

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, OCTOBER 21, 2004**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Kenneth A. Lawrence, Providence District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Ronald W. Koch, Sully District
Rodney L. Lusk, Lee District

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The meeting was called to order at 8:16 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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COMMISSION MATTERS

Without objection, Commissioner Lawrence requested that the deferral date for the decision only on RZ 2004-PR-018, Landmark Property Development, LLC, be moved from Thursday, November 18, 2004, to Wednesday, November 17, 2004.

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Commissioner Hart MOVED THAT THE PUBLIC HEARING ON S01-CW-13CP, OUT-OF-TURN PLAN AMENDMENT, BE DEFERRED TO A DATE CERTAIN OF NOVEMBER 17, 2004.

Commissioners Hopkins and Byers seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS DEFER ITS PUBLIC HEARING ON S01-CW-13CP, OUT-OF-TURN PLAN AMENDMENT, FROM NOVEMBER 15, 2004, TO A DATE FOLLOWING THE PLANNING COMMISSION'S PUBLIC HEARING.

Commissioners Hopkins and Byers seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

Chairman Murphy recommended that Springfield District Supervisor Elaine McConnell's Office and Mount Vernon District Supervisor Gerald Hyland's Office be notified of these Out-of-Turn Plan Amendment public hearings.

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Commissioner Wilson MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON OTPA S01-CW-10CP, PERTAINING TO THE ANIMAL CONTROL SECTION OF THE POLICY PLAN, TO NOVEMBER 17, 2004.

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

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS DEFER ITS PUBLIC HEARING ON S01-CW-10CP, OUT-OF-TURN PLAN AMENDMENT, UNTIL AFTER THE PLANNING COMMISSION HAS MADE ITS RECOMMENDATION.

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

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Commissioner Wilson MOVED THAT THE PUBLIC HEARING ON S04-CW-3CP, OUT-OF-TURN PLAN AMENDMENT, BE DEFERRED TO NOVEMBER 17, 2004.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS DEFER ITS PUBLIC HEARING ON S04-CW-3CP, OUT-OF-TURN PLAN AMENDMENT, TO A DATE AFTER THE PLANNING COMMISSION HAS MADE ITS RECOMMENDATION.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

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Commissioner Wilson announced that the South County Federation's Land Use Committee had scheduled a citizens meeting on November 2, 2004, at 7:30 p.m., at the Lorton Station

Elementary School. She recognized that November 2nd was election night and added that if the school was a voting site, then the meeting would be held at the Autotrain Station.

Commissioner Wilson assured Chairman Murphy that the Planning Commission and Supervisor McConnell's Office would receive notice of any change to the date and location for the November 2nd meeting. She further noted that on November 9, 2004, the entire membership of the South County Federation would be present at another citizens meeting at 7:30 p.m. at Lorton Station Elementary School.

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RZ 2004- PR-006 - WHITESTONE INVESTMENTS, INC.

FDP 2004-PR-006 - WHITESTONE INVESTMENTS, INC. (Decisions Only)

(The public hearing on these applications was held on September 9, 2004. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ 2004-PR-006, WHITESTONE INVESTMENTS, INC., WITH PROFFERS AS AMENDED AND AS AGREED FOR ANNOTATION ON OCTOBER 21, 2004.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-2 with Commissioners Byers and Hall abstaining; Commissioner Hart not present for the vote; Commissioners Koch and Lusk absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2004-PR-006, WHITESTONE INVESTMENTS, INC.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-2 with Commissioners Byers and Hall abstaining; Commissioner Hart not present for the vote; Commissioners Koch and Lusk absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A WAIVER OF THE MINIMUM DISTRICT SIZE REQUIREMENT.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-2 with Commissioners Byers and Hall abstaining; Commissioner Hart not present for the vote; Commissioners Koch and Lusk absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE SERVICE DRIVE REQUIREMENT.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-2 with Commissioners Byers and Hall abstaining; Commissioner Hart not present for the vote; Commissioners Koch and Lusk absent from the meeting.

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RZ 2004-PR-010 - YUOH AND ALICE KU (Decision Only)

(The public hearing on this application was held on September 8, 2004. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2004-PR-010, YUOH AND ALICE KU, SUBJECT TO PROFFERS AS AMENDED ON OCTOBER 21, 2004.

