

**MINUTES OF
PLANNING COMMISSION MEETING
OCTOBER 22, 1992**

PRESENT: Lawrence C. Baldwin, Commissioner At-Large
David P. Bobzien, Centreville District
John R. Byers, Mount Vernon District
Patrick M. Hanlon, Providence 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: None

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The meeting was convened at 8:25 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Harsel noted that scheduled for decision only this evening was SE-91-B-056, Exxon Corporation. She added that the application had been improperly filed and therefore the Commission could not take any action this evening. Commissioner Harsel then MOVED THAT WE DEFER SE-91-B-056 INDEFINITELY.

Commissioners Byers and Hanlon seconded the motion which passed unanimously.

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Commissioner Hanlon called attention to decision only on PCA-87-P-021-2, RK/W Three Joint Venture. He then MOVED THAT WE DEFER DECISION ON THAT, FURTHER, TO A DATE OF NOVEMBER 18, 1992.

Commissioner Byers seconded the motion which passed unanimously.

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456-W92-13 - FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS
RZ-91-W-023 - BOARD OF SUPERVISORS, FAIRFAX COUNTY
FDP-91-W-023 - BOARD OF SUPERVISORS, FAIRFAX COUNTY (Decisions Only)

(The public hearing on this application was held on October 14, 1992. A complete verbatim transcript of the decision made on this item is included in the date file.)

Commissioner Hanlon MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ-91-W-023, and CDP-914W023, SUBJECT TO THE EXECUTED PROFFERS DATED OCTOBER 15, 1992.

Commissioner Byers seconded the motion which passed unanimously.

Commissioner Hanlon also MOVED THAT THE PLANNING COMMISSION APPROVE FDP-91-W-023, SUBJECT TO THE APPROVAL BY THE BOARD OF SUPERVISORS OF THE RELATED REZONING AND CDP, AND SUBJECT TO THE EXECUTED PROFFERS DATED OCTOBER 15, 1992.

Commissioner Byers seconded the motion which passed unanimously.

Commissioner Hanlon then MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE TRANSITION SCREENING REQUIREMENT AND A WAIVER OF THE BARRIER REQUIREMENT ALONG THAT PORTION OF THE SOUTHERN PROPERTY BOUNDARY WHICH IS ACROSS JUDICIAL DRIVE FROM A SINGLE FAMILY RESIDENCE, SUBJECT TO THE PLANTING SHOWN ON THE FINAL LANDSCAPE PLAN, AS APPROVED BY THE URBAN FORESTER, AND ALL OF THIS PURSUANT TO SECTION 13-304-3 OF THE ZONING ORDINANCE OF FAIRFAX COUNTY.

Commissioner Byers seconded the motion which passed unanimously.

Commissioner Hanlon finally MOVED THAT THE PLANNING COMMISSION, IN ACCORDANCE WITH SECTION 15.1-456 OF THE *CODE OF VIRGINIA*, AS AMENDED, FIND THAT THE PROPOSED EXPANSION OF THE MASSEY COMPLEX FACILITIES IS IN SUBSTANTIAL ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Byers seconded the motion which passed unanimously.

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RZ-87-Y-074 - CHARLIE R. AND JUDY A. BEATY (Decision Only)

(The public hearing on this application was held on October 7, 1992. A complete verbatim transcript of the decision made on this item is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT APPLICATION RZ-87-Y-074 BE DENIED.

Commissioners Byers, Hanlon and Thomas seconded the motion which passed unanimously.

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Chairman Murphy announced that the Board of Supervisors would discuss on Monday, October 26, 1992, the Route 28 Task Force workshop and upcoming public hearings. He added that unless changed the dates tentatively scheduled would be as follows:

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| Workshop | December 10, 1992 |
| Planning Commission Public Hearings | January 6, 1993 |
| | January 7, 1993 (if needed) |
| Workshop | January 13, 1993 |
| Mark-Up | January 27, 1993 |
| Board of Supervisors Public Hearing | To Be Announced |

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Chairman Murphy noted that December 10, 1992 was a regular Planning Commission night and therefore the meeting would start at 7:00 p.m. with telecast. He added that any changes would be announced on Wednesday, October 28, 1992.

