

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, SEPTEMBER 11, 2003**

PRESENT: John R. Byers, Mount Vernon District  
Frank A. de la Fe, Hunter Mill District  
Joan M. DuBois, Dranesville District  
Janet R. Hall, Mason District  
Suzanne F. Harsel, Braddock District  
John B. Kelso, Lee District  
Ilyong Moon, Commissioner At-Large  
Peter F. Murphy, Jr., Springfield District  
Linda Q. Smyth, Providence District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large  
Ronald W. Koch, Sully District

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The meeting was called to order at 8:20 p.m. by Chairman Peter F. Murphy, Jr.

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**COMMISSION MATTERS**

In remembrance of the September 11, 2001 terrorist attacks on the United States, Chairman Murphy called for a moment of silence after which the Pledge of Allegiance was recited.

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Commissioner Smyth MOVED THAT THE DECISION ONLY ON RZ 1999-PR-035, BBV BUILDING COMPANIES, INC., BE FURTHER DEFERRED TO A DATE CERTAIN OF SEPTEMBER 18, 2003.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Koch absent from the meeting.

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Commissioner Harsel reminded the Commission that the Housing Committee would meet with representatives of the Redevelopment and Housing Authority on Wednesday, September 17, 2003, at 7:30 p.m. in the Board Conference Room.

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Commissioner Smyth announced that the Personnel and Budget Committee would meet on Thursday, September 18, 2003 at 7:30 p.m. in the Board Conference Room.

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Commissioner Harsel noted that an Environment/Transportation Committee meeting would be held on Thursday, September 18, 2003 at 7:30 p.m. in the Board Conference Room.

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ARCHITECTURAL ELEVATIONS - SUMMIT FAIRFAX CORNER (#7656-SP-15)

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION APPROVE THE SUBMISSION OF THE SUMMIT FAIRFAX CORNER BUILDING ELEVATIONS, AS SUBMITTED BY MS. STROBEL ON SEPTEMBER 10, 2003.

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

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2004-2006 AREA PLANS REVIEW PROPOSED SCHEDULE AND PUBLIC OUTREACH PROGRAM

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED AREA PLANS REVIEW SCHEDULE AND PUBLIC OUTREACH PROGRAM FOR 2004-2006.

Commissioners Kelso and de la Fe seconded the motion which carried unanimously with Commissioners Alcorn and Koch absent from the meeting.

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RZ 2002-PR-036 - RALPH W. AND NANCY T. SHIRLEY (Decision Only)  
(The public hearing on this application was held on July 30, 2003. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2002-PR-036, SUBJECT TO THE EXECUTION OF PROFFERS DATED SEPTEMBER 10, 2003.

Commissioners Byers and Wilson seconded the motion which carried unanimously with Commissioners Alcorn and Koch absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE PUBLIC FACILITIES MANUAL TO PERMIT A CUL-DE-SAC WITH A REDUCED RADIUS OF 40 FEET.

Commissioners Byers and Wilson seconded the motion which carried unanimously with Commissioners Alcorn and Koch absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE THE SIDEWALK AND TRAIL REQUIREMENT FOR THIS SITE.

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

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ZONING ORDINANCE AMENDMENT (TELECOMMUNICATIONS)  
S03-CW-1CP - OUT-OF TURN PLAN AMENDMENT (Decisions Only)

(The public hearings on these applications were held on June 18, 2003. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF COMPREHENSIVE PLAN ITEM S03-CW-1CP, AS AMENDED AND PRESENTED ON AUGUST 28, 2003.

Commissioners Kelso and de la Fe seconded the motion.

Commissioner Byers MOVED THAT THE MOTION BE AMENDED TO STATE THAT TELECOMMUNICATIONS FACILITIES SHOULD NOT INTERFERE WITH PUBLIC USES AND THAT BUILDING ROOFTOP ANTENNAS SHOULD BE FLUSH MOUNTED TO SURFACE WALLS, SCREENED, OR PLACED SO THEY WOULD NOT BE VISIBLE TO THE SURROUNDING AREA.

