

**MINUTES OF  
PLANNING COMMISSION MEETING  
OCTOBER 1, 1992**

PRESENT: Lawrence C. Baldwin, Commissioner At-Large  
David P. Bobzien, Centreville District  
John R. Byers, Mount Vernon District  
Suzanne F. Harsel, Braddock District  
Stephen J. Hubbard, Dranesville District  
Maya A. Huber, Commissioner At-Large  
Ronald W. Koch, Sully District  
Peter F. Murphy, Jr., Springfield District  
Carl L. Sell, Jr., Lee District  
Henry E. Strickland, Mason District  
Alvin L. Thomas, Commissioner At-Large

ABSENT: Patrick M. Hanlon, Providence District

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The meeting was called to order at 8:21 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Chairman Murphy reminded everyone that the County would celebrate its 250th anniversary with Heritage Day on Saturday, October 3, 1992, at the Government Center from 1:00 p.m. to 5:00 p.m. He added that there would be a dedication ceremony at 1:00 p.m., followed by various other interesting activities.

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Commissioner Hubbard noted that the Commission had received a memorandum from George Symanski, Deputy County Attorney, transmitting a corrected affidavit for SE-91-D-016, Rotonisu Investment Corporation, heard by the Planning Commission on Thursday, March 19, 1992. He added that Mr. Symanski asked the Commissioners to review the changes and contact the County Attorney's Office if they felt these changes had any impact on their votes on that application.

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ORDER OF THE AGENDA

Secretary Harsel established the following order for tonight's agenda items:

1. Subdivision Ordinance Amendments (Private Street Lots)
2. SEA-86-L-053 – Sheehy Ford of Springfield, Inc.
3. SEA-85-L-022 – Public Broadcasting Service
4. PCA-84-L-020-4 – The Kingstowne Commercial Limited Partnership  
CDPA-84-L-020-5 – The Kingstowne Commercial Limited Partnership  
FDPA-84-L-020-2-2 – The Kingstowne Commercial Limited Partnership

This order was accepted without objection.

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SUBDIVISION ORDINANCE AMENDMENTS (Private Street Lots) – On the matter of amendments to Chapter 101, Subdivision Ord., of the Code of the County of Fairfax, VA, the proposed amendments address the subdivision of lots on private streets & provide a means through which these lots may be subdivided in appropriate instances; provide that variances or waivers of the minimum requirements may be granted with or without conditions; & make an editing revision. PUBLIC HEARING.

Ms. Cindy Chambers, Zoning Administration 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 language outlined on page 4 of the staff report.

Chairman Murphy called for speakers from the audience for this case and outlined the rules for public testimony.

Mr. Richard Peters, of 9209 Weant Drive, Great Falls, spoke on behalf of the Great Falls Citizens Association. He spoke in opposition to the proposed amendments. He said that the amendments would open a loophole in the Ordinance that was closed only two years ago. (A copy of Mr. Peters' statement is in the date file.)

Mr. Peters responded to questions from Commissioners Byers and Hubbard regarding his objections to the proposed Ordinance amendments. Commissioner Hubbard asked staff to comment on the gift lot provisions of the Zoning Ordinance in their closing staff comments.

Mr. Thomas Fleury, Vice President of Development Services for West\*Group, at 1600 Anderson Road, McLean, spoke on behalf of Charles B. Ewing, Jr., the property owner of 31-1((1))21. Mr. Fleury commented on the problems Mr. Ewing had had in attempting to subdivide his property and expressed support for the amendments. (Copies of Hr. Fleury's statement and supporting documents are in the date file.)

In response to questions from Commissioner Byers concerning why a more limited "bill of relief" type of amendment was not sought to correct the perceived problem, Mr. John Winfield, Division of Design Review, Department of Environmental Management, explained that that was not the instruction given to staff by the Board of Supervisors.