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Commissioner Sell referred to three applications for Kingstowne Commercial Limited Partnership, scheduled for decision only on October 28, 1992, and stated that they still required a lot of work. Commissioner Sell then noted his intent to defer PCA-84-L-020-4, CDPA-84-L-020-5, and FDP-84-L-020-2 to November 12, 1992.

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ORDER OF THE AGENDA

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

1. 456-S92-7 – Southwestern Bell Mobile Systems, Inc.
2. SE-92-D-026 – First Virginia Bank
3. SE-92-Y-024 – INOVA Hospitals
SEA-84-C-076-4 – INOVA Hospitals
PCA-85-C-091-3 – INOVA Hospitals
4. SE-92-D-028 – Exxon Corporation

This order was accepted without objection.

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The first public hearing being in the Springfield District, Chairman Murphy asked Vice Chairman Hanlon to take the Chair.

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456-S92-7 - SOUTHWESTERN BELL MOBILE SYSTEMS, INC. -
Under provisions of Sect. 15.1-456 of the *Code of Virginia*, as amended, to utilize approx. 2.28 ac. for a mobile telephone cell facility that will include an equipment building & a related 250 foot high tower on property located at the intersection of Fairfax Station Rd. & Hill St.; approx. 1600 ft. West of Ox Rd. Tax Map: 77-1((1)) 1. Area III. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Mr. Edwin Spann, Planning Division (PD), Office of Comprehensive Planning (OCP), presented the staff report, a copy of which is contained in the date file. He said that staff concluded that the proposed Cellular One facility was substantially in accord with the basic policies for such a facility as stated in the Comprehensive Plan, and recommended that the Planning Commission approve the project pursuant to Section 15.1-456 of the *Code of Virginia*, as amended.

In response to Commissioner Byers' question, Mr. David Mullet, Director, Division of Communications, said that the County intended to mount two antennas on the tower to be used for public safety communications and to enhance public safety communications primarily in the Clifton/Fairfax Station area. He added that one antenna would be used for Fire and Rescue communications and the other for Police communications and would be a receiver site.

James R. Michal, Esquire, Jackson & Campbell, represented Cellular One. He submitted various newspaper articles, photographs, a pamphlet from the Federal Communications Commission (FCC), and a letter from Katherine Moorehead which are contained in the date file. Mr. Michal said that Cellular One was FCC licensed and therefore were under an obligation to provide affective, quality service to their subscribers. He said that Cellular One did attempt to negotiate with the railroad property for access to their exiting microwave tower and were told "No thank you." He said they had ruled out a 450-foot radio tower farther down Route 123 because it was subject to special exception and would have required an amendment. Mr. Michal said that they had also contacted the Federal Aviation Administration (FAA), who said they would not allow third party users on their towers. Cellular One, he said, concluded that from an engineering and zoning standpoint, the proposed site would cause minimal impact to the fewest residential properties. Mr. Michal said that they had met with some of the adjoining property owners and had walked the site to determine the type of screening that would be appropriate for the site, assuming the application were to be approved. He added that they had committed themselves to providing additional screening. Mr. Michal said that use of the tower would be of benefit to the County's Communications Division.

In response to Commissioner Byers' question on the location of the tower, Mr. Michal said that the existing Zoning Ordinance prevented them from locating the tower further from Fairfax Station Road. He added that it would have been preferable to locate the tower by the railroad

tracks, had the Ordinance permitted that; however the topography would have required them to build a higher tower.

Mr. Spann responded that the OCP Zoning Enforcement staff had reviewed the location and Mr. Michal had stated staff's position correctly.

Mr. Peter Braham, ZED, OCP, responded that a variance could be obtained from the Board of Zoning Appeals (BZA) to variate a yard setback requirement.

Mr. Michal, in response to Commissioner Baldwin's question, said that Cellular One would most likely need to add five more cell sites in Fairfax County in the next year to eighteen months.

Vice Chairman Hanlon called the only listed speaker and outlined the Planning Commission's rules for speakers.

Mr. George Burchfield, 5811 Hennora Lane, Fairfax Station, was concerned with the height of the tower.

There being no further listed speakers, Vice Chairman Hanlon called for speakers from the audience.

