

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, SEPTEMBER 8, 2004**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
John R. Byers, Mount Vernon District  
Frank A. de la Fe, Hunter Mill District  
Janet R. Hall, Mason District  
Suzanne F. Harsel, Braddock District  
James R. Hart, Commissioner At-Large  
Nancy Hopkins, Dranesville District  
Kenneth A. Lawrence, Providence District  
Rodney L. Lusk, Lee District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Ronald W. Koch, Sully District  
Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:17 p.m. by Vice Chairman John R. Byers, in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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**COMMISSION MATTERS**

Commissioner Harsel announced that Bill Elvin, editor/owner of the *Providence Journal*, had passed away during the Commission's August recess. She pointed out that he had been a faithful follower of both the Planning Commission and Board of Supervisors land use activities and watched all the meetings. She also said that on August 26, 2004, there was an editorial about him written by Marcia McAllister, featured in each of the *Times* newspapers. Commissioner Harsel further noted that Harry Lattimore, a civic activist from the Mount Vernon District, had also recently passed away.

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Commissioner de la Fe indicated that the Parks Committee meeting which had been scheduled for Wednesday, September 29, 2004, would now be held on Wednesday, September 22, 2004, at 7:30 p.m. in the Board Conference Room.

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Commissioner Hall stated that the Policy and Procedures Committee would meet on Thursday, September 9, 2004, at 7:30 p.m. in the Board Conference Room to continue discussions on the proposed Ordinance changes regarding P-Districts.

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Commissioner Lawrence announced his intent to defer the decision only currently scheduled for Thursday, September 9, 2004, on the Out-Of-Turn Plan Amendment, S02-II-V2, for the former Fairlee subdivision, to a date in October to be announced at tomorrow's meeting.

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Commissioner Harsel recognized the new deputy clerk to the Planning Commission, Susan Donovan, who was present at the meeting.

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FS-M04-46 – SPRINT, RAIN TREE HOA, DOMINION VIRGINIA POWER EASEMENT

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION FOUND IN FS-M04-46.

Commissioner Lusk seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

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RZ 2004-PR-007 - ERIC H. WYANT, JOYCE H. WYANT, DAVID YOUNG (Decision Only)  
(The public hearing on this application was held on July 29, 2004. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2004-PR-007, SUBJECT TO THE EXECUTION OF PROFFERS NOW DATED SEPTEMBER 2, 2004.

Commissioner Lusk seconded the motion which carried by a vote of 8-0-2 with Commissioners Alcorn and Byers abstaining; Commissioners Murphy and Koch absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. SE 2004-MA-013 - JASON D. SMOLEN, TRUSTEE
2. RZ 2004-PR-010 - YUOH AND ALICE KU
3. S04-I-B2 - OUT-OF-TURN PLAN AMENDMENT (Mason)
4. SE 2004-MV-018 - PETROLEUM MARKETING GROUP, INC.
5. RZ 2003-MV-060 - D.R. HORTON, INC.  
FDP 2003-MV-060 - D.R. HORTON, INC.

This order was accepted without objection.

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SE 2004-MA-013 - JASON D. SMOLEN, TRUSTEE - Appl. under Sect. 3-204 of the Zoning Ordinance to permit a private school of general education and child care center. Located at 4955 Sunset La. on approx. 2.85 ac. of land zoned R-2. Mason District. Tax Map 71-4 ((1)) 12 and 23. MASON DISTRICT. PUBLIC HEARING.

Sara Hall, Esquire, with Blankenship and Keith PC, reaffirmed the affidavit dated March 5, 2004. There were no disclosures by Commission members.

