

## **Planning & Zoning**

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**Meets last Tuesday of every month at the McLean Community Center**

This report covers the activities of the Planning & Zoning (P&Z) Committee between April 2010 and February 2011. The P&Z Committee meets every month on the last Tuesday of the month at 7:30 PM at the McLean Community Center. During the period, the Committee heard a number of presentations from applicants for Rezoning, Special Exceptions and 2232 Reviews, as well as discussions on other subjects of interest to Committee Members. The following is a summary of the Committee's activities.

### **Committee Activities from April 2010 – February 2011**

**Tysons Corner Comp Plan Amendment:** In June, the Board of Supervisors approved an amendment to the Tysons Corner Comprehensive Plan. The Plan amendment comprised 185-pages and virtually re-wrote the previous Tysons Comp Plan in order to transform it into a dense urban center with a goal of 100,000 residents and 200,000 employees by year 2050. Tysons currently has 46 million square feet (MSF) of development and the adopted Plan allows it to increase to as much as 84 MSF by 2030. MCA strongly advocated for placing almost all of the increased density within the first ¼-mile of the four new Metro to encourage transit use and reduce the number of auto trips. This is in keeping with the County's Transit Oriented Development polices and it mimics the development pattern of the very successful Rosslyn-Ballston corridor in Arlington. The Plan further places a high priority on greatly increasing (by approximately 600%) the number of people who live in Tysons residents by 2050, as it will further reduce the number of single-occupancy vehicle trips in and out of Tysons.

Among MCA's concerns are:

- Ensuring the supporting infrastructure keeps pace with the dramatic increase in development.
- The proposed widening of the Dulles Toll Road by 2-4 lanes with two new interchanges in Tysons.
- The estimated cost of over \$2 billion to pay for the all transportation improvements recommended by the new Plan.
- The impact of increased traffic on local roads.
- The costs of the additional required infrastructure: two new elementary schools, two fire stations, police station, library, government center, 20 athletic fields, parks, etc.

MCA continues to monitor the rezoning applications and the status of the various transportation studies commissioned by county staff.

### **Rezoning – 6862 Elm Street in Downtown McLean**

In June and September, Stu Mendelsohn and a representative of EYA, a townhouse developer, jointly briefed the committee on a proposed 49-unit townhouse development. The site is a 4.43-acre parcel in the C-3 Office zoning district with an existing 8-story office building and a very large surface parking lot. The parking lot has significant frontage along Fleetwood Road.

The existing office building would remain and the rear parking lot would be replaced by 49 townhouse units with a height of 50 feet. The office and the residential portions of the site would be rezoned to C-4 High Intensity Office and PDH-20 respectively. To compensate for the lost parking spaces, a 60-foot high, 6-story parking structure would be built to the west of the office building with frontage on Elm Street. The proposed parking structure would also have ground floor retail.

The McLean Comprehensive Plan specifically recommends that parking be set behind the building at the center of the block and the committee commented that the proposed parking structure was contrary to Plan guidance. Nonetheless, a rezoning application was submitted to the county in January with a parking structure fronting on Elm Street. The applicant will return on March 29 to brief P&Z on the latest changes.

### **Zoning Appeal ZOA**

Fairfax County considered a Zoning Ordinance Amendment to lower the filing fee for a zoning appeal application from \$2,455 to a staff recommended amount of \$1,000. Ninety percent of zoning appeals are generated in response to being charged with zoning violations. In July 2009, the appeal fee was raised from \$375 to \$2,455 in order to recover more of the costs incurred by the Department of Planning and Zoning to service these appeals. A sum of \$2,455 represented approximately a 75% cost recovery. MCA passed a resolution recommending the current fee of \$2,455 be retained as the appellant should bear the costs of the appeal, not county tax payers. [http://www.mcleancitizens.org/PZ\\_Resolution\\_ZoningAppealFee.pdf](http://www.mcleancitizens.org/PZ_Resolution_ZoningAppealFee.pdf) In November, the Board of Supervisors voted to reduce the zoning appeal fee to \$500.

### **Milestone Communications Wireless Monopine at Longfellow Middle School**

In March 2010, Milestone Communications proposed a 115-foot cell tower located at the rear of Longfellow Middle School that would allow up to 5 wireless carriers to provide service to a poorly served area roughly encompassing Great Falls Street, Pimmit Run, Westmoreland Street and Haycock Road. The proposed cell tower, referred to as a 'monopine', would be disguised as a pine tree with the antenna panels largely camouflaged by pine branches with protruding needles. Generally, cell towers had not been permitted at middle and elementary schools in Fairfax County, however Fairfax County Public Schools changed that policy in 2010 which allowed Milestone's application to be filed. While there was support in the community for the proposed monopine and improved wireless reception, there was also very strong opposition. Between June and September there were two meetings between FCPS officials and members of the community and the applicant conducted four balloon tests at two different sites. In response to community concerns the applicant moved the location of monopine and shelter towards the back edge of the school's property and presented these and other changes to P&Z at the September 28 committee meeting. Milestone also gave the committee a list of 70 people who were in favor of the tower because of the existing poor reception.

