

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 28, 2001**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilyong Moon, Commissioner At Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John R. Byers, Mount Vernon District

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The meeting was called to order at 8:27 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner DuBois, at the request of the applicant, MOVED DEFERRAL OF SE-01-D-023 AND 2232-D01-17, COMMUNITY WIRELESS STRUCTURES II, LLC, TO A DATE CERTAIN OF MARCH 21, 2002.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Harsel and Kelso not present for the vote; Commissioner Byers absent from the meeting.

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S00-CW-T2 - OUT-OF-TURN PLAN AMENDMENT (Decision Only)
(The public hearing on this item was held on November 15, 2001. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Koch MOVED THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF S00-CW-T2, WITH ONE MODIFICATION TO THE LAST BULLET ON PAGE 7 OF 9: "ACCESS TO ROUTE 29 SHALL BE PROVIDED VIA A NEW PUBLIC STREET TO BE CONNECTED IN THE AREA BETWEEN NEWGATE BOULEVARD AND BRADLEY ROAD, SUBJECT TO VDOT APPROVAL OF A MEDIAN BREAK AT THE INTERSECTION OF THE NEW PUBLIC STREET AND LEE HIGHWAY. THE LOCATION AND TYPE OF ACCESS SHALL BE DETERMINED AT THE TIME OF

REZONING IN CONJUNCTION WITH PLANNED IMPROVEMENTS TO LEE HIGHWAY. THIS WILL PROVIDE AN ADDITIONAL ACCESS TO PROPERTIES LOCATED ON THE NORTH SIDE OF LEE HIGHWAY, INCLUDING THE RADCLIFFE SUBDIVISION AND THE CENTREVILLE FARMS AREA."

Commissioner Hall seconded the motion which carried by a vote of 8-0-3 with Commissioners Alcorn, Harsel and Kelso abstaining; Commissioner Byers absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. AR-92-S-002 - MAROPE C. ARMSTRONG
2. RZ-2001-SU-034 - MADISON HOMES, INC.
RZ-2001-SU-035 - MADISON HOMES, INC.
3. RZ-2001-PR-040 - ALLEN & ROCKS, INC.
SE-01-P-034 - ALLEN & ROCKS, INC.
4. 2232-L01-22 - WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
SEA 91-L-053-5 - WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
5. SE-01-P-030 - ENTERPRISE LEASING COMPANY

This order was accepted without objection.

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Secretary Harsel assumed the Chair prior to the hearing of the first case in the Springfield District.

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AR-92-S-002 - MAROPE C. ARMSTRONG - Local A&F District
Renewal Appl. to permit renewal of a previously approved A&F District
authorized by Chap. 115 (Co. Code), effective June 30, 1983. The
purpose is to preserve significant A&F lands in the County on property
located at 11921 Henderson Rd. on approx. 40.0 ac. zoned R-C & WS.
A&F District Advisory Committee Rec.: Approve. SPRINGFIELD
DISTRICT. PUBLIC HEARING.

Mr. Charles Armstrong, representing his mother, the applicant, reaffirmed the affidavit dated December 2, 2000. There were no disclosures by Commission members.

Commissioner Murphy asked that Secretary Harsel ascertain whether there were any speakers 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 Secretary Harsel closed the public hearing and recognized Commissioner Murphy for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE BOARD AMEND APPENDIX F OF THE COUNTY CODE TO RENEW THE ARMSTRONG LOCAL AGRICULTURAL AND FORESTAL DISTRICT, SUBJECT TO THE ORDINANCE PROVISIONS LISTED IN APPENDIX 1 OF THE STAFF REPORT.

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

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Chairman Murphy resumed the Chair prior to the next public hearing.

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RZ-2001-SU-034 - MADISON HOMES, INC. - Appl. to rezone from R-1 & WS to R-5 & WS to permit residential development at a density of 4.66 du/ac on property located on the W. side of Rugby Rd. & S. of the Fairfax County Pkwy. on approx. 1.93 ac. Comp. Plan Rec: 4-5 du/ac. Tax Map 45-2((2))17. SULLY DISTRICT.

RZ-2001-SU-035 - MADISON HOMES, INC. - Appl. to rezone from R-1, WS & HC to R-5, WS & HC to permit residential development at a density of 5.85 du/ac including bonus density for ADUs on property located on the W. side of Rugby Rd., N. of Rt. 50 & S. of the Fairfax County Pkwy. on approx. 14.88 ac. Comp. Plan Rec: 4-5 du/ac. Tax Map 45-2((2))5-15. SULLY DISTRICT. JOINT PUBLIC HEARING.

Stephen Fox, Esquire, reaffirmed the affidavit dated July 3, 2001. There were no disclosures by Commission members.

Ms. Tracy Swagler, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

RZ-2001-SU-034 - MADISON HOMES, INC.
RZ-2001-SU-035 - MADISON HOMES, INC.