Aaron Shriber, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Ms. Hall described the facility as a childcare center and a private school, which had been in operation since the 1960s. She explained that approval of the application would achieve two goals: change the beginning age requirement from two years to eight weeks and change the opening time from 7:00 a.m. to 6:30 a.m. Ms. Hall noted that the only other proposed modification was replacement of fencing. She requested that Development Condition Number 15, requiring installation of a fence along the two property lines adjacent to lot 11A, be deleted because the lot was a residential property and its occupant provided a caretaker/security function for the facility and it would require the removal of 11 mature trees. Ms. Hall presented a letter in support of the application from Wilburdale Civic Association, a copy of which is in the date file.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that there was no need for a rebuttal statement. There were no comments or questions from the Commission and staff had no closing remarks; therefore Vice Chairman Byers closed the public hearing and recognized Commissioner Hall for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2004-MA-013, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED AUGUST 25, 2004, WITH THE DELETION OF CONDITION NUMBER 15, AND THAT THE CONDITIONS THEN BE RENUMBERED.

Commissioner Hart seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

Commissioner Hall MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS ALONG THE PORTION OF THE NORTHERN AND EASTERN PROPERTY BOUNDARIES.

Commissioners Hart and Wilson seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

Commissioner Hall MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE BARRIER REQUIREMENT ALONG PORTIONS OF THE NORTHERN AND EASTERN PROPERTY BOUNDARIES.

Commissioners Hart and Wilson seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

Commissioner Hall MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENTS.

Commissioners Hart and Wilson seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

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RZ 2004-PR-010 - YUOH AND ALICE KU - Appl. to rezone from R-1 to R-4 to permit residential development at a density of 3.33 dwelling units per acre (du/ac). Located on the S. side of Idylwood Rd. and N. side of Hill Top Ave. approx. 200 ft. W. of Cedar La. On approx. 26,397 sq. ft. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 39-3 ((10)) 18. PROVIDENCE DISTRICT. PUBLIC HEARING.

Timothy Morahan, Esquire, reaffirmed the affidavit dated August 17, 2004. There were no disclosures by Commission members.

Cathy Lewis, 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.

Mr. Morahan stated that the application sought to create one additional lot. He explained that the Comprehensive Plan had been amended approximately three years ago to allow for specific language recommending that lot 18 develop at a slightly higher density than three dwelling units per acre. Mr. Morahan said the trail waiver was being requested because, although there was no sidewalk along Idylwood Road at the present time, the applicants had agreed to proffer for the future development of a sidewalk.

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

Angela Boulais, 8356 Idylwood Road, Vienna, requested a month to six weeks' delay on the start of construction to give her time to safely and humanely relocate the wildlife that was currently living on the empty lot if the application was approved. She noted that she had coordinated this with the Fairfax County Humane Society and the Wildlife Rescue League.

In response to a question from Commissioner Lawrence, Ms. Lewis explained that it would take up to a year for construction to begin.

In response to a question from Commissioner Hall, Ms. Boulais said she would not have to go on the applicants' property to remove the animals.

Joe Clapper, 8396 Idylwood Road, Vienna, spoke in opposition to the proposed development due to concerns about traffic congestion, school overcrowding, loss of trees and wildlife, and a negative impact on the quality of life for area residents. Mr. Clapper noted that the applicants did not reside on the property and therefore, were not part of the community.

There were no further speakers; therefore Vice Chairman Byers called upon Mr. Morahan for a rebuttal statement.

Mr. Morahan said that the creation of the new lot would yield a lot in equal size, character, and orientation as the two immediately abutting parcels. He noted that proffers addressed tree preservation.

Commissioner Hall voiced opposition to a waiver of the trail requirements because if construction was delayed, there was a possibility that the trail would never be built.

Commissioner Wilson commented that the Trails Committee had conducted a study on all the escrow funds for trails and many had been found to be non-sufficient and non-transferable.

Mr. Morahan and Ms. Lewis responded to questions from Commissioner Wilson regarding the abutting lots.

Commissioner Hall mentioned that the location, construction, and funds for the trail should have been decided at the time the application had been filed.

