

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, SEPTEMBER 12, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large
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
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:15 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner de la Fe MOVED THAT THE PUBLIC HEARING ON RZ-2002-HM-012, PCA-82-C-056 AND SE-2002-HM-014, H.B.L. INC., BE DEFERRED FROM SEPTEMBER 12, 2002 TO A DATE CERTAIN OF SEPTEMBER 19, 2002.

Commissioners Byers and Hall seconded the motion which carried unanimously with Commissioners Alcorn, Harsel, and Moon not present for the vote.

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Commissioner Wilson announced that the public hearing on RZ-2002-LE-005, Susan Wise Clay, would be deferred from September 19, 2002 to a date certain of October 17, 2002.

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FS-H02-15 - VoiceStream - 13865 Sunrise Valley Drive

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE PROPOSED TELECOMMUNICATIONS FACILITY AT 13865 SUNRISE VALLEY DRIVE IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE

CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn, Harsel, and Moon not present for the vote.

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RZ-2002-SU-011 - EASTWOOD PROPERTIES (Decision Only)

(The public hearing on this application was held on September 11, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2002-SU-011, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 12, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE MINIMUM DISTRICT SIZE OF THE R-3 CLUSTER DISTRICT.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND A WAIVER OF THE OPEN SPACE PROVISIONS OF PARAGRAPH 4 OF SECTION 2-309 OF THE ZONING ORDINANCE TO ALLOW LESS THAN ONE ACRE OF THE OPEN SPACE AREA TO BE OUTSIDE OF THE FLOODPLAIN.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND A WAIVER OF THE PFM STANDARD 2-0103-2 TO ALLOW MORE THAN 20 PERCENT OF THE LOTS TO BE ON A PIPESTEM.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote.

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ORDER OF THE AGENDA

In the temporary absence of Secretary Harsel, Chairman Murphy established the following order for the agenda items:

1. RZ-2002-PR-013 - TRUSTEES FOR OAKTON UNITED METHODIST CHURCH
SE-2002-PR-035 - TRUSTEES FOR OAKTON UNITED METHODIST CHURCH
2. SEA-98-V-042 - BELLE HAVEN COUNTRY CLUB, INC.
3. RZ-2002-PR-008 - CHRISTOPHER MANAGEMENT, INC.
FDP-2002-PR-008 - CHRISTOPHER MANAGEMENT, INC.

This order was accepted without objection.

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RZ-2002-PR-013 - TRUSTEES FOR OAKTON UNITED METHODIST CHURCH - Appl. to rezone from C-5 to C-6 to permit a church with a child care center with an overall Floor Area Ratio (FAR) of .32. Located in the S.W. quadrant of the intersection of Chain Bridge Rd. and Oakton Meadows Ct. on approx. 1.12 ac. of land. Comp. Plan Rec: Retail and other. Tax Map 47-2 ((1)) 91 pt. (Concurrent with SE-2002-PR-035.) PROVIDENCE DISTRICT.

SE-2002-PR-035 - TRUSTEES FOR OAKTON UNITED METHODIST CHURCH - Appl. (previously filed as SPA-83-P-027-2) under Sects. 3-304 and 4-604 of the Zoning Ordinance to permit a place of worship and child care center. Located at 2951 Chain Bridge Rd. on approx. 1.82 ac. of land zoned C-6 and R-2. Tax Map 47-2 ((1)) 91. (Concurrent with RZ-2002-PR-013.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated August 29, 2002. There were no disclosures by Commission members.

Ms. Mavis Stanfield, 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. Strobel stated that the Oakton United Methodist Church had been part of the Fairfax County community for over 100 years. She explained that although the original chapel dated back to the 1800s, most of the existing facilities were constructed in 1958, prior to the time that special permit/special exception approval was required. She noted that a special permit application had been approved by the Board of Zoning Appeals (BZA) in 2001 permitting improvements to the church, including elevators, storage space, meeting rooms and the addition of a music room. She said at the time of that approval, the applicant had agreed to a development condition limiting the FAR to .3 because the proposed amount slightly exceeded that which was permitted in a C-5

District. However, she said subsequent to the BZA approval, the applicant decided to file the subject rezoning and special exception applications so that the church could proceed with its original building plans.