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Mr. Fox recited a brief land use history of the subject properties. He noted that the proposal offered a new housing style and that a similar project in Providence District on Gallows Road had been well received. He added that the applicant planned 74 market rate units and 11 affordable units in RZ-2001-SU-035 and 9 market rate units and a contribution to the Housing Trust Fund in RZ-2001-SU-034. Mr. Fox stated that the Sully District Council supported the applications. He explained the efforts made to protect Lot 16 that was not part of the subject properties. He pointed out that the applicant's proposal would reduce the number of entrances on Rugby Road from 8 or 9 private driveways to two main points of ingress/egress. Mr. Fox stated that the main entrance had been designed to align with a proposed median break when Rugby Road was widened to four lanes.

Commissioner Koch commented on the efforts of the Murray Farms homeowners and the applicant to accomplish this proposed consolidation.

In response to questions from Commissioner Harsel, Mr. Fox confirmed that the garages would be on the same level as the main living quarters of the new homes.

In response to questions from Commissioner Smyth, Mr. Fox explained that noise attenuation measures were outlined in Proffer 11 associated with application RZ-2001-SU-035.

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 Koch for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2001-SU-034 AND RZ-2001-SU-035, BOTH SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED NOVEMBER 19, 2001.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE MINIMUM DISTRICT SIZE FOR RZ-2001-SU-034.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

RZ-2001-SU-034 - MADISON HOMES, INC.
RZ-2001-SU-035 - MADISON HOMES, INC.

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Commissioner Koch MOVED THAT WE RECOMMEND APPROVAL OF A MODIFICATION OF TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENT ON ALL SIDES OF RZ-2001-SU-034 AND RZ-2001-SU-035, BOTH IN FAVOR OF THAT SHOWN ON THE GDP.

Commissioner Hall seconded the motion which carried by a vote of 10-0-1 with Commissioner Harsel abstaining; Commissioner Byers absent from the meeting.

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RZ-2001-PR-040 - ALLEN & ROCKS, INC. - Appl. to rezone from C-5 & SC to C-2 & SC to permit commercial uses w/an overall FAR of 0.50 & a waiver of the open space requirement on property located on the S. side of Gallows Rd., approx. 200 ft. E. of George Washington Rd. on approx. 1.65 ac. Comp. Plan Rec: Office. Tax Map 39-2((11))57A & 58A. (Concurrent w/SE- 01-P-034.) PROVIDENCE DISTRICT.

SE-01-P-034 - ALLEN & ROCKS, INC. - Appl. under Sects. 9-505 & 9-612 of the Zoning Ord. to permit a drive-through bank & a waiver of the open space requirement on property located at 1960 & 1956 Gallows Rd. on approx. 1.65 ac. zoned C-2 & SC. Tax Map 39-2((11))57A & 58A. (Concurrent w/RZ-2001-PR-040.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Robert Lawrence, Esquire, with Reed, Smith, Hazel & Thomas, reaffirmed the affidavit dated November 7, 2001. There were no disclosures by Commission members.

Mr. Charles Burnham, 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.

Mr. Lawrence explained that the Special Exception (SE) application was for a temporary use with a termination date and that the Rezoning application was to correct a non-conforming floor area ratio (FAR) created as a result of the commercial and industrial regulations amended by the Board of Supervisors in 1997. He added that the purpose of the SE was to permit a drive-in bank to be located on the subject property during redevelopment of adjacent properties to provide a mixed use project. He noted that when the bank was relocated to its permanent site, the parking lot would be resurfaced where it had been changed to accommodate the bank and the drive-in window removed as set forth in the proposed development conditions.

In response to questions from Commissioner Harsel, Mr. Lawrence explained that the building where the bank was to be located was currently partially occupied, and that the bank area would revert to its previous office use with a new tenant when the bank relocated.

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 Smyth for action on these applications. (A verbatim transcript is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2001-PR-040, CONSISTENT WITH THE PROFFERS NOW DATED NOVEMBER 8, 2001.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF OPEN SPACE TO THAT DEPICTED ON THE GDP.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE LOADING SPACE REQUIREMENT TO THAT DEPICTED ON THE GDP.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-01-P-034, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS NOW DATED NOVEMBER 27, 2001.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF TRANSITIONAL SCREENING ON THE SOUTHERN PROPERTY LINE TO THAT DEPICTED ON THE SE PLAT.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE BOARD DIRECT THE DEPARTMENT OF TRANSPORTATION TO WRITE A LETTER TO VDOT REQUESTING A STUDY TO DETERMINE THE NECESSITY OF THE FOLLOWING THREE ITEMS:

- 1) A "NO RIGHT TURN" SIGN FROM OLD COURTHOUSE ROAD TO GALLOWS ROAD;
- 2) A "NO U-TURN" SIGN AT THE INTERSECTION OF GALLOWS ROAD AND OLD COURTHOUSE ROAD; AND
- 3) A TRAFFIC LIGHT AT MADRILLON ROAD AND GALLOWS ROAD.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

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2232-L01-22 - WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY - Appl. under Sect. 15.2-2232 of the *Code of Virginia* to permit additional multi-level parking structure on property located at 6770 Frontier Dr. on approx. 26.67 ac. zoned I-4. Tax Map 90-2((1))61B. (Concurrent w/SEA-91-L-053-5.) LEE DISTRICT.

