

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JULY 23, 1997**

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
John W. Hunter, Commissioner At-Large
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
Suzanne F. Harsel, Braddock District

//

The meeting was called to order at 8:25 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.

//

EXECUTIVE SESSION

Vice Chairman Byers MOVED THAT THE PLANNING COMMISSION GO INTO EXECUTIVE SESSION FOR CONSULTATION WITH LEGAL COUNSEL PERTAINING TO APPLICATION 456-Y95-29, THE WEST COUNTY MIDDLE SCHOOL, REQUIRING THE PROVISION OF LEGAL ADVICE BY COUNSEL, PURSUANT TO *VIRGINIA CODE* SECTION 2.1-344 (A)(7).

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Coan, Downer, and Thomas not present for the vote; Commissioners Hall and Harsel absent from the meeting.

(The Commission went into Executive Session at 8:30 p.m. and reconvened in the Board Auditorium at 9:00 p.m.)

Vice Chairman Byers MOVED THAT THE PLANNING COMMISSION MEMBERS CERTIFY THAT TO THE BEST OF THEIR KNOWLEDGE ONLY THE PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM THE OPEN MEETING REQUIREMENTS PRESCRIBED BY THE VIRGINIA FREEDOM OF INFORMATION ACT AND ONLY THE MATTER IDENTIFIED IN THE MOTION TO CONVENE EXECUTIVE SESSION WAS

HEARD, DISCUSSED, OR CONSIDERED BY THE PLANNING COMMISSION DURING EXECUTIVE SESSION.

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

//

COMMISSION MATTERS

Commissioner Byers noted that he had inadvertently neglected to make a second motion on a Mount Vernon District case acted upon by the Commission on Thursday, July 17, 1997. He therefore MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS, IN THE CASE OF SEA 82-V-044-2, COAKLEY-BACKLICK ROAD, L.P., THAT THEY MODIFY THE TRANSITIONAL SCREENING REQUIREMENTS AND WAIVE THE BARRIER REQUIREMENTS ALONG THE EASTERN PROPERTY LINE, AS SHOWN ON THE SPECIAL EXCEPTION PLAT.

Commissioner Thomas seconded the motion which carried by a vote of 9-0-1 with Commissioner Kelso abstaining; Commissioners Hall and Harsel absent from the meeting.

//

Commissioner Coan announced his intent to defer indefinitely the decision only on RZ-96-P009 and FDP-96-P-009, Hunting Ridge Associates, currently scheduled for July 30, 1997.

//

Chairman Murphy MOVED THAT THE PLANNING COMMISSION FURTHER DEFER DECISION ON 456-S97-4 TO A DATE CERTAIN OF JULY 31, 1997 WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

//

Commissioner Coan, citing unresolved issues, MOVED THAT CSP-84-P-035, JCJ, L.C., BE DEFERRED FOR DECISION ONLY TO JULY 30, 1997.

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

//

Commissioner Coan MOVED THAT RZ-1997-PR-013, BATAL BUILDERS, INC., BE FURTHER DEFERRED FOR DECISION ONLY TO JULY 30, 1997.

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

//

Chairman Murphy referred to a memorandum from Sophie Zager, Acting Director of Environmental Management, dated July 23, 1997, regarding a subdivision plan for Red Fox Estates. He said the Planning Commission was to review this proposal and make a recommendation to the Board of Supervisors. He said he would put that on the agenda for Wednesday, July 30, 1997.

//

FS-P97-20 - AMERICAN PERSONAL COMMUNICATIONS, 4100 Chain Bridge Road

Commissioner Coan MOVED THAT WE FIND FS-P97-20 CONSISTENT WITH SECTION 456 OF THE *CODE OF VIRGINIA*, WITH A COMMITMENT FROM THE APPLICANT TO PAINT THE ANTENNAS TO MATCH THE COLOR OF THE FACADE OF THE BUILDING, AS STATED IN THEIR LETTER OF JULY 22, 1997.

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

//

RZ-1997-MV-010 - STONEPOINT L.C. (Decision Only)

(The public hearing on this application was held on July 9, 1997. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ-1997-MV-010, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX I OF THE STAFF REPORT.

