

**MINUTES OF
PLANNING COMMISSION MEETING
JULY 20, 1995**

PRESENT: Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John W. Hunter, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Carl L. Sell, Jr., Lee District
Alvin L. Thomas, Commissioner At-Large

ABSENT: John R. Byers, Mount Vernon District
Patrick M. Hanlon, Providence District
Robert v. L. Hartwell, Commissioner At-Large
Ronald W. Koch, Sully District

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The meeting was called to order at 8:35 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Downer, at the request of the applicant, MOVED TO DEFER THE PUBLIC HEARING ON 456-D94-11 AND SE-94-D-068, AMERICAN PCS LP, TO A DATE CERTAIN OF SEPTEMBER 21, 1995.

Commissioner Thomas seconded the motion which carried unanimously with Commissioners Byers, Hanlon, Hartwell, and Koch absent from the meeting.

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Chairman Murphy requested that the Commissioners review the site plan for Woodway at Trinity Centre received this evening inasmuch as it was Commissioner Koch's intention to take action on the plan next week.

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Secretary Harsel announced her intention to take action on a package of 1994 Planning Commission Minutes on September 13, 1995.

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Commissioner Hunter noted that the next Transportation Committee meeting, currently scheduled for Wednesday, September 13, 1995, would be tentatively moved to Thursday, September 14, 1995, subject to concurrence of staff.

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SEA-80-L-117 – FIRST UNION NATIONAL BANK OF VIRGINIA (Decision Only)
(The public hearing on this application was held on July 13, 1995. A complete verbatim transcript of the decision made this evening is in the date file.)

Commissioner Sell MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SEA-80-L-117 BE APPROVED, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 28, 1995, REVISED JULY 19, 1995 AND FURTHER REVISED IN #13: "THE DRIVE-IN BANK TELLER STATIONS SHALL BE LIMITED IN NUMBER TO A TOTAL OF FOUR, WITH A CANOPY. STACKING LANES MAY BE CONFIGURED AS DETERMINED BY DEM."

Commissioner Thomas seconded the motion which carried by a vote of 7-0-1 with Commissioner Palatiello abstaining; Commissioners Byers, Hanlon, Hartwell, and Koch absent from the meeting.

Commissioner Sell MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT THE TRANSITIONAL SCREENING AND BARRIERS BE MODIFIED ALONG THE WESTERN BOUNDARY, WHICH IS FORDSON ROAD, IN ACCORDANCE WITH THE TREATMENT SHOWN ON THE SPECIAL EXCEPTION PLAT WITH SUPPLEMENTAL PLANTINGS AS RECOMMENDED IN THE DEVELOPMENT CONDITIONS.

Commissioner Thomas seconded the motion which carried by a vote of 7-0-1 with Commissioner Palatiello abstaining; Commissioners Byers, Hanlon, Hartwell, and Koch absent from the meeting.

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ORDER OF THE AGENDA ITEMS

Secretary Harsel established the following order for the agenda items:

1. RZ-90-L-044 – Mowbray Arch/Edge Hill LLC
2. RZ-94-Y-059 – Park Street, Inc.

This order was accepted without objection.

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RZ-90-L-044 – MOWBRAY ARCH/EDGE HILL LLC – Appl. to rezone approx. 11.29 ac. located approx. 300 ft. S.W. of the intersection of Kingstowne Blvd. & Pennsbury Dr. from R-1 & NR to R-4 & NR to permit cluster residential development at a density of 3.10 du/ac. Comp. Plan Rec: 3-4 du/ac. Tax Map 91-2((1))5A, 5B, 5D, 7, 8, & 9. LEE DISTRICT. PUBLIC HEARING.

Ms. Susan Yantis, a planner with Walsh, Colucci, Stackhouse, Emrich, and Lubeley reaffirmed the affidavit dated May 22, 1995.

Chairman Murphy disclosed for the record that the law firm of Walsh, Colucci, Stackhouse, Emrich and Lubeley, attorneys for the applicant in this case, had been retained by his employer in connection with a land use case in Arlington County.

Ms. Donna McNeally, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of this application.

Ms. Yantis noted that the applicant proposed a density of 2.83 dwelling units per acre, which was below the planned Comprehensive Plan recommended density for the subject property. She said that proffers had been made for the following: 1) construction of a public street connection from Lake Village Drive to Pennsbury Drive; 2) a tree preservation plan; 3) a contribution toward a traffic signal at Lake Village Drive and South Van Dorn Street; 4) a pedestrian circulation system; 5) on-site active and passive recreational facilities; and 6) installation of a six-foot board-on-board fence along the northern property line between the proposed public street and the townhome community to the north. She added that the Lee District Land Use Advisory Committee supported the application.