In response to a question from Commissioner Smyth, Ms. Strobel said the applicant was in agreement with a development condition that any changes to the original church requiring a building permit be referred to the Fairfax County Architectural Review Board.

Chairman Murphy 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 comments, 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 RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2002-PR-013, SUBJECT TO EXECUTION OF THE DRAFT PROFFERS DATED AUGUST 27, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-2002-PR-035, SUBJECT TO THE APPROVAL OF THE DEVELOPMENT CONDITIONS FOUND IN APPENDIX 2 OF THE STAFF REPORT DATED AUGUST 28, 2002, WITH THE FOLLOWING REVISION. ADD A NEW CONDITION NUMBER 10 AS FOLLOWS:

"THE ORIGINAL OAKTON UNITED METHODIST CHURCH IS LISTED ON THE FAIRFAX COUNTY INVENTORY OF HISTORIC SITES. PROPOSALS TO CHANGE THE EXTERIOR APPEARANCE OF THE CHURCH BUILDING, OR ITS SETTING, THAT REQUIRE A COUNTY BUILDING PERMIT OR OTHER CONSTRUCTION PERMIT, SHALL BE REFERRED TO THE FAIRFAX COUNTY ARCHITECTURAL REVIEW BOARD FOR REVIEW AND APPROVAL PRIOR TO APPROVAL OF A BUILDING OR OTHER CONSTRUCTION PERMIT."

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF MODIFICATIONS OF TRANSITIONAL SCREENING REQUIREMENTS TO ALLOW EXISTING VEGETATION TO REMAIN

ALONG ALL LOT LINES, AS DEPICTED ON THE GDP/SE PLAT AS QUALIFIED BY THE SE CONDITIONS.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF BARRIER REQUIREMENTS ALONG ALL LOT LINES.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote.

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SEA-98-V-042 - BELLE HAVEN COUNTRY CLUB, INC. - Appl. under Sects. 2-904 and 3-304 of the Zoning Ordinance to amend SE 98-V-042 previously approved for uses in a floodplain to permit a country club, golf course, and site modifications. Located at 6023 Fort Hunt Rd. on approx. 156.70 ac. of land zoned R-3 and HC. Tax Map 83-4 ((1)) 5; 83-4 ((2)) (6) 1 - 29; 83-4 ((2)) (14) 1-32; 83-4 ((2)) (22) 1-19; 83-4 ((2)) (30) 1-4; 11-30; 83-4 ((2)) (33) 1-15, A; 83-4 ((2)) (41) 3-11, 14-19; 83-4 ((2)) (5) 1-32, B; 83-4 ((2)) (13) 1-30; 83-4 ((2)) (21) 1-5; 83-4 ((2)) (23) 1-30; 83-4 ((2)) (31) 1-32; 83-4 ((2)) (34) 1-30. MT. VERNON DISTRICT. PUBLIC HEARING.

Ms. Jane Kelsey, agent for the applicant, reaffirmed the affidavit dated July 2, 2002. There were no disclosures by Commission members.

Ms. Mavis Stanfield, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Ms. Stanfield responded to a question from Commissioner Byers about right-of-way dedication along Fort Hunt Road. Mr. Chuck Almquist, Fairfax County Department of Transportation, added that the right-of-way shown would be adequate for proposed improvements to Fort Hunt Road, but may not be sufficient to accommodate a trail.

In response to a question from Commissioner Wilson, Ms. Stanfield said Development Condition Number 14 addressed the storage of toxic or hazardous substances within the floodplain. Ms. Leslie Johnson, ZED, DPZ, added that Conditions Number 5 and 6 addressed the wetland monitoring plan and the pesticide management program.

