

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, NOVEMBER 30, 2000**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District

ABSENT: Janet R. Hall, Mason District
Laurie Frost Wilson, Commissioner At-Large

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

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COMMISSION MATTERS

Commissioner Byers announced his intent to defer the public hearings on RZ/FDP-1999-MV-053, JCE, Inc. and RZ/FDP-2000-MV-019, Washington Homes Inc., from December 13, 2000 to a date certain of January 11, 2001.

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Commissioner Palatiello announced that the Policy and Procedures Committee would meet on December 7, 2000 at 7:30 p.m. in the Board Conference Room.

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Chairman Murphy announced that Commissioner Judy Downer had informed Supervisor Stuart Mendelsohn, Dranesville District, that she would not accept an appointment for another term on the Planning Commission. He noted that she had served the citizens of the Dranesville District in an exemplary manner during her eight years on the Commission and said she would be sorely missed.

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Commissioner Harsel announced that SP-00-B-055, Paradise Learning Center/Deliverance Praise Temple Child Care Center, had been scheduled for an administrative hearing by the Planning Commission on Wednesday, December 6, 2000.

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Commissioner Palatiello MOVED THAT THE DECISION ONLY ON SE-00-H-028, CATHOLIC DIOCESE OF ARLINGTON, BE FURTHER DEFERRED TO A DATE CERTAIN OF DECEMBER 13, 2000, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

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Commissioner Kelso MOVED THAT THE PUBLIC HEARING ON RZ-2000-LE-023, TAVARES CONCRETE COMPANY, INC., BE DEFERRED TO A DATE CERTAIN OF FEBRUARY 22, 2001.

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

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Commissioner Downer MOVED THAT THE DECISION ONLY ON SE-00-D-003 AND 2232-D99-17, COMMUNITY WIRELESS STRUCTURES II, BE FURTHER DEFERRED TO A DATE CERTAIN OF DECEMBER 13, 2000, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

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PCA-88-C-106 - WINCHESTER HOMES, INC.
(Decision Only - Public Hearing held on November 29, 2000)

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-88-C-106, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

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

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RZ-2000-PR-007 - JCE, INC.
FDP-2000-PR-007 - JCE, INC.

(Decision Only - Public Hearing held on October 4, 2000)

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ-2000-PR-007, SUBJECT TO THE EXECUTION OF PROFFERS NOW DATED NOVEMBER 30, 2000.

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

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2000-PR-007, SUBJECT TO THE BOARD'S APPROVAL OF RZ-2000-PR-007 AND THE CONCEPTUAL DEVELOPMENT PLAN.

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

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE LIMITATION ON FENCE HEIGHT FOR THE PROPOSED NOISE WALL BE WAIVED PURSUANT TO PARAGRAPH 8 OF SECTION 16-401 IN ORDER TO PERMIT A MAXIMUM FENCE HEIGHT OF 16 FEET.

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

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. PCA-95-L-060 - SPH SPRINGFIELD STATION, L.L.C.
FDPA-95-L-060 - SPH SPRINGFIELD STATION, L.L.C.
2. SEA- 98-P-040 - SUN COMPANY, INC.
3. SEA-93-P-044 - STARBUCKS COFFEE COMPANY
4. RZ- 2000-MV-034 - W & N COMPANY
SE-00-V-040 - W & N COMPANY

This order was accepted without objection.

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PCA-95-L-060 - SPH SPRINGFIELD STATION, LLC - Appl. to amend the proffers for RZ-95-L-060 previously approved for multi-family residential development at a density of 37.1 du/ac to permit site modifications on property located in the N.W. quadrant of the

intersection of Frontier Dr. & Franconia-Springfield Pkwy. on approx. 16.81 ac. zoned PDH-40 & SC. Comp. Plan Rec: 20+ du/ac. Tax Map 90-2((1))62A. (Concurrent w/FDPA-95-L-060.) LEE DISTRICT.