Commissioner Hart recommended that a proffer concerning the trail be rewritten to allow escrowed funds to be contributed to the Providence District Trails Fund if it was determined that it was not feasible to construct a trail.

Mr. Morahan stated that he had no objection to building a trail but noted that it might look awkward since a segment would be on lot 18B and there was an easement on lot 19B.

There were no further comments or questions from the Commission and staff had no further closing remarks; therefore Vice Chairman Byers closed the public hearing and recognized Commissioner Lawrence for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ 2004-PR-010 TO A DATE CERTAIN OF OCTOBER 21, 2004, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioners Hall and Lusk seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

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S04-I-B2 - OUT-OF-TURN PLAN AMENDMENT - Appl. to consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22 concerning 9.2 ac. generally bounded by Leesburg Pike on the south, S. George Mason Dr. on the west, Arlington County boundary on the north and S. Fourteenth Street on the east and is in the Mason Supervisor District. Parcels on Leesburg Pike are in the Baileys Crossroads CBC, parcel 62-3((1))13 is planned for institutional use, parcel 62-3((1))14 is planned office up to .5 FAR and parcel 62-3((7))A is developed and planned for office use at its existing intensity. The remainder of the area is planned residential use at 2-3 du/ac, with parcels 62-3((1))13A, 15, 17, 18, and 19 having an option for 5-8 du/ac with full consolidation. The amendment will consider adding an option for residential use up to 2.0 FAR and consider expanding the Baileys Crossroads CBC to include this entire area. MASON DISTRICT. PUBLIC HEARING.

Sterling Wheeler, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the amendment.

Commissioner Hall pointed out that the contract purchaser of the subject property had contacted adjacent Arlington communities since the property was located so close to the Arlington line.

She added that Arlington residents also had been invited to the Mason District Land Use Advisory Committee meetings.

In response to a question from Commissioner Hart, Mr. Wheeler explained that development on the portions of the property on the Arlington side would not be added to the dwelling unit count.

In response to another question from Commissioner Hart, Mr. Wheeler explained that access to the proposed development from the property located in Arlington County would have to be approved by Arlington County because they controlled their own roads, not the Virginia Department of Transportation (VDOT).

Mr. Wheeler responded to questions from Commissioner Harsel regarding the floor area ratio (FAR) and the number of units being requested for the proposed development.

Commissioner Alcorn noted that there would be other cases of concurrent processing with Arlington County near transit station areas and revitalization districts and suggested that the Policy and Procedures Committee discuss this issue.

In response to questions from Commissioner Wilson, Mr. Wheeler pointed out that the high-end intensity range could only be achieved if most of the Route 7 frontage was included and explained that the substantial consolidation required a minimum of 7 acres out of the 9.2 acres in the block. He further discussed what parcels would meet the 7-acre requirement and pointed out that other Plan language recommended how the unconsolidated property could develop in a similar manner. Mr. Wheeler noted that staff would like to avoid adding parcels that would later change due to future development, but suggested that Plan language could be more descriptive.

Commissioner Hall referred to page 11 of the staff report which required that the development proposal must demonstrate how the unconsolidated parcels could redevelop in a compatible manner.

Vice Chairman Byers called the first listed speaker and noted that the same rules for public testimony applied.

Jim Hurysz, candidate for Congress in the 8th Congressional District, requested that the Commission defer the decision on this amendment until Arlington County, Alexandria City staff, and VDOT staff could offer substantial comments about this redevelopment and the needs of the Route 7 area. He expressed concerns regarding traffic, the environment, open space, and wastewater impacts of this development and noted that there was a lack of federal funding for public transportation systems that would be concomitant with this and other future high-density infill developments along Route 7.

