

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JULY 29, 1998**

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 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

ABSENT: Carl A. S. Coan, Jr., Providence District
Alvin L. Thomas, Commissioner At-Large

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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.

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COMMISSION MATTERS

Chairman Murphy expressed the Commission's concern for Commissioner Coan, Mrs. Coan, and members of their family who were injured when a deck collapsed on Saturday, July 25, 1998. He wished them all a speedy recovery.

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Commissioner Palatiello, citing unresolved issues, MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON PCA-91-C-026-2 AND FDPA-91-C-026-2, CRIPPEN INVESTORS LIMITED PARTNERSHIP, TO A DATE CERTAIN OF OCTOBER 14, 1998.

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

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Commissioner Palatiello, citing problems with the affidavit, MOVED THAT RZ-95-H-044, FDP-95-H-044, AND PCA-79-C-037-02, MANEKIN CORPORATION, ET AL., BE DEFERRED INDEFINITELY.

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

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Commissioner Alcorn announced his intent to move for approval of Site Plan #7989-SP-03, Harrison Building, West*Gate Property, on Thursday, July 30, 1998.

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Commissioner Kelso announced that an administrative review of the architectural design for the Jefferson Memorial (Funeral) Chapel (SE-97-L-059), would be held on Thursday, July 30, 1998. He noted that copies of the design had been distributed to Commission members tonight.

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Commissioner Palatiello announced that the Planning Commission would review Site Plan #6709-SP-02-2, ARC-Plaza, Plaza America, Phase I, on Thursday, July 30, 1998.

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Commissioner Byers announced his intent to move that the Administrative Review on Board of Zoning Appeals Application SPA-81-V-066-3, The Church of Jesus Christ of Latter Day Saints, scheduled for Thursday, July 30, 1998, be cancelled and that a Planning Commission Public Hearing be held on Thursday, September 24, 1998.

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Chairman Murphy called the Commission's attention to a letter to James C. Wyckoff, Jr., Director, Planning Commission Office, from Kenneth Wilkinson, Environmental Program Planner, Commonwealth of Virginia Department of Transportation, in their packets tonight. He noted that it requested members of the Planning Commission to respond to three questions on or before August 24, 1998, regarding the Capital Beltway improvements and its environmental assessment, and asked that each Commissioner respond to it individually as desired.

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Chairman Murphy noted that tomorrow night, Thursday, July 30, 1998, would be the last Planning Commission meeting until September 1998.

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Commissioner Downer, citing unresolved issues concerning stormwater management, announced her intent to defer indefinitely the public hearing on SE-98-D-020, David A. Harrison and Walter O. Harrison, from July 30, 1998.

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ZONING ORDINANCE AMENDMENT (Drive-through Pharmacies) (Decision Only)
(The public hearing on this item was held on July 15, 1998. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF ALTERNATIVE 2 OF THE PROPOSED ZONING ORDINANCE AMENDMENT AS ADVERTISED WITH THE FOLLOWING CHANGES:

ADD A NEW PARAGRAPH 1D TO SECTION 4-505, A NEW PARAGRAPH 1E TO SECTIONS 4-605, 4-705, 4-805, AND 9-505 AND A NEW PARAGRAPH 2E TO SECTION 4-905 TO READ AS FOLLOWS: "FOR A DRIVE-THROUGH PHARMACY, SIGNS SHALL BE POSTED IN THE VICINITY OF THE STACKING AREA, STATING THE LIMITATIONS ON THE WINDOW SERVICE AND/OR DRIVE-THROUGH LANES. SUCH SIGNS SHALL NOT EXCEED TWO SQUARE FEET IN AREA OR BE LOCATED CLOSER THAN FIVE FEET TO ANY LOT LINE."