Commissioners Murphy and de la Fe accepted these amendments and the amended motion carried by a vote of 9-0-1 with Commissioner Wilson abstaining; Commissioners Alcorn and Koch absent from the meeting.

The amended motion carried by a vote of 9-0-1 with Commissioner Wilson abstaining; Commissioners Alcorn and Koch absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT ADOPT THE PROPOSED ZONING ORDINANCE AMENDMENT DEALING WITH TELECOMMUNICATIONS DATED SEPTEMBER 11, 2003.

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

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. PCA 79-C-148/FDPA 79-C-148 - KEYSTONE L.L.C.
2. SE 2003-HM-010 - JACQUES J. MOORE
3. RZ 2003-DR-019 - TRUSTEES OF CHURCH FRIENDS MEETING OF LANGLEY HILL
4. RZ 2003-PR-016 - ERNEST A. AND EILEEN M. DEMARCO, TRUSTEES

This order was accepted without objection.

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Chairman Murphy relinquished the Chair to Vice Chairman Byers.

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PCA 79-C-148/FDPA 79-C-148 - KEYSTONE L.L.C. - Appls. to amend the proffers and final development plan on a portion of RZ 79-C-148 previously approved for commercial development to permit four (4) single family dwellings at a density of 2.28 dwelling units per acre (du/ac) in a project with an overall density of 3.97 du/ac. Located on the N. side of Elmendorf Dr. and on the W. side of Aran Ct. on approx. 1.75 ac. of land zoned PDH-4. Comp. Plan Rec: 3-4 du/ac. Tax Map 47-2 ((28)) M1. PROVIDENCE DISTRICT. PUBLIC HEARING.

H. Kendrick Sanders, Esquire, reaffirmed the affidavit dated August 22, 2003. There were no disclosures by Commission members.

Mary Ann Godfrey, 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. Sanders stated that the applicant was requesting approval to develop four homes on property planned for commercial development. He explained that after the original application had been approved, it had been determined that the site was not suitable for commercial development. He noted that the applicant had worked diligently with the Oakmarr Homeowners Association and

that, if approved, the proposed homes would become part of that Association. He said the applications were in conformance with the Comprehensive Plan and he requested favorable consideration.

Vice Chairman Byers called for speakers from the audience and recited rules for testimony before the Commission.

Fred Demech, 3106 Mereworth Court, Oakton, Vice President of the Oakmarr Homeowners Association, expressed support for the proposed development.

There were no further speakers, therefore, Vice Chairman Byers called upon Mr. Sanders for a rebuttal statement. Mr. Sanders said he had no rebuttal comments.

Responding to a question from Commissioner Wilson about the proffered contribution to the Park Authority, Commissioner Smyth said the funds would be used for either the adjacent Oakmarr Recreation Center or a nearby park.

There were no further questions or comments from the Commission and staff had no closing remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Smyth for action on these items. (A verbatim transcript is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF PCA 79-C-148, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 10, 2003.

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

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 79-C-148, SUBJECT TO THE APPROVAL OF PCA 79-C-148, AND SUBJECT TO DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2.

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

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SE 2003-HM-010 - JACQUES J. MOORE - Appl. under Sect. 4-704 of the Zoning Ordinance to permit expansion of an existing vehicle sales, rental and ancillary service establishment. Located at 8595 Leesburg Pi. on approx. 6.97 ac. of land zoned C-7, HC and SC. Tax

Map 29-3 ((1)) 1B. HUNTER MILL DISTRICT. PUBLIC HEARING.

Robert Lawrence, Esquire, with Reed Smith LLP, reaffirmed the affidavit dated August 6, 2003. 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. Lewis responded to questions from Commissioner Wilson about the recommendation of staff that the request to waive the outdoor lighting levels be denied.