Commissioners Coan and Kelso seconded the motion which carried by a vote of 9-0-1 with Commissioner Palatiello abstaining; Commissioners Hall and Harsel absent from the meeting.

//

FS-L97-49 - AMERICAN PERSONAL COMMUNICATIONS, Rose Hill Road

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DIRECTOR OF OCP AND FIND FS-L97-49, AMERICAN PERSONAL COMMUNICATIONS, IN GENERAL CONFORMANCE WITH THE COMPREHENSIVE PLAN AND CONSIDER IT A "FEATURE SHOWN" PURSUANT TO SECTION 15.1-456 OF THE *CODE OF VIRGINIA*.

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

//

TRANSPORTATION DEMAND MANAGEMENT PROGRAM FOR THE PUBLIC SAFETY CENTER (PCA-91-W-023)

Commissioner Coan MOVED THAT WE ACCEPT THE TRANSPORTATION DEMAND MANAGEMENT PROGRAM FOR THE FAIRFAX COUNTY PUBLIC SAFETY CENTER AS PREPARED BY THE DEPARTMENT OF PUBLIC WORKS AND DATED JULY 9, 1997.

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

//

456-D96-7 - AT&T WIRELESS SERVICES (Decision Only)

(The public hearing on this application was held on July 17, 1997. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Downer RECOMMENDED THAT THE COMMISSION DENY APPLICATION 456-D96-7 AND CONCLUDE THAT THE AT&T APPLICATION IS NOT IN SUBSTANTIAL ACCORD WITH THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Byers seconded the motion which carried by a vote of 9-0-1 with Commissioner Murphy abstaining; Commissioners Hall and Harsel absent from the meeting.

//

ORDER OF THE AGENDA

In the absence of Commissioner Harsel, Chairman Murphy established the following order for the agenda items.

1. PCA-91-W-023 - BOARD OF SUPERVISORS
FDP-91-W-023-3 - BOARD OF SUPERVISORS
FDPA-91-W-023-1-1 - BOARD OF SUPERVISORS
2. RZ-1997-SP-014 - HADDON GROUP INCORPORATED
3. PCA-86-C-029-5 - DULLES CORNER PROPERTIES II L.P. AND SOLUS
SOUTHEAST HOTEL PORTFOLIO L.P.
PCA-88-C-066 - DULLES CORNER PROPERTIES II L.P.
FDP-86-C-029-5 - DULLES CORNER PROPERTIES II L.P.
4. RZ-1997-SU-015 - STEPHEN A. BANNISTER, TRUSTEE

This order was accepted without objection.

//

PCA-91-W-023 - BOARD OF SUPERVISORS - Appl. to amend the proffers for RZ-91-W-023 to permit public uses w/an overall Floor Area Ratio (FAR) of 0.85 on property located in the S.W. quadrant of Main St. & Chain Bridge Rd. on approx. 47.80 ac. zoned PDC. Comp. Plan Rec: Public Facilities. Tax Map 57-4 ((1)) 14 and 14A. (Concurrent with FDP-91-W-023-3 and FDPA-91-W-023-1-1.) PROVIDENCE AND BRADDOCK DISTRICTS.

FDP-91-W-023-3 - BOARD OF SUPERVISORS - Appl. to amend the final development plan for RZ-91-W-023 to permit public uses on property located in the S.E. quadrant of Main St. & Chain Bridge Rd. on approx. 21.67 ac. zoned PDC. Tax Map 57-4 ((1)) 14 and 14A. (Concurrent with PCA-91-W-023 and FDPA-91-W-023-1-1.) PROVIDENCE AND BRADDOCK DISTRICTS.

FDPA-91-W-023-1-1 - BOARD OF SUPERVISORS - Appl. to amend the final development plan for RZ-91-W-023 to permit public uses on property located in the S.E. quadrant of Main St. & Chain Bridge Rd. on approx. 4.33 ac. zoned PDC. Tax Map 57-4 ((1)) 14. (Concurrent with PCA-91-W-023 and FDP-91-W-023-3.) PROVIDENCE AND BRADDOCK DISTRICTS. JOINT PUBLIC HEARING.

