

**MINUTES OF  
PLANNING COMMISSION MEETING  
JULY 25, 1996**

PRESENT: John R. Byers, Mount Vernon District  
Carl A. S. Coan, Jr., Providence 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  
Peter F. Murphy, Jr., Springfield District  
John M. Palatiello, Hunter Mill District  
Alvin L. Thomas, Commissioner At-Large

ABSENT: Robert v. L. Hartwell, Commissioner At-Large  
John W. Hunter, Commissioner At-Large

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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 announced that the Housing Committee would meet on Wednesday, July 31, 1995, at 7:15 p.m. in the Board Conference Room. She noted that the public was welcome.

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"FEATURE SHOWN" DETERMINATION, AT&T WIRELESS SERVICE, VINSON HALL

Commissioner Downer MOVED THAT THE PLANNING COMMISSION FIND THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY AT&T FOR THE ROOFTOP OF THE BUILDING LOCATED AT 6251 OLD DOMINION DRIVE (VINSON HALL) IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.1-456 OF THE CODE OF VIRGINIA.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hartwell and Hunter absent from the meeting.

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S96-II-V1 – OUT-OF-TURN PLAN AMENDMENT (Decision Only)

(The public hearing on this item was held on June 27, 1996. A complete verbatim transcript of the decision made this evening is in the date file.)

Commissioner Coan MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT OUT-OF-TURN PLAN AMENDMENT S96-II-V1 BE APPROVED AS RECOMMENDED BY THE STAFF ON PAGES 10 TO 12 OF THE STAFF REPORT DATED JUNE 5, 1996.

Commissioners Byers and Thomas seconded the motion which carried by a vote of 9-0-1 with Commissioner Palatiello abstaining; Commissioners Hartwell and Hunter absent from the meeting.

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ORDER OF THE AGENDA ITEMS

Secretary Harsel established the following order for the agenda items:

1. SE-96-D-023 – NANCY D. ROBINSON
2. SE-91-D-021 – MAGRUDER AND DiBENEDETTO REAL ESTATE, INC.
3. SE-96-H-016 – RESTON LAND CORPORATION  
CP-86-C-121-6 – RESTON LAND CORPORATION
4. RZ-95-P-061 – J. A. LOVELESS HOMES VI, INC.

This order was accepted without objection.

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SE-96-D-023 – NANCY D. ROBINSON – Appl. under Sec. 9-615 of the Zoning Ord. to permit a cluster subdivision on property located on the E. side of Towlston Rd., approx. 100 ft. N. of its intersection with Creek Dr. on approx. 9.45 ac. zoned R-E. Tax Map 19-4((1))15. DRANESVILLE DISTRICT. PUBLIC HEARING.

Michael Horwatt, Esquire, of Michael Horwatt and Associates, reaffirmed the affidavit dated April 15, 1996. There were no disclosures by Commission members.

Ms. Mary Ann Godfrey, 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. Horwatt listed the outstanding features of the application. He noted that the cluster development was designed to have the least impact on existing homes, including limited clearing and grading on the north. Mr. Horwatt said that environmentally sensitive areas of the subject property would be preserved and offered to answer any questions the Commissioners might have.

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

Ms. Karen Washburn, 9818 Arnon Chapel Road, Great Falls, supported the application.

Mr. Milburn Sanders, 9205 Old Georgetown Pike, Great Falls, supported the application.

Mr. Mayo Stumpz, 2596 Chain Bridge Road, Vienna, presented historical information on the subject property and supported the application.

Chairman Murphy noted that there was no need for rebuttal, and Ms. Godfrey had no closing staff comments; therefore he closed the public hearing and recognized Commissioner Downer for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF SE-96-D-023, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS IN APPENDIX 1.

Commissioners Byers, Hall, and Thomas seconded the motion which carried unanimously with Commissioners Hartwell and Hunter absent from the meeting.

Commissioner Downer MOVED THAT THE PLANNING COMMISSION DIRECT THE DIRECTOR OF DEM TO WAIVE PARAGRAPH 2 OF SECTION 2-0103 OF THE PUBLIC FACILITIES MANUAL TO ALLOW ALL PIPESTEM LOTS.