Mr. Barry Dewberry, 11234 Fairfax Station Road, Fairfax Station, said that he was not opposed to Southwestern Bell Mobile Systems' need to enhance their mobile telephone service in this area of Fairfax County, but was simply questioning whether all possible alternatives to provide the needed service had been explored. He requested that the decision be deferred so that the Commission could properly evaluate the proposal in accordance with Objectives 40 and 41 as set forth in the Comprehensive Plan. (See position statement in date file.)

There being no further speakers from the audience, Vice Chairman Hanlon called on Mr. Michal for rebuttal.

Mr. Michal responded that they had made reasonable, good faith efforts at locating elsewhere but had not been able to do so. He added that they had met with the citizens in an effort to minimize the visual impact and offered that at a later date, should the engineering needs for the height be reduced, they would remove sections of the tower. Mr. Michal reiterated that they did not have the luxury of time; had to build the system in order to serve their subscribers; would minimize where the towers would have to go, and, they would be good neighbors. He then asked for approval of the application.

In response to Mr. Birchfield's question, Mr. Mullet replied that he had not compared the towers to one another and would defer to Mr. Michal. Mr. Michal said that because they had been turned down during preliminary discussions they didn't pursue it. He added that had they been able to access one of the other towers they would have had to add sections to the tower.

Commissioner Baldwin asked whether the tower would have guidelines. Mr. Michal said that it would not be a guide tower but would be a three-legged free standing tower.

Commissioner Murphy requested that Mr. Michel submit, in writing, a list of everything the applicant would be doing. He then submitted into the record, a letter from Mr. Dewberry dated October 16, 1992, a response dated October 20, 1992, and a letter from the Friends of Fairfax Station who had agreed not to oppose the application.

Commissioner Sell commented that proliferation of towers was getting out of hand in Fairfax County.

Vice Chairman Hanlon called on Mr. Spann for closing comments. Mr. Spann pointed out that the staffs of OCP, the Office of Communications, Bell Atlantic and Cellular One had spent many hours this fall trying to bring a coordinated and comprehensive report to the Planning Commission and the Board of Supervisors concerning the technology that would be required of the cellular systems in Fairfax County. He added that between now and the end of this year they would have the results of that effort.

Vice Chairman Hanlon closed the public hearing and recognized Commissioner Murphy for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER 456-892-7 FOR A DECISION ONLY TO A DATE CERTAIN OF WEDNESDAY, OCTOBER 28, 1992, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which passed unanimously.

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At the conclusion of this case, Vice Chairman Hanlon returned the Chair to Chairman Murphy.

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SE-92-D-026 - FIRST VIRGINIA BANK - Appl. under Sects. 4-604 & 9-601 of the Zoning Ord. to permit a drive-in bank & a waiver of the minimum lot width & lot size requirements on property located at 2148 Centreville Rd. on approx. 0.58 ac. of land zoned C-6. Tax Map 16-1((1)) pt.7B. DRANESVILLE DISTRICT. PUBLIC HEARING.

Sarah H. Reifsnnyder, Esquire, Blankingship & Keith, reaffirmed the affidavit. There were no disclosures by Commission members.

Commissioner Hubbard requested that Chairman Murphy call for speakers from the audience for this case. Receiving no response and there being no comments or questions from the Commission, Commissioner Hubbard asked that presentation of the staff report be waived. No objection was expressed and Chairman Murphy closed the public hearing and recognized Commissioner Hubbard for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Hubbard MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE-92-D-026, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 21, 1992.

Commissioners Bobzien and Thomas seconded the motion which passed unanimously with Commissioner Byers not present for the vote.

Commissioner Hubbard also MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT WAIVE THE MINIMUM LOT WIDTH AND LOT AREA REQUIREMENT PURSUANT TO SECTION 9-610 OF THE ZONING ORDINANCE.

Commissioner Bobzien seconded the motion which passed unanimously with Commissioner Byers not present for the vote.

Commissioner Hubbard then MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT WAIVE THE BARRIER REQUIREMENT AND IT MODIFY THE TRANSITIONAL SCREENING REQUIREMENT IN FAVOR OF THAT SHOWN ON THE SE PLAT, PURSUANT TO PARAGRAPH 3 OF SECTION 13-304 OF THE ZONING ORDINANCE.