Commissioner Kelso seconded the motion which carried by a vote of 7-0-2 with Commissioners Hunter, and Palatiello abstaining; Commissioner Byers not present for the vote; Commissioners Coan and Thomas absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. SE-98-H-021 - COMMERCIAL NET LEASE REALTY, INC.
2. PCA-90-D-051-2 - EMERSON ONE, LC
FDPA-90-D-051-2 - EMERSON ONE, LC
3. PCA-82-P-069-9 - MERIDIAN/FAIR LAKES LLC
SEA-95-Y-033 - MERIDIAN/FAIR LAKES LLC

ORDER OF THE AGENDA

July 29, 1998

- FDPA-82-P-069-2-2 - MERIDIAN/FAIR LAKES LLC
4. RZ-1998-SU-018 - APPLE FEDERAL CREDIT UNION
SE-98-Y-033 - APPLE FEDERAL CREDIT UNION
 5. RZ-1998-SU-007- ALBAN DEVELOPMENT CORPORATION
FDP-1998-SU-007 - ALBAN DEVELOPMENT CORPORATION

This order was accepted without objection.

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SE-98-H-021 - COMMERCIAL NET LEASE REALTY, INC. - Appl.
under Sect. 6-304 of the Zoning Ordinance to permit an automobile-
oriented use (drive-through pharmacy) on property located on the N.
side of Baron Cameron Ave., approx. 600 ft. E. of its intersection
w/Bennington Woods Rd. on approx. 1.49 acres zoned PRC. Tax Map
17-1((7))4A, 4C2, 4B pt., and 4C6 pt. HUNTER MILL DISTRICT.
PUBLIC HEARING.

John Bellaschi, Esquire, McGuire, Woods, Battle and Boothe, LLP, reaffirmed the affidavit dated July 2, 1998. There were no disclosures by Commission members.

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.

Commissioners Palatiello and Alcorn and Ms. Johnson discussed circumstances under which special exception approval would be needed for a drive-through pharmacy if the proposed Zoning Ordinance Amendment was adopted by the Board of Supervisors.

Ms. Johnson responded to questions from Commissioner Palatiello about access to the proposed development from Baron Cameron Avenue.

Mr. Bellaschi stated that Eckerd Drugstores could have developed a drugstore by right on the subject property, but in order to have a drive-through pharmacy window, special exception approval was required. He noted that the Zoning Ordinance Amendment, if adopted by the Board of Supervisors, would have no impact on the subject application. Mr. Bellaschi said that the applicant had worked very closely with the Reston Planning and Zoning Committee and the Whisper Hills Homeowners Association and had received their endorsement. He noted that all issues with staff had been resolved, except whether or not a second drive-through lane should be allowed. He explained why two lanes were desirable and why he thought they were entirely appropriate in this particular case.

Commissioner Hall and Ms. Johnson discussed the number of lanes recommended by staff.
SE-98-H-021 - COMMERCIAL NET LEASE REALTY, INC. July 29, 1998

In response to a question by Commissioner Palatiello, Mr. Bellaschi said that the applicant had

agreed to provide a deceleration lane and to construct an asphalt trail along the Baron Cameron Avenue frontage.

Mr. Bellaschi responded to questions from Commissioner Harsel about trip generation and the amount of time a car might spend at the drive-through window. He explained that the two lanes were desired for customer convenience rather than for handling the volume of traffic.

Ms. Johnson responded to a question from Commissioner Palatiello about the peripheral parking lot landscaping.

Mr. Bellaschi confirmed that the applicant was in agreement with alternative language for Development Condition #6 which would read as follows: "The drive-through window shall be served by two drive-through lanes and a bypass lane. Directional signs shall be posted in the vicinity of the stacking area and at the drive-through window to advise drivers that the window service is for prescription use only and that one of the lanes shall be used for pickup of prescriptions and the other lane used for drop off."

Commissioner Palatiello noted that a minor editorial change would be made to Development Condition #7, and that a Development Condition #12 would be added to read: "A copy of these conditions shall be posted in a conspicuous place on the premises."

Commissioner Hall and Commissioner Palatiello discussed using handsets instead of the speaker box system to address the noise issue.

In response to a question from Commissioner Alcorn, Mr. Bellaschi said that customers would not wait for prescriptions to be filled while their cars were idling.

Mr. Bellaschi and Ms. Johnson responded to questions from Commissioner Downer about the buffering along Baron Cameron Avenue.

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

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Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-98-H-021, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 22, 1998 WITH A REVISION TO CONDITIONS 6 AND 7 AS FOLLOWS:

SE-98-H-021 - COMMERCIAL NET LEASE REALTY, INC.

