions from Commissioner Downer about available parking at the shopping center.

Chairman Murphy called the first listed speaker.

Mr. Gary Quinn, Centreville, speaking on behalf of an anonymous tenant of the shopping center, expressed opposition to the application because more fast food restaurants were not needed and because parking was inadequate at the Center.

Mr. Quinn responded to questions from Commissioners Downer and Palatiello about parking.

Commissioner Palatiello commented that he felt the internal traffic circulation and parking had been satisfactorily addressed. Responding to a question from Commissioner Palatiello, Mr. Mayland said that the Virginia Department of Transportation and the County's Department of Transportation had concluded that more trips would be generated by a bank than would be generated by the two proposed restaurants. Responding to another question from Commissioner Palatiello, Mr. Mayland said that 1,465 parking spaces were required by the Zoning Ordinance for the size of the shopping center and that 1,633 spaces existed.

There were no further speakers, therefore, Chairman Murphy called upon Mr. Taylor for a rebuttal statement.

Mr. Taylor said the applicant was investigating possible traffic improvements to the shopping center and that a traffic light would be installed at Coppermine Road and Centreville Road.

There being no further comments or questions from the Commission and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Palatiello for action on this application. (Verbatim excerpts are in the date file.)

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Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SPECIAL EXCEPTION 00-H-016, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 11, 2000.

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

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENT ALONG THE NORTHERN PROPERTY BOUNDARY ADJACENT TO FOX MILL ROAD.

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

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CSPA-86-S-071 - TRINITY LAKE, L.L.C. - Appl. to amend the previously approved CSP for RZ-86-S-071 to permit a revised comprehensive plan of signage for all free standing & bldg. mounted signs within Trinity Centre on property located S. of I-66 & N. of Lee Hwy., w/in Trinity Centre on approx. 70.04 ac. zoned PDC, HC, SC & WS. Tax Map 54-3((21))1A, 2, 3A, 4C, 8A, 9A, 13A; 54-4((15))7B, 12A. SULLY DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated July 7, 2000. There were no disclosures by Commission members.

Ms. Leslie Johnson, 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. Johnson responded to questions from Commissioner Byers about the total square footage being requested for the signs and about Development Condition Number 6 which prohibited painted murals on the buildings.

Chairman Murphy called for speakers from the audience, but received no response. There were no further comments or questions from the Commission and no closing staff remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this application. (Verbatim excerpts are in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE CSPA-86-S-071, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 6, 2000 WITH THE FOLLOWING REVISIONS:

REPLACE CONDITION NUMBER 4 WITH THE FOLLOWING: "NUMBER 4 - THE TYPE FACE OF THE INDIVIDUAL TENANT NAMES LISTED ON THE RESTAURANT PARK IDENTIFICATION SIGNS TYPE RP SHALL BE CONSISTENT WITH ONE ANOTHER IN TERMS OF LETTER SIZE AND COLOR, HOWEVER, DIFFERENT FONT STYLES MAY BE UTILIZED."

REVISE CONDITION NUMBER 7 BY ADDING THE FOLLOWING SENTENCE AT THE END OF THE PARAGRAPH TO READ AS FOLLOWS: "HOWEVER IN NO EVENT SHALL NEON TUBING BE UTILIZED IN ARCHITECTURALLY OUTLINING OR HIGHLIGHTING THE RESTAURANT BUILDING FACADES OR SIGNAGE."

Commissioner Palatiello seconded the motion which carried by a vote of 10-0-1 with Commissioner Byers abstaining; Commissioner Wilson absent from the meeting.

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SE-00-B-021 - SHENANDOAH'S PRIDE DAIRY, L.L.C. - Appl. under Sect. 5-404 of the Zoning Ord. to permit expansion of an existing food & beverage manufacturing, production & processing establishment (milk/dairy processing & packaging facility) on property located at 5325 Port Royal Rd. on approx. 9.13 ac. zoned I-4. Tax Map 70-4((10))4, 5, 6. BRADDOCK DISTRICT. PUBLIC HEARING.

Erika Byrd, Esquire, with McGuire, Woods, Battle and Boothe, reaffirmed the affidavit dated July 11, 2000. There were no disclosures by Commission members.

Ms. Leslie Johnson, Zoning Evaluation Division (ZED), 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 application.

Ms. Byrd responded to questions from Commissioner Harsel about existing landscaping on the site.

Ms. Byrd stated that Shenandoah's Pride Dairy had been in operation since 1967 and supplied milk products to Fairfax County Public Schools and other schools in the area as well as to local grocery stores. She explained that the requested expansion of three 50,000 gallon milk storage tanks and a hallway was needed to meet the dairy's current demand and to increase efficiency. She noted that the existing facility had been constructed prior to the adoption of a Zoning Ordinance in 1978 which required special exception approval for a food and beverage manufacturing production and processing establishment in an I-4 District. She said approval of the application would ensure that the dairy was in conformance with the Zoning Ordinance and would provide greater processing, packing and efficiency goals. She requested a recommendation of approval.

Ms. Byrd and Ms. Kristen Abrahamson, ZED, DPZ, responded to questions from Commissioner Byers about landscaping on the site.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and no closing staff remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Harsel for action on this application. (Verbatim excerpts are in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-00-B-021, SUBJECT TO THE DEVELOPMENT CONDITIONS IN APPENDIX 1.

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

SE-00-B-021 - SHENANDOAH'S PRIDE DAIRY, L.L.C.

July 19, 2000

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE INTERIOR PARKING LOT LANDSCAPING.

Commissioner Kelso seconded the motion which carried by a vote of 10-0-1 with Commissioner Byers abstaining; Commissioner Wilson absent from the meeting.

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SE-00-Y-018 - COSCAN WASHINGTON, INC. - Appl. under Sect. 9-615 of the Zoning Ord. to permit a cluster residential subdivision on property located at 15415 Braddock Rd. & 5311 Pleasant Valley Rd. on approx. 204.28 ac. zoned R-C & WS. Tax Map 43-1((1))12; 43-3 ((1))6. SULLY DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated June 22, 2000. There were no disclosures by Commission members.

Ms. Susan Johnson, 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. Strobel stated that the applicant was requesting approval for a cluster development of 40 lots resulting in a density of 0.2 dwelling units per acre with approximately 140 acres set aside for public park purposes at no cost to the County. She noted that the proposal had been presented to the Western Fairfax County Civic Association (WFCCA) and also to several other civic groups in the area. As a result, she said that the applicant had agreed to the installation of a historical marker which would identify the property as having been used as a plane siting station during World War II, and that a covenant would restrict the use of the open space for passive recreation purposes only. She explained that the applicant had agreed to provide the recommended trail along Pleasant Valley Road at a cost of \$100,000, but requested that Development Condition No. 13, requiring an eight foot asphalt trail along the Elklick Run Stream Valley, be deleted. She explained that substantial cost would be incurred for its construction; it did not connect to any existing trail; and it could present safety problems because it was wooded and somewhat hidden from the proposed community. She said the applicant was willing to further study this issue before the scheduled Board of Supervisors' hearing date of August 7, 2000, at the request of the WFCCA.

Commissioners Alcorn and Koch discussed the identification of that part of the property which had been used as a plane siting station during World War II.

Ms. Strobel responded to questions from Commissioners Byers, Koch and Downer about the proposed trail along the Elklick Run Stream Valley.

SE-00-Y-018 - COSCAN WASHINGTON, INC.

July 19, 2000

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and no closing staff remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this application.

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-00-Y-018, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY 12, 2000.

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

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The meeting was adjourned at 10:01 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: April 26, 2001

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