

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, OCTOBER 7, 1999**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Alvin L. Thomas, Commissioner At-Large
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Providence District seat vacant

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The meeting was called to order at 8:18 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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CLOSED SESSION

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION GO INTO CLOSED SESSION FOR CONSULTATION WITH LEGAL COUNSEL PERTAINING TO THE FOLLOWING SPECIFIC LEGAL MATTER REQUIRING THE PROVISION OF LEGAL ADVICE BY COUNSEL PURSUANT TO VIRGINIA CODE SECTION 2.1-344(a)7, WITH RESPECT TO RZ-1999-PR-031, WALLACE AND LOUISE BOWMAN.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Thomas not present for the vote; Commissioners Byers, Downer and Hall absent from the meeting; the Providence District seat vacant.

(The Commission went into Closed Session at 8:20 p.m. and reconvened in the Board Auditorium at 8:40 p.m.)

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION MEMBERS CERTIFY THAT TO THE BEST OF THEIR KNOWLEDGE ONLY THE PUBLIC BUSINESS MATTERS LAWFULLY EXEMPT FROM THE OPEN MEETING REQUIREMENTS PROSCRIBED BY THE VIRGINIA FREEDOM OF INFORMATION ACT AND ONLY THE MATTER IDENTIFIED IN THE MOTION TO CONVENE THE CLOSED SESSION WERE

HEARD, DISCUSSED, OR CONSIDERED BY THE PLANNING COMMISSION DURING THE CLOSED SESSION.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Palatiello not present for the vote; Commissioners Byers, Downer, and Hall absent from the meeting; the Providence District seat vacant.

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COMMISSION MATTERS

In the absence of Commissioner Hall, Chairman Murphy MOVED THAT THE PLANNING COMMISSION DEFER (THE PUBLIC HEARING ON) 2232-M99-6, COMMUNITY WIRELESS STRUCTURES II LLC, TO A DATE CERTAIN OF NOVEMBER 17, 1999.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Palatiello not present for the vote; Commissioners Byers, Downer and Hall absent from the meeting; the Providence District seat vacant.

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Commissioner Kelso MOVED THAT THE PUBLIC HEARING ON 2232-L99-10, NEXTEL COMMUNICATIONS, BE DEFERRED TO A DATE CERTAIN OF DECEMBER 2, 1999.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Palatiello not present for the vote; Commissioners Byers, Downer and Hall absent from the meeting; the Providence District seat vacant.

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In the absence of a Providence District Commissioner, Commissioner Alcorn noted that more time was needed for a Providence District case scheduled for decision only tonight. He therefore MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON RZ-1999-PR-031, WALLACE AND LOUISE BOWMAN, TO A DATE CERTAIN OF OCTOBER 21, 1999.

Commissioner Wilson seconded the motion which carried by a vote of 7-0-1 with Commissioner Kelso abstaining; Commissioners Byers, Downer, and Hall absent from the meeting; the Providence District seat vacant.

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Commissioner Palatiello announced his intention to take action on October 13, 1999 on the Policy and Procedures Committee's recommendations regarding the Comprehensive Plan Review process.

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Commissioner Alcorn noted that the Residential Development and Infill Committee had completed its work. He therefore MOVED THAT THE PLANNING COMMISSION ENDORSE THE WORK PROGRAM FOR THE INFILL AND RESIDENTIAL DEVELOPMENT STUDY AS PRESENTED IN THE MEMORANDUM DISTRIBUTED TO THE COMMISSION, DATED SEPTEMBER 29, 1999 WITH THE ADDENDUM, ALSO DISTRIBUTED TO THE COMMISSION, DATED OCTOBER 1, 1999.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Byers, Downer, and Hall absent from the meeting; the Providence District seat vacant.

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Chairman Murphy announced that the Planning Commission would hold an informal meeting with the directors of various Fairfax County agencies that interact with the Commission on a regular basis on Wednesday, October 27, 1999 at 7:00 p.m. in the Board Conference Room. (NOTE: This meeting was subsequently moved to Wednesday, November 3, 1999.)

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2232-H99-9 - FAIRFAX COUNTY WATER AUTHORITY (Decision Only)
(The public hearing on this application was held on October 6, 1999. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION FIND THAT 2232-H99-9, BY THE FAIRFAX COUNTY WATER AUTHORITY, IS IN SUBSTANTIAL ACCORD WITH THE PROVISIONS OF THE COMPREHENSIVE PLAN AND IN ACCORDANCE WITH SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioner Thomas seconded the motion which carried by a vote of 7-0-1 with Commissioner Alcorn abstaining; Commissioners Byers, Downer, and Hall absent from the meeting; the Providence District seat vacant.

ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. SEA-82-P-032-3 - WMATA & FAIRFAX COUNTY BOARD OF SUPERVISORS
2232-P99-5 - WMATA & FAIRFAX COUNTY BOARD OF SUPERVISORS
2. R2-1999-LE-032 - CENTEX HOMES

This order was accepted without objection.

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SEA-82-P-032-3 - WMATA & FAIRFAX COUNTY BOARD OF SUPERVISORS - Appl. under Sects 3-104, 3-804, & 6-105 of the Zoning Ord. to amend SE-82-P-032 for the WMATA facility to permit an additional multi-level parking structure at the Vienna Metro Station & a change in land area on property located in the N.W. & S.W. quadrants of the intersection of 1-66 & Nutley St. on approx. 44.26 ac. zoned R-1, R-8, & PDH-20. Tax Map 48-1((1))90, 91 B, 96, 97, 100A, 101B, 103; 48-1((6))7A, 813; 48-2(0)}1, 2, 4, 4A; 48-2((24))38A; 48-3((4))28. (Concurrent w/2232-P99-5.) PROVIDENCE DISTRICT.