Ellen vanHully-Bronson, Project Manager, Project Management Branch, Office of Capital Facilities, Department of Public Works, reaffirmed the affidavit dated June 27, 1997. There were no disclosures by Commission members.

Peter Braham, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. After correcting application numbers found on the cover sheet of the staff report, he noted that staff recommended approval of the applications.

In response to questions by Commissioners Coan and Alcorn, Mr. Braham said that the draft proffers were those referred to in the staff report and that the area in which the parking garage was to be located was currently a public parking lot for the Judicial Center.

Ms. vanHully-Bronson introduced Andrew Cupples, principal of the Vitetta Group, who gave a slide presentation depicting the proposed renovation and an overview of their "vision for the future" of the Judicial Center which provided for growth to the year 2015.

Mr. Cupples and Mr. Braham addressed concerns of Commissioners Byers and Coan regarding handicap parking and landscaping.

Commissioner Coan, Mr. Braham and Ms. vanHully-Bronson discussed tree preservation and the language in the proffers relating to it.

Addressing Commissioner Coan's concern that some of the proffers were outdated, Mr. Braham explained that it was because some were part of the original approval process and some were amended as part of the present application. Ms. vanHully-Bronson said they would provide a document which showed in italics the things which were new.

Addressing Commissioner Coan's concern about the possible demolition of the Massey Building, Ms. vanHully-Bronson explained that the cost to renovate it would approach the cost to replace it. She said this proffer was a Phase II item, and she would remove it from the application. She also said if a determination was made in the future that the Massey Building should be demolished, it would be brought back before the Planning Commission for a Final Development Plan (FDP) approval.

In response to Commissioner Coan's question, Ms. vanHully-Bronson said a proffer was going to be added for an additional 200 underground parking spaces.

Commissioner Coan referred to a letter from Francis Gary Powers, Jr., Director of Downtown Fairfax Coalition, which requested that a town meeting be held to discuss the effects this application would have on the historic district of Old Town Fairfax. (A copy of the letter is in the date file.) Ms. vanHully-Bronson said that she was not aware of the letter, but would be happy to meet with them.

Doug Kennedy, of Patton, Harris, Rust and Associates, and Commissioner Byers discussed the location and number of handicapped parking spaces. Commissioner Byers requested that the exact location of the spaces be put in the FDP.

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

Greg Modesitt, President of the Central Fairfax Chamber of Commerce, said that he felt no effort had been made to obtain the opinions of the surrounding retail, commercial, or residential neighborhoods. He agreed with Mr. Powers that a town meeting should take place. Mr. Modesitt expressed concerns that the site and the design overwhelmed and were not compatible with the historic buildings on the site. He further stated that he did not believe a final plan could be developed until the future of the Massey Building was decided. He concluded by saying that he felt the proposed development was inconsistent with the spirit if not the letter of the Comprehensive Plan.

In response to a question by Commissioner Coan, Mr. Modesitt said he first learned about this plan about six weeks ago from John McGeehan, Vice President of the Chamber of Commerce for Government Affairs, and that no direct contact had been made by the applicant with the Chamber of Commerce.

John McGeehan, Esquire, 10615 Judicial Drive, Suite 403, Fairfax, Virginia, stated that although he was a resident of Great Falls, he owned an office on Judicial Drive. He expressed two concerns, the first of which was a lack of community involvement. He said he first became aware of the proposed development because he was an abutting property owner and received notice from the Planning Commission around the beginning of July. His second concern was the height and construction. He felt the height of the building along Judicial Drive, 93 feet, was incompatible with the height of the surrounding buildings. He said he was aware of no commitment to use brick, and felt pre-cast concrete construction would be incompatible with the historic buildings. He urged the Planning Commission to defer a decision until input from the community was received and an integrated plan could be developed which was in accord with the Comprehensive Plan.

