

**MINUTES OF  
PLANNING COMMISSION MEETING  
SEPTEMBER 27, 1995**

PRESENT: John R. Byers, Mount Vernon District  
Carl A. S. Coan, Jr., Providence District  
Judith W. Downer, Dranesville District  
Janet R. Hall, Mason District  
John W. Hunter, Commissioner At-Large  
Ronald W. Koch, Sully District  
Peter F. Murphy, Jr., Springfield District  
Carl L. Sell, Jr., Lee District  
Alvin L. Thomas, Commissioner At-Large

ABSENT: Suzanne F. Harsel, Braddock District  
Robert v. L. Hartwell, Commissioner At-Large  
John M. Palatiello, Hunter Mill District

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The meeting was called to order at 8:35 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Hall, at the request of the applicant, MOVED TO DEFER THE PUBLIC HEARING ON SE-95-M-023, CONSOLIDATION RESOURCES, INC., INDEFINITELY.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Sell not present for the vote; Commissioners Harsel, Hartwell, and Palatiello absent from the meeting.

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Commissioner Downer announced that the Housing Committee would meet on Wednesday, October 4, 1995 at 8:00 p.m. in the Board Conference Room and that the public was invited.

Chairman Murphy noted that there was a vacancy on that Committee due to the resignation of former Commissioner Patrick M. Hanlon. He noted that Commissioner Koch, who had been serving as alternate on the Committee, had asked to be appointed as a regular member. There being no objection, it was SO ORDERED.

Commissioner Coan asked that he be appointed to the alternate position just vacated by Commissioner Koch. There being no objection, it was SO ORDERED.

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Chairman Murphy announced that the first meeting of the Dulles Airport Advisory Committee would be held on Wednesday, October 11, 1995 at 7:00 p.m. in the Board Conference Room. He also noted that the meeting would be open to the public.

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Commissioner Hunter announced that the Transportation Committee would meet on Thursday, October 12, 1995 at 7:30 p.m. in the Board Conference Room. He also noted that the meeting would be open to the public.

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Chairman Murphy reminded the Commission that Ecoloday 1995, an environmental festival, was scheduled for Saturday, October 7, 1995 at the Government Center. He added that volunteers were needed to staff a land use exhibit and asked any interested Commissioners to contact him after tonight's meeting.

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Chairman Murphy noted that the position of Vice Chairman had been vacated due to the resignation of former Commissioner Patrick M. Hanlon. He opened the floor for nominations.

Commissioner Byers commented on Commissioner Sell's qualifications and **MOVED THAT COMMISSIONER SELL BE NOMINATED FOR THE POSITION OF VICE CHAIRMAN.**

Commissioner Koch seconded the nomination.

There being no further nominations, Chairman Murphy closed the nominations and called for a vote. The motion to elect Commissioner Sell as Vice Chairman carried unanimously with Commissioners Harsel, Hartwell, and Palatiello absent from the meeting.

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RZ-94-S-053 – PARK STREET, INC. (Decision Only)

(The public hearing on this application was held on July 12, 1995. A complete verbatim transcript of the decision made this evening is in the date file.)

Commissioner Murphy **MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ-94-S-053, SUBJECT TO THE PROFFERS CONTAINED IN ATTACHMENT 2 OF ADDENDUM I OF THE STAFF REPORT DATED SEPTEMBER 27, 1995.**

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Coan abstaining; Commissioners Harsel, Hartwell, and Palatiello absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A WAIVER OF THE MINIMUM DISTRICT SIZE, IN ACCORDANCE WITH THE PROVISIONS OF ZONING ORDINANCE SECTION 9-610.

Commissioner Byers seconded the motion which carried by a vote of 8-0-1 with Commissioner Coan abstaining; Commissioners Harsel, Hartwell, and Palatiello absent from the meeting.

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ORDER OF THE AGENDA ITEMS

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

1. SE-95-S-038 – Church of the Nativity, the Most Reverend John R. Keating
2. CSP-83-P-107 – Homart Development
3. RZ-94-Y-021 – Centex Real Estate Corp.  
FDP-94-Y-021 – Centex Real Estate Corp.
4. SE-94-M-010 – Mahmoud Moin-Amin
5. SE-95-M-039 – Westlawn Limited Partnership/Bill Page Imports, Inc.

