

**MINUTES OF
PLANNING COMMISSION MEETING
DECEMBER 2, 1993**

PRESENT: Lawrence C. Baldwin, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Patrick M. Hanlon, Providence District
Suzanne F. Harsel, Braddock District
Robert v. L. Hartwell, Commissioner At-Large
Ronald W. Koch, Sully District
John W. Palatiello, Hunter Mill District
Carl L. Sell, Jr., Lee District
Henry E. Strickland, Mason District
Alvin L. Thomas, Commissioner At-Large

ABSENT: Peter F. Murphy, Jr., Springfield District

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The meeting was convened at 8:38 p.m. by Vice Chairman Patrick M. Hanlon in the absence of Chairman Murphy.

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COMMISSION MATTERS

Commissioner Downer announced the birth of her 9 lb. 3 oz. granddaughter born on Tuesday, November 30, 1993, to daughter Doreen.

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Commissioner Harsel noted that the Commission had received minutes in their packets this evening and asked that the Commissioners review their cases. She added that she would move for approval on Wednesday, January 12, 1994.

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Commissioner Strickland noted that scheduled for public hearing this evening was 456-M93-16, Southwestern Bell Mobile Systems, Incorporated. He then (MOVED) TO DEFER THAT CASE FOR PUBLIC HEARING UNTIL DECEMBER 8, 1993.

Commissioner Hartwell seconded the motion which passed unanimously with Commissioners Koch and Thomas not present for the vote; Commissioner Murphy absent from the meeting.

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In Commissioner Koch's temporary absence, Vice Chairman Hanlon noted that scheduled for decision only was RZ-88-Y-043 and PCA-88-S-109, David L. Hunter, to be deferred to December 8, 1993.

Commissioner Sell SO MOVED.

Commissioner Strickland seconded the motion which passed unanimously with Commissioners Koch and Thomas not present for the vote; Commissioner Murphy absent from the meeting.

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Vice Chairman Hanlon announced that the applicant had requested that the decision only for an administrative review of the Signage Plan for Fairfax Plaza in the Providence District be deferred indefinitely. Without objection, it was so ordered.

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Vice Chairman Hanlon called attention to RZ-93-P-011, Charles C. Cochran, scheduled for decision only. He then MOVED THAT WE DEFER DECISION ONLY ON THAT TO A DATE CERTAIN OF JANUARY 13, 1994.

Commissioner Sell seconded the motion which passed unanimously with Commissioners Koch and Thomas not present for the vote; Commissioner Murphy absent from the meeting.

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"FEATURE SHOWN" - BELL ATLANTIC SWITCHING STATION

Commissioner Koch MOVED THAT PURSUANT TO SECTION 15.1-456 OF THE *CODE OF VIRGINIA*, THAT THE SWITCHING STATION TO BE LOCATED AT 3675 CENTREVIEW DRIVE BE DETERMINED AS A "FEATURE SHOWN."

Commissioner Baldwin seconded the motion which passed by a vote of 9-0-1 with Commissioner Sell abstaining; Commissioner Hartwell not present for the vote; Commissioner Murphy absent from the meeting.

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ORDER OF THE AGENDA ITEMS

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

1. Zoning Ordinance Amendment (PDH Changes)
2. SE-93-S-040 - Claude A. & Betty J. Wheeler
3. RZ-93-M-021 - John L. Hanson, Jr., & Patricia L. Hanson

4. PCA-86-D-093-7 Worldgate Associated Limited Partnership
FDPA-86-D-093-5 Worldgate Associated Limited Partnership

This order was accepted without objection.

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ZONING ORDINANCE AMENDMENT (PDH CHANGES) - On the matter of an amendment to Chap. 112, the Zoning Ord., of the 1976 Code of the Co. of Fairfax, as follows: Amend Sec. 6-106 & 16-401 to allow the land area limitation for secondary commercial uses in the PDH District to be modified by the Board of Supervisors. PUBLIC HEARING.

Ms. Margaret Stehman, Zoning Administration Division, Office of Comprehensive Planning, presented the staff report, a copy of which is contained in the date file. She said that staff recommended approval of the proposed amendment.