SEA 91-L-053-5 - WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY - Appl. under Sect. 5-404 of the Zoning Ord. to amend SE-91-L-053 previously approved for WMATA facilities to permit additional multi-level parking structure, bldg. addition & site modifications on property located at 6770 Frontier Dr. on approx. 26.67 ac. of land zoned I-4. Tax Map 90-2((1))61B. (Concurrent w/2232-L01-22.) LEE DISTRICT. JOINT PUBLIC HEARING.

Mr. Frank Symanoskie, Project Manager for the Washington Metropolitan Area Transit Authority (WMATA), reaffirmed the affidavit dated September 24, 2001. There were no disclosures by Commission members.

Mr. Peter Braham, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report for the Special Exception Amendment application, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. David Jillson, Planning Division, Department of Planning and Zoning, presented the staff report for the 2232 application, 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 Smyth, Mr. Braham explained that the subject property currently served as the kiss-and-ride area for the Franconia-Springfield Metro Station.

Mr. Symanoskie spoke about the need for additional parking, noting that the Virginia Department of Transportation had provided funds for the project. He explained that WMATA expected the proposed parking structure to be completed and ready for use in mid 2003. He added that the applicant concurred with the proposed development conditions.

Commissioner Kelso complimented Mr. Symanoskie for the applicant's proposed design and for his efforts in working with Springfield Forest residents to enhance their landscaping.

In response to questions from Commissioner Harsel, Mr. Symanoskie explained that the kiss-and-ride parking lot included 133 parking spaces for short-term parking as well as a drop off area for even briefer visits. He added the transit store would sell fare cards and other transit-related items such as those sold at the WMATA store at Springfield Mall.

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 transcript is in the date file.)

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Commissioner Kelso MOVED THAT THE PLANNING COMMISSION FIND THAT THE FACILITY PROPOSED UNDER 2232-L01-22 DOES SATISFY THE CRITERIA OF LOCATION, CHARACTER AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA* AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SEA-91-L-053-5 BE APPROVED, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN ATTACHMENT 1 OF THE STAFF REPORT ADDENDUM.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG ALL PROPERTY BOUNDARIES IN FAVOR OF THE EXISTING SCREENING AND BARRIERS PROVIDED WITH PREVIOUS SPECIAL EXCEPTION APPROVALS FOR THE TRANSIT CENTER AS FURTHER MODIFIED BY THE PROPOSED DEVELOPMENT CONDITIONS.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

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SE-01-P-030 - ENTERPRISE LEASING COMPANY - Appl. under Sect. 4-304 of the Zoning Ord. to permit a vehicle rental establishment on property located at 6526 & 6530 Arlington Blvd. on approx. 19,476 sq. ft. of land zoned C-3 & HC. Tax Map 50-4((9))38 & 39. PROVIDENCE DISTRICT. PUBLIC HEARING.

David Stewart, Esquire, with McGuire, Woods LLP, reaffirmed the affidavit dated June 12, 2001. There were no disclosures by Commission members.

Mr. Bill Mayland, 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 questions from Commissioner Harsel, Mr. Mayland said that Enterprise would be the sole occupant of the subject property. He added that staff felt that the application conformed to the Comprehensive Plan recommendation regarding the residential character of the area because the building was residential in appearance. Mr. Mayland explained that the Virginia Department of Transportation had not requested dedication of land along Route 50. He also explained the parking restrictions and pointed out the vehicle preparation area.

Mr. Stewart explained that the rental car business had elected to expand and include an adjacent property to correct zoning violations. He stated that this solution was the best method for all parties involved. He pointed out that Celltel, an existing business operation on the site, would vacate the premises following approval of this Special Exception and the site plan. Mr. Stewart noted that buffering adjacent to residential had been enhanced.

In response to questions from Commissioner Harsel, Mr. Stewart explained that Celltel was on a month-to-month lease that could be terminated in a relatively short time when Enterprise was ready to occupy the building. He added that he expected the site plan process to be completed by late summer or early fall of next year.

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 Smyth for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-01-P-030, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED NOVEMBER 28, 2001.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS TO THE NORTH AND WEST AND WAIVER OF THE BARRIER REQUIREMENT TO THE WEST IN ACCORDANCE WITH THE SPECIAL EXCEPTION PLAT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE FRONTAGE IMPROVEMENT FOR THE THIRD WESTBOUND LANE FOR ARLINGTON BOULEVARD.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRAIL REQUIREMENT ALONG ARLINGTON BOULEVARD TO PERMIT A FOUR-FOOT WIDE SIDEWALK.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

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The meeting was adjourned at 9:29 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

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

Minutes by: Gloria L. Watkins

Approved on: April 10, 2003

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