Commissioner Bobzien seconded the motion which passed unanimously with Commissioner Byers not present for the vote.

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SE-92-Y-024 - INOVA HOSPITALS - Appl. under Sect. 3-104 of the Zoning Ord. to permit a child care center on property located at 12601 Ox Trail on approx. 1.44 ac. zoned R-1 & WS. Tax Map 45-2((2)) 51B1. (Concurrent with PCA-85-C-091-3 & SEA-84-C-076-4.) SULLY DISTRICT.

SEA-84-C-076-4 - INOVA HOSPITALS - Appl. under Sect. 4-304 of the Zoning Ord. to amend SE-84-C-076 for medical care facilities to permit building additions including modular buildings, additional parking, & other modifications & a reduction in land area on property

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located at 3600 & 3650 Joseph Siewick Dr. on approx. 46.30 ac. zoned C-3 & WS. Tax Map 45-2((1)) 25, 41, & 42. (Concurrent with PCA-85-C-091-3 & SE-92-Y-024.) SULLY DISTRICT.

PCA-85-C-091-3 - INOVA HOSPITALS - Appl. to amend the proffers for RZ-85-C-091 to permit building additions including modular buildings, additional parking, & other modifications to an existing hospital & medical offices & to sever publicly dedicated land, on property located at 3600 & 3650 Joseph Siewick Dr. on approx. 38.80 ac. zoned C-3 & WS. Comp. Plan Rec: Hospital (County Health Facility). Tax Map 45-2((1)) 25, 41, & 42. (Concurrent with SEA-84-C-076-4 & SE-92-Y-024.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Martin D. Walsh, Esquire, of Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C., reaffirmed the affidavit. There were no disclosures by Commission members.

Mr. Greg Chase, Zoning Evaluation Division (ZED), Office of Comprehensive Planning (OCP), presented the staff report, a copy of which is contained in the date file. He noted that staff had determined that PCA-85-C-091-3 and SEA-84-C-076-4 were in conformance with the Zoning Ordinance requirement and in harmony with the Comprehensive Plan. He said that staff, therefore, recommended approval of PCA-85-C-0913, subject to proffers dated September 29, 1992; and approval of SEA-84-C-076-4, subject to proposed development conditions dated October 19, 1992. He added that based on the evaluation of the current Comprehensive Plan language, staff considered the Child Care Center to be an expansion of the hospital use and that approval of the use could establish a precedent for the expansion of the hospital or hospital serving uses. Therefore, Mr. Chase said, staff believed that before any expansion of hospital use was permitted beyond the existing site; a comprehensive study should be undertaken. He said that staff recommended denial of SE-92-Y-024.

In response to questions from Commissioners Hanlon and Koch, Mr. Chase said that staff was not necessarily opposing the application for use as a child care center. He added that the basis for staff's recommendation for denial was their determination that this was a use exclusively for hospital employees and therefore had a relationship with the hospital as an ancillary use.

Commissioner Bobzien expressed his concern with staff's analysis, Appendix 9, and asked Mr. Chase to convey to the rest of the planning staff his feeling that if the Commission was expected to uphold the Comprehensive Plan, the analysis needed to be a little tighter.

In response to prior statements, Mr. Walsh said that the application had been outlined by staff. He added that the applicant's request for a canopy was in compliance with the American Disabilities Act. He said that the primary issue was the special exception request for the child

care facility. He added that the impact on the community would be minimal for the following reasons: there would be very few new vehicular trips; and, the design would be consistent with the single-family community. Mr. Walsh said that the applicant was working closely with Mrs. Taylor to help minimize the impact on her. He added that they would like to retain the 24 parking spaces they had provided since they were the closest to the day care center and were necessary for safe access. Mr. Walsh asked that Condition #14 regarding shared parking; and Condition #10, regarding the setback on the special exception, be modified.

In answer to Commissioner Koch's questions on the child care facility, Mr. Walsh said that if the footprint was shrunk, another story would have to be added to the facility and it would be in conflict with proposed Development Condition #15 which limited the height of the building to 24 feet. He added that the greater height would have more of an impact on Mrs. Taylor.

Chairman Murphy called the first listed speaker.