Commissioners Byers and Thomas seconded the motion which carried unanimously with Commissioners Hartwell and Hunter absent from the meeting.

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SE-91-D-021 – MAGRUDER & DiBENEDETTO REAL ESTATE, INC. – Appl. under Sec. 3-304 & 9-515 of the Zoning Ord. to permit office use in an R-District on property located at 6913 Old Dominion Dr. on approx. 11,108 sq. ft. of land zoned R-3, HC & SC. Tax Map 30-2((7))(11)6, 7 & 8. DRANESVILLE DISTRICT. PUBLIC HEARING.



Michelle Rosati, Esquire, with Lawson and Frank, reaffirmed the affidavit dated July 10, 1996. There were no disclosures by Commission members.

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Vice Chairman Byers assumed the Chair during Chairman Murphy's temporary absence from the room.

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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 the application.

Ms. Rosati explained that this application was for the continuation of a temporary, but long-term existing use. She noted that no expansion was planned and that the applicant intended to maintain the business until the area redeveloped as contemplated in the Comprehensive Plan. Ms. Rosati said that the business was an asset to the community. She concurred with the proposed development conditions in the staff report and requested the Commission's favorable consideration of this case.

In response to questions from Commissioner Byers, Ms. McNeally explained that a recent Plan Amendment had brought the application into compliance with the general standards for special exception applications.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that there was no need for rebuttal. Ms. McNeally had no closing staff comments; therefore, he closed the public hearing and recognized Commissioner Downer for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SE-91-D-021 BE APPROVED, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY 25, 1996.

Commissioners Hall and Thomas seconded the motion which carried unanimously with Commissioners Hartwell and Hunter absent from the meeting.

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE TRANSITIONAL SCREENING YARD BE MODIFIED ALONG THE SOUTHERN, EASTERN, AND WESTERN BOUNDARIES AND THAT THE BARRIER BE MODIFIED ALONG THE SOUTHERN AND EASTERN BOUNDARIES AND WAIVED

ALONG THE WESTERN BOUNDARY IN FAVOR OF THE PROPOSED DEVELOPMENT CONDITIONS, PURSUANT TO THE PROVISIONS OF SECTION 13-304.

Commissioner Thomas seconded the motion which carried unanimously with Commissioners Hartwell and Hunter absent from the meeting.

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE MINIMUM SIDE YARD REQUIREMENT BE WAIVED, PURSUANT TO THE PROVISIONS OF SECTION 2-418, WHICH PERMITS MODIFICATIONS OF YARDS IN THE CENTRAL BUSINESS CENTERS.

Commissioner Thomas seconded the motion which carried unanimously with Commissioners Hartwell and Hunter absent from the meeting.

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At the conclusion of this case, Chairman Murphy resumed the Chair.

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SE-96-H-016 – RESTON LAND CORPORATION – Appl. under Sec. 6-304 of the Zoning Ord. to permit a hotel on property located N. of Sunset Hills Rd. & S. of the W&OD Trail, approx. 1,000 ft. E. of the Fairfax County Pkwy. on approx. 4.81 ac. zoned PRC. Tax Map 17-3 ((1)) pt. 1. (Concurrent with CP-86-C-121-6.) HUNTER MILL DISTRICT.

CP-86-C-121-6 – RESTON LAND CORPORATION – Appl. to approve the sixth Conceptual Plan for RZ-86-C-121 to permit commercial use on property located N. of Sunset Hills Rd. & S. of the W&OD Trail, approx. 1,000 ft. E. of the Fairfax Co. Pkwy. on approx. 4.81 ac. zoned PRC. Tax Map 17-3((1))pt.1. (Concurrent with SE-96-H-016.) HUNTER MILL DISTRICT. JOINT PUBLIC HEARING.

John Bellaschi, Esquire, with McGuire, Woods, Battle and Boothe, reaffirmed the affidavit dated July 3, 1996. There were no disclosures by Commission members.

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 the applications.