Ms. Kelsey stated that the country club was established in 1920. She said since 1970, ten special permit applications had been approved, the most recent in 1998 for fill in the floodplain for

renovation of the golf course. She noted that all issues had been addressed since the staff report had originally been published and that the proposed development now had a favorable recommendation. She pointed out that there would be no change in the FAR and that membership would not increase. She then introduced Mr. James Peck, the Engineering Project Manager with McDonough, Bolyard, Peck, Inc. Mr. Peck stated that the entrance to the club would be relocated and that the proposed renovations were necessary to bring the facility into compliance with the Americans with Disabilities Act. He described proposed frontage improvements and said a sidewalk or asphalt trail would be constructed on the western side of the property along Belle Haven Road.

Responding to a question from Commissioner Byers, Mr. Peck said that attempts to contact the owner of a gate located in the right-of-way had been unsuccessful to date. He said, however, that all property owners who might be affected by the construction of a trail or sidewalk would be notified. Commissioner Byers expressed concern that property owners had not been contacted. He requested that the Commission be provided with a detailed drawing depicting the exact location of the sidewalk, the edge of the pavement, the right-of-way, and property lines.

Addressing the concern raised by Commissioner Byers about additional dedication of right-of-way, Ms. Kelsey explained that because the applicant planned to install a sidewalk on the west side of Fort Hunt Road, no additional dedication would be needed on the east side.

Ms. Stanfield and Ms. Johnson responded to questions from Commissioner Wilson about a waiver of the trail requirement.

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

Mr. Jim Gearing, 1207 H Street, Alexandria, stated that he would not object to a trail on the west side instead of the east side as long as it was continuous from Huntington Avenue to Belle Haven Road. He said he did not believe the case was ready to be heard by the Board of Supervisors until the trail issue had been resolved and all affected parties had been notified.

Commissioner Byers read into the record a resolution passed by the New Alexandria Citizen's Association which supported the provision of a sidewalk along the east side of Fort Hunt Road. (A copy of the resolution is in the date file.)

In response to a question from Commissioner Byers, Mr. Peck said that in order to construct a trail on the east side, a large amount of fill would be required due to elevation changes which would result in power lines being only nine to ten feet off the ground. He added that relocating the power poles and constructing a retaining wall would cost between 1.2 and 1.3 million dollars. Commissioner Byers commented that this was the reason why a decision had been made to use the existing sidewalk along the west side of the property and extend it up to Belle Haven Road. Addressing the issue of the gate, Mr. Peck pointed out that the applicant was not planning to relocate the gate, but could run the sidewalk inside the gate, which would save the most trees, or put an asphalt path in front of the gate, whichever the owner preferred.

In response to a question from Commissioner Wilson, Mr. Peck said if the sidewalk was four feet wide instead of five feet, more trees could be saved. Ms. Johnson suggested that the detailed drawing requested by Commissioner Byers show both a four-foot and five-foot sidewalk.

Responding to a question from Commissioner Harsel, Ms. Johnson said the gate was free-standing with stone pillars and was not connected to a fence.

In response to a question from Commissioner de la Fe, Mr. Peck said it would be more costly to relocate power poles on the west side of Fort Hunt Road than on the east side.

Mr. Edward Zebrowski, 6342 Old Towne Court, Alexandria, President, Belle Haven Townhouse Association, said that 51 percent of the members of the Association supported minimum access that would allow safe pedestrian passage along Fort Hunt Road between Belle Haven Road and Huntington Road and 49 percent wanted nothing done. He said the Association did not support a bike path.

There were no further speakers. Therefore, Chairman Murphy called upon Ms. Kelsey for a rebuttal statement.

Ms. Kelsey said the applicant was making every effort to find the best solution for safe pedestrian access from Belle Haven Road to Huntington Road with minimal disruption to both the Club and the residents.

In response to a question from Commissioner Byers, Ms. Kelsey said the drawings of the sidewalk he requested would be available by next Tuesday, September 17, 2002.