July 29, 1998

THAT NUMBER 6 READ: "THE DRIVE-THROUGH WINDOW SHALL BE SERVED BY TWO DRIVE-THROUGH LANES AND A BYPASS LANE. DIRECTIONAL SIGNS SHALL

BE POSTED IN THE VICINITY OF THE STACKING AREA AND AT THE DRIVE-THROUGH WINDOW TO ADVISE DRIVERS THAT THE WINDOW SERVICE IS FOR PRESCRIPTION USE ONLY AND THAT ONE OF THE LANES SHALL BE USED FOR PICK UP OF PRESCRIPTIONS AND THE OTHER USED FOR DROP OFF.”;

THAT CONDITION NUMBER 7 BE REVISED TO: “A SPEAKER BOX SYSTEM SHALL BE ALLOWED TO FACILITATE PRESCRIPTION PICK UP/DROP OFF. THE VOLUME OF THE SPEAKER BOX SHALL BE MAINTAINED AT A REASONABLE LEVEL SO AS NOT TO DISTURB ADJACENT PROPERTY OWNERS.”;

AND THAT A CONDITION NUMBER 12 READ: “A COPY OF THESE CONDITIONS SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES.”

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan and Thomas absent from the meeting.

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A MODIFICATION OF THE PERIPHERAL PARKING LOT LANDSCAPING ALONG THE BARON CAMERON AVENUE FRONTAGE TO THAT DEPICTED ON THE SE PLAT.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan and Thomas absent from the meeting.

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PCA-90-D-051-2 - EMERSON ONE, LC - Appl. to amend the proffers for RZ-90-D-051 to permit an office development with an overall FAR of 0.51 on property located in the N.W. quadrant of the intersection of Whittier Ave. and Emerson Ave. on approx. 1.36 acres zoned PDC, HC, and SC. Comp. Plan Rec: Public Use, Office/Retail Development. Tax Map 30-2((9))A, B, C, D, 28, 29, 30 31, 46, 47, 48, and 49. (Concurrent w/FDPA-90-D-051-2.) DRANESVILLE DISTRICT.

FDPA-90-D-051-2 - EMERSON ONE, LC - Appl. to amend the Final Development Plan for RZ- 90-D-051 to permit office development on property located in the N.W. quadrant of the intersection of Whittier Ave. and Emerson Ave. on approx. 1.36 acres zoned PDC, HC, and SC. Tax Map 30-2 ((9))A, B, C, D, 28, 29, 30, 31, 46, 47, 48, and 49.

PCA-90-D-051-2 AND FDPA-90-D-051-2 - EMERSON ONE, LC

July 29, 1998

(Concurrent w/PCA-90-D051-2.) DRANESVILLE DISTRICT.
JOINT PUBLIC HEARING.

Robert Young, agent for the applicant, reaffirmed the affidavit dated July 15, 1998. There were no disclosures by Commission members.

Commissioner Downer asked Chairman Murphy to ascertain whether there were any speakers present for these applications. There being none, she asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Downer for action on these cases. (A verbatim excerpt is in the date file.)

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Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE PCA-90-D-051-2, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED JULY 14, 1998.

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

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT AND WAIVER OF THE BARRIER REQUIREMENT ALONG THE WESTERN BOUNDARY OF THE SITE; MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT AND WAIVER OF THE BARRIER REQUIREMENT ALONG THE NORTHERN BOUNDARY OF THE SITE; AND MODIFICATION OF THE USE LIMITATIONS FOR SECONDARY USES BY ALLOWING THE EXISTING VETERINARY HOSPITAL TO CONTINUE TO OCCUPY MORE THAN 25 PERCENT OF THE AREA DEVOTED TO PRINCIPAL USES AS PREVIOUSLY APPROVED IN PCA-90-D-051.

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

Commissioner Downer MOVED THAT THE PLANNING COMMISSION APPROVE FDPA-90D-051-2, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF PCA-90-D-051-2 AND SUBJECT TO THE EXECUTION OF DEVELOPMENT CONDITIONS DATED JULY 15, 1998.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan and Thomas absent from the meeting.