Commissioner Sell commented that the Virginia Department of Transportation had authorized the bid process for the traffic signal at Lake Village Drive and South Van Dorn Street.

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

The following individuals spoke in opposition to the application. Their main concerns were: 1) density; 2) tree preservation; 3) water drainage and 4) interparcel road connections.

- John Morgan, 6801 Erick Avenue, Alexandria
- Cheryl Chapman, 6624 Frost Lake Lane, Alexandria
- David D'Annunzio, 6001 Keble Drive, Alexandria
- Barbara Marny, 6023 Keble Drive, Alexandria
- Sam Wyman, 6029 Keble Drive, Alexandria

Ms. Chapman submitted a position statement, a copy of which is in the date file.

There being no further speakers, Chairman Murphy called upon Ms. Yantis for a rebuttal statement.

Ms. Yantis reiterated that the density was below the recommended Plan range of 3 to 4 dwelling units per acre. She noted that the applicant's tree preservation plan would be coordinated with the Urban Forester and that the stormwater management pond should take care of any drainage problems.

Commissioner Sell announced his intention to defer decision on this application until next week to allow time for outstanding issues to be resolved.

Commissioner Sell and Ms. Yantis discussed the size and location of the proposed stormwater management pond as well as the fence planned for the northern property line.

Ms. McNeally had no closing staff comments; therefore Chairman Murphy closed the public hearing and recognized Commissioner Sell for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Sell MOVED THAT RZ-90-L-044 BE DEFERRED UNTIL THURSDAY, JULY 27, 1995, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioner Thomas seconded the motion which carried unanimously with Commissioners Byers, Hanlon, Hartwell, and Koch absent from the meeting.

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RZ-94-Y-059 – PARK STREET, INC. – Appl. to rezone approx. 26.45 ac. located on the W. side of Clifton Rd. approx. 500 ft. S. of its intersection with Lee Hwy. & on the S. side of Lee Hwy., approx. 300 ft. W. of its intersection with Clifton Rd. from R-1 & WS to R-3 & WS to permit residential development at a density of 3.09 du/ac. including bonus density for ADUs. Comp. Plan Rec. Fairfax Center Area: up to 3 du/ac. at overlay level. Tax Map 55-3((3))3-13, 17-20, 29, 30 & 42. SULLY DISTRICT. PUBLIC HEARING.

Commissioner Murphy noted that Commissioner Koch was unable to be here this evening and had asked him to handle the public hearing on this application. He added that it was his intention to defer decision on this case until next week when Commissioner Koch would be present to make a recommendation. He then turned the gavel over to Secretary Harsel.

Robert Lawrence, Esquire, Hazel and Thomas, reaffirmed the affidavit dated July 18, 1995.

Commissioner Downer disclosed for the record that she was a present employee of Herndon Realty and a former employee of Weichert Realtors, both firms which were listed on the affidavit for this application. She added that she would recuse herself from participation on this case for that reason.

Ms. Julie Schilling, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of this application. Ms. Schilling added that the applicant had submitted a revised development plan which staff had reviewed and commented on in an addendum to the staff report, a copy of which is also in the date file. She noted that the revised plan reflected a similar overall design, but a different road configuration. She said that staff continued to recommend approval; however, found the revised plan less desirable than the earlier one due to the increased number of pipestem lots caused by the reconfigured road network. Ms. Schilling added a third plan had been submitted which staff had not had an opportunity to review.

Mr. Lawrence stated that the West Fairfax County Citizens Association's Planning and Zoning Committee supported the application. He pointed out that the application satisfied the development elements of the Fairfax Center Checklist, thereby justifying the overlay level of development. He added that the applicant had addressed the transportation, environment and design issues to the satisfaction of staff and, further, had satisfied all Zoning Ordinance requirements for cluster subdivisions. Mr. Lawrence said that the project would add to the supply of affordable dwelling units (ADUs) and provide for the consolidation of 16 acres of land. He noted that the only outstanding issue he was aware of was that of interparcel access. He stated that three different scenarios had been developed to accommodate access, as follows:

- Plan 1, with two points of interparcel access, allowing free flow of traffic between subdivisions;
- Plan 2, with one point of access cul-de-saced, allowing restricted flow of traffic between subdivisions; and,
- Plan 3, with two cul-de-saced streets, allowing only limited access to the adjacent subdivision.

Mr. Lawrence said that the applicant was agreeable to any of the three plans, but noted that it was a Board of Supervisors' policy to have at least two points of access for every residential subdivision for safety reasons.