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Mr. Bellaschi explained that the proposed 2-story, 148-bedroom Homestead Village Hotel would be basically for business-oriented travelers. He noted that the applicant had worked closely with representatives of the nearby YMCA property to coordinate stormwater management, access roads, pedestrian access and other development issues. Mr. Bellaschi stated that the Reston Citizens Association supported the applications.

In response to questions from Commissioner Palatiello, Mr. Bellaschi explained the road improvements and pedestrian access planned.

Chairman Murphy called for speakers from the audience, but received no response. He noted that there was no need for rebuttal. Ms. McNeally had no closing staff comments; therefore he closed the public hearing and recognized Commissioner Palatiello for action on these applications. (Verbatim excerpts are in the date file.)

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Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION APPROVE CP-86-C-121-6.

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

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE-96-H-016, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

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

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RZ-95-P-061 – J. A. LOVELESS HOMES VI, INC. – Appl. to rezone approx. 8.92 ac. located on the E. side of Gray St., approx. 700 ft. N. of its intersection with Blake Lane from R-2 to R-3 to permit residential development at a density of 2.69 du/ac. Comp. Plan Rec: 2-3 du/ac. Tax Map 47-2((1)) 21A; 47-2((7))8A, 8B, 8C, 8D, 9 & 9A & a portion of the public right-of-way for Oakton Dr. to be vacated and/or abandoned. Approval of this application may enable the vacation and/or abandonment of a portion of the public right-of-way for Oakton Dr. to proceed under Sec. 15.1-482

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated February 23, 1996. There were no disclosures by Commission members.

Ms. Phyllis Wilson, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application, but added that the applicant had submitted a revised development plan showing a different road configuration which staff had not had an opportunity to review.

In response to questions from Commissioner Harsel, Ms. Wilson confirmed that the Heritage Resources Branch of OCP had been eliminated during recent budget cuts. She added that archeologists at the Park Authority now had responsibility for that function.

In reply to a question from Commissioner Palatiello, Commissioner Coan explained that the higher densities nearest the subject property were to the north.

Ms. Strobel explained that the subject property was planned for residential development at 2 to 3 dwelling units per acre and that the applicant was requesting the R-3 District. She noted that the original development plan called for 24 single family detached homes at a density of 2.69. She added that the applicant had submitted two revised plans in response to citizen concerns, both of which called for 23 homes at a density of 2.58. She explained that the difference between the two was the road configuration, one showing a through connection between Hibbard Street and Gray Street and the other showing only one entrance to the proposed development which ended in two cul-de-sacs on the subject property. Ms. Strobel said it was her understanding that the surrounding community preferred the cul-de-sac plan and that, unless hearing otherwise, it was the one the applicant intended to pursue. She stated that while the application continued to be in accord with the recommendations in the Comprehensive Plan, some changes had been made to the proffers to reflect the lower density and the fact that the application was no longer at the high end of the density range. She said that because the new plan had not yet been thoroughly reviewed by staff, the applicant understood the need for the decision on this case to be deferred. Ms. Strobel hoped that everything could be worked out in the next week. She submitted letters (see date file for copies) from 34 area residents who supported the application.

In response to questions from Commissioner Coan, Ms. Strobel reiterated that the plan with two cul-de-sacs was the one the applicant intended to proceed with. She and Commissioner Coan discussed the trees on the subject property to be saved.

Commissioner Coan suggested that a more detailed proffer should be submitted regarding what would happen if any of the trees to be saved were accidentally cut down or killed during the construction process.

Mr. Chuck Almquist, Office of Transportation, responded to questions from Commissioner Coan regarding the transportation aspects of the proposal. He said that the through street plan would

be best, but that the cul-de-sac plan would be acceptable.

Chairman Murphy called the first listed speaker.

Ms. Patricia Montanino, 2920 Gray Street, Oakton, said she was neither in favor of nor in opposition to the application, but would prefer a lower density, larger lot sizes, and more trees saved. (A copy of Ms. Montanino's statement is in the date file.)

Ms. Montanino responded to questions from Commissioners Coan and Byers concerning her position on this application.

In response to questions from Commissioner Palatiello, Ms. Wilson and Ms. McNeally confirmed that this area had been the subject of a Plan Review item during the last review at which time the planned density had been reduced.