Elizabeth Baker, planner with Walsh, Colucci, Lubeley, Emrich & Terpak, PC, representing the contract purchaser of approximately 7.2 acres of the property, said the Bailey's Crossroads area was a prime revitalization site. She explained that the proposed development would provide housing in proximity to the growing employment base in the area and to the existing infrastructure. Ms. Baker pointed out that the surrounding communities and staff had developed a series of concepts of what the development could look like. She described the proposal as a pedestrian-friendly community that would feature underground parking and an attractive streetscape and help spark additional revitalization in the area. At the request of staff, Ms. Baker said that the applicants had provided a traffic analysis to the County's Office of Transportation, which had reviewed it and agreed that the development could be accommodated with minimal improvements to a right-hand turn lane on Route 7. She concluded that the applicants had met with the Mason District Land Use Committee, the Bailey's Revitalization Committee, the Claremont Community in Arlington, and Skyline Plaza.

In response to a question from Commissioner Hall, Ms. Baker explained that Art Walsh, Esquire with Walsh, Colucci, Lubeley, Emrich & Terpak, PC, had met with the Arlington County Planning staff to discuss this amendment.

Commissioner Hall identified the location of the property and described surrounding development. She said she believed the property was suitable for residential use because approximately 36,000 jobs were located in the area and it was well served by bus transportation.

In response to a question from Commissioner Alcorn, Leonard Wolfenstein, Fairfax County Department of Transportation, spoke on the Pike Transit Initiative, a Metro study looking at the possible extension of light rail down Columbia Pike.

In response to a question from Commissioner Wilson, Mr. Wheeler discussed the building height requirements in terms of feet and stories, and said there could be language added to require that each story be a maximum of 10 feet.

Mr. Wheeler responded to questions from Commissioner Lawrence regarding the FAR, the underground parking garage, the square footage per unit, the number of units, and affordable dwelling units (ADUs).

Karen Moran, 2208 S. Culpeper Street, Arlington, acknowledged the modifications that had been made in this amendment, but noted that there were still land use compatibility issues. She said that many neighbors would prefer conservative density as a solution, keeping in mind the traffic increases that would result from this development and from future ones. Ms. Moran pointed out that the Public Facilities Analysis had only reviewed the impacts from this amendment and had not considered additional redevelopment that may occur in the area. She added that she was pleased to hear that the decision would be deferred so that the Commission could look at it more closely. Ms. Moran requested that when surrounding vacant parcels were developed, the interests of neighborhood conservation should be kept in mind.

Rebecca Dunham, 1405 S. Greenbrier Street, Arlington, spoke in opposition to the proposed Plan amendment. She pointed out that some of the developed plots in the area needed to be improved upon to make the area look more appealing to developers. She suggested that townhouses would be more compatible with the surrounding community and that sidewalks needed to be added in the neighborhood.

Commissioner Hall pointed out to Ms. Dunham that the subject property had been vacant for at least 20 years.

Kevin Thomas, 3609 S. 14th Street, Arlington, requested that the Commission approve the proposed Plan amendment so that the neighborhood could be revitalized.

There were no further speakers, no further comments or questions from the Commission and staff had no closing remarks; therefore Vice Chairman Byers closed the public hearing and recognized Commissioner Hall for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION DEFER DECISION TO A DATE CERTAIN OF SEPTEMBER 22, 2004, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

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The Commission went into recess at 10:06 p.m. and reconvened in the Board Auditorium at 10:21 p.m.

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The next two cases were in the Mount Vernon District; therefore Vice Chairman Byers relinquished the Chair to Secretary Harsel.

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SE 2004-MV-018 - PETROLEUM MARKETING GROUP, INC. -  
Appl. under Sects. 7-607 and 9-622 of the Zoning Ordinance to permit an existing service station in a highway corridor overlay district to add a canopy and waivers/modifications in a Commercial Revitalization District. Located at 8158 Mt. Vernon Hwy. on approx. 24,006 sq. ft. of land zoned C-5, CRD and HC. Tax Map 101-2 ((1)) 34A.  
MOUNT VERNON DISTRICT. PUBLIC HEARING.