In response to questions from Commissioners Hubbard, Byers, and Huber, Mr. Winfield explained that a special exception application would provide partial relief for Mr. Ewing's problem, but that expansion of the use would be limited.

Mr. Sam Firetti, of 2033 Hunter Mill Road, Vienna, spoke in support of the proposed amendments. He stated that he was the owner of six acres on Hunter Mill Road which he wished to subdivide to provide a home for his son.

In response to questions from Commissioners Hubbard, Strickland, and Harsel, Mr. Firetti described his situation in further detail and explained why a special exception application would not be sufficient.

Mr. Mike Firetti, of 2207 Cedar Cove Court, Reston, also spoke in support of the amendments. He commented on the problems encountered by his father in attempting to subdivide his six acres on Hunter Mill Road.

Mr. George Brown, address unknown, spoke in opposition. He said that approval of the proposed amendments would cause an adverse impact in the Oakton area because of the large number of parcels that could be subdivided.

Mr. Brown responded to questions from Commissioners Strickland, Harsel, and Huber concerning maintenance agreements for private streets and other problems associated with subdivision of lots on private streets.

In response to a question from Commissioner Sell, Mr. Winfield confirmed that a property owner with less than two acres of land could be granted a waiver.

Mr. Winfield, in his closing staff comments, explained that the gift lot provisions of the Zoning Ordinance would not be affected by the proposed amendments. He added that in the majority of cases requesting subdivision of lots on private streets, no rezoning application would be required.

Mr. Winfield responded to questions from Commissioners Harsel, Strickland, Baldwin, and Hubbard regarding the notification procedure, the Board of Zoning Appeals role, and the two-acre limit for waivers.

There being no further comments or questions, Chairman Murphy closed the public hearing and recognized Commissioner Thomas for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Thomas MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA, CHAPTER 101, SUBDIVISION ORDINANCE, SECTION 101-2-2, MINIMUM REQUIREMENTS, AS SET FORTH IN THE STAFF REPORT DATED AUGUST 27, 1992.

Commissioner Bobzien seconded the motion which carried by a vote of 6-5 with Commissioners Bobzien, Byers, Koch, Murphy, Sell and Thomas in favor; Commissioners Baldwin, Harsel, Hubbard, Huber and Strickland opposed; Commissioner Hanlon absent from the meeting.

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SEA-86-L-053 – SHEEHY FORD OF SPRINGFIELD, INC. –  
Appl. under Sect. 4-804 of the Zoning Ord. to amend SE-86-L-053 for a vehicle sales, rental & ancillary service establishment to modify the existing development conditions & to permit additional parking & a trailer on property located on Spring Mall Rd. near its intersection with Loisdale Rd. on approx. 2.72 ac. zoned C-8 & SC. Tax Map 90-2((1))51A. LEE DISTRICT. PUBLIC HEARING.

Robert Lawrence, Esquire, with the firm of Hazel and Thomas, reaffirmed the affidavit. There were no disclosures by Commission members.

Commissioner Sell asked that the presentations by staff and the applicant be waived if there were no citizens present to speak to this application. Chairman Murphy called for speakers from the audience, but received no response. He therefore closed the public hearing and recognized Commissioner Sell for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Sell MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SEA-86-L-053 BE APPROVED, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS IN APPENDIX 1.

Commissioner Bobzien seconded the motion which carried unanimously with Commissioners Byers, Harsel, Hubbard, and Koch not present for the vote; Commissioner Hanlon absent from the meeting.

Commissioner Sell also MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT WAIVE THE INTERIOR PARKING LOT LANDSCAPING.

Commissioner Bobzien seconded the motion which carried unanimously with Commissioners Byers, Harsel, Hubbard, and Koch not present for the vote; Commissioner Hanlon absent from the meeting.

Commissioner Sell then MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT IT WAIVE THE PERIPHERAL PARKING LOT LANDSCAPING ALONG THE SOUTHERN AND WESTERN PROPERTY LINES, SUBJECT TO THE DEVELOPMENT CONDITIONS.