Mr. John Moore, 2915 North Harrison Street, Arlington, noted that he was the property owner at 10135 Oakton Drive, Oakton. He spoke about the need for redevelopment and supported the application.

The next three listed speakers were not present when called by Chairman Murphy:

- ♦ Mr. Andrew Cohen, 2944 Gray Street, Oakton
- ♦ Ms. Ann Dominick, 10209 Oakton Station Court, Oakton
- ♦ Ms. Susan Cohen, 2944 Gray Street, Oakton

Ms. Janet Klayton, 10207 Oakton Station Court, Oakton, supported Ms. Montanino's comments. She specifically mentioned that she would like to see larger lot sizes.

The next five speakers were in favor of the application. They gave their reasons as follows: changes in the area indicated a need for redevelopment; the applicant's plan was within the Comprehensive Plan range and would be compatible with existing homes.

- ♦ Mr. Hansel Totman, 2874 Hibbard Street, Oakton
- ♦ Mr. Wayne Adams, 2945 Hibbard Street, Oakton
- ♦ Mr. Richard Williams, 2932 Hibbard Street, Oakton
- ♦ Ms. Betty McKim, 2922 Hibbard Street, Oakton
- ♦ Ms. Betty Hobbs, 10031 Oakton Drive, Oakton

Mr. Donald Martin, 2953 Hibbard Street, Oakton, who was scheduled to speak after Mr. Williams and before Ms. McKim, was not present when called by Chairman Murphy.

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The Commission went into recess at 10:25 p.m. and reconvened in the Board Auditorium at 10:45 p.m.



The next three speakers also supported the application. They cited the same reasons expressed by previous speakers in favor.

- ♦ Mr. Gary Hobbs, 10031 Oakton Drive, Oakton
- ♦ Ms. Lalah Welch, 2910 Hibbard Street, Oakton
- ♦ Ms. Ethel Lent, 2918 Hibbard Street, Oakton

Mr. John Booze, 2630 Wooster Court, Vienna, stated that he was a new homeowner in the area and didn't support or oppose the application. He said he could support the proposal if sufficient landscaping was provided to buffer the new homes from the existing homes.

Mr. Eric Nelson, 2866 Hibbard Street, Oakton, expressed his concern about the density proposed. He supported the two cul-de-sac plan which he said would discourage cut-through traffic. He also supported Commissioner Coan's intention to defer decision until all outstanding issues could be addressed.

Mr. Nelson responded to questions from Commissioner Coan regarding traffic in the area.

Mr. Nelson then read letters from Ms. Christine Henshaw, 2890 Hibbard Street, Oakton, and Ms. Rosemarie Nelson, 2866 Hibbard Street, Oakton, both of whom concurred with his position and were scheduled to speak later in the evening, but were not present.

The next two listed speakers were not present when called by Chairman Murphy:

- ♦ Ms. Margaret Quinn, 2915 Hibbard Street, Oakton
- ♦ Mr. James Frost, 2901 Hibbard Street, Oakton

The next four listed speakers expressed their concern for maintaining the character of the neighborhood, supported the two cul-de-sac plan, and concurred with the intention to defer decision:

- ♦ Mr. Corrado Acquadro, 2949 Gray Street, Oakton
- ♦ Mr. Raphael Garces, 10201 Oakton Drive, Oakton
- ♦ Mr. Tom Macklin, 2923 Gray Street, Oakton
- ♦ Mr. Gordon McKay, 2964 Palmer Street, Oakton

Mr. McKay responded to questions from Commissioner Coan regarding the topography of the area and water flow.

Mr. Robert Brown, 2955 Palmer Street, Oakton, presented a petition (see copy in date file) containing signatures of 71 percent of homeowners in the Gray's Oakton Subdivision who were opposed to increased density. He said he personally would like to see the subject property remain unchanged, but realized that that was not very realistic. Failing that, he suggested that

larger lot sizes and more tree save areas be provided by the applicant. (NOTE: See comment following Mr. Montanino's remarks regarding Mr. Brown's petition.)

Mr. Jamie Rim, 2968 Palmer Street, Oakton, spoke in opposition to the application. He said the proposal was not compatible with existing homes and that he was totally opposed to any plan that would allow cut-through traffic.