PCA-82-P-069-9, SEA-95-Y-033, AND
FDPA-82-P-069-2-2 - MERIDIAN/FAIR LAKES LLC

July 29, 1998

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PCA-82-P-069-9 - MERIDIAN/FAIR LAKES LLC - Appl. to amend
the proffers and the Conceptual Development Plan for RZ-82-P-069 to

permit mixed use w/an overall FAR of 0.28 on property located N. of Fair Lakes Pkwy., approx. 1,500 ft. W. of Fairfax County Pkwy. on approx. 65.06 acres zoned PDC and WS. Comp. Plan Rec: Fairfax Center Area: Mixed Use. Tax Map 55-1((1))33; 55-2((1))19, 21; and 45-4((11))1A, 113, 1C. (Formerly 55-2((1))16; 45-4((1))308; and 45-4((11))1 A, 1 B, 1 C.) (Concurrent w/FDPA-82-P-069-2-2 and SEA-95-Y-033.) SULLY DISTRICT.

SEA-95-Y-033 - MERIDIAN/FAIR LAKES LLC - Appl. under Sect. 6-205 of the Zoning Ordinance to amend SE-95-Y-033 for two fast food restaurants to permit deletion of land area on property located between Fair Lakes Pkwy. and Federal Systems Park Dr. on approx. 2.58 acres zoned PDC and WS. Tax Map 45-4((11))1A and 1B. (Concurrent w/PCA-82-P-069-9 and FDPA-82-P-069-2-2.) SULLY DISTRICT.

FDPA-82-P-069-2-2 - MERIDIAN/FAIR LAKES LLC - Appl. to amend the Final Development Plan for RZ-82-P-069 to permit commercial development on property located N. of Fair Lakes Pkwy., approx. 300 ft. E of its intersection w/Federal Systems Park Dr. and Fair Lakes Circle on approx. 1.27 acres zoned PDC and WS. Tax Map 45-4((11))1 B. (Concurrent w/PCA-82-P-069-9 and SEA-95-Y-033.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Susan Yantis, with Walsh, Colucci, Stackhouse, Emrich, and Lubeley, PC, reaffirmed the affidavit dated July 21, 1998. There were no disclosures by Commission members.

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 applications.

Ms. Yantis stated that the development of a fast food restaurant or a sit-down eating establishment on the application property had been approved in 1995. She explained that the title owner, Alexandre de Paris, had a contract to purchase the property and that he wanted to develop a full service hair salon or a personal service establishment on it. She noted that Mr. de Paris currently owned and operated a hair salon in Fair Oaks Mail. Ms. Yantis said that the proposed 6,200-square foot, one-story building would be designed to complement adjacent uses and requested favorable consideration.

PCA-82-P-069-9, SEA-95-Y-033, AND

July 29, 1998

FDPA-82-P-069-2-2 - MERIDIAN/FAIR LAKES LLC

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

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF APPLICATION PCA-82-P-069-9, SUBJECT TO THE EXECUTION OF PROFFERS DATED JULY 27, 1998.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan and Thomas absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF APPLICATION SEA-95-Y-033, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY 20, 1998.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan and Thomas absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE APPLICATION FDPA-82-P-069-2-2, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY 28, 1998, AND SUBJECT TO THE BOARD'S APPROVAL OF PCA-82-P-069-9 AND SEA-95-Y-033.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan and Thomas absent from the meeting.

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RZ-1998-SU-018 - APPLE FEDERAL CREDIT UNION - Appl. to rezone from R-1 and HC to C-3 and HC to permit office development w/an FAR of 0.70 on property located on the E. side of Ridge Top Rd. approx. 300 ft. S. of its intersection w/Random Hills Rd. on approx. 1 .91 acres. Comp. Plan Rec: Fairfax Center Area: Office. Tax Map 56-2((1))32. (Concurrent w/SE-98-Y-033.) SULLY DISTRICT.

SE-98-Y-033 - APPLE FEDERAL CREDIT UNION - Appl. under Sect.7-607 of the Zoning Ord. to permit a drive-in bank in a Hwy. Corridor Overlay Dist. on property located at 4029 Ridge Top Rd. on approx. 1.91 acres zoned C-3 and HC. Tax Map 56-2((11)) 32.

RZ-1998-SU-018 AND SE-98-Y-033 -
APPLE FEDERAL CREDIT UNION

July 29, 1998

(Concurrent w/RZ-1998-SU-018.) SULLY DISTRICT. JOINT
PUBLIC HEARING.

Thomas Lawson, Esquire, with Lawson, Kipp, and Forbes, reaffirmed the affidavit dated July 2, 1998. There were no disclosures by Commission members.