Ms. Schilling and Mr. Lawrence responded to questions from Commissioners Murphy and Harsel regarding the current plan for interparcel access and stormwater management facilities, respectively.

Secretary Harsel called the first listed speaker and reiterated the rules for public testimony.

The following individuals spoke in opposition to the application. Their main concerns were:

1) cut through traffic; 2) ADUs; and 3) tree preservation. Of those who expressed a preference, the majority of the speakers favored the road network depicted in Plan 3.

- Claudia Liana, 5585 Cavalier Woods Lane, Clifton
- Marilyn Heiner, 5590 Cavalier Woods Lane, Clifton, representing Cavalier Woods II
- Duke Perry, 5605 Jarist Drive, Clifton
- Jeffrey Handy, 13307 Jaybird Court, Clifton, representing Cavalier Woods III
- Keith Thompson, 13414 Cavalier Woods Drive, Clifton, representing Cavalier Woods I
- James Baldo, Jr., 13301 Jaybird Court, Clifton
- Grace Bush, 1341.2 Cavalier Woods Drive, Clifton
- Terry Harwood, 5622 Cavalier Woods Lane, Clifton
- Laure Thompson, 13414 Cavalier Woods Drive, Clifton
- Pat Kaczmarek, 9953 Cavalier Woods Lane, Clifton
- Eric Bush, 13412 Cavalier Woods Drive, Clifton
- Chuck Thompson, 5623 Cavalier Woods Lane, Clifton
- Joanne Tate, 13106 Willow Edge Court, Clifton
- Mary Jane Gutkowski, 11393 Caballero Drive, Clifton

Ms. Liana and Mr. Handy submitted position statements, copies of which are in the date file.

Following Mr. Thompson, who testified particularly in opposition to affordable dwelling units, Commissioners Murphy, Sell, Harsel, Palatiello, and Hall held a discussion regarding the Affordable Dwelling Unit Ordinance. Commissioner Palatiello pointed out that there were no statistics proving any correlation between affordable dwelling units and crime or decreased property values. Commissioner Sell noted that the combined average annual income of ADU residents in Fairfax County was \$60,000.

There being no further speakers, comments, or questions, Secretary Harsel called upon Mr. Lawrence for a rebuttal statement.

Mr. Lawrence, with regard to the interparcel access issue, reiterated that the applicant was flexible and would be willing to go forward with whichever plan was selected by the Commission and the Board of Supervisors. He added that there was no connection planned to Union Mill Road. He pointed out that the application was in conformance with the recommendations in the Comprehensive Plan and that traffic anticipated by the proposal would be addressed. He said that even if Plan 1 was approved, Jarist and Cabellero Drives would not be main access points to the new subdivision; that the main access would be on Clifton Road.

Regarding the tree preservation issue, Mr. Lawrence said that the proffers provided a minimum of 10 percent tree save area, with supplemental plantings that would bring the tree coverage area up to 25 percent which exceeded Ordinance requirements. He noted that the average lot size in the proposed development under Plan 1 would be 10,282 square feet and 10,000 square feet for the other two plans, all of which were compatible with adjacent subdivision. He added that the open space requirements of the Zoning Ordinance would be exceeded. He reiterated that the design elements of the Fairfax Center Checklist had been satisfied. Regarding the ADU issue,

Mr. Lawrence pointed out that a cash contribution to a housing fund was not possible in this case inasmuch as that option was only allowed when it could be proven that the developer was not able to build ADUs on site.

Mr. Lawrence responded to questions from Secretary Harsel regarding protection of the drip line of trees immediately adjacent to the subject property boundaries; from Commission Hall regarding the Virginia Department of Transportation's policy regarding sidewalks, location of the ADU units, parking and mail kiosks; and from Commissioner Palatiello regarding architectural style.

There being no further comments or questions or closing staff remarks, Secretary Harsel closed the public hearing and recognized Commissioner Murphy for a deferral motion. (Verbatim excerpts are in the date file.)

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In Commissioner Koch's absence, Commissioner Murphy MOVE THAT THE PLANNING COMMISSION DEFER DECISION ON RZ-94-Y-059 TO A DATE CERTAIN OF JULY 26, 1995 WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioners Hunter and Sell seconded the motion which carried unanimously with Commissioner Downer not present for the vote; Commissioners Byers, Hanlon, Hartwell and Koch absent from the meeting.

Chairman Murphy resumed the Chair and adjourned the meeting.

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The meeting was adjourned at 11:35 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: Gloria L. Watkins

Approved on: February 19, 1997


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