

**MINUTES OF
PLANNING COMMISSION MEETING
NOVEMBER 6, 1996**

PRESENT: John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
Robert v. L. Hartwell, Commissioner At-Large
John W. Hunter, Commissioner At-Large
John B. Kelso, Lee District
Ronald W. Koch, Sully District
John M. Palatiello, Hunter Mill District

ABSENT: Carl A. S. Coan, Jr., Providence District
Peter F. Murphy, Jr., Springfield District
Alvin L. Thomas, Commissioner At-Large

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In the absence of Chairman Peter F. Murphy, Jr., Vice Chairman John F. Byers convened the meeting at 8:18 p.m.

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COMMISSION MATTERS

Commissioner Downer announced that the Housing Committee would meet promptly at 7:30 p.m., on Thursday, November 7, 1996 in the Board Conference Room.

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Commissioner Kelso announced that he would defer action on the Subdivision Plan for Edge Hill, #9270-SD-01, to Thursday, November 7, 1996.

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Commissioner Downer announced her intent to defer PCA-74-D-3-087, Richard M. Robertson, from Thursday, November 21, 1996 to Thursday, January 9, 1997.

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Vice Chairman Byers, in the absence of Commissioner Murphy, noted that RZ-96-S-023, Long Enterprises, Incorporated, had been scheduled for public hearing this evening; however, there were still some unresolved issues. He then MOVED TO DEFER THE PUBLIC HEARING UNTIL A DATE CERTAIN OF DECEMBER 11, 1996.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Palatiello not present for the vote; Commissioners Coan, Murphy and Thomas absent from the meeting.

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Commissioner Palatiello stated that SE-96-H-032, McDonald's Corporation, had been scheduled for public hearing this evening, however, the applicant had requested an indefinite deferral and he MOVED THAT THE PUBLIC HEARING ON SE-96-H-032, MCDONALD'S CORPORATION, BE DEFERRED INDEFINITELY,

Commissioners Hunter and Kelso seconded the motion which carried unanimously with Commissioners Coan, Thomas and Murphy absent from the meeting.

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FS-D96-21 – AT&T WIRELESS SERVICES, 6862 ELM STREET

Commissioner Downer MOVED THAT THE PLANNING COMMISSION FIND THAT THIS IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN", PURSUANT TO SECTION 15.1-456 OF THE CODE OF VIRGINIA.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Palatiello not present for the vote; Commissioners Coan, Murphy and Thomas absent from the meeting.

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RZ-96-B-018 – BO-BUD CONSTRUCTION COMPANY, INC. (Decision Only)

(The public hearing on this application was held on October 23, 1996. A complete verbatim transcript of the decision made this evening is in the date file.)

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-96-B-018, SUBJECT TO THE PROFFERS RECEIVED THIS EVENING DATED NOVEMBER 6, 1996.

Commissioner Hunter seconded the motion which carried by a vote of 7-1, with Commissioner Hall opposed; Commissioner Palatiello not present for the vote; Commissioners Coan, Murphy and Thomas absent from the meeting.

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ORDER OF THE AGENDA:

Secretary Harsel announced the following order of the agenda:

1. SEA-84-S-107-2 – First Union National Bank
2. RZ-95-Y-031 – William J. McMnamin
3. SEA-93-B-057 – BCG, Limited Partners

This order was accepted without objection.

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SEA-84-S-107-2 – FIRST UNION BANK – Under Sec. 7-607 of the Zoning Ord. to amend SE-84-S-1 07 for a drive-in bank to permit deletion of land area on property located on the N. side of Lee Hwy., approx. 600 ft. W. of its intersection with Pickwick Rd. on approx. 3.00 ac. zoned C-8, R-1, HC & SC. Tax Map 54-4((1))28A & 28B. SULLY DISTRICT. PUBLIC HEARING.

Mr. Christopher Bell, a planner with McGuire, Woods, Battle and Boothe, reaffirmed the affidavit dated October 11, 1996. There were no disclosures from the Planning Commissioners.

Mr. Gregory D. Russ, Zoning Evaluation Division, Office of Comprehensive Planning furnished the staff report, a copy of which may be found in the date file. He stated that staff recommended approval of the application.

Mr. Bell stated that the applicant agreed with the staff report and the proposed development conditions and requested approval of the application.

There being no listed speakers and none from the audience, no questions or comments, and no need for rebuttal, Vice Chairman Byers closed the public hearing and turned to Commissioner Koch for action on this case. (A complete verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Koch MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-84-S-107-2, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 5, 1996.

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

Commissioner Koch then MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS REAFFIRMATION OF THE WAIVER OF THE MINIMUM LOT AREA AND WIDTH REQUIREMENTS.

Commissioner Hartwell seconded the motion which carried unanimously Commissioners Coan, Murphy and Thomas absent from the meeting.