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 Byers for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT WE DEFER THE DECISION ONLY ON SEA-98-V-042, BELLE HAVEN COUNTRY CLUB, INC., TO A DATE CERTAIN OF SEPTEMBER 19, 2002, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Kelso seconded the motion which carried unanimously.

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RZ-2002-PR-008/FDP-2002-PR-008 - CHRISTOPHER MANAGEMENT, INC. - Appls. to rezone from R-1 and HC to PDH-3, PDH-5 and HC to permit residential development at a density of 4.48 dwelling units per acre (du/ac) for PDH-5 and 2.50 du/ac for PDH-3 and approval of the conceptual and final development plans and waiver of open space requirement. Located in the S.E.

quadrant of the intersection of I-66 and Nutley St. on approx. 23.43 ac. of land. Comp. Plan Rec: 2-3 and 4-5 du/ac. Tax Map 48-2 ((7)) (33) 1, 2, 3, 7A, 9A, 10; 48-2 ((7)) (34) 1, 3, 5, 9, 11, 14, 16, A, B; 48-2 ((7)) (35) 2, 3, 4; 48-2 ((7)) (36) 1-5, 5A, 5B, 9, 36A, 36B and a portion of public right-of-way for Hideaway Rd. and Swanee La. to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Hideaway Rd. and Swanee La. to proceed under Section 15.2-2272 (2) of the *Code of Virginia*.) PROVIDENCE DISTRICT. PUBLIC HEARING.

Gregory Riegle, Esquire, with McGuire Woods, LLP, reaffirmed the affidavit dated August 30, 2002. There were no disclosures by Commission members.

Ms. 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 applications.

In response to a question from Commissioner DuBois, Ms. Lewis said the white area depicted on the plat was a lot improved with a single family dwelling that was not included in the consolidation. Ms. Lewis said the appendix to the staff report contained a layout of how that lot might be developed in the future.

Ms. Lewis responded to questions from Commissioner Harsel about the proposed affordable dwelling units (ADUs).

Mr. Riegle stated for the record that revised proffers distributed this evening added clarity to certain existing commitments and did not represent substantial changes. He said the applicant had been the agent for implementing the ideas of the community in a process that began over two years ago when the community realized that the stable areas of Briarwood could benefit from strategic infill development. He said an Area Plans Review nomination had been approved, which carefully delineated the area appropriate for redevelopment and land had been assembled based on that approval. He said the number one objective had been to integrate the new community with the existing community and that the applicant had worked closely with the community on buffers, configuration of the units, and tree save areas. He noted that this effort had resulted in a mixture of unit types, a variation in the orientation of the units, substantial tree save areas, provision of detached ADUs, drainage enhancements, a traffic signal, a pedestrian connection to the nearby Metro station, walk light signals, a public park, traffic-calming measures, undergrounding of utilities, landscaping, and design amenities. He said there would be no defined boundary between the new development and the existing community. In conclusion, he said that the proposed development was a community-designed project and requested favorable consideration.

In response to a question from Commissioner Smyth, Ms. Lewis said the applicant had agreed to increase the setback of Lot 1 in order to address staff's concerns, but that staff still hoped that the

applicant would redesign the rear loading units on Swanee Lane so some of the private streets could be eliminated. Responding to another question from Commissioner Smyth, Ms. Lewis said that the noise attenuation proffer required that the refined acoustical analysis be forwarded to the Providence District Planning Commissioner at the time it was filed with the County for review and approval.

Responding to a question from Commissioner Moon, Mr. Riegle said the proposed houses on lots 1-9 would be approximately 3,000 square feet and the ADUs on 10 and 11 would be approximately 1,800 square feet. Mr. Riegle added that the applicant had no plans to increase the square footage of the ADUs.

Chairman Murphy called for speakers from the audience and reviewed the rules for testimony before the Commission.

Mr. Bill Janssen, 2910 Beau Lane, Fairfax, expressed opposition to the proposed development. He raised concerns about open space, private streets, sidewalks, noise, setbacks, traffic, parking, and stormwater drainage. (A copy of his remarks is in the date file.)