Commissioner Hopkins seconded the motion which carried by a vote of 8-0-2 with Commissioners Murphy and Byers abstaining; Commissioners Koch and Lusk absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. RZ 2003-DR-049 - ROSEWOOD BUILDING & DEVELOPMENT, LLC
FDP 2003-DR-049 - ROSEWOOD BUILDING & DEVELOPMENT, LLC
2. PCA 1996-HM-044-03 - LB DULLES ACQUISITION LLC
FDPA 1996-HM-044 - LB DULLES ACQUISITION LLC
PCA 86-C-029-10 - LB DULLES ACQUISITION LLC
FDPA 86-C-029-06 - LB DULLES ACQUISITION LLC
PCA 88-C-066-05 - LB DULLES ACQUISITION LLC
FDPA 88-C-066 - LB DULLES ACQUISITION LLC
3. PCA-C-597-2 - MERCANTILE POTOMAC BANK
SE 2004-PR-019 - MERCANTILE POTOMAC BANK

This order was accepted without objection.

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RZ 2003-DR-049/FDP 2003-DR-049 - ROSEWOOD BUILDING & DEVELOPMENT, LLC - Appls. to rezone from R-12, R-3 and CRD to PDH-12 and CRD to permit residential development at a density of 9.95 dwelling units per acre (du/ac) and approval of the conceptual and final development plans. Located in the S.E. quadrant of Davidson

Rd. and Chain Bridge Rd. on approx. 2.61 ac. of land. Comp. Plan
Rec: 8-12 du/ac. Tax Map 30-4 ((1)) 3, 3A, 4, 5, 5A and 6.
DRANESVILLE DISTRICT. PUBLIC HEARING.

William B. Lawson, Jr., of Lawson & Frank, P.C., reaffirmed the affidavit dated October 6, 2004. There were no disclosures by Commission members.

Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that DPZ staff had initially recommended denial based on concerns expressed by the Department of Public Works and Environmental Services (DPWES) staff about an underground stormwater detention waiver. She added that since working with the applicant, DPWES staff was now recommending approval of the applications.

Mr. Lawson noted that the McLean Planning Committee, the McLean Citizens Association, the Stoneleigh Homeowners Association (HOA), Ms. Lewis, and Jerry Stonefield of DPWES had devoted time and effort to resolve the proposed development's four major issues: full consolidation, McLean guidelines and topography, transition into the Stoneleigh community, and underground stormwater detention facilities. He described the current layout as the least intrusive upon the neighboring community since it would provide a significant buffer and lower the heights of the homes closest to Stoneleigh.

In response to a question from Commissioner Hopkins, Mr. Lawson explained that the existing soils located onsite would not support infiltration trenches to meet all of the stormwater management requirements; therefore, the applicant would utilize underground facilities as a more feasible system.

Commissioner Hopkins suggested that the language in Proffer Number 9, dated October 15, 2004, section f, read: "A maintenance plan and agreement shall be executed prior to final plan approval...". She further suggested that the language in the second paragraph of section k, under the same proffer, read: "The Applicant agrees, prior to site plan approval, to escrow with Fairfax County for future assignment by the County to the HOA, the amount equivalent to 20 years of maintenance of the underground facilities, as determined by DPWES. These monies shall not be made available to the HOA until after final Fairfax County bond release." Mr. Lawson agreed to the changes.

Mr. Lawson responded to a question from Commissioner Harsel regarding planting specifications and calibers as shown on the Generalized Development Plan.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Winnie Pizzano, representing the Stoneleigh HOA, 1540 Bruton Court, McLean, noted that the Stoneleigh HOA, the McLean Planning Committee, and the McLean Citizens Association supported the proposal and the staff recommendation that a waiver be granted for the location of underground facilities in a residential area. (A copy of her remarks is in the date file.)

James Robertson, representing the McLean Citizens Association, 7209 Evans Mill Road, McLean, said that the Association Board of Directors supported the application, since DPWES had agreed to grant a waiver to provide for the use of an underground stormwater management system. (A copy of his remarks is in the date file.)

There were no further speakers; therefore Chairman Murphy called upon Mr. Lawson for a rebuttal statement. Mr. Lawson declined.

Commissioner Alcorn expressed his appreciation for the effort made by DPWES staff on underground stormwater management issues and on the progress made to protect future homeowners from any liability for public safety issues caused by stormwater management.

Commissioner Hopkins explained that the proffers dated October 15, 2004, resolved safety and stormwater management issues. She noted that the Stoneleigh HOA, the McLean Citizens Association, and the McLean Planning Committee conditioned their support on the approval of the underground detention facility, which was important to the adjacent neighborhood due to water table issues and flooding of basements.