Commissioner Palatiello commented that if this proposal had been in the works since 1992, he was surprised that the Chamber of Commerce and businesses in the area didn't come forward and offer to work on it. Mr. McGeehan answered by saying that although he was aware in 1992 that there might be further study for such development, he was not aware that it had progressed to this point. He further stated that although he does his best as a volunteer to find out about what was going on in the community, he felt the burden was on the applicant to inform citizens.

Commissioner Coan stated that as he understood it, although there was proposal in 1992, this was a new proposal which built upon the 1992 proposal. This was confirmed by Mr. Braham.

The Honorable Bruce Bach introduced himself as the Chief Judge of the Circuit Court, and said attending tonight's meeting with him were Richard Horan, Chief Judge, General District Court, Kathleen McKay, Acting Chief Judge, Juvenile and Domestic Relations Court (in the absence of the Chief Judge, Gaylord Finch); John Frey, Clerk of the Circuit Court; and Nancy Lake, Clerk of

the General District Court. He said they would be glad to come forward and answer any questions the Commission might have.

Judge Bach stated that he was in favor of having the court complex compatible with the existing buildings. He said he would have been happy to meet with John McGeehan and his group had he known that they were unaware of the proposed development. He then related a conversation he had with Justice Carrico, who told him that in 1928 the Board of Supervisors had approved the first extension of the "Old" Courthouse. He said the Board at that time assured the citizens of Fairfax County that the modest addition would handle the judicial needs of the County for the next 100 years, until the year 2028. He added that no one envisioned the growth that would occur. He said if the proposal was approved without further delay, occupancy would not take place until the year 2004, and until that time, the Courts would continue to be in a crisis situation. He said that the need was particularly critical for the Juvenile and Domestic Relations Court and felt delay should not be tolerated. He concluded by saying that one of the things about the proposed development which appealed to him the most was the park-like atmosphere tying the buildings together which would provide a place for citizens who are under a tremendous amount of tension to sit down and relax.

Commissioner Coan and Judge Bach discussed the possibility of holding Traffic Court in locations other than the Courthouse.

The Honorable Kathleen McKay referred to statistics showing an increase in the number of hearings held in the Juvenile and Domestic Relations Court, a copy of which is in the date file. She described the dire need for expansion, stating that courtrooms and halls were overcrowded with litigants who were there on the most serious of matters affecting their families. She said defendants, victims, parents, children, police officers, and witnesses were all forced to sit together in an overheated hallway. She added that legislative changes required open courtrooms and existing courtrooms could not accommodate all those who wanted to sit in.

In answer to a question by Commissioner Coan, Judge McKay said that the Juvenile and Domestic Relations Court with its related services was the sole occupant of the Old Courthouse.

There being no further speakers, and no rebuttal by Mr. Cupples, Chairman Murphy called upon Ms. vanHully-Bronson for closing comments. She reiterated that they would remove the demolition of the Massey Building from the application. She said they had met with interested groups in the past and would be happy to meet with any other interested groups. She outlined the highlights of the expansion and said they had tried to accommodate every reasonable request. She concluded by saying she believed they had created an exceptional plan that would substantially enhance the public safety center complex, and respectfully requested the Planning Commission's approval.

Commissioner Coan said that while he realized an awful lot of hard work had gone into this

application, he felt more work needed to be done, specifically in the area of community
PCA-91-W-023, FDP-91-W-023-3, AND July 23, 1997
FDPA-91-W-023-1-1 - BOARD OF SUPERVISORS

involvement and in the updating of proffers. Therefore, he said he was going to request a deferral.

Chairman Murphy closed the public hearing and recognized Commissioner Coan for action on this item. (A verbatim excerpt is in the date file).

//

Commissioner Coan MOVED THAT THE DECISION ON THIS MATTER BE DEFERRED TO A DATE CERTAIN OF JULY 30, 1997 WITH THE RECORD REMAINING OPEN FOR FURTHER SUBMISSIONS.

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

//

The Commission went into recess at 10:50 p.m. and reconvened in the Board Auditorium at 11:05 p.m.