Lori Greenlief, with Greenlief Consulting, LLC, reaffirmed the affidavit dated August 12, 2004. There were no disclosures by Commission members.

Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Ms. Greenlief described the proposed canopy that would go over the existing gasoline pumps and said that no other changes would be made to the existing service station. As recommended by staff, she pointed out that the applicant agreed to provide supplemental trees along the southwestern lot line and the island in front of the station. Ms. Greenlief noted that the applicant had met with the Mount Vernon Planning and Zoning Committee and had received a recommendation of approval. She added that information letters in addition to certified notices had been sent to the adjoining property owners and no objections had been received. Ms. Greenlief said that because the number of employees would be increased from four to five, an additional parking space would be required. She requested a deferral of the decision so that the applicant could locate another parking space and submit a revised Special Exception plat. Ms. Greenlief concluded by saying that the applicant's request to expand the hours of operation would be further discussed with staff.

Ms. Lewis and Ms. Greenlief responded to questions from Commissioner Wilson regarding the applicant's photometric plan.

Commissioner Hart commented on the possible configuration of the canopy.

In response to a question from Secretary Harsel, Ms. Greenlief discussed the number of required parking spaces.

Secretary Harsel called for speakers from the audience, but received no response. She noted that there was no need for a rebuttal statement from Ms. Greenlief. There were no further comments or questions from the Commission and staff had no closing remarks; therefore Secretary Harsel closed the public hearing and recognized Commissioner Byers for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON SE 2004-MV-018, PETROLEUM MARKETING GROUP, TO A DATE CERTAIN OF SEPTEMBER 30, 2004, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioners Hall and Lawrence seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS CHANGE THEIR HEARING DATE ON SE 2004-MV-018 TO A DATE SUBSEQUENT TO SEPTEMBER 30, 2004.

Commissioners Lawrence and Wilson seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

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RZ 2003-MV-060/FDP 2003-MV-060 - D.R. HORTON, INC. -  
Appls. to rezone from R-1 and HD to PDH-8 and HD to permit residential development at a density of 6.41 dwelling units per acre (du/ac) and approval of the conceptual and final development plans. Located on the E. side of Telegraph Rd. approximately 1,000 ft. N. of its intersection with Richmond Hwy. on approx. 12.79 ac. of land. Comp. Plan Rec: 8-12 du/ac. Tax Map 108 -1 ((1)) 12, 13, 14, 15 and 16; 108-1 ((3)) 1, 2 and 2A. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Martin Walsh, Esquire, with Walsh, Colucci, Lubeley, Emrich & Terpak, PC, reaffirmed the affidavit dated August 3, 2004. There were no disclosures by Commission members.

Cathy Belgin, 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 denial of the applications because they did not satisfy the Comprehensive Plan and Zoning Ordinance requirements.

Ms. Belgin responded to a question from Commissioner Hall regarding the request for a modification of the trail requirement in favor of the existing five-foot sidewalk.

Ms. Belgin responded to questions from Commissioner Hart about minimum front yard requirements, driveway length, setbacks, and landscaping.

Ms. Belgin also responded to questions from Commissioner Lawrence about the active recreation area and open space and from Secretary Harsel about the minimum space between the single family homes, guest parking, and open space.

Mr. Walsh noted that the proposed development had considerably less density than what was permitted in the Comprehensive Plan. He said the current entrance to Lyndham Hill I, which was located south of the property, would be closed and the traffic would be directed through the new entrance aligned with Whernside Drive. He added that the Virginia Department of Transportation (VDOT) had proposed the installation of a traffic signal at this intersection to make the ingress/egress easier on Telegraph Road. Mr. Walsh further explained that the applicant had addressed staff concerns regarding open space, density, and retaining wall height by decreasing the number of units and eliminating garages, which would now consist of 36

single family detached and 43 single family attached units. He pointed out that the site would feature recreational areas, a woodchip trail, landscaping and fencing between units, a pond, 25 percent open space, preservation of the steepest slopes, and tree retention. He said that the proposed development would be a mixed townhouse configuration in response to the desires of the South County Federation and staff. Mr. Walsh noted that the application had been endorsed by the South County Federation on March 9, 2004 and reaffirmed on September 7, 2004.