Mr. Kevin Smith, 12510 Alexander Cornell Drive, Fairfax, was not present to speak.

Mr. John Donovan, President of the Fair Oaks Estates Homeowners Association, 12505 Lieutenant Nichols Road, Fairfax, first read a letter into the record for Mr. Kevin Smith which expressed his opposition to the applications. (See copy in date file.) Mr. Donovan then spoke as the representative for Fair Oaks Estates HOA which was also in opposition to the applications. (See position statement in date file.)

There being no more listed speakers Chairman Murphy called for speakers from the audience. Ms. Hettie Hervey, representing the Navy-Vale Community League, stated that they were in support of the Fair Oaks Hospital site, but in opposition to the child care facility. (See position statement in date file.)

Ms. Debbie Martin, an employee of Fair Oaks Hospital, spoke in favor of the day care center. She said that employer-owned child care centers, with parental involvement, offered the best environment for children. (Approximately ten people stood in support of Ms. Martin's statement.)

There being no further speakers from the audience, Chairman Murphy called on Mr. Walsh for rebuttal.

Mr. Walsh said that the seven and a half acre parcel had been conveyed to the Park Authority because every time the applicant has to come before the Planning Commission and the Board of Supervisors the applicant had to get the Park Authority to sign their proffers and vise-versa. Responding to Mr. Smith's letter, Mr Walsh indicated that they had met with him on numerous occasions to try to meet his concerns and they would continue to do so. Regarding the limited capacity on the sewer, Mr. Walsh said that it was a boiler plate note that went on all staff reports. He added that they had indications from the Department of Public Works that there would be

adequate sewer capacity for this facility at the Century Oaks Sanitary Sewer. Mr. Walsh said that limiting the size of the day care center would not take care of the need which had been illustrated by the survey taken at the hospital. Mr. Walsh also said that the owners of the homes along Ox Trail had approached INOVA to determine whether or not they would be interested in acquiring those properties. He added that the hospital bought the properties knowing of the existing Comprehensive Plan. Mr. Walsh stressed that there were no plans to develop those properties at this time. Regarding questions made with respect to the age groups who would be in attendance at the day care center, Mr. Walsh said that they did not think it was an appropriate item for regulation.

Chairman Murphy called on staff for closing comments.

Mr. Brabam clarified that the exclusion on play area in the front yards applied to the required front yard, so the applicant did meet that standard in the Zoning Ordinance. With regard to comments concerning a private organization placing a day care center on the site, Mr. Braham said that any operator of a day care center who proposed to locate in a residential area would have to get the necessary special exception or special permit, depending on the size of the center, and would have to meet the appropriate standards laid out in the Zoning Ordinance and the Comprehensive Plan. He noted that the Comprehensive Plan Standards included a statement that child care facilities in suburban neighborhoods should be located in the design to avoid creating undesirable traffic noise and other impacts on the surrounding community. He said that it would, therefore, be appropriate to locate them on the periphery of a residential development or around areas which had other institutional uses such as recreational facilities, churches, et cetera.

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

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Commissioner Koch MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-85-C-091-3, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Hanlon seconded the motion which passed unanimously with Commissioner Strickland not present for the vote.

Commissioner Koch then MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-84-C-076-4, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED OCTOBER 19, 1992, WITH ONE CHANGE, WHICH IS THE DELETION OF #10 THAT DEALS WITH SHARED PARKING.

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Commissioner Hanlon seconded the motion which passed by a vote of 8-3 with Commissioners Baldwin, Byers, and Huber opposed; Commissioner Strickland not present for the vote.

Commissioner Koch also MOVED THAT WE RECOMMEND THAT THE TRANSITIONAL SCREENING AREA REQUIREMENTS BE MODIFIED ALONG ALL BOUNDARIES IN ACCORDANCE WITH SECTION 13-104, AS PREVIOUSLY MODIFIED, PURSUANT TO THE APPROVAL OF PCA-85-C-091-2 AND SEA-84-C-076-3.

Commissioner Hanlon seconded the motion which passed unanimously with Commissioner Strickland not present for the vote.