This order was accepted without objection.

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SE-95-S-038 – CHURCH OF THE NATIVITY, THE MOST REVEREND JOHN R. KEATING – Application under Sect. 3-104 of the Zoning Ordinance to permit a church with a private school of general education with an enrollment of 100 or more students daily on property located at 6400 Nativity Lane on approx. 10.18 ac. zoned R-1. Tax Map 88-1((1))10. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Prior to the hearing of this application in the Springfield District, Vice Chairman Sell assumed the Chair.

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Michelle Rosati, Esquire, Lawson and Frank, reaffirmed the affidavit dated March 3, 1995. There were no disclosures by Commission members.

Ms. Kristen Abrahamson, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Ms. Rosati spoke about the church's need for expansion. She noted that neighbors in the area had been involved in the negotiations on the proposed development conditions. She said that the changes in the latest set of conditions included the following:

- a 75-foot tree buffer area, where only 25 feet was required;
- a sidewalk between the church property and Four Oaks Lane; and
- additional safety measures, i.e., signs, lights, and crossing guards.

In response to a question from Commissioner Murphy, Ms. Rosati said that the applicant would agree to a restriction on the hours of operation on weekends and holidays.

Vice Chairman Sell called for speakers and listed the rules for public testimony.

Mr. Richard Berkey, 6418 Four Oaks Lane, spoke on behalf of the Four Oak Homeowners Association. He stated that all of their concerns had been resolved and that the Association supported the application.

Ms. Rosati had no rebuttal statement; Ms. Abrahamson had no closing staff comments; therefore Vice Chairman Sell closed the public hearing and recognized Commissioner Murphy for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE-95-S-038, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED SEPTEMBER 26, 1995, AS AMENDED:

CONDITION #6 TO READ: "THE HOURS OF OPERATION FOR THE PRIVATE SCHOOL OF GENERAL EDUCATION SHALL BE FROM 7:00 A.M. TO 10:00 P.M., MONDAY THROUGH FRIDAY, AND NO LATER THAN 11:00 P.M. ON WEEKENDS AND HOLIDAYS FOR SPECIAL EVENTS."

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

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY THE TRANSITIONAL SCREENING

REQUIREMENTS ALONG THE SOUTHERN, EASTERN, AND WESTERN LOT LINE FROM THE POINT STARTING AT THE SOUTHWEST CORNER TO A POINT 600 FEET SOUTH OF THE NORTHWEST CORNER TO ALLOW EXISTING VEGETATION TO SATISFY THE REQUIREMENT.

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

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE THE BARRIER REQUIREMENT ALONG ALL LOT LINES, PROVIDED THE FENCING AROUND THE PLAYGROUND AREA IS PROVIDED AS SHOWN ON THE PLAT.

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

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

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CSP-83-P-107 – HOMART DEVELOPMENT CO. –  
Application under Sect. 12-210 of the Zoning Ordinance for approval of a Comprehensive Sign Plan for the commercial development approved in RZ-83-P-107 on property located in the SW quadrant of the intersection of Lee Jackson Memorial Hwy. & West Ox Rd. on approx. 22.78 ac. zoned PDC, WS, & HC. Tax Map 46-3((1))24A. SULLY DISTRICT. PUBLIC HEARING.

Carlos Montenegro, Esquire, reaffirmed the affidavit dated September 22, 1995. There were no disclosures by Commission members.

Ms. Denise James, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the application because the applicant's request exceeded Zoning Ordinance allowances; did not meet the intent of the Comprehensive Plan; and would be hazardous to motorists.

Mr. Montenegro noted that the signs requested by the applicant included directional signs, to which no objections had been expressed, and a tenant identification (ID) sign on the parking garage. He maintained that the tenant ID sign was in accord with the original rezoning and final development plan for the subject property. He disagreed with staff's interpretation of the Comprehensive Plan's intent. Mr. Montenegro presented an artist's depiction of the proposed

tenant ID sign, which would have six different tenants identified on one sign. He maintained that the sign was reasonable and would not be a hazard to motorists.