In response to Commissioner Strickland's question, Ms. Stehman said that the intent of putting the single plan for commercial area language into the amendment was to ensure that a commercial area could not be added later in another part of the PDH development.

Ms. Stehman, in responding to Commissioner Baldwin's questions, said that the basis of the Ordinance change was an institutional use proposed on the parcel which could not be developed. She added that an increase in the commercial area was needed to allow a veterinarian hospital to be developed. She added that the amendment would not approve any change in Crosspointe but would provide them with an opportunity to ask the Planning Commission and the Board of Supervisors to consider the proposal, and allow the Board of Supervisors to modify it should they so choose.

There being no speakers, no closing staff comments and no further questions or comments from the Commission, Vice Chairman Hanlon closed the public hearing and recognized Commissioner Baldwin for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Baldwin MOVED THAT WE RECOMMEND TO THE BOARD APPROVAL OF THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING SECONDARY COMMERCIAL USES IN THE PDH DISTRICT, AS PRESENTED IN THE STAFF REPORT, WITH A CHANGE TO PARAGRAPH 6C OF SECTION 606, WHICH IN ESSENCE WILL ALLOW AN INCREASE IN COMMERCIAL LAND AREA WHEN THERE IS A CONCURRENT SUBMISSION OF A CONCEPTUAL AND FINAL DEVELOPMENT PLAN AND WHICH SHOWS THE LAYOUT, USES AND INTENSITY OF THE COMMERCIAL LAND AREAS.

Commissioners Thomas and Strickland seconded the motion which passed unanimously with Commissioner Koch not present for the vote; Commissioner Murphy absent from the meeting.

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In Commissioner Murphy's absence, Commissioner Sell handled the following Springfield District case.

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SE-93-S-040 - CLAUDE A. & BETTY J. WHEELER - Appl. under Sec. 3-104 of the Zoning Ord. to modify previously approved development conditions for an existing private school of general education & child care center on property located @ 6215 Poburn Rd. on approx. 2.50 ac. zoned R-1. Tax Map 77-4((1)) 10.
SPRINGFIELD DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C., reaffirmed the affidavit which had been submitted to the County Attorney on November 3, 1993. There were no disclosures by Commission members.

Ms. Lorrie Kirst, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is contained in the date file. She noted that the special exception request was to delete the development condition which limited the age of children between 18 months and seven years of age. Ms. Kirst added that no other change to the existing structure, hours of operation, or any aspect of the existing center was proposed. Ms. Kirst said that staff recommended that the application be approved, subject to the December 2, 1993 proposed development conditions distributed this evening.

Ms. Strobel said that the original approval contained fourteen development conditions, one of which restricted the acceptance of children between 18 months and seven years. She added that the applicant had requested deletion of the condition so that older and younger children could be accepted into the Center. Ms. Strobel noted that the applicant did not propose any modification to the existing building, the hours of operation, the number of students, or any aspect of the approved school of general education and child care center. Ms. Strobel said that the applicant would propose a minor modification to development condition #4, distributed this evening, as follows: "The maximum daily number of students shall be 200."

Vice Chairman Hanlon explained the Planning Commission's rules for speakers.

The following speakers were concerned with the deletion of any age limit; the increase of noise; that the current outdoor facilities were insufficient to accommodate older children; and that more recreational facilities would need to be constructed which would affect the aesthetics of the neighborhood and potential drainage. They also were concerned that the facility would require the use of larger buses or would result in increased foot traffic through their neighborhood to

reach the child care center. The speakers also requested that aesthetic sound barriers with increased plantings be required. (See date file for copies of letters.)

- Ms. Ilyse Cart, 10200 Woodvale Pond Drive, Fairfax Station;
- Ms. Jean Crossen, 6312 Knolls Pond Lane, Fairfax Station;
- Ms. Kristin Knodt, 16204 Woodvale Pond Drive, Fairfax Station;
- Ms. Judy Lai, 10209 Woodvale Pond Drive, Fairfax Station; and
- Ms. Vicki Stauffer, 10207 Woodvale Pond Drive, Fairfax Station.

Commissioner Sell noted that there was an easement between lots 29 and 30 to the public facility. He suggested that the citizens check their deed or plat to see if there was an access easement between the lots.