FDPA-95-L-060 - SPH SPRINGFIELD STATION, LLC - Appl. to amend the final development plan for RZ-95-L-060 approved for multi-family residential development to permit site modifications on property located in the N.W. quadrant of the intersection of Frontier Dr. & Franconia-Springfield Pkwy. on approx. 16.81 ac. land zoned PDH-40 & SC. Tax Map 90-2((1))62A. (Concurrent w/PCA-95-L-060.) LEE DISTRICT.
JOINT PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated November 9, 2000. There were no disclosures by Commission members.

Ms. Cathy Lewis, 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 denial of the applications because they were not in conformance with the Comprehensive Plan and the applicable Zoning Ordinance provisions.

Chairman Murphy relinquished the Chair to Vice Chairman Byers.

Ms. Strobel stated that Springfield Station was a highly successful multi-family development. She said that amenities, including a pool, a clubhouse with an exercise room, a billiards room and a computer center, would remain and emphasized that the applicant had expended more than the requisite amount of money for recreational facilities. She noted that although there was sufficient parking, it was not equally distributed among the buildings. Therefore, she said the applicant was proposing to remove the existing tennis court and several landscaped islands and replace them with a landscaped pavillion area and 30 parking spaces. She explained that the actual greenspace under this proposal would increase slightly and would present an attractive appearance at the entrance to the community. She noted that the proposal had the support of the Lee District Land Use Committee. Ms. Strobel requested that a letter she had written to the President of the Springfield Forest Homeowner's Association, in which the applicant agreed to provide a monetary contribution for landscaping to better screen the existing development, be entered into the record. (A copy of this letter is in the date file.)

In response to a question from Commissioner Kelso, Ms. Strobel said that 933 parking spaces currently existed and the subject proposal would result in a total of 963 spaces.

Responding to a question from Commissioner Smyth, Ms. Strobel said that since the development had been originally approved, 20 parking spaces had been added, but that the open space had never gone below 32 percent.

Ms. Strobel responded to questions from Commissioner Alcorn about existing underground and structured parking.

In response to a question from Commissioner Kelso, Ms. Strobel said that although a few residents had opposed the loss of the tennis courts, surveys indicated overall support for the proposal.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and no closing staff remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Kelso for action on these applications. (A verbatim transcript of summary remarks and the motions are in the date file.)

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Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-95-L-060 BY SPH SPRINGFIELD STATION, LLC, SUBJECT TO THE PROFFERS DATED NOVEMBER 27, 2000.

Commissioner Palatiello seconded the motion which carried by a vote of 6-0-1 with Commissioner Byers abstaining; Commissioners Harsel, Koch and Murphy not present for the vote; Commissioners Hall and Wilson absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION APPROVE FDPA-95-L-060 DATED NOVEMBER 17, 2000, SUBJECT TO THE BOARD'S APPROVAL OF PCA-95-L-060.

Commissioner Palatiello seconded the motion which carried by a vote of 6-0-1 with Commissioner Byers abstaining; Commissioners Harsel, Koch and Murphy not present for the vote; Commissioners Hall and Wilson absent from the meeting.

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SEA-98-P-040 - SUN COMPANY, INC. - Appl. under Sect. 4-604 of the Zoning Ord. to amend SE-98-P-040 previously approved for a service station to permit a service station & a quick-service food store on property located at 2210 Gallows Rd. on approx. 27,319 sq. ft. of land zoned C-6. Tax Map 39-4((1))3A. PROVIDENCE DISTRICT. PUBLIC HEARING.

David Houston, Esquire, McGuire, Woods, Battle and Boothe, LLP, reaffirmed the affidavit dated November 6, 2000. There were no disclosures by Commission members.

Ms. Cathy Belgin, 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 application.