Mr. Walsh responded to questions from Commissioner Wilson concerning the stream and spring on the property, street configurations, retaining walls, and the noise wall fronting on Telegraph Road.

In response to questions from Commissioner Wilson, Ms. Belgin pointed out that a typical lot showed a chimney bump-out with a six-foot minimum distance between two houses.

Responding to a question from Commissioner Wilson, Mr. Walsh said that Lyndham Hill I traffic would be channeled through Lyndham Hill II and that there would be warrants for a signal.

In response to a question from Commissioner Alcorn, Mr. Walsh explained that the piece of property along Telegraph Road that was not part of the application was excess VDOT right-of-way and that the applicant was in negotiations with VDOT to acquire that property.

Commissioner Hart commented on the odd juxtaposition between the streets and the houses depicted on the Final Development Plan and pointed out that since the lots were different sizes, perhaps the houses should be too.

In response to a question from Commissioner Hart, Mr. Walsh agreed to add a proffer requiring a railing around the retaining wall behind the townhouses.

Secretary Harsel called the first listed speaker and noted that the same rules for public testimony applied.

Lorance Lyle, master planner for Fort Belvoir, pointed out that the property bordered on the Davidson Army Airfield and described the aircraft that used the field on a regular basis. He added that a portion of the property was within 1,500 feet of the runway and 1,200 feet of the warm-up apron and said that the residents would be exposed to excessive noise due to the aircraft engines. Mr. Lyle noted that Fort Belvoir had submitted a letter on May 17, 2004, in opposition to the rezoning application (Note: a copy of the letter is not in the date file). He explained that since there were many people living in close proximity to the airfield, Fort Belvoir had received numerous noise complaints and added that this proposal would only exacerbate the problem. Mr. Lyle further explained that a wetland was located between the property line and the runway where the developer's stormwater would drain and cause an increase in the amount of runoff in an environmentally sensitive area. If the applications were approved, he requested on the behalf of Fort Belvoir, that an application be made under Federal Aviation Regulations (FAR) Part 77,

which would require a determination of “no hazard” in this particular area and that an aviation easement be attached to the deeds that would notify prospective buyers that they were in a noise hazard area, which would relieve the federal government of any liability from noise damage.

In response to a question from Commissioner Wilson regarding the Cooke Inlet development located near the end of the runway, Mr. Lyle said there was a small hill between Cooke Inlet and the airfield which was located farther than 1,500 feet from the runway, and there was no wetland between it and the airfield. Mr. Lyle reiterated to Commissioner Wilson that the issue was about how close this particular property was to the runway with no buffer other than the wetland. He added that since sound traveled across water better than land, new homeowners would be subjected to a lot of noise. Mr. Lyle noted that Fort Belvoir could provide staff with the air traffic patterns if needed.

Regarding the use of the airfield, Mr. Lyle responded to questions from Commissioner Lusk about the number of daily flights and helicopter flight patterns.

In response to questions from Commissioner Lawrence, Mr. Lyle described the type of aircraft that would use the warm-up apron.

In response to questions from Commissioner Hart, Ms. Belgin explained that proffers required the disclosure of the airfield, its proximity, and the possibility of noise impacts to be provided with each property purchase and disclosed in the Homeowners Association documents. She said that she was not aware of a study that measured how much noise would be generated by the airfield.

Marty Schirmacher, 34 3<sup>rd</sup> Place, Lorton, representing the South County Federation, noted that the Federation had worked with the applicant on the proposal for months and said that the Federation supported the development. He added that concerns about the height and railing of the retaining wall had been addressed by the applicant.