Commissioner Bobzien seconded the motion which carried unanimously with Commissioners Byers, Harsel, Hubbard, and Koch not present for the vote; Commissioner Hanlon absent from the meeting.

Commissioner Sell further MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD MODIFICATION OF THE PERIPHERAL PARKING LOT LANDSCAPING TO EXISTING VEGETATION ALONG THE NORTHERN PORTION OF THE EASTERN SITE BOUNDARY, SUBJECT TO THE DEVELOPMENT CONDITIONS.

Commissioner Bobzien seconded the motion which carried unanimously with Commissioners Byers, Harsel, Hubbard, and Koch not present for the vote; Commissioner Hanlon absent from the meeting.

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SEA-85-L-022 – PUBLIC BROADCASTING SERVICE – Appl. under Sect. 5-504 of the Zoning Ord. to amend SE-85-L-022 for a radio, television, microwave facility, and satellite earth station to permit additional antennae on property located at 6455 Stephenson Way on approx. 4.30 ac. zoned I-5. Tax Map 81-1((9))A. MASON DISTRICT. PUBLIC HEARING.

David Stitt, Esquire, with the firm of Venable, Baetjer and Howard, reaffirmed the affidavit. There were no disclosures by Commission members.

Ms. Regina Murray, 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.

In response to a question from Commissioner Strickland, Ms. Murray explained that the R-R (Residential-Rural) was an old district that had been converted to R-1 when the Zoning Ordinance was updated.

Mr. Stitt said that there were no outstanding issues in this case; that citizens in the area did not object to the proposed use.

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

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Commissioner Strickland MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SEA-85-L-022, SUBJECT TO THE PROPOSED CONDITIONS.

Commissioner Bobzien seconded the motion which carried unanimously with Commissioners Byers and Hubbard not present for the vote; Commissioner Hanlon absent from the meeting.

Commissioner Strickland also MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER ALONG THE SOUTHERN PROPERTY LINE TO THAT SHOWN ON THE SE PLAT.

Commissioner Bobzien seconded the motion which carried unanimously with Commissioners Byers and Hubbard not present for the vote; Commissioner Hanlon absent from the meeting.

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PCA-84-L-020-4 – THE KINGSTOWNE COMMERCIAL LIMITED PARTNERSHIP – Appl. to amend the proffers for RZ-84-L-020 to permit changes to the Town Center mixed use development with an overall FAR of 0.45. on property located E. of Kingstowne Blvd. & on the N. & S. side of Kingstowne Blvd. on approx. 134.10 ac. zoned PDC, I-4 & NR. Comp. Plan Rec: Res. 3-4 du/ac. Tax Map 91-2((1))pt.26A, 26B. (Concurrent with FDPA-84-L-020-2-2 & CDPA-84-L-020-5.) LEE DISTRICT.

CDPA-84-L-020-5 – THE KINGSTOWNE COMMERCIAL LIMITED PARTNERSHIP – Appl. to amend the conceptual development plan for RZ-84-L-020 to permit changes to the Town Center mixed use development with a FAR of 0.50 on property located E. of Kingstowne Village Pkwy. & on the N. & S. sides of Kingstowne Blvd. on approx. 107.76 ac. zoned PDC & NR. Comp. Plan Rec: Res. 3-4 du/ac. Tax Map 91-2((1)) pt.26A, 26B. (Concurrent with FDPA-84-L-020-2-2 & PCA-84-L-020-4.) LEE DISTRICT.

FDPA-84-L-020-2-2 – THE KINGSTOWNE COMMERCIAL LIMITED PARTNERSHIP – Appl. to amend the second final development plan for RZ-84-L-020 to permit changes to the Town Center mixed use development on property located E. of Kingstowne Village Pkwy. & on the N. & S. sides of Kingstowne Blvd. on approx. 107.76 ac. zoned PDC & NR. Tax Map 91-2((1)) pt. 26A, 26B. (Concurrent with PCA-84-L-020-4 & CDPA-84-L-020-5.) LEE DISTRICT. JOINT PUBLIC HEARING.