During rebuttal remarks, Ms. Strobel reiterated that the facility had existed for some time. She added that the facility was totally fenced in and that there was a twenty-five foot setback on which there was vegetation and screening. Ms. Strobel said that the applicant was not asking for an increase in the number of children attending the facility and therefore there would be no increase in traffic. Regarding the recreation area, she indicated that the applicant was in compliance with the Zoning Ordinance and would continue to honor the requirements for outdoor play space.

There being no further comments or questions from the Commission, Vice Chairman Hanlon closed the public hearing and recognized Commissioner Sell for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Sell MOVED THAT (THE DECISION ONLY ON) SE-93-S-040 BE DEFERRED UNTIL DECEMBER 8, 1993, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which passed unanimously with Commissioners Downer and Strickland not present for the vote; Commissioner Murphy absent from the meeting.

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RZ-93-M-021 - JOHN L. HANSON, JR., & PATRICIA L. HANSON
 - Appl. to rezone approx. 0.69 ac. of land located on the W. side of Spring Ln., approx. 500 ft. N. of its intersection with Columbia Pike from C-2, MC & SC to R-12, HC & SC to permit residential development @ a density of 8.7 du/ac. & a waiver of the minimum district size requirement. Comp. Plan Rec: Institutional use w/an option for residential development. Tax Map 61-2((1)) 64 & 65. MASON DISTRICT. PUBLIC HEARING.

Mr. John L. Hanson, Jr., applicant, reaffirmed the affidavit dated July 8, 1993. There were no disclosures by Commission members.

Ms. Lorrie Kirst, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is contained in the date file. She said that staff concluded that both Alternatives 1 (five townhouse units) and 2 (six townhouse units) were in conformance with the Comprehensive Plan and Zoning Ordinance and that the requested densities had been justified. She added that it was staff's opinion that Alternative 1 resulted in a design and circulation pattern which was superior to Alternative 2.

Mr. Hanson said that he thought the property could be consolidated but not with the present owner. He added that in order to develop his property he felt that he needed six units. Mr. Hanson said that he was hoping the Commission would approve both alternatives which would give him the option of developing with five or six units. If that were not possible, he added that he would want the 6-unit alternative or he would withdraw his application and wait for commercial office property to be developed there.

The only speaker on this case was Ms. Dana McGee, 3232 Spring Lane, Falls Church, President of Carlyn Square Citizens Association. She said that the association supported the development of five townhouse units of all brick construction and would support any consolidation with the Diehl property. Ms. McGee said that the Association was concerned with the potential increase in traffic on Spring Lane. (See position statement in date file.)

There being no rebuttal, no closing staff comments, and no further questions or comments from the Commission, Vice Chairman Hanlon closed the public hearing and recognized Commissioner Strickland for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Strickland MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DENY RZ-93-M-021 TO THE R-12 ZONING DISTRICT.

Commissioner Thomas seconded the motion which passed unanimously with Commissioner Murphy absent from the meeting.

Commissioner Strickland then MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD (OF SUPERVISORS) THAT IT APPROVE RZ-93-M-021 (TO THE) R-8 ZONING DISTRICT, SUBJECT TO THE EXECUTION OF THE DRAFT PROFFERS LABELED ALTERNATIVE 1 FOR FIVE UNITS DATED NOVEMBER 16, 1993, AND CONTAINED IN APPENDIX 1.

Commissioner Thomas seconded the motion which passed unanimously with Commissioner Murphy absent from the meeting.

Commissioner Strickland finally MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD (OF SUPERVISORS) THAT IT WAIVE THE REQUIREMENTS FOR MINIMUM DISTRICT SIZE, PURSUANT TO SECTION 9-610 OF THE ZONING ORDINANCE.

Commissioner Thomas seconded the motion which passed unanimously with Commissioner Murphy absent from the meeting.