In response to questions from Commissioner Koch, Ms. James pointed out on the map the nearest residential area. Mr. Montenegro commented that the individual tenant ID signs were only 18 inches high, but would be combined on one sign.

Commissioner Byers and Mr. Montenegro held a discussion concerning the size of the proposed tenant ID sign and whether it could be considered a "billboard."

In response to questions from Commissioner Hall, Mr. Montenegro explained that the applicant could not erect the proposed signs, which would face Route 50, by right because the shopping center did not have an entrance on Route 50.

Chairman Murphy called for speakers.

The following individuals spoke in opposition to the application, based on the objection that the large tenant ID sign was not needed, was too large, and would be detrimental to the neighborhood. Ms. Moraska expressed the concern that a rumor was circulating the neighborhood which indicated that the applicant was requesting these new signs because it intended to sell the shopping center.

- ◆ Teresa Moraska, 4247 Fox Lake Drive, Fairfax
- ◆ Lewis Gray, 12224 Grassy Hill Court, Fairfax  
representing the Fair Ridge Community Association
- ◆ Dennis Schafer, 12214 Grassy Hill Court, Fairfax  
representing the Fair Ridge Recreation Association
- ◆ Paul Andino, 12212 Apple Orchard Court, Fairfax

All four speakers submitted position statements, copies of which are in the date file.

There being no further speakers, Chairman Murphy called upon Mr. Montenegro for rebuttal.

Mr. Montenegro said that he understood the citizens concerns, but maintained that the applicant should be allowed a reasonable tenant ID sign on the Route 50 side of the subject property. He said that the existing landscaping would be maintained and that the applicant would continue to work with citizens in the area to resolve outstanding difficulties. He stated that no sale of the subject property was intended at this time.

Commissioner Koch commented that the sale of the subject property, either rumored or real, was irrelevant to the Planning Commission's deliberations. He announced his intent to defer decision to allow time to address the outstanding issues.

Commissioners Hall, Hunter, and Koch discussed the possibility of a smaller sign, the size of other signs in the area, and the size of the tenant ID signs at Skyline Center and Fair Lakes

Center.

In response to a question from Commissioner Coan, Mr. Montenegro explained that each individual tenant sign would be attached separately to the larger overall sign, which would be considered one display, not six signs.

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

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Commissioner Koch MOVED THAT WE DEFER DECISION ON THIS APPLICATION UNTIL OCTOBER 11, 1995.

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

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At the conclusion of this application, the Commission went into recess at 10:00 p.m. and reconvened in the Board Auditorium at 10:10 p.m.

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RZ-94-Y-021 – CENTEX REAL ESTATE CORP. – Application to rezone approx. 68.82 ac. located in the NE quadrant of the intersection of Lee Hwy. & Stringfellow Rd. from R-1 & WS to PDH-2 & WS to permit residential development at a density of 2.09 du/ac. including bonus density for provision of ADUs & approval of the CDP. Comp. Plan Rec: 1-2 du/ac. Tax Map 55-3((1))24 & 25. (Concurrent with FDP-94-Y-021.) SULLY DISTRICT

FDP-94-Y-021 – CENTEX REAL ESTATE CORP. – Application to approve the FDP to permit residential development on property located in the NE quadrant of the intersection of Lee Hwy. & Stringfellow Rd. on approx. 68.82 ac. zoned PDH-2 & WS. Tax Map 55-3((2))24&25. (Concurrent with RZ-94-Y-021.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Keith Martin, Esquire, Walsh, Colucci, Stackhouse, Emrich, and Lubeley, reaffirmed the affidavit dated September 15, 1995. There were no disclosures by Commission members.

Ms. Leslie Johnson, Zoning Evaluation Division, Office of Comprehensive Planning, presented RZ-94-Y-021 – CENTEX REAL ESTATE CORP. September 27, 1995

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the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Mr. Martin noted that the applicant was proposing 78 single family detached dwelling units and 66 single family attached dwelling units, resulting in an overall density of 2.09, which would include 18 affordable dwelling units. He added that 44 percent open space would be provided and that 13.72 acres would be dedicated for improvements to Stringfellow Road. Mr. Martin stated that all environmental, transportation and public facility issues had been resolved, the proposed development was in accord with the Fairfax Center Plan and the Comprehensive Plan, and enjoyed the support of area residents.