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 Hopkins for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2003-DR-049, SUBJECT TO THE EXECUTION OF PROFFERS DATED OCTOBER 15, 2004, AS AMENDED ON OCTOBER 21, 2004.

Commissioners Byers and Hart seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2003-DR-049, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 OF THE STAFF REPORT.

Commissioners Byers and Hart seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF THE 200 SQUARE FOOT PRIVACY YARD REQUIREMENT FOR THE PROPOSED SIX REAR-LOADED UNITS, LOTS 8 THROUGH 13.

Commissioner Hart seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENT ALONG CHAIN BRIDGE AND DAVIDSON ROADS TO THE LANDSCAPING AND FENCING AS SHOWN ON THE CDP/FDP.

Commissioners Byers and Hart seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A MODIFICATION OF THE COMPREHENSIVE PLAN TRAIL REQUIREMENT ALONG CHAIN BRIDGE ROAD TO THE PROPOSED SIDEWALK AS DEPICTED ON THE CDP/FDP.

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

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF THE LIMITATION ON FENCE HEIGHT PER PARAGRAPH 8 OF SECTION 16-401 TO PERMIT THE PROPOSED WALL ALONG CHAIN BRIDGE AND DAVIDSON ROADS TO BE SIX FEET IN HEIGHT.

Commissioners Hart and Byers seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG CHAIN BRIDGE ROAD.

Commissioners Byers and Hart seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF PFM SECTION 12-07021B(2) TO PERMIT A MODIFICATION OF THE MINIMUM EIGHT FOOT PLANTING WIDTH FOR TREES TO PERMIT A MINIMUM FIVE FOOT PLANTING WIDTH FOR TREES ALONG CHAIN BRIDGE AND DAVIDSON ROADS.

Commissioners Byers and Hart seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF PFM SECTION 6-0303.8 TO PERMIT THE USE OF AN UNDERGROUND DETENTION FACILITY AND A SEPARATE UNDERGROUND WATER QUALITY CONTROL FACILITY IN A RESIDENTIAL AREA, SUBJECT TO THE DEVELOPMENT CONDITIONS ENTITLED, "WAIVER NUMBER 026839 CONDITIONS," AND DATED SEPTEMBER 28, 2004.

Commissioners Byers and Hart seconded the motion which carried by a vote of 9-0-1 with Commissioner Harsel abstaining; Commissioners Koch and Lusk absent from the meeting.

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RPA EXCEPTION CBE NUMBER 026459, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED SEPTEMBER 27, 2004.

Commissioners Hart and Byers seconded the motion which carried unanimously with Commissioners Koch and Lusk absent from the meeting.

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PCA 1996-HM-044-03/FDPA 1996-HM-044 - LB DULLES ACQUISITION LLC - Appls. to amend the proffers and final development plan for RZ 1996-HM-044 previously approved for office/hotel to permit mixed use development to include non-residential and multi-family residential uses with an overall Floor Area Ratio (FAR) of 0.86. Located in the S.W. quadrant of Sunrise Valley Dr. and Dulles View Dr. on approx. 41,295 sq. ft. of land zoned PDC. Comp. Plan Rec: Mixed Use. Tax Map 15-4 ((1)) 23A pt. (Concurrent with PCA 88-C-066-05, FDPA 88-C-066, PCA 86-C-029-10 and FDPA 86-C-029-06.) HUNTER MILL DISTRICT.

PCA 86-C-029-10/FDPA 86-C-029-06 - LB DULLES ACQUISITION LLC - Appls. to amend the proffers and final development plan for RZ 86-C-029 previously approved for office/hotel to permit mixed use development to include non-residential and multi-family residential

uses with an overall Floor Area Ratio (FAR) of 0.86. Located on the W. side of Sunrise Valley Dr. across from its intersection with Coppermine Rd. on approx. 31.34 ac. of land zoned PDC. Comp. Plan Rec: Mixed Use. Tax Map 15-4 ((1)) 13 and 13B. (Concurrent with PCA 1996-HM-044-03, FDPA 1996-HM-044, PCA 88-C-066-5 and FDPA 88-C-066.) HUNTER MILL DISTRICT

PCA 88-C-066-05/FDPA 88-C-066 - LB DULLES ACQUISITION LLC - Appls. to amend the proffers and final development plan for RZ 88-C-066 previously approved for office/hotel to permit mixed use development to include non-residential and multi-family residential uses with an overall Floor Area Ratio (FAR) of 0.86. Located in the S.W. quadrant of Sunrise Valley Dr. and Dulles View Dr. on approx. 1.12 ac. of land zoned PDC. Comp. Plan Rec: Mixed Use. Tax Map 15-4 ((1)) 13C, 23A pt. and 23A1. (Concurrent with PCA 1996-HM-044-03, FDPA 1996-HM-044, PCA 86-C-029-10 and FDPA 86-C-029-06.) HUNTER MILL DISTRICT. JOINT PUBLIC HEARING.