//

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

//

RZ-1997-SP-014 - HADDON GROUP INCORPORATED - Appl. to rezone approx. 5.09 ac. from R-1 to R-2 to permit cluster residential development at a density of 1.77 du/ac & a waiver of the minimum district size requirement on property located on the E. side of Silverbrook Rd., approx. 250 ft. S. of its intersection w/Old Barrington Blvd. Comp. Plan Rec: Res. 1-2 du/ac. Tax Map 97-3 ((1)) 6 and 7. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Paul Jeannin, Jr., Land Design Consultants, reaffirmed the affidavit dated January 27, 1997. There were no disclosures by Commission members.

Commissioner Murphy called the Commission's attention to the draft proffers dated July 21, 1997, noting one revision which was the clarification of Number 3, Item C.

Gregory Russ, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Addressing Commissioner Murphy's comment about construction traffic being allowed to access the site off Silverbrook Road until completion of construction and then closing that access point, Mr. Russ said that was a decision to be made by the Virginia Department of Transportation.

Mr. Jeannin said they had met with citizens of abutting homeowners associations and believed they had addressed their concerns.

Vice Chairman Byers called the one listed speaker and said the rules for testimony mentioned earlier by Chairman Murphy were still in effect.

Gilbert Rothenberg, 7823 Thornfield Court, Fairfax Station, said he was the retired President of the Barrington Homeowners Association. He stated the issue that the homeowners association had been very concerned about was addressed in Proffer 7A, which stated that the houses built would abide by the Barrington Homeowners Association architectural guidelines.

Vice Chairman Byers and Mr. Rothenberg discussed whether or not the new homeowners would be invited to become members of the Barrington Homeowners Association.

There being no further speakers, no rebuttal, and no closing staff comments, Vice Chairman Byers closed the public hearing and recognized Commissioner Murphy for action in this case. (A verbatim except is in the date file.)

//

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ-1997-SP-014, SUBJECT TO THE PROFFERS REVISED AND DATED JULY 21, 1997.

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

//

Chairman Murphy resumed the Chair at this point.

//

PCA-86-C-029-5 - DULLES CORNER PROPERTIES II L.P. AND
SOWS SOUTHEAST HOTEL PORTFOLIO L.P. - Appl. to amend

the proffers & conceptual dev, plan for RZ-86-C-029 to permit mixed
PCA-86-C-029-5 - DULLES CORNER PROPERTIES II L.P.
AND SOLUS SOUTHEAST HOTEL PORTFOLIO L.P.
PCA-88-C-066 AND FDP-86-C-029-5 - DULLES CORNER PROPERTIES II L.P.

July 23, 1997

use development w/an overall FAR of 0.70 on property generally located on the W. side of Horsepen Rd. between the Dulles Airport Access & Toll Rds. & Sully Rd., the E. side of Sully Rd. between Old Horsepen Rd. & the Loudoun Co. Line, & in the N.E. quadrant of the intersection of Horsepen Rd. & Coppermine Rd. on approx. 91.22 ac. zoned PDC and AN. Comp. Plan Rec: Mixed Use. Tax Map 15-2 ((2)) 1-4; 15-4 ((1)) 1 B, 13, and 13A; 15-4 ((2)) 6A, 15A, and 16. (Concurrent w/PCA-88-C-066 and FDP-86-C-0295.) HUNTER MILL DISTRICT.

PCA-88-C-066 - DULLES CORNER PROPERTIES II L.P. - Appl. to amend the proffers & conceptual development plan for RZ-88-C-066 to permit mixed use development zoned PDC. Comp. Plan Rec: Mixed use. Tax Map 15-4 ((1)) 23. (Concurrent w/PCA-86-C-029-5 and FDP-86C-029-5.) HUNTER MILL DISTRICT.

FDP-86-C-029-5 - DULLES CORNER PROPERTIES II L.P. - Appl. to amend the final development plan for RZ-86-C-029 to permit office use on property located W. of Horsepen Rd. & E. of the Loudoun Co. Line on approx. 8.45 ac. zoned PDC. Tax Map 15-4((1)) pt. 1 B. (Concurrent with PCA-86-C-029-5 and PCA-88-C-066.) HUNTER MILL DISTRICT. JOINT PUBLIC HEARING.