Mr. Houston stated that the application was an amendment to a previously approved special exception application which permitted a canopy, additional landscaping, and improvements to the entrance of an existing Sunoco Gas Station on Gallows Road. He said the applicant was now requesting approval to convert three service bays into a quick service food mart. He explained that the traditional function of service stations had changed and were no longer being widely used for car repairs. He noted that the proposal would enhance the site and car storage on the property would no longer exist.

In response to a question from Commissioner Smyth, Mr. Houston said that storage of inoperable vehicles would not be allowed on the site.

Mr. Houston and Commissioner Downer discussed reasons service stations were discontinuing car repair services and inspections and operating food marts instead.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and no closing staff remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Smyth for action on this application. (A verbatim transcript of summary remarks and the motions are in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-98-P-040, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 29, 2000.

Commissioner Alcorn seconded the motion which carried by a vote of 7-0-1 with Commissioner Byers abstaining; Commissioners Koch and Murphy not present for the vote; Commissioners Hall and Wilson absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE TRANSITIONAL SCREENING REQUIREMENT ALONG THE EASTERN BOUNDARY BE MODIFIED TO THAT SHOWN ON THE SEA PLAT.

Commissioner Alcorn seconded the motion which carried by a vote of 7-0-1 with Commissioner Byers abstaining; Commissioners Koch and Murphy not present for the vote; Commissioners Hall and Wilson absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BARRIER REQUIREMENT ALONG THE EASTERN PROPERTY LINE BE WAIVED.

Commissioner Alcorn seconded the motion which carried by a vote of 7-0-1 with Commissioner Byers abstaining; Commissioners Koch and Murphy not present for the vote; Commissioners Hall and Wilson absent from the meeting.

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SEA-93-P-044 - STARBUCKS COFFEE COMPANY - Appl. under Sect. 9-620 of the Zoning Ord. to amend SE-93-P-044 previously approved for a waiver of certain sign regulations to permit change in development conditions on property located at 8520 Leesburg Pike on approx. 2.95 ac. zoned C-7, HC & SC. Tax Map 29-3((1))50. PROVIDENCE DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated June 26, 2000. 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.

In response to a question from Commissioner Palatiello, Mr. Burnham said that the applicant was not seeking approval of an expansion of the size of the sign, only a change in the coloring and lettering.

Mr. Martin stated that the applicant was requesting approval to add a 36 inch standard Starbucks disk to the existing sign. He said that the 103 square feet approved for the sign in 1993 would not change. He noted that the request had a favorable staff recommendation.

Chairman Murphy resumed the Chair at this time.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and no closing staff remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on this application. (A verbatim transcript of summary remarks and the motion are in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-93-P-044, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED NOVEMBER 29, 2000.

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

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RZ-2000-MV-034 - W & N COMPANY - Appl. to rezone from R-1 to I-6 to permit industrial uses w/an overall FAR of .11 on property located on the W. side of Furnace Rd., approx. 6,250 ft. S. of Lorton Rd. & 4,250 ft. N. of I-95 on approx. 9.49 ac. Comp. Plan Rec:

Industrial. Tax Map 113-1((1))12 & 13. (Concurrent w/SE-00-V-040.)
MT. VERNON DISTRICT. PUBLIC HEARING.

SE-00-V-040 - W & N COMPANY - Appl. under Sect. 5-604 of the Zoning Ord. to permit a mixed waste reclamation facility on property located at 10100 & 10018 Furnace Rd. on approx. 9.49 ac. zoned I-6. Tax Map 113-1((1))12 & 13. (Concurrent w/RZ-2000-MV-034.) MT. VERNON DISTRICT. JOINT PUBLIC HEARING.

Francis McDermott, Esquire, Hunton and Williams, reaffirmed the affidavit dated November 27, 2000. There were no disclosures by Commission members.