Commissioner Smyth noted that a number of the concerns expressed by Mr. Janssen had been addressed and requested that Mr. Riegle and Ms. Lewis review the resolution of these issues with him.

Dr. Volker Brandt, 2860 Hideway Road, Fairfax, said stormwater drainage was a major problem on his property now and expressed concern that the proposed development would exacerbate it. He also cited a concern about the new development overloading the sewer system. (A copy of his remarks is in the date file.)

Commissioner Smyth acknowledged that a drainage problem existed throughout the neighborhood and said two large stormwater drainage ponds would be constructed to handle runoff from both the new development and the existing homes. Ms. Lewis added that a preliminary review by the County had determined that the ponds would be adequate to handle the runoff.

Mr. Walter Binns, 2834 Cedarest Road, Fairfax, expressed overwhelming support for the proposed development and said it would sustain and enhance the character of the Briarwood community. (A copy of his remarks is in the date file.)

Mr. John Lehrer, Briarwood Citizens Association, 2847 Hideaway Road, Fairfax, said the Association strongly recommended approval of the proposed development. He commended Christopher Management for being responsive to the concerns of the citizens. He recognized those people in the audience who supported the application. (A copy of his remarks is in the date file.)

Ms. Diane Prouty, 2902 Beau Lane, Fairfax, said because the stormwater management ponds would be dry ponds, they would not be a breeding ground for mosquitoes. She said although she was resistant to change, she realized it was inevitable and expressed support for the proposed development.

Ms. Anne-Marie Pastorkovich, 2909 Nutley Street, Fairfax, said she supported the application because it was consistent with Comprehensive Plan language recently adopted for the area and because the applicant had made reasonable efforts to meet with and listen to the concerns of Briarwood residents. (A copy of her remarks is in the date file.)

Mr. Thomas Chiarizia, 8802 Delfield Lane, Fairfax, expressed concern about the impact the new development would have on area schools.

Mr. James D. Clark, 602 Bruton Place, Vienna, noted that he recently moved from Swanee Lane, but intended to move back. He said he had been involved in assembling the property and that Christopher Management had been selected because of their willingness to work with the residents.

Ms. Fran Wallingford, 3311 Mantua Drive, Fairfax, Community Liaison for Fair Hill School's technology program, expressed support for the proposed development. She pointed out that Proffer Number 16, concerning documentation of the school contribution, had been changed from "Prior to subdivision plan approval," ... to "Prior to the issuance of the first Residential Use permit,....". She said she would prefer that proof be provided prior to subdivision plan approval.

In response to a question from Commissioner Alcorn, Ms. Wallingford said that the school proffer was inconsistent with the recently approved Out-of-Turn Amendment concerning residential development criteria.

Kenneth Lawrence, 2850 Maple Lane, Fairfax, expressed support for the proposed development.

There were no further speakers, therefore, Chairman Murphy called upon Mr. Riegler for a rebuttal statement.

Addressing Ms. Wallingford's concern about language in the proffer pertaining to the school contribution, Mr. Riegler said he would work with her to come up with acceptable language. He acknowledged that a severe stormwater runoff problem existed in the community and said that the proposed stormwater management system would improve the situation and save the County \$150,000 they would have otherwise had to spend to mitigate the current situation. He said the applicant would follow-up with Dr. Brandt on this matter as construction progressed.

Mr. Riegler responded to questions from Commissioner Smyth about parking, traffic calming measures, rear loading houses, landscaping and setbacks.

RZ-2002-PR-008 - CHRISTOPHER MANAGEMENT, INC.
FDP-2002-PR-008 - CHRISTOPHER MANAGEMENT, INC.

September 12, 2002

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

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Commissioner Smyth MOVED TO DEFER THE DECISIONS ON RZ-2002-PR-008 AND FDP-2002-PR-008 TO SEPTEMBER 19, 2002, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioners Alcorn and Byers seconded the motion which carried unanimously.

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The meeting was adjourned at 10:20 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: July 14, 2004

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