Elizabeth Baker, land use planner with Walsh, Colucci, Lubeley, Emrich & Terpak, PC, reaffirmed the affidavit dated September 14, 2004. There were no disclosures by Commission members.

William Mayland, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Responding to a question from Vice Chairman Byers, Mr. Mayland explained that with exception of the first Conceptual Development Plan, parcel 13 had always been counted toward open space even though it was a noncontiguous parcel.

Responding to another question from Vice Chairman Byers, Kevin Guinaw, ZED, DPZ, stated that, to his knowledge, the Zoning Ordinance did not specify how far away a noncontiguous parcel could be and still be counted as part of an application property.

Ms. Baker described the subject property as an undeveloped portion of a 100-acre office development in Dulles Corner. She explained that the applications proposed to develop 470 multi-family units which would fit in with commercial uses on-site. She noted that the benefit of creating a more compact development area was that the remaining open space would be dedicated to the Fairfax County Park Authority (FCPA). She said that 6.7 acres would accommodate a 90-foot baseline baseball field which would be equipped with lights, irrigation, and under-drains, and another 3 acres would be connected to the Merribrook Stream Valley.

Ms. Baker outlined the benefits for public facilities provided by the proposed development: traffic signals, road contributions, Transportation Demand Management, school contributions, and trails along Route 28 and Sunrise Valley Drive. She noted that the Hunter Mill Land Use Committee supported the applications. She requested the deletion of Development Condition Number 2, which permitted the only fencing for the baseball field to be a noise wall. She explained why there was a need for outside fencing for the baseball field in addition to a noise wall and proposed that the development condition be replaced with a proffer or a new development condition that prohibited parameter security fencing.

In response to questions from Commissioner de la Fe, Mr. Mayland and Ms. Baker agreed to a proffer that would permit appropriate fencing for the baseball field and would state that the property was not a gated community.

Responding to questions from Commissioner Wilson, Ms. Baker said that the applicant would meet the FCPA standards for outfield fencing and called attention to Proffer Number 16, which required that an “architectural grate or netting/screen shall be provided along the southern façade of Building I to protect it from balls hit from the adjacent baseball diamond.” Ms. Baker assured Commissioner Wilson that language would be added to this proffer to include the parking garage.

Commissioner Hart recommended that a high fence be built at the first baseline parallel to Dulles View Drive in order to prevent balls from being hit onto the road and causing a potential traffic hazard. Ms. Baker agreed with his recommendation.

Commissioner de la Fe pointed out that the field and building were subject to an agreement between the applicant and the FCPA; therefore, all suggestions would be taken into consideration.

In the absence of Chairman Murphy, Vice Chairman Byers called the first listed speaker.

Jim Collins, Field Director for Reston Youth Baseball, 12907 Lyme Bay Drive, Herndon, noted that he had e-mailed Commissioner de la Fe a request for changes to Proffer Number 40 concerning park dedication. (A copy of the e-mail is in the date file.)

In response to questions from Commissioner Wilson, Ms. Baker said that the applicant would have a photometric plan as part of their agreement with the FCPA and assured her that a proffer required all outdoor lighting fixtures to be in accordance with the Outdoor Lighting Standards of the Zoning Ordinance.

Commissioner de la Fe pointed out to Commissioner Hall that the applicant would provide a trail along Route 28 and would also continue a trail along the property line.

PCA 1996-HM-044-03, FDPA 1996-HM-044, PCA 86-C-029-10,
FDPA 86-C-029-06, PCA 88-C-066-05, FDPA 88-C-066
LB DULLES ACQUISITION LLC

October 21, 2004

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 case. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 86-C-029-10, PCA 88-C-066-05, AND PCA 1996-HM-044-03, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 20, 2004, AND WITH THE ADDITION OF A FENCING PROFFER AS DISCUSSED ON OCTOBER 21, 2004. THE RECOMMENDATION OF APPROVAL IS CONTINGENT UPON THE APPLICANT'S PAYMENT OF FUNDS ACCORDING TO THE BOARD OF SUPERVISORS' FORMULA FOR THE REZONING OF COMMERCIAL AND INDUSTRIAL ZONED LAND TO RESIDENTIAL USE WITHIN THE ROUTE 28 TAX DISTRICT, WITH SUCH PAYMENT TO BE RECEIVED PRIOR TO THE EFFECTIVE DATE OF THE REZONING, AS SET BY THE BOARD OF SUPERVISORS.