Mr. Lawrence stated that the applicant's proposal would provide additional space in the existing building and permit a new building to be constructed for the Hummer dealership. He explained that a large area of surface parking would be replaced by a parking garage where inventory could be stored out of view. He also said the existing on-site auto-body shop would be relocated off-site, eliminating the need to store damaged vehicles on the surface parking lot. He pointed out that even with the proposed building addition, the FAR would be less than one-half of the permitted amount. Addressing the issue of outdoor lighting levels raised by Commissioner Wilson, he explained that lighting on the site would be replaced as construction progressed and would conform with the recently adopted amendment to the Zoning Ordinance. He said concerns about site distance raised by the Townhomes at Westwood Village Owners Association Inc. would be fully resolved during the site plan process. He noted that the application had a favorable recommendation from the Hunter Mill Planning and Zoning Committee and the surrounding residential community. He requested a favorable recommendation.

Ms. Lewis and Commissioner de la Fe responded to questions from Commissioner Wilson about the construction of a sidewalk or trails along Ashgrove Lane or the escrow of funds for that purpose.

Vice Chairman Byers called for speakers from the audience

Nancy Schindler, 8874 Ashgrove House Lane, Vienna, expressed concerns about the trail, a median break at the service road, traffic, and visibility. She also wanted to know what the construction hours would be and what would happen to the property if it were no longer used as a dealership for Hummers.

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

Mr. Lawrence said a development condition provided for the construction of a median along Westwood Center Drive to prevent left turns, subject to approval by the Virginia Department of Transportation. He said hours of construction would be governed by Noise Ordinance

requirements and noted that the construction period would be brief. He said substantial landscaping along the perimeter of the property would be provided and vegetation along the two corners of the site which obstructed visibility would be cleaned up.

At the request of Vice Chairman Byers, Mr. Lawrence agreed to meet with Ms. Schindler to ensure that all of her concerns were addressed.

Commissioner Smyth suggested to Mr. Lawrence that he consider changing the construction hours.

Responding to a question from Commissioner Harsel, Ms. Lewis said that staff often suggested limiting construction hours if the site immediately abutted residences, but that this was not the case in this instance.

In response to a question from Commissioner Wilson, Ms. Lewis pointed out that Development Condition Number 7 addressed loading and unloading of vehicles.

There were 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 de la Fe for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2003-HM-010, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED AUGUST 29, 2003 AND AMENDED TONIGHT, TO DELETE THE WORD "NEW" IN CONDITION NUMBER 16, SO THAT IT READS: "ALL OUTDOOR LIGHTING FIXTURES WILL MEET THE CURRENT STANDARDS."

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioners Alcorn and Koch absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT PARAGRAPH 3 OF SECTION 9-518 BE WAIVED TO PERMIT AN EXISTING PARKING SPACE TO BE LOCATED EIGHT FEET, LEESBURG PIKE SERVICE DRIVE, FROM THE FRONT LOT LINE.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioners Alcorn and Koch absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE SIX-FOOT WIDE TRAIL REQUIREMENT ALONG LEESBURG PIKE BE WAIVED IN FAVOR OF THE EXISTING FOUR-FOOT WIDE SIDEWALK.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioners Alcorn and Koch absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE TRAIL REQUIREMENT ALONG ASHGROVE LANE BE MODIFIED TO PERMIT AN ESCROW OF FUNDS IN LIEU OF CONSTRUCTION OF A WALKWAY AS NOTED IN THE PROPOSED DEVELOPMENT CONDITIONS.

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

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND DENIAL OF THE REQUEST TO WAIVE THE OUTDOOR LIGHTING LEVELS PER PARAGRAPH 2 OF SECTION 14-903 TO PERMIT AN OUTDOOR LIGHTING LEVEL OF 50-FOOT CANDLES IN THE DISPLAY AREAS INSTEAD OF 30-FOOT CANDLES.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioners Alcorn and Koch absent from the meeting.

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RZ 2003-DR-019 - TRUSTEES OF CHURCH FRIENDS MEETING OF LANGLEY HILL - Appl. to rezone from R-1 and HD to R-2 and HD to permit expansion of an existing church with an overall Floor Area Ratio (FAR) of 0.20. Located in the N.W. quadrant of the intersection of Georgetown Pi. And Dogue Hill La. on approx. 15,300 sq. ft. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 22-3 ((1)) 48. DRANESVILLE DISTRICT. PUBLIC HEARING.

Mary Theresa Flynn, Esquire, with Holland and Knight, LLP, reaffirmed the affidavit dated September 2, 2003. There were no disclosures by Commission members.