Commissioner Koch further MOVED THAT WE RECOMMEND THAT THE BARRIER REQUIREMENTS BE MODIFIED AS PREVIOUSLY MODIFIED IN ACCORDANCE WITH PROFFERS ACCEPTED BY THE BOARD OF SUPERVISORS, PURSUANT TO THE APPROVAL OF PCA-85-C-092-2, WHICH ARE DATED JANUARY 25, 1992.

Commissioner Hanlon seconded the motion which passed unanimously with Commissioner Strickland not present for the vote.

Commissioner Koch further MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-92-Y-024, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED OCTOBER 19, 1992, WITH THE FOLLOWING CHANGES:

NUMBER 10, ON THE SECOND LINE, "A SETBACK OF A HUNDRED FEET" WILL BE CHANGED TO "A SETBACK OF EIGHTY FEET;" AND LINE THREE, "SEVENTY-FIVE FEET" WILL BE CHANGED TO "THIRTY FEET."

AND NUMBER 14 WILL BE REMOVED AND WILL BE REPLACED WITH A NEW 14, "THE CHILD CARE CENTER MAY BE CONSTRUCTED IN TWO PHASES."

Commissioner Thomas seconded the motion which passed unanimously with Commissioner Strickland not present for the vote.

Commissioner Koch finally MOVED THAT THE TRANSITIONAL SCREENING REQUIREMENTS BE MODIFIED IN FAVOR OF EXISTING VEGETATION AS SHOWN ON THE SE PLAT AND THAT THE BARRIER REQUIREMENTS BE WAIVED ALONG THE NORTHERN BOUNDARY AND MODIFIED TO THAT SHOWN ON THE GDP/SE PLAT ON THE WESTERN BOUNDARY OF THE SITE.

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Commissioner Hanlon seconded the motion which passed by a vote of 9-2 with Commissioners Harsel and Huber opposed; Commissioner Strickland not present for the vote.

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SE-92-D-028 - EXXON CORPORATION - Appl. under Sects. 4-604 & 4-804 of the Zoning Ord. to permit renovation of an existing service station & the addition of a quick service food store on property located at 9901 Georgetown Pike on approx. 27,430 sq. ft. of land zoned C-6 & C-8. Tax Map 13-1((1)) 5A. DRANEWILLE DISTRICT. PUBLIC HEARING.

Keith C. Martin, Esquire, of Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C., reaffirmed the affidavit. There were no disclosures by Commission members.

Mr. Greg Chase, Zoning Evaluation Division (ZED), Office of Comprehensive Planning (OCP), presented the staff report, a copy of which is contained in the date file. He said that the application was in harmony with the Comprehensive Plan and in conformance with the Zoning Ordinance. Mr. Chase said that staff recommended approval of the application, subject to the development conditions dated September 30, 1992.

Mr. Martin said that the application was for a service station renovation and quick service food store. He noted that the applicant proposed to add six multi-dispenser pumps, increase landscaping, and provide an oil grit separator. Mr. Martin added that there were no waivers or modifications requested with the application. Mr. Martin said that the applicant had met with the Great Falls Citizens Association and had agreed to the following: special architecture consistent with a photographic rendering; to erect a monument style sign; to coordinate the landscaping plan with the association; and, to participate in the Adopt-A-Highway Program for litter control. He indicated that the applicant had also agreed to the following hours of operation: Sunday through Thursday, 5:00 a.m. to 11:00 p.m.; Fridays, 5:00 a.m. to 12 midnight; and Saturdays, 6:00 a.m. to 12 midnight. Mr. Martin said that they were unable to reach agreement on the loss of service and the addition of the store. He stressed that the use was consistent and compatible with surrounding uses and was in conformance with the Comprehensive Plan. He asked for approval of the application, subject to the development conditions and the additional conditions mentioned previously.

In response to Commissioner Byers' questions, Mr. Martin said that the operator's income came from whatever profit he could make from the gasoline he purchased from Exxon plus any additional income he could derive from servicing cars or from convenience sales items. He added that Exxon's objective was to make additional money and increase sales of gasoline. Mr. Martin noted that considering the geometries of the site and the location of the existing service building it would not be possible to provide six pump islands, keep the service building in its current location, and maintain safe, adequate vehicular circulation on site.