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RZ-95-Y-031 – WILLIAM J. McMENAMIN – Appl. to rezone approx. 8.41 ac. located in the S.W. quadrant of the intersection of Moore Rd. & Clifton Rd. fr. R-1 & WS to R-3 & WS to permit cluster residential development at a density of 2.73 du/ac. & a waiver of the open space requirement. Comp. Plan Rec: 2-3 du/ac. Tax Map 55-3((3))25, 25A, 26, 27A & 34B. SULLY DISTRICT. PUBLIC HEARING.

Ms. Susan Yantis, a planner with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated July 30, 1996 was current and correct. There were no disclosures from the Planning Commissioners.

Ms. Julie Schilling, Zoning Evaluation Division, Office of Comprehensive Planning, furnished the staff report, a copy of which may be found in the date file. She stated that staff recommended denial of this application because the amount of open space did not substantially exceed Ordinance requirements and significant tree preservation could not be accomplished on the site to justify the use of the cluster subdivision. In addition, she stated that staff believed that the applicant should contribute a more significant share of the costs of transportation improvements.

In response to a question from Commissioner Byers, Ms. Schilling stated that staff was also concerned that this development did not appear to be a cluster residential development. Responding to a question from Commissioner Koch, Ms. Kristen A. Abrahamson, ZED, OCP, referred to page 15 of the staff report which gave very specific criteria for cluster subdivisions.

Ms. Yantis gave a brief history of the case and stated that the applicant had consolidated the three adjoining properties and would retain four of the five existing homes now located on the property. She said that the current property owners had significant input into the design of the proposed 19 new single family detached lots. She said she disagreed with staff's conclusions that the proposed density would be greater than the adjacent developments and said that the majority of the surrounding properties had been approved and developed at the high end of the density range of 2.6 dwelling units per acre or greater. Also, she noted that the proposed lot sizes were comparable to those in the surrounding developments and there was a greater amount of open space than any of the previously approved applications. Ms. Yantis also stated that the applicant had agreed to the preparation of a tree preservation plan in coordination with a certified Arborist

and would have the certified Arborist monitor the tree save during the construction of the project. She then requested approval of the application.

Commissioner Koch referred to the surrounding properties and reiterated their lot sizes and densities as previously quoted by Ms. Yantis. She agreed that the proposed development complimented what had already been done in the past. She also agreed that the applicant had proffered money for improvements to Moore Road because that would be the entrance to the new development. Ms. Yantis said their improvements to Clifton Road would amount to approximately \$160,000. She also noted that the applicant had agreed to contribute toward affordable dwellings and \$19,000 would be contributed for recreational facilities.

Vice Chairman Byers called the listed speakers and explained the rules and procedures for addressing the Planning Commission.

The following listed speakers disagreed with the staff recommendation of denial and believed there would be more than ample tree save. They requested approval of the application.

1. Mr. Barry Wood, 13335 Moore Road, Clifton.
2. Mr. Fred Eberle, 5604 Clifton Road, Clifton.

In rebuttal, Ms. Yantis stated that the applicant had agreed to donate \$32,000 toward the Centreville Area Road Fund which would be applied to Clifton Road improvements. She further noted that the applicant would contribute \$3,800 to the Park Authority for recreational purposes. Ms. Yantis again requested favorable consideration of this application.

There being no additional speakers and no further discussion, Vice Chairman Byers closed the public hearing and turned to Commissioner Koch for action on this case. (A complete verbatim transcript of the action taken on this case this evening may be found in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-95-Y-031, SUBJECT TO THE PROFFERS DATED OCTOBER 21, 1996, WITH THE UNDERSTANDING THAT THE AMOUNT BEING PROFFERED FOR TRANSPORTATION IMPROVEMENTS WILL BE MODIFIED AS DISCUSSED TONIGHT.

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

Commissioner Koch also MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD APPROVAL OF THE FOLLOWING: A WAIVER OF SECTION 2-309 OF THE ZONING ORDINANCE WHICH REQUIRES ONE ACRE OF OPEN SPACE WITH A

WIDTH OF AT LEAST 50 FEET, AND WAIVER OF THE PFM STANDARDS FOR THE TS-2 STREET CROSS SECTION, TO THAT SHOWN ON THE GDP.

Commissioners Hartwell and Kelso seconded the motion which carried by a vote of 6-1-2 with Commissioner Harsel opposed; Commissioners Byers and Hall abstaining; Commissioners Coan, Murphy and Thomas absent from the meeting,

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SEA-93-B-057 – BCG, L.P. – Under Sect. 5-504 & 9-620 of the Zoning Ord. to amend SE-93-B-057 for a car wash to permit a waiver of certain sign regulations on property located at 5665 Burke Centre Pkwy. on approx. 1.04 ac. zoned I-5 & HD. Tax Map 77-1((21))D1. BRADDOCK DISTRICT. PUBLIC HEARING.

Mr. Keith Martin, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated September 26, 1996. There were no disclosures from the Commission.