Robert Lawrence, Esquire, with the firm of Hazel and Thomas, reaffirmed the affidavit. There were no disclosures by Commission members.

Ms. Lorrie Kirst, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff report, a copy of which is in the date file. She noted that the applications did not conform to the recommendations in the Comprehensive Plan; that the proposed mixture of uses would change the character of the area; and that there were outstanding stormwater management issues. For these reasons, Ms. Kirst stated that staff recommended denial of the applications.

Mr. Lawrence explained that these applications had the support of the Lee District Land Use Advisory Committee. He noted that there were almost no changes in the northern section of the town center area; and that the proposed change from office use to retail use would be an improvement. Mr. Lawrence said that the revisions were made to address current market conditions.

He further commented on the changes to be made and pointed out that a new set of development conditions, dated September 28, 1992, had been submitted to address signs, pedestrian access, stormwater management, and architectural treatment.

Mr. Bruce Thompson, representing the developer of Kingstowne, gave an overview of the old plan. He stated that he had been working with the community to achieve an improved plan. Mr. Thompson presented a photograph of an existing PACE store and discussed the changes proposed. He then showed a photograph of an existing Hechinger's store and discussed the changes that would be made.

Mr. Thompson responded to a question from Commissioner Sell regarding the entrance to the proposed PACE store.

Mr. Bruce Douglas, Planning Division, OCP, responded to questions from Commissioner Huber regarding the parking to be provided.

Commissioner Sell and Mr. Thompson discussed the stormwater management issue.

Commissioner Strickland, Mr. Douglas and Ms. Kirst discussed the parking areas and other impervious surfaces.

Commissioners Huber, Sell, and Mr. Douglas discussed the Department of Environmental Management's requirements for open space.

Commissioner Baldwin, Mr. Douglas, and Ms. Kirst discussed the flow of water in the area, which Ms. Kirst explained was in the direction of Dogue Creek and Piney Branch, and the oil/grit separator proposed by the applicant.

Chairman Murphy called the first speaker on the list for these applications.

Ms. Kathleen Snyder, of 7365 Mallory Circle, Alexandria, spoke on behalf of the Kingstowne Residential Owners Corporation. She said that the applicant's plans were generally acceptable, but expressed several concerns regarding architectural details, open space, buffering, and landscaping. (A copy of Ms. Snyder's statement is included in the date file.)

Commissioners Baldwin, Sell and Ms. Snyder discussed the trail system.

Ms. Dee Aranza, of 6013A Curtier Drive, Alexandria, spoke on behalf of the Manchester Lakes Civic Association. She said that the Association's main concern was the design changes which were inconsistent with the approved Comprehensive Plan recommendations. (A copy of Ms. Aranza's statement is in the date file.)

Commissioner Sell commented on the problems with defaulted proffers in the development of Manchester Lakes.

In response to a question from Commissioner Strickland, Ms. Aranza explained where Manchester Lakes was located.

Mr. James Beachell, of 7046 Darby Towne Court, Alexandria, represented the Ashley Neighborhood Advisory Board. He spoke in opposition to the applications, listing increased traffic and inadequate landscaping as his major concerns.

In response to a question from Commissioner Strickland, Mr. Beachell confirmed that the Ashley Neighborhood was part of Kingstowne.

Commissioners Byers and Sell and Mr. Beachell discussed the financial aspect of the proposed development.

Ms. Kathy Kerbe, of 7004D Ellingham Circle, Alexandria, spoke on behalf of the Eton Square Condominiums. She expressed her opposition to the applicant's proposal. (A copy of Ms. Kerbe's statement is in the date file.)

Commissioners Sell and Hubbard and Ms. Kerbe discussed surrounding land uses.