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 applications.

Mr. Lawson stated that Apple Federal Credit Union, the contract purchaser, served the faculty and staff of Fairfax County Public Schools, George Mason University, and Northern Virginia Community College, as well as the City of Falls Church and the Town of Herndon, with a total membership of 45,369 and a staff of 66. He explained that if the subject applications were approved, the Credit Union, a non-profit organization located in the City of Fairfax, would move its corporate headquarters to Fairfax County. He said the building would consist of 58,174 square feet with four stories and two drive-through lanes.

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Due to equipment malfunction, the Commission took a brief recess, after which the applicant continued his presentation.

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Mr. Lawson showed the Commission photographs of the proposed building, emphasizing its compatibility with the surrounding development. He noted that the applications were in conformance with the Comprehensive Plan and the criteria set forth in the Fairfax Center Plan and requested favorable consideration.

In response to a question by Commissioner Byers, Mr. Lawson said that utility lines would be placed underground.

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

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF APPLICATION RZ-1998-SU-018, RZ-1998-SU-018 AND SE-98-Y-033 - July 29, 1998
APPLE FEDERAL CREDIT UNION

SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE IN APPENDIX 1 OF THE STAFF REPORT.

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

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO

THE BOARD OF SUPERVISORS APPROVAL OF SE-98-Y-033, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 AND SUBJECT TO THE APPROVAL OF RZ-1998-SU-018.

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

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION TO THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE WESTERN PROPERTY LINE IN FAVOR OF THOSE SHOWN ON THE GDP/SE PLAT.

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

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RZ-1998-SU-007 - ALBAN DEVELOPMENT CORPORATION -
Appl. to rezone from R-1 to PDH-5 to permit residential development at a density of 6.0 du/ac including bonus density for provision of ADUs and approval of the conceptual development plan on property located on the W. side of Centreville Rd., approx. 1,500 ft. N. of its intersection w/McLearen Rd. on approx. 16.01 acres. Comp. Plan Rec: Industrial w/option for residential at 4-5 du/acres. Tax Map 25-3((1))1. (Concurrent w/FDP-1998-SU-007.) SULLY DISTRICT.

FDP-1998-SU-007 - ALBAN DEVELOPMENT CORPORATION -
Appl. to approve the Final Development Plan for RZ-1 998-SU-007 to permit residential development on property located on the W. side of Centreville Rd., approx. 1,500 ft. N. of its intersection w/McLearen Rd. on approx. 16.01 acres zoned PDH-5. Tax Map 25-3((1))1. (Concurrent w/RZ-1998-SU-007.) SULLY DISTRICT. JOINT PUBLIC HEARING.

RZ-1998-SU-007 AND FDP-1998-SU-007 - ALBAN
DEVELOPMENT CORPORATION

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Carson Lee Fifer, Jr., Esquire, with McGuire, Woods, Battle and Boothe, LLP, reaffirmed the affidavit dated June 22, 1998. There were no disclosures by Commission members.

Gregory Russ, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Mr. Russ responded to questions from Chairman Murphy about development options for the

subject property, the proposed density, the environmental quality corridor, and the nature of adjacent property. Mr. Russ confirmed that the proposed development was in conformance with the Comprehensive Plan which had been amended in 1997.

Kevin Guinaw, ZED, DPZ, responded to questions from Commissioner Byers about the location of the noise contour in relation to the subject area.

Commissioners Alcorn, Palatiello, Byers, and Harsel discussed the impact of airport noise on residential development.

In response to a question from Commissioner Koch, Mr. Russ said that a mini-warehousing facility was located to the east of the proposed development, Carson Intermediate School to the south, and that the property to the west was vacant.

Mr. Fifer stated that the subject applications were the result of Area Plans Review (APR) Item 97-III-1UP adopted by the Board of Supervisors on November 18, 1997. He called the Commission's attention to two features of the development which he thought deserved particular attention: that the proposed parking area was nearly twice the size of that which was required, and that the affordable dwelling units (ADUs) would be distributed throughout the development and undistinguishable from the market units. Mr. Fifer noted that 55 percent of site would remain open space with the vast majority of that given to the Park Authority as an EQC and he explained why the property was not suited for typical industrial uses. He said that noise was discussed at length at the APR hearing and noted that the edge of the property was more than a half-mile from the 60 dba line. In conclusion, Mr. Fifer said that the proposed cluster design was environmentally sensitive, would create a sense of community, and allow a quality development with many amenities.