Commissioner Hubbard announced that he was going to defer decision on this application this evening to give the citizens another chance to take a look at it in its present form. He stressed that this deferral would also give the applicant time to consider whether or not there were other options that could be used to convert the service station to quick service.

In response to Commissioner Strickland's question, Mr. Martin said that there was a clause in the lease to allow Exxon, during the lease term, to make renovations, et cetera.

There being no further questions of Mr. Martin, Chairman Murphy called the first listed speaker.

Mr. Michael Fragola, 804 Aaron Court, Great Falls, spoke in opposition to the application.

Mr. William Escoube, 904 Leigh Mill Road, Great Falls, also spoke in opposition and stated that it was not in conformance with the Comprehensive Plan. He said that he would like to maintain the rural character of the Great Falls area.

Mr. Royce Kneece, 9235 Georgetown Pike, Great Falls, also spoke in opposition to the application. He said that the service bays were valuable to the community.

Mr. John Colby, 731-B Walker Road, Great Falls, represented the Great Falls Citizens Association. He said that the association strongly opposed the application stating that it was in violation of the Comprehensive Plan. Mr. Colby said that Great Falls did not need more gas stations or quick food service in the area and stressed that it was not consistent with the character of Great Falls. (See position statement in date file signed by Mr. Richard Peters, President of the Great Falls Citizens Association.)

In response to questions from Commissioner Harsel, Mr. Colby said that Great Falls consisted of single family homes. He added that there was not a residential condominium or townhouse complex within the entire Great Falls area.

There being no further speakers on the list, Chairman Murphy called for speakers from the audience.

Ms. Susan Blakely, Vice President, Great Falls Citizen Association, spoke in opposition to the application. She said that it would be unfortunate to open up Great Falls to convenience stores and fast food facilities simply to serve the profit mode of big corporations like Exxon. She said that Great Falls currently had sufficient fast food and convenience businesses to serve their community and that any further allowances of such businesses would be to serve commuter traffic and would be totally unnecessary to the community of Great Falls.

Ms. Joan Bliss, Great Falls resident, spoke in opposition of the application stating that it was not in the public interest to convert the station to quick service food.

Mr. William McGillicuddy, Great Falls resident and operator of Kings Park Exxon, said that there was no negotiation with Exxon on the service bays. He added that they would lose three

service bays, a Virginia safety and emissions inspection station, a collection point for used motor oil and batteries, and emergency road service. Mr. McGillicuddy said that decisions concerning Exxon station conversions were made in Houston, Texas, not here.

Mr. Thomas Harvey, President of the Virginia Gasoline Marketers and Automobile Repair Association, expressed concern about the involuntary closing of the service bays. He added that the loss of even a few service bays in Fairfax County would be a disservice to the community and the citizens. Mr. Harvey said that the dealer should have some input in the decision-making process. He urged the Commission to look at each and every case carefully as they come before the Commission.

Chairman Murphy called on Mr. Martin for rebuttal.

Mr. Martin said that the application was in conformance with the Comprehensive Plan and the Zoning Ordinance. He stressed that Exxon was in the major business of selling motor fuel. Mr. Martin said that the proposed architectural plan of the station had been shown to the Great Falls Association. He noted that configuration for the canopy and the store had been taken from a photograph provided by Mr. Peters. He said that Mr. Peters had indicated that it would be compatible with the architecture. Mr. Martin said that Exxon had heard the issues, would take another look, and make their decision accordingly.

Mr. Chase had no closing staff comments; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hubbard for action on the case.

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Commissioner Hubbard MOVED THAT SE-92-D-028, EXXON CORPORATION, BE DEFERRED FOR DECISION ONLY TO NOVEMBER 18, 1992, WITH THE RECORD LEFT OPEN FOR WRITTEN COMMENT.

Commissioners Hanlon and Huber seconded the motion which passed unanimously with Commissioner Sell not present for the vote.

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The meeting was adjourned at 12:12 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

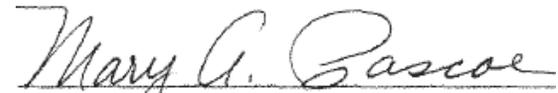
CLOSING

October 22, 1992

For a verbatim record of the meeting, reference may be made to the audio and video recordings which can be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Sandra L. Stever

Approved on: April 7, 1993


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