In response to a question from Commissioner Wilson, Mr. Schirmacher explained that the Federation preferred lower density single family homes and that a curved road would help to prevent speeding.

William Dodson, Air Traffic and Air Space manager for the Military District of Washington, clarified that the determination of “no hazard” that Mr. Lyle had requested, actually had nothing to do with noise but had to do with the clearance criteria outlined in Part 77 of the FAR, since this development would be closer to the runway than former structures. He noted that the traffic movements on the airfield fluctuated daily, depending on the mission load within the National Capital Region.

In response to questions from Secretary Harsel, Mr. Dodson defined traffic movements as any aircraft that took off, landed, or transited through the air space and that the noise footprint of an executive jet was similar to a C-12. He noted that a noise study had been conducted at Davidson

Airfield by the U.S. Army Environmental Systems of Fort Meade approximately six years ago and the results showed that the noise level was not harmful but was in the nuisance level. Mr. Dodson further explained that the amount of civil air traffic had decreased about 50 percent since September 11, 2001, but the amount of military air traffic had increased. He noted that the run-up area was used by pilots to do performance checks on aircrafts.

There were no further speakers; therefore, Secretary Harsel called for a rebuttal statement from Mr. Walsh.

Mr. Walsh noted that he had represented the developer of nearby Cooke Inlet and at that time a noise study had been conducted which showed that very few flights took off and landed at Davidson Airfield. He pointed out that Cooke Inlet was located closer to the airfield than the proposed development and that no complaints about noise had been received from them or the residents of Lyndham Hill I, therefore, he did not believe noise would pose a problem.

Commissioner Wilson commented that the reason there had been no complaints from Lyndham Hill I residents was due to a large stand of tall hardwood trees located behind the development. She expressed concern that once those trees were removed, there could be a greater noise impact on both Lyndham Hill I and II residents.

In response to a question from Commissioner Wilson, Mr. Walsh explained that due to the spatial distance between the runway and the proposed development, the planes would take off parallel to it and would not circle over it.

Secretary Harsel called for concluding staff remarks from Ms. Belgin.

Ms. Belgin said that although some of staff's concerns had been addressed by the applicant, there were still unresolved issues.

Responding to a question from Secretary Harsel, Ms. Belgin explained that staff did not think that the proposed housing types justified the density requested.

Mr. Walsh pointed out to Secretary Harsel that Proffer 9E required that all future homebuyers be notified in writing about the proximity of the Davidson Airfield and the potential for periodic aircraft noise. He said this notation would be included in the deed and disclosed within the HOA documents. Mr. Walsh noted that this was the same proffer included in the Cooke Inlet application.

Mr. Walsh responded to a question from Commissioner Lusk about noise attenuation measures during the construction of the homes that would help mitigate some of the road and air noise issues.

Commissioner Lusk suggested to Mr. Walsh that the applicant take proactive steps in the construction of the homes to address the interior noise issue.

In response to a question from Commissioner Lusk, Mr. Walsh said that to the best of his knowledge, no issues had been raised by the residents of Lyndham Hill I relative to noise.

There were no further comments or questions from the Commission and staff had no further closing remarks; therefore Secretary Harsel closed the public hearing and recognized Commissioner Byers for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS DENY RZ 2003-MV-060, AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioners Alcorn, Lawrence, and Hopkins seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

Commissioner Byers MOVED THE PLANNING COMMISSION DENY FDP 2003-MV-060.

Commissioners Alcorn, Lawrence, and Hopkins seconded the motion which carried unanimously with Commissioners Murphy and Koch absent from the meeting.

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Vice Chairman Byers resumed the Chair and adjourned the meeting.

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The meeting was adjourned at 11:50 p.m.  
Peter F. Murphy, Jr., Chairman  
Suzanne F. Harsel, Secretary

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: Kara A. DeArrastia

Approved on: January 31, 2007

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Linda B. Rodeffer, Clerk to the  
Fairfax County Planning Commission