2232-P99-5 - WMATA & FAIRFAX COUNTY BOARD OF SUPERVISORS - Appl. under Sect. 15.2-2232 of the *Code of VA* to permit an additional multi-level parking structure at the Vienna Metro Station & a change in land area on property located in the N.W. & S.W. quadrants of the intersection of 1-66 & Nutley St. on approx. 44.26 ac. zoned R-1, R-8, & PDH-20. Tax Map 48-1((1))90, 91 B, 96, 97, 100A, 101 B, 103; 48-1((6))7A, 813; 48-2((1))1, 2, 4, 4A; 48-2((24))38A; 48-3((4))28. (Concurrent w/SEA-82-P-032-3.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Richard Bochner, Manager, Project Planning, Washington Metropolitan Area Transit Authority (WMATA), reaffirmed the affidavit dated August 26, 1999. There were no disclosures by Commission members.

Elaine Jensen, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff report for SEA-82-P-032-3, a copy of which is in the date file. She noted that staff recommended approval of the application,

David Jillson, Planning Division, DPZ, presented the staff report for 2232-P99-5, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Bochner spoke about the great need for the parking garage. He noted that the project had the support of the community and concurred with the proposed development conditions.

Chairman Murphy called for speakers and outlined the rules for public testimony.

Timothy Bradshaw, 9704 Blake Lane, Fairfax, expressed his concern for the loss of trees that had accompanied the construction of an adjacent WMATA parking lot. He also mentioned water runoff problems in the area and asked for assurance that this proposal would not exacerbate those problems.

There being no further speakers, Chairman Murphy called upon Mr. Bochner for a rebuttal statement.

Mr. Bochner explained that there was an existing parking lot on the subject property and that no additional clearing would be needed. He added that stormwater management issues would be addressed during the site plan review process.

There being no comments or questions from the Commission and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Alcorn for action on this case. (A verbatim excerpt is in the date file.)

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In the absence of a Providence District Commissioner, Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION FIND THAT THE WMATA FACILITY PROPOSED UNDER 2232-P99-5 SATISFIES THE CRITERIA OF LOCATION, CHARACTER AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA* AND IS IN SUBSTANTIAL ACCORD WITH THE PROVISIONS OF THE COMPREHENSIVE PLAN.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioners Byers, Downer and Hall absent from the meeting; the Providence District seat vacant.

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-82-P-032-3, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 14, 1999.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioners Byers, Downer, and Hall absent from the meeting; the Providence District seat vacant.

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD MODIFY THE TRANSITIONAL SCREENING AND WAIVE THE BARRIER REQUIREMENTS ALONG THE NORTH, EAST, WEST, AND SOUTH SIDES OF THE PROPERTY AS PREVIOUSLY MODIFIED/WAIVED BY THE BOARD OF SUPERVISORS WITH THE APPROVAL OF SEA-82-P-032-2, AND AS DEPICTED ON THE SEA PLAT.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioners Byers, Downer and Hall absent from the meeting; the Providence District seat vacant.

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD WAIVE THE INTERIOR PARKING LOT LANDSCAPING REQUIREMENTS.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioners Byers, Downer, and Hall absent from the meeting; the Providence District seat vacant.

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD WAIVE THE SITE PLAN REQUIREMENT AND THE ZONING ORDINANCE REQUIREMENT FOR THE DEDICATION OF RIGHT-OF-WAY FOR VADEN DRIVE.

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RZ-1 999-LE-03- CENTEX HOMES - Appl. to rezone from R-4 & HC to R-8 & HC to permit residential development at a density of 8.0 du/ac on property located on the N. side of S. Kings Hwy. & approx. 750 ft. S. of its intersection w/Richmond Hwy, on approx. 5.0 ac. Comp. Plan Rec: 3-4 du/ac w/an option for 5-8 du/ac. Tax Map 83-3(1)9, 10, 11, 12, 13, 13A. LEE DISTRICT. PUBLIC HEARING.

William Thomas, Jr., Fagelson, Schonberger, Payne, and Deichmeister, reaffirmed the affidavit dated September 8, 1999. 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.

In response to a question from Commissioner Kelso, Mr. Braham said that staff had examined the recently submitted list of proffers (copy in date file) and found them acceptable.

In response to questions from Commissioner Wilson, Mr. Braham explained why the applicant had requested private streets. He showed where visitor parking would be provided.

Mr. Thomas stated that this application had been thoroughly reviewed by staff and citizens, with improvements made at each step of the process. He said that the applicant's proposal would be compatible with the surrounding uses and that an additional proffer would be included to place the open space in the northwest point of the subject property triangle into a conservation easement.

In response to a question from Commissioner Wilson, Mr. Thomas said that the applicant was not seeking any waiver of stormwater management requirements.

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

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Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-1999-LE-032, BY CENTEX HOMES, SUBJECT TO THE EXECUTION OF PROFFERS DATED SEPTEMBER 15, 1999 AND ATTACHED TO THE STAFF REPORT.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Byers, Downer, and Hall absent from the meeting; the Providence District seat vacant.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS WAIVER OF THE MAXIMUM LENGTH OF PRIVATE STREETS.

Commissioner Koch seconded the motion which carried by a vote of 7-1 with Commissioner Wilson opposed; Commissioners Byers, Downer and Hall absent from the meeting; the Providence District seat vacant.

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The meeting was adjourned at 10:20 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Gloria L. Watkins

Approved on: September 14, 2000



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