Ms. Leslie Johnson, Zoning Evaluation Division, Office of Comprehensive Planning, furnished the staff report, a copy of which may be found in the date file. She stated that staff recommended approval, subject to the development conditions contained in Appendix 1 of the staff report which limited the applicant to 119 square feet of building-mounted signs.

At the request of Commissioner Harsel, Ms. Johnson pointed out the businesses near the application property.

Mr. Martin stated that this signage plan was the same signage which had been before the Planning Commission two years ago and recommended for approval by the Architectural Review Board (ARB), the Planning Commission and the Burke Conservancy who had no objections at that time. He noted that the applicant had been operating the Goodyear store and car wash for one year. He said that a portion of the parking lot was subject to the Historical Overlay District and the ARB had reviewed and approved the signage facing Route 123 two years ago. He noted that the building had been moved back from the Historic Overlay District, leaving only a portion of the parking lot in that district. He said that the signage and the direction of the signs had remained the same. Mr. Martin stated that the store was in the rear of the center and lacked visibility from Route 123 and Burke Center Parkway. He also noted that the signs had been made and delivered and were in a warehouse awaiting mounting. He requested approval of the application with the signs facing Route 123 and the interior of the Burke Center Shopping Center.

There was a lengthy discussion between Commissioner Harsel and Mr. Martin regarding the right to mount the signs because of the Historical Overlay District at Saint Mary's Historic Church. In response to questions from Commissioner Harsel, Mr. Martin stated that he did not believe one could see Taco Bell and McDonald's signage from Route 123. In response to a

question from Commissioner Kelso, Mr. Martin stated the building had been approved by the ARB with no suggested changes except that it be moved back from the Historical Overlay District. Responding to a question from Commissioner Hall, Mr. Martin confirmed that all the signs had been constructed, purchased, and were in storage ready to be mounted.

There being no listed speakers and none from the audience, no further comments and questions, and no need for rebuttal, Vice Chairman Byers closed the public hearing and turned to Commissioner Harsel for action on this case. (A complete verbatim transcript of the action taken on this case may be found in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF APPLICATION SEA-93-B-057, CONSISTENT WITH THE PROPOSED DEVELOPMENT CONDITIONS IN APPENDIX 1.

Commissioner Downer seconded the motion.

Commissioner Hartwell MOVED TO AMEND MRS. HARSEL'S MOTION TO AMEND DEVELOPMENT CONDITION NUMBER 10 THAT, "BUILDING-MOUNTED SIGNS SHALL BE LIMITED TO THOSE SIGNS -- STRIKE THE WORDS "PROPOSED FOR THE SOUTH AND EAST BUILDING ELEVATIONS" -- AS SHOWN ON THE SIGN PLAN FOR BURKE CENTRE AUTOMOTIVE DATED 9/14/95" AS REVISED TO 10/11/96. THE MAXIMUM SIGN AREA SHALL BE LIMITED TO 244 SQUARE FEET." AND THEN STRIKE THE LAST SENTENCE, "NO BUILDING MOUNTED SIGNS SHALL BE PERMITTED ON THE WEST AND NORTH BUILDING ELEVATIONS."

Commissioner Koch seconded the motion which carried by a vote of 5-3-1 with Commissioners Downer, Harsel and Palatiello opposed; Commissioner Byers abstaining; Commissioners Coan, Murphy and Thomas absent from the meeting.

The amended main motion then carried by a vote of 5-3-1 with Commissioners Downer, Harsel and Palatiello opposed; Commissioner Byers abstaining; Commissioners Coan, Murphy and Thomas absent from the meeting.

Commissioner Hartwell also MOVED THAT WE APPROVE REAFFIRMATION OF THE WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE NORTHERN BOUNDARY AND MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT AND WAIVER OF THE BARRIER REQUIREMENT ON THE WESTERN PROPERTY BOUNDARY.

Commissioner Koch seconded the motion which carried by a vote of 6-2-1 with Commissioners Downer and Harsel opposed; Commissioner Byers abstaining; Commissioners Coan, Murphy and Thomas absent from the meeting.

Commissioner Hartwell THEN MOVED THAT WE APPROVE THE REAFFIRMATION OF THE WAIVER OF THE REQUIREMENT THAT NO OFF STREET PARKING IN THE HISTORIC DISTRICT BE LOCATED IN ANY MINIMUM REQUIRED FRONT YARD, PURSUANT TO PARAGRAPH 4 OF SECTION 7-206.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Coan, Murphy and Thomas absent from the meeting.

Commissioner Hartwell finally MOVED THAT WE APPROVE THE REAFFIRMATION OF THE WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG ROUTE 123.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Coan, Murphy and Thomas absent from the meeting.

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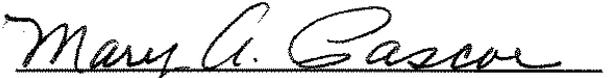
The meeting adjourned at 9:55 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

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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: Dorothy E. Brittingham

Approved on: May 13, 1998


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