Chairman Murphy noted that the applicant had reduced the density already and was now asking for the mid-level, not the high end, of the recommended density range. He further pointed out that compatible did not mean identical and that lot sizes did not have to exactly match those of existing homes to be compatible.

Mr. Peter Montanino, President of the Gray's Oakton Civic Association, 2920 Gray Street, Oakton, said he was not opposed to the applicant's proposal, but was concerned about maintaining the character of the area.

Commissioner Palatiello noted that Mr. Montanino's signature was on the petition submitted by Mr. Brown which stated just the opposite of Mr. Montanino's testimony. Mr. Montanino pointed out that the names on the petition had been collected in 1995 and that he had since changed his position.

Mr. Montanino continued his presentation, indicating that the members of Gray's Oakton Civic Association would work with the developer to reach solutions acceptable to both parties. He supported the two cul-de-sac plan, larger lot sizes and reduced density.

Mr. Montanino responded to questions from Commissioner Coan regarding his position.

Mr. Montanino being the last listed speaker, Chairman Murphy called for speakers from the audience.

The next three speakers supported Mr. Montanino's comments:

- ♦ Mr. James Reynolds, 10133 Pine Street, Oakton
- ♦ Mr. William Turner, 2995 Hibbard Street, Oakton
- ♦ Mr. Peter Rim, 2968 Palmer Street, Oakton

Mr. Turner's testimony differed from Mr. Montanino in one regard: he supported the through street option with a traffic signal rather than the two cul-de-sac plan.

Mr. Turner responded to questions from Commissioners Hall and Harsel regarding the number and nearness of parks in the area and his position on this application.

Mr. Rim responded to questions from Commissioner Hall regarding the previous Plan

Amendment and when Mr. Rim moved into the area.  
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Mr. Art Lent, 2918 Hibbard Street, Oakton, commented that Commissioner Coan was correct concerning the water flow, that the subject property was lower than the area surrounding it and therefore should not create runoff problems for nearby properties.

Commissioner Coan thanked Mr. Lent for clarifying that point.

There being no further speakers and no further comments or questions from staff, Chairman Murphy turned to Ms. Strobel for a rebuttal statement.

Ms. Strobel reiterated that the applicant intended to seek approval of the two cul-de-sac plan. She assured the Commission that all appropriate provisions of the Public Facilities Manual would be followed so that stormwater runoff would not be a problem. She noted that the applicant had reduced the density to 2.58 dwelling units per acre and indicated her willingness to continue to work with the citizens to resolve outstanding issues.

Ms. Strobel responded to questions from Commissioner Coan regarding road improvements to be made. She noted that the vacation of Oakton Drive would be at the discretion of the Virginia Department of Transportation (VDOT).

Commissioner Hall commented that perhaps a bond could be posted by the applicant to ensure preservation of certain specimen trees on the subject property, with the money to be surrendered to the Park Authority if the trees were damaged or destroyed. She stated that Mr. Turner's comment regarding a through street with a traffic signal was definitely an option.

In response to an inquiry from Commissioner Hall, Mr. Almquist stated that VDOT would have the responsibility of deciding whether a traffic signal was warranted. He added that the decision would be based on traffic volume and safety concerns.

Commissioner Harsel commented that any bond to preserve the trees should be used to replace the trees if necessary, not donated to the Park Authority. She suggested that Ms. Strobel and Commissioner Hall investigate the possibility of using the "Bulova tree proffer", a model proffer used in Braddock District.

Commissioner Hall concurred with Commissioner Harsel's suggestion. Commissioner Coan said he too would be interested in reviewing a copy of the proffer.

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

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RZ-95-P-061 – J. A. LOVELESS HOMES VI, INC.  
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Commissioner Coan MOVED THAT WE DEFER DECISION ONLY ON THIS MATTER,  
WITH THE RECORD REMAINING OPEN FOR (WRITTEN COMMENTS) UNTIL NEXT  
THURSDAY, AUGUST 1, 1996.

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

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The meeting was adjourned at 12:20 a.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: October 30, 1997

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