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PCA-86-D-093-7 - WORLDGATE ASSOCIATES LIMITED PARTNERSHIP - Appl. to amend the proffers for RZ-86-D-093 to permit modification to existing proffers for previously approved mixed use development w/an overall FAR of 0.70 on property located in the N.E. quadrant of the intersection of the Dulles Airport Access & Toll Rds. & Centreville Rd. on approx. 62.14 ac. zoned PDC. Comp. Plan Rec: Office w/mixed-use option. Tax Maps 16-1((2)) 25; 16-3((2)) 1A, 18, 2A, & pt.2; 16-4((2)) 23 & 24. (Concurrent with FDPA-86-D-093-5.) DRANESVILLE DISTRICT.

FDPA-86-D-093-5 - WORLDGATE ASSOCIATES LIMITED PARTNERSHIP- Appl. to amend the FDP for RZ-86-D-093 to permit changes in the delineation of land bays on property located in the N.E. quadrant of the intersection of the Dulles Airport Access & Toll Rds. & Centreville Rd. on approx. 62.14 ac. zoned PDC. Tax Maps 16-1((2)) 25; 16-3((2)) 1A, 18, 2A, & pt.2; 16-4((2)) 23, & 24. (Concurrent with PCA-86-D-093-7.) DRANESVILLE DISTRICT. JOINT PUBLIC HEARING.

Martin D. Walsh, Esquire, Walsh, Colucci, Stackhouse, Emrich & Lubeley, P.C., reaffirmed the affidavit dated November 24, 1993. Commissioner Downer disclosed that her office was located in the Worldgate Center.

Ms. Catherine Chianese, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is contained in the date file. She noted that revised proffers dated November 23, 1993 were distributed this evening and that the applicant had incorporated in proffer #1 language requiring the filing of a PCA/FDPA if a generator were located outside the existing parking garage in Landbay A-2. She added that the revised proffer negated the need for the EDP condition, contained in Appendix 2 of the staff report. Ms. Chianese said that staff recommended approval of the application, subject to the proffers dated November 23, 1993.

Mr. Walsh said that Fannie Mae looked at multiple sites in the region and settled on Worldgate. He added that there were negotiations on many issues between the Charles E. Smith Company, Worldgate Associates, the County, and Fannie Mae. He also said that the applicant believed that

Fannie Mae's presence would have substantial economic benefits to the County and also met a number of the goals of economic development for Fairfax County. Mr. Walsh explained that the purpose of the PCA was to clarify which proffers were the responsibility of Fannie Mae since they owned a small portion of the property. He added that the clear intent of the proffers was that additional unperformed proffers are intended to mitigate future phases and are the responsibility of the developer of the future phases. Mr. Walsh then introduced Ms. Carolyn Pleasants, with Fannie Mae, to make some comments.

Ms. Pleasants, Director of Facilities Planning, Fannie Mae, said that they had examined sites in numerous jurisdictions and what directed them toward the Worldgate facility was Fairfax County's cooperation and commitment to facilitating a smooth transition from the District of Columbia to Fairfax County.

In response to Commissioner Downer's questions, Ms. Pleasants said that the facility would be a custody document vault, and would also serve as a business recovery site. She added that there would be 15 employees at the Worldgate site and that their headquarters were chartered to remain in the District of Columbia and they did not intend to expand or relocate to this site.

There was a lengthy discussion between Commissioners Strickland, Hanlon, Sell, and Mr. Walsh regarding the proffers.

There being no speakers, no rebuttal, and no closing staff comments Vice Chairman Hanlon closed the public hearing and recognized Commissioner Downer for action on the case. (Verbatim excerpts are contained in the date file.)

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Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-86-D-093-7 AND FDPA-86-D-093-5, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED NOVEMBER 23, 1993.

Commissioner Palatiello seconded the motion which passed unanimously with Commissioner Hartwell not present for the vote; Commissioner Murphy absent from the meeting.

Commissioner Downer also MOVED (THAT) THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF FDPA-86-D-093-5, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF PCA-86-D-093-7.

Commissioner Palatiello seconded the motion which passed unanimously with Commissioner Hartwell not present for the vote; Commissioner Murphy absent from the meeting.

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ADJOURNMENT

December 2, 1993

The meeting was adjourned at 10:40 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: Sandra L. Stever

Approved on: March 16, 1994

A handwritten signature in cursive script that reads "Mary A. Pascoe". The signature is written in black ink and is positioned above a horizontal line.

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