Chairman Murphy called for speakers.

Mr. James Whalen, 5019 Stringfellow Road, Centreville, said that more buffer was needed between the proposed development and the existing subdivision. He added that the improvements to Stringfellow Road should be completed before the houses were built.

Mr. Martin declined to make a rebuttal statement and Ms. Johnson had no closing staff comments, therefore Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ-94-Y-021 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 12, 1995.

Commissioners Hunter and Thomas seconded the motion which carried unanimously with Commissioners Byers and Downer not present for the vote; Commissioners Harsel, Hartwell, and Palatiello absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FDP-94-Y-021, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ-94-Y-021 AND THE CONCEPTUAL DEVELOPMENT PLAN, AND SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 13, 1995.

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

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE 600-FOOT LIMITATION ON THE LENGTH OF PRIVATE STREETS IN RESIDENTIAL DEVELOPMENTS.

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

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE SERVICE DRIVE REQUIREMENTS ALONG THE ROUTE 29 FRONTAGE OF THE SITE.

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

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SE-94-M-010 – MAHMOUD MOIN-AMIN – Application under Sect. 4604 of the Zoning Ordinance to permit the addition of a car wash to an existing service station on property located at 7029 Columbia Pike on approx. 21,956 sq. ft. of land zoned C-8, HC, & SC. Tax Map 71-1((1))102A. MASON DISTRICT. PUBLIC HEARING.

Mr. Arif Hodzic, architect and agent for the applicant, reaffirmed the affidavit dated January 7, 1994. There were no disclosures by Commission members.

Ms. Denise James, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that the current request represented the applicant's fourth amendment to this application which proposed several combinations of automobile-oriented uses. She said that staff recommended denial of the amended application based on the issues of intensity and internal circulation. She explained that the details of staff's objections were outlined in the staff report addendum, a copy of which is in the date file.

Mr. Hodzic disagreed with staff's analysis of the application. He challenged staff's assumption that the intensity was too great, stating to the contrary that the existing service station was underutilized. He commented on the previous iterations of the application and why they were not approved. He maintained that the proposed 4,100 square feet of landscaping and open space was adequate for the site. Mr. Hodzic said that the lot size issue was grandfathered inasmuch as the lot was created prior to the current Zoning Ordinance. He commented that the owner of the station had worked very hard with citizens in the area to resolve their concerns and noted that both the Annandale Central Business District Planning Committee and the Mason District Land Use and Transportation Advisory Committee supported the application.

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

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Commissioner Hall MOVED THAT DECISION ONLY BE DEFERRED UNTIL OCTOBER 25, 1995.

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

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SE-95-M-039 – WESTLAWN LIMITED PARTNERSHIP BILL  
PAGE IMPORTS, INC. – Application under Sect. 4-604, 9-612,  
& 9-613 of the Zoning Ordinance to permit a vehicle sales, rental &  
ancillary service establishment & a waiver of the minimum lot width  
& open space requirements on property located at 3040 Annandale Rd.  
on approx. 14,551 sq. ft. of land zoned C-6 &  
HC. Tax Map 50-4((17))H1. MASON DISTRICT. PUBLIC  
HEARING.

Thomas Lawson, Esquire, Lawson, Kipp and Forbes, reaffirmed the affidavit dated September 8, 1995. There were no disclosures by Commission members.

Ms. Denise James, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Lawson said that he had reviewed the proposed development conditions and concurred with them. He stated that the applicant's proposal would upgrade the area, which would include additional landscaping. He pointed out that the subject property would be used solely for new car preparation and would not be open to the public. Mr. Lawson noted that there would only be three employees on the site and that there would be no outdoor storage of vehicles. He offered to answer any questions the Commissioners might have.

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

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Commissioner Hall MOVED TO DEFER DECISION UNTIL OCTOBER 25, 1995.

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

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The meeting was adjourned at 10:40 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: Gloria L. Watkins

Approved on: March 6, 1997

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