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

Mr. McDermott stated that the subject property, located across the street from the 250 acre debris landfill, was surrounded on two sides by the District of Columbia Correctional Facility. He said the Comprehensive Plan for this area called for the parcel to be "planned for industrial use for a recycling center and/or recycling related industries." He noted that this designation had resulted from a unanimous recommendation of the Lorton/Route 1 South Task Force and that the Planning Commission had added the limiting language due to its proximity to the debris land fill located across the street. He explained that construction debris in roll-off containers would be sorted and that recyclable materials would be transported off-site for recycling with non-recyclable materials taken to the private debris landfill across the street. Mr. McDermott pointed out that very few additional trips would be generated and that construction debris only would be sorted with no recycling activities taking place on the site. In conclusion, he said that the proposed use would further the County's recycling policy and was consistent with the Comprehensive Plan. He requested a recommendation of approval.

Responding to a question from Commissioner Byers, Mr. McDermott estimated that 25 trucks a day would use the site at build-out.

In response to a question from Commissioner Alcorn, Mr. McDermott reiterated that no recycling activities would take place on the site.

In response to a question from Commissioner Byers, Mr. McDermott said that a proffer prohibited construction materials from remaining on the site for more than 30 days.

Mr. McDermott and Commissioner Byers responded to questions from Commissioner Kelso about Proffer Number 10 concerning landscaping.

In response to a question from Commissioner Byers, Mr. McDermott said that truck maintenance would take place on the site. A discussion concerning maintenance activities

and the storage of toxic materials ensued. Mr. McDermott said that the applicant would have no objection to adding a development condition which clarified allowable maintenance activities. Ms. Leslie Johnson, ZED, DPZ, said she would draft an appropriate development condition.

Chairman Murphy noted that there were no listed speakers and called for speakers from the audience.

Ms. Irma Clifton, 8912 Ox Road, Lorton, expressed opposition to the proposed facility because it would increase traffic, extend the life of the landfill operation and provide a service which was already provided at the County landfill nearby. She then read a letter from Mr. and Mrs. Hilton B. Lamphiear, Jr., 10225 Furnace Road, Lorton, expressing opposition to the recycling center for the same reasons cited by Ms. Clifton.

Mr. Lynwood Gorham, 6036 Chapman Road, Lorton, Vice President and Land Use Chairman, Federation of Lorton Communities, read a resolution expressing opposition to the proposed facility.

In response to a question from Chairman Murphy, Mr. Gorham said due to an oversight the Federation had not taken a position on the use of the property for a recycling facility when the Comprehensive Plan was amended in 1995.

Mr. Neal McBride, 8105 Winter Blue Court, Springfield, Co-Chair, Laurel Hill Citizens Advisory Committee, expressed opposition to the proposed facility because it was not in keeping with the Laurel Hill Plan.

There were no further speakers. Therefore, Chairman Murphy called upon Mr. McDermott for a rebuttal statement.

Mr. McDermott said that the Federation of Lorton Communities had supported the proposed facility during the Area Plans Review process, in contradiction to the remark made by Mr. Gorham that it had been overlooked. He said the proposed use was an essential use in an appropriate location.

There being no comments or questions from the Commission and no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on these applications. (A verbatim transcript of summary remarks and the motions are in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THE BOARD APPROVE RZ-2000-MV-034, SUBJECT TO THE EXECUTION OF PROFFERS DATED NOVEMBER 30, 2000.

Commissioner Koch seconded the motion which carried by a vote of 8-0-1 with Commissioner Kelso abstaining; Commissioner Downer not present for the vote; Commissioners Hall and Wilson absent from the meeting.

Commissioner Byers MOVED WE DEFER THE DECISION ONLY ON SE-00-V-040, TO A DATE OF DECEMBER 6, 2000 TO ALLOW STAFF TO RESEARCH THE DEVELOPMENT CONDITION REQUIREMENTS.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Downer not present for the vote; Commissioners Hall and Wilson absent from the meeting.

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The meeting was 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: Linda B. Rodeffer

Approved on: September 12, 2001

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