Peter Braham, 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. Flynn stated that the church, looking much the same way as it had during the last century, had been used as a Quaker meeting house since 1960. She said although there would be no increase in the current 120 members, more space was needed for administrative and other purposes. She explained that the heating, ventilation, and plumbing systems would be updated and the meeting house would be brought into conformance with the Americans with Disabilities Act. She pointed out that the increase in floor space would have no adverse impact on the surrounding neighborhood. She noted that the McLean Citizens Association and the Architectural Review Board supported the proposal. She requested a positive recommendation.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. 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 DuBois for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT RZ 2003-DR-019 BE APPROVED, SUBJECT TO THE PROFFERS DATED JULY 24, 2003.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioners Alcorn and Koch absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE TRANSITIONAL SCREENING YARD REQUIREMENT BE MODIFIED ALONG THE EASTERN AND SOUTHERN BOUNDARIES AND THAT THE BARRIER REQUIREMENT BE WAIVED ALONG THE EASTERN AND SOUTHERN BOUNDARIES IN FAVOR OF THAT SHOWN ON THE GENERALIZED DEVELOPMENT PLAN, SPECIAL PERMIT PLAT, AND REFERENCED IN THE PROFFERS.

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

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE TRAIL REQUIREMENT ALONG ROUTE 193 BE MODIFIED TO ALLOW THE EXISTING SIX-FOOT TRAIL TO MEET THE TRAILS REQUIREMENT.

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

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Chairman Murphy resumed the chair.

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RZ 2003-PR-016 - ERNEST A. AND EILEEN M. DEMARCO, TRUSTEES - Appl. to rezone from R-1 to R-3 to permit residential development at a density of 2.08 dwelling units per acre (du/ac). Located in the S.W. quadrant of the intersection of Woodburn Rd. and Hayden La. on approx. 41,861 sq. ft. of land. Comp. Plan Rec: 1-2 du/ac. Tax Map 59-1 ((1)) 17. PROVIDENCE DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich, and Terpak, reaffirmed the affidavit dated January 3, 2003. Commissioner Kelso disclosed that he shared office space with the surveyors for the architect, but that this relationship would not affect his participation in the public hearing.

Ms. 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 application because it was not in conformance with the Comprehensive Plan or the applicable Zoning Ordinance provisions.

Ms. Belgin responded to a question from Commissioner Smyth about the compatibility of the subject property with the surrounding development.

In response to a question from Commissioner Wilson, Ms. Belgin said the subject property was not in violation of the Zoning Ordinance provisions because it was subdivided prior to the adoption of the current Ordinance. However, she pointed out that if the lot was rezoned, it would have to comply with the current Zoning Ordinance.

Ms. Belgin responded to a question from Commission Harsel about minimum lot width requirements.

Ms. Strobel stated that the applicants would like to rezone their property from the R-2 District to the R-3 District for a density of 2.08 dwelling units per acre, which slightly exceeded the Comprehensive Plan recommendations. She explained that the property had originally consisted of 1 acre, but 37 feet had been dedicated to the right-of-way for Hayden Lane. She said a decision by the Zoning Administration Division that the original density could not be retained had been appealed to the Board of Zoning Appeals, but not pursued because the DeMarcos had decided to apply for a rezoning instead. She said an outlot was necessary to meet the minimum lot width requirements due to the Hayden Lane dedication. She pointed out that there were no other issues associated with this application and that no waivers or modifications were being sought. She requested a favorable recommendation.

In response to a question from Commissioner Harsel, Ms. Strobel said that outlot had been included in the density calculations.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION URGE THE BOARD OF SUPERVISORS TO APPROVE RZ 2003-PR-016, SUBJECT TO THE PROFFERS CONTAINED IN APPENDIX 1.

Commissioner Kelso seconded the motion which carried by a vote of 9-1 with Commissioner Wilson opposed; Commissioners Alcorn and Koch absent from the meeting.

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The meeting was adjourned at 10:04 p.m.  
Peter F. Murphy, Jr., Chairman  
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: April 19, 2006

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