Mr. Enrique Mendez, of 7040 Darby Towne Court, Alexandria, spoke in opposition. He said that the original plan should not be altered and that the economic burdens of the applicant should not be a deciding factor.

Commissioners Sell, Hubbard, Huber, and Strickland discussed the economic problems involved in development, including bonds, insurance, defaults, risks, and losses.

Mr. Mark Brinton, of 6916J Mary Caroline Circle, Alexandria, said that some changes could be made to the applicant's current proposal that would make it better. He commented on traffic problems in the area and the need for open space.

Ms. Kathy Kurke, of 7031 Ashley Manor Court, Alexandria, said that the character of the town center area would be adversely affected by the applicant's proposal.

Mr. John Ryan, of 7133 Rockridge Lane, Alexandria, spoke about commitment and integrity. He said that the applicant was not fulfilling the promise made at the beginning of the development process.

Commissioner Sell commented on the manner in which development generally took place in Lee District.

Mr. Jeff Kole, of 7013 Ashley Manor Court, Alexandria, spoke in opposition to the applicant's plans.

Commissioner Sell expressed his dismay at Mr. Kole's remark that many residents in the Ashley neighborhood were told that the field beside their homes would remain open space when in fact it was planned for a town center.

Commissioner Strickland and Mr. Kole discussed the development notification process.

Ms. Carol Moroz, of 7023 Ashley Manor Court, Alexandria, questioned the notification procedure. She said she was opposed to the applicant's proposal to build a PACE store and commented on the problem that action would cause.

Ms. Bonita Brock, of 7039 Ashley Manor Court, Alexandria, said that the applicant's plans represented a major design change. She spoke about the economic situation and expressed her strong opposition to the changes. (A copy of Ms. Brock's statement is in the date file.)

Mr. Tony Johnson, of 6109 Summer Park Lane, Alexandria, spoke on behalf of the Lee District Land Use Advisory Committee. He noted that the changes proposed by the applicant were acceptable to the Committee with several conditions. (A copy of Mr. Johnson's statement, including details of his proposed conditions, are in the date file.)

Commissioner Strickland and Mr. Johnson discussed the applicant's meetings with citizens in the area.

Commissioner Sell commented again on the development process in Lee District.

In response to a question from Commissioner Byers, Mr. Johnson said that the Committee had, due to the great opposition recently expressed, requested that tonight's public hearing be postponed and had been told that it was too late to delay the hearing further.

Mr. Lawrence, in rebuttal, spoke about the planned town center uses. He reiterated that very few changes were proposed in the northern area and said that the town center was never intended to be pedestrian oriented. He noted that the new plan includes extensive landscaping and maintained that the traffic, design, and stormwater management issues were addressed by the new conditions.

Ms. Kirst had no closing staff comments, but responded to questions from Commissioner Sell regarding the tables on page 11 of the staff report regarding the mixture of uses approved in 1988 during the rezoning process.

There being no further comments or questions, Chairman Murphy closed the public hearing and recognized Commissioner Sell for a motion on these applications. (Verbatim excerpts are in the date file.)

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Commissioner Sell MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON THESE THREE CASES PCA-84-L-020-4, CDPA-84-L-020-5, FDPA-84-L-020-2-2, UNTIL THURSDAY, OCTOBER 8, 1992.

Commissioners Baldwin, Bobzien, and Koch seconded the motion which carried unanimously with Commissioner Thomas not present for the vote; Commissioner Hanlon absent from the meeting.

Commissioner Sell also MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT IT DEFER THESE APPLICATIONS SCHEDULED FOR HEARING ON OCTOBER 5, 1992.

Commissioner Bobzien seconded the motion which carried unanimously with Commissioner Thomas not present for the vote; Commissioner Hanlon absent from the meeting.

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ADJOURNMENT

October 1, 1992

The meeting was adjourned at 12:30 a.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 4, 1993

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