Commissioner Koch noted that the public hearing on the subject applications, originally scheduled for July 8, had been deferred until tonight so that meetings could be held with citizens from the Hunter Mill District and asked Mr. Fifer what issues had been raised.

Mr. Fifer said that two meetings had taken place with representatives of Mustang Crossing and Spring Lake Estates and the issues raised included access to Floris Elementary School, the visibility of the new homes, adequacy of parking, and notification procedures for the APR
RZ-1998-SU-007 AND FDP-1998-SU-007 - ALBAN
DEVELOPMENT CORPORATION

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hearing. Addressing the APR notification process, Commissioner Koch said that in addition to the tabloids which were distributed to all property owners in the County, the information was also available on the internet. He noted that the Hunter Mill District Task Force had declined an offer to be briefed on this matter by the Sully District Task Force.

In response to a question by Commissioner Byers, Mr. Fifer said that the spine road was not planned to be lighted and that the utilities would be underground.

Commissioner Alcorn commended the applicant for the dispersion of the ADUs throughout the

proposed development. Mr. Fifer and Mr. Russ responded to questions from Commissioner Alcorn about the utility easement and tree preservation.

Commissioner Palatiello and Mr. Fifer discussed the size of the EQC and the noise contour line.

Chairman Murphy called the first listed speaker and recited the rules for testimony before the Planning Commission

Katherine Layton, 13449 Lake Shore Drive, Herndon, read a statement from Victoria Guvanasen, 2822 Mustang Drive, Herndon. Ms. Guvanasen's statement expressed her opposition to the proposed development because of an adverse impact on the environment and on the Rachel Carson Middle School. (A copy of Ms. Guvanasen's remarks is in the date file.)

Commissioner Byers explained to Ms. Layton that the Comprehensive Plan, which allowed townhouses to be built on the subject property, had been written by citizens who lived in the area.

Mr. Russ responded to questions from Commissioner Byers about specific language in the Comprehensive Plan pertaining to the subject property and from Commissioner Alcorn concerning environmental issues.

Jerry Huff, 2819 Mustang Drive, Herndon, past President of the Mustang Crossing Homeowners Association, read a statement from Varuth Guvanasen, 2822 Mustang Drive, Herndon. Mr. Guvanasen was opposed to the subject applications because of a lack of proper notification of the APR hearing, the proposed density, adverse impact on property values, environmental concerns, and the lack of adequate roads and schools. (A copy of Mr. Guvanasen's statement is in the date file.) Adding his own comments, Mr. Huff said that one of the reasons residents of Mustang Crossing had not participated in the APR process was because their development was not in existence four years ago.

Commissioner Palatiello explained the notification process for APR hearings to Mr. Huff.

Commissioner Koch reiterated his earlier remarks that the Hunter Mill Task Force had been approached about reviewing the APR item.

RZ-1998-SU-007 AND FDP-1998-SU-007 - ALBAN
DEVELOPMENT CORPORATION

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In response to a question from Commissioner Byers, Mr. Huff agreed with the remarks in Mr. Guvanasen's statement that property values would depreciate if the proposed development was approved. Commissioner Byers commented that he did not agree with this assumption.

Commissioner Koch said he did not believe the proposed development would have an adverse affect on property values and that he was at a loss as to why there was so much opposition to it.

Wayne Norton, 2818 Mustang Drive, Herndon, expressed opposition to the subject applications, citing concerns about inadequate parking, trespassing on Mustang Drive properties and the

overall impact on traffic. (A copy of his remarks is in the date file.)

Mr. Norton responded to questions from Commissioners Koch, Byers, and Alcorn and Chairman Murphy about his position.

In response to a question from Commissioner Downer, Mr. Norton said he would prefer that the subject property be developed industrially.

Commissioner Kelso commented that he thought parking for the proposed development was quite adequate, especially when compared with that of other townhouse developments.

Gay Norton, 2818 Mustang Drive, Herndon, outlined specific recommendations to address the problems of trespassing on Mustang Drive property and inadequate parking. (A copy of her remarks is in the date file.)