Michael Giguere, Esquire, McGuire, Woods, Battle and Boothe, L.L.P., reaffirmed the affidavit dated July 18, 1997. There were no disclosures by Commission members.

Denise James, 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 the applications.

Mr. Giguere explained that this was a continuation of the Premier Office Park known as Dulles Corner which was originally before the Planning Commission in 1985 and had been in the development stage for the last 12 years. He noted that the applicant was requesting consolidation of various plans approved over the years, including all proffers and proffer amendments, with annotations of those which had already been accomplished. He said the park was 40 percent built out and that the major change to the Final Development Plan before the Commission was construction of Building 5 to allow the relocation of Columbia Gas headquarters, with future expansion of Building 8. He said all issues had been worked out and requested that the Planning Commission recommend approval to the Board of Supervisors.

PCA-86-C-029-5 - DULLES CORNER PROPERTIES II L.P.
AND SOLUS SOUTHEAST HOTEL PORTFOLIO L.P.

July 23, 1997

PCA-88-C-066 AND FDP-86-C-029-5 - DULLES CORNER PROPERTIES II L.P.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. Ms. James had no closing staff comments; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Palatiello for action on this case. (A verbatim excerpt is in the date file.)

//

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-86-C-029-5 AND PCA-88-C-066, SUBJECT TO THE PROFFERS DATED JULY 18, 1997 AND SUBJECT TO THE PROPOSED CONCEPTUAL DEVELOPMENT PLAN CONDITIONS CONTAINED IN ATTACHMENT 2 OF THE STAFF REPORT ADDENDUM DATED JULY 10, 1997.

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

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION APPROVE FDP-86-C-029-5, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN ATTACHMENT 3 OF THE STAFF REPORT AND SUBJECT TO THE BOARD'S APPROVAL OF PCA-86-C-029-5 AND PCA-88-C-066.

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

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A RE-AFFIRMATION OF THE PREVIOUSLY APPROVED WAIVERS AND MODIFICATIONS OF THE BARRIER AND SCREENING REQUIREMENTS IN FAVOR OF THAT PROVIDED ON THE CONCEPTUAL DEVELOPMENT PLAN AMENDMENT DATED JUNE 9, 1997.

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

//

RZ-1997-SU-015 - STEPHEN A. BANNISTER, TRUSTEE - Appl. to rezone approx. 25.01 ac. from R-1 & WS to R-2 & WS to permit residential development at a density of 1.92 du/ac. on property located

Mill Way. Comp. Plan Rec: Res. 1-2 du/ac. Tax Map 44-4 ((1)) 9B.
SULLY DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated July 4, 1997. There were no disclosures by Commission members.

Denise James, 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 the application.

Mr. Martin stated that 23 percent of the site would be undisturbed open space with tree preservation which would give an immediate appearance of a mature neighborhood. He said the applicant had met with three homeowners associations, and requested favorable consideration on this application.

Commissioner Koch noted that four people from Sutton Oaks had been in attendance, but left the meeting due to the late hour. In response to their concern articulated by Commissioner Koch, Mr. Martin stated that no construction traffic would be permitted through Sutton Oaks.

Commissioner Koch explained that the one listed speaker, Alvin Kitchen, who also left the meeting due to the late hour, was in support of the application.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. Ms. James had no closing staff comments; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim excerpt is in the date file.)

//

Commissioner Koch MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-1997-SU-015, SUBJECT TO THE EXECUTION OF THE DRAFT PROFFERS DATED JULY 23, 1997.

Commissioner Byers seconded the motion which carried by a vote of 9-0-1 with Commissioner Alcorn abstaining; Commissioners Hall and Harsel absent from the meeting.

//

The meeting was adjourned at 11:30 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

CLOSING

July 23, 1997

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: Linda B. Rodeffer

Approved on: December 16, 1998

A handwritten signature in cursive script that reads "Mary A. Pascoe". The signature is written in black ink and is positioned above a horizontal line.

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