Commissioner de la Fe further MOVED THAT UPON APPROVAL OF THE APPLICATIONS, THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT SET A DATE UP TO 60 DAYS FROM THE BOARD'S DECISION AS THE "EFFECTIVE DATE OF THE REZONING."

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

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 86-C-029-06, FDPA 88-C-066, AND FDPA 1996-HM-044, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 OF THE STAFF REPORT AND DATED OCTOBER 6, 2004, WITH THE DELETION OF DEVELOPMENT CONDITION NUMBER 2, AS DISCUSSED ON OCTOBER 21, 2004, AND THE BOARD OF SUPERVISORS' APPROVAL OF PCA 86-C-029-10, PCA 88-C-066-05, AND PCA 1996-HM-044-03.

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

PCA 1996-HM-044-03, FDPA 1996-HM-044, PCA 86-C-029-10,
FDPA 86-C-029-06, PCA 88-C-066-05, FDPA 88-C-066
LB DULLES ACQUISITION LLC

October 21, 2004

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A MODIFICATION OF THE TRANSITIONAL SCREENING FOR THE FUTURE PARK FOR THE SOUTHEAST BOUNDARY AND BETWEEN THE ON-SITE USES IN FAVOR OF THE EXISTING AND PROPOSED LANDSCAPING DEPICTED ON THE CONCEPTUAL/FINAL DEVELOPMENT PLAN FOR PCA 86-C-029-10/FDPA 86-C-029-06, PCA 88-C-066-05/FDPA 88-C-066, AND PCA 1996-HM-044-03/ FDPA 1996-HM-044.

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

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF THE BARRIER REQUIREMENT FOR THE FUTURE PARK FOR THE SOUTHEAST BOUNDARY BETWEEN THE ON-SITE USES FOR PCA 86-C-029-10/FDPA 86-C-029-06, PCA 88-C-066-05/FDPA 88-C-066, AND PCA 1996-HM-044-03/FDPA 1996-HM-044.

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

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF THE 600 FOOT MAXIMUM LENGTH FOR PRIVATE STREETS FOR PCA 86-C-029-10/FDPA 86-C-029-06.

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

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A MODIFICATION OF THE LOADING SPACE REQUIREMENT FOR THE MULTI-FAMILY USES TO PERMIT TWO SPACES FOR PCA 86-C-029-10/FDPA 86-C-029-06.

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

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PCA-C-597-03 - MERCANTILE POTOMAC BANK - Appl. to amend the proffers for RZ C-597 previously approved for commercial development to permit a drive-in bank in an existing office building and site modifications with an overall Floor Area Ratio (FAR) of 0.97. Located on the S. side of Boone Blvd. approximately 300 ft. E. of its intersection with Howard Ave. on approx. 2.54 ac. of land zoned C-3, HC and SC. Comp. Plan Rec: Office. Tax Map 39-1 ((6)) 69A pt. (Concurrent with SE 2004-PR-019.) PROVIDENCE DISTRICT.

SE 2004-PR-019 - MERCANTILE POTOMAC BANK - Appl. under Sect. 7-607 of the Zoning Ordinance to permit a drive-in bank in an existing office building in a Highway Corridor Overlay District. Located at 8229 Boone Blvd. on approx. 2.54 ac. of land zoned C-3, HC and SC. Tax Map 39-1 ((6)) 69A pt. (Concurrent with PCA-C-597-03.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Elizabeth Baker, land use planner with Walsh, Colucci, Lubeley, Emrich & Terpak, PC, reaffirmed the affidavit dated September 16, 2004. There were no disclosures by Commission members.

Commissioner Lawrence asked that Vice Chairman Byers ascertain whether there were any speakers present for this application. There being none, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore Vice Chairman Byers closed the public hearing and recognized Commissioner Lawrence for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2004-PR-019, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

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

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-C-597-03, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THE DRAFT PROFFERS CONTAINED IN APPENDIX 2 AS AMENDED ON OCTOBER 21, 2004.

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

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The meeting was adjourned at 9:35 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: Kara A. DeArrastia

Approved on: February 28, 2007

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