Mr. Russ and Ms. Norton responded to questions from Commissioner Alcorn about the proposed trail system.

Patrick Vanatta, 2866 Spring Chapel Court, Herndon, President, Spring Lake Estates Homeowners Association, expressed concerns about the proposed density and traffic. He urged the Commission to deny the application and require the applicant to develop a plan for the property which would be more compatible with the existing community. He noted that his Association had not been aware of the recent APR hearings which resulted in the amendment to the Comprehensive Plan which allowed the option for residential use. (A copy of his remarks is in the date file.)

Commissioners Hall and Alcorn discussed the APR notification process with Mr. Vanetta.

Chairman Murphy commented that although Fairfax County's APR notification process was probably the most comprehensive process of any county in the Commonwealth of Virginia, unfortunately there were always those who did not get the word.

RZ-1998-SU-007 AND FDP-1998-SU-007 - ALBAN
DEVELOPMENT CORPORATION

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Commissioner Byers and Mr. Vanetta discussed alternative options for the development of the subject property.

Chairman Murphy explained to Mr. Vanetta that the ADU Ordinance provided for an increase in density and that it was not negotiable.

Richard Bostian, 13515 Maverick Lane, Herndon, expressed opposition to the proposed development because it was incompatible with existing development. He cited concerns about overcrowding of schools, traffic congestion, and the environment.

Mr. Bostian responded to questions from Commissioner Palatiello about his position.

Kevin Keehn, 13514 Maverick Lane, Herndon, President, Mustang Crossing Homeowners Association, stated that the members of the Homeowners Association felt that the proposed development would adversely affect their property values, result in overcrowding of schools, and cause increased traffic congestion. He stated that his neighborhood had been unaware of the hearing which considered the amendment to the Comprehensive Plan and felt that the APR notification process had been inadequate.

David Riddick, 2825 Mustang Drive, Oak Hill, expressed his opposition to the development of townhouses on the subject property because it would have an adverse affect on property values. He also cited concerns about traffic and noise.

Claude Harris, 2832 Mustang Drive, Oak Hill, expressed concerns about the density, stormwater management, and an inadequate road network.

Mr. Russ responded to questions from Commissioner Byers about possible off-site transportation improvements to alleviate traffic congestion on Centreville Road.

Dan Bell, 2802 Mustang Drive, Herndon, expressed opposition to the proposed development because it was not compatible with existing development and would have an adverse affect on property values.

In response to a question from Chairman Murphy, Mr. Bell said he would prefer to see light industrial or commercial development on the subject property.

Katherine Layton, 13449 Lake Shore Drive, Herndon, stated that she believed development of the subject property should be environmentally sensitive.

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

Addressing issues raised by the speakers, Mr. Fifer said that the wetlands had been delineated based on the Army Corps of Engineers guidelines and that the development conformed to Nationwide Permits requirements. He noted that the applicant would provide a left turn lane and construct a third travel lane along the Centreville Road frontage. Mr. Fifer said the proposed development would consist of large, upscale townhomes which would range in price from the high \$100,000's to \$225,000, or perhaps even higher. Therefore, he said he did not believe they would have a negative impact on the value of existing homes. In conclusion, he explained why he believed the subject development would have no impact on the nearby school property.

Mr. Fifer responded to a question from Commissioner Downer about measures which the applicant would take to mitigate stormwater runoff.

Mr. Russ responded to a question from Commissioner Alcorn about the type of industrial uses that could be developed by right if the residential option were not exercised.

Chairman Murphy commented that he believed if an application for industrial use for this property was filed, a special exception application for a higher intensity use would most likely also be filed. In response, Mr. Guinaw said that the special exception uses which would be permitted in a 1-3 District would include industrial flex and mini-warehousing. Chairman Murphy explained why he believed the residential option was preferable to the industrial option for this parcel of land.

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

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ON APPLICATION RZ-1998-SU-007 AND FDP-1998-SU-007, LEAVING THE RECORD OPEN FOR WRITTEN COMMENT, UNTIL JULY 30, 1998.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Coan and Thomas absent from the meeting.

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The meeting was adjourned at 12:14 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

CLOSING

July 29, 1998

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. Gibson

Approved on: December 2, 1999

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