At the meeting, many local residents voiced opposition to the monopine tower. Many cited health issues, but were told by committee members that as a matter of federal law, Fairfax County could not deny a cell tower application due to safety concerns unless the radiated power of the cell tower exceeded the FCC recommended power level. When asked about the combined transmit power level of all the proposed antenna panels, the Milestone representative replied the

aggregate power level was well under the federal limit. The P&Z committee members stated they would not consider health issues either when vetting the appropriateness of the tower. Residents also objected to the view of the monopine which could be seen from the houses on the western side of the L'Ambiance community and from other viewpoints.

Three days later, citing the lack of community support, FCPS withdrew its permission to host the monopine at Longfellow.

### **MWAA Silver Line Ancillary Facilities Changes (2232 Amendments)**

In January 2007, the Planning Commission approved a 2232 for all of the ancillary facilities required by WMATA to operate the Silver Line. These facilities are either storm water ponds or facilities that provide or control power to the rail line. At the October 2010 P&Z meeting, MWAA proposed modifications to 4 facilities which require County review. The biggest change was the use of modular buildings instead of constructed buildings. This was done to reduce costs, but it also lowered the building height from 23' to 15'. The building footprint remained the same. Any modification deemed to be minimal may be administratively approved by the County and does not require another 2232 Review. MWAA presented the following changes that affect four sites along the I-66 and Dulles Connector Road:

a. **Magarity Road** - The Traction Power Substation (TPSS) is going modular and the building will be lowered 12 feet into the ground to reduce impact. A drainage basin will be added and additional landscaping supplied. MCA passed a resolution requesting the stormwater basin be placed underground in order to preserve a berm on the northwest corner of the property.

[http://www.mcleancitizens.org/PZ\\_Resolution\\_OlneyRoadTPSS.pdf](http://www.mcleancitizens.org/PZ_Resolution_OlneyRoadTPSS.pdf)

b. **West Falls Church Metro Yard** - The planned TPSS at the WFC Metro Yard was originally meant to power both the Yard and the Silver Line. However because the distance from the TPSS site to the Silver Line was deemed too far (over 300'), the TPSS will be downsized to power to just the maintenance Yard.

c. **Plainfield Avenue** - This site was originally planned for a Tie Breaker Station and a Remote Train Control Room. The site will additionally contain a Silver Line TPSS (moved from the Metro Yard).

d. **Baldwin Drive** - The Tie Breaker Station and Train Control Room will be housed in a modular building and access to the site will be via the Dulles Connector Road instead of Baldwin Drive.

### **MWAA Train Control Room at Fisher Avenue - 2232 D11-03**

In January 2007, MWAA received 2232 approval to build a Train Control Room (TCR) and Communications Room on Fisher Avenue (close to where Great Falls Street crosses I-66). The TCR was to be co-located with an existing Traction Power Substation built in the 1980's to power the Orange Line. At February 2011 P&Z, MWAA gave a presentation on its new 2232 application that proposes to relocate the TCR and Communications Room 100 feet to the east and house it in a pre-constructed modular building.

The neighborhood was first informed of this change in September 2010 and there have been at least three meetings between MWAA and the community. Relocating the site to the east would make it easier to run the duct banks that house the cables that provide the switching signal. The community opposed the move arguing that relocating the TCR to the east would result in greater tree loss and an encroachment into the neighborhood as the wall surrounding the building would be 20' x 62' and 15' high. The facility would also be out of character with the neighborhood as it would only be set back 25' from the road whereas the homes in the neighborhood are set back 40-50 feet. MWAA stated either site would be acceptable as either one could accommodate the TCR. The committee felt the originally approved site would be the more beneficial location for the neighborhood. A Planning Commission public hearing is set for March 23.

### **Fairfax County Public Schools NorthEast Dispatch Facility at Pimmit Hills Center**

At November 2010 P&Z, Mr. Sunny Sarna from Fairfax County Public Schools (FCPS) presented a proposal to use Pimmit Hills Center as a dispatch center for FCPS building maintenance vehicles. This use would require a 2232 Review and a public hearing. FCPS would park roughly 55 maintenance vehicles on site (behind the building) and maintenance workers would report to the dispatch center every day to be dispatched to jobs at schools in the northeast district. Pimmit Hills Center is located at 7510 Lisle Avenue with additional ingress/egress from Griffith Road.

Many residents from the immediate area attended the meeting and voiced opposition to the proposed use, mainly because of the numerous vehicle trips that would be generated on Lisle and Griffith and the industrial nature of the use. Other concerns were the hours of operations, noise and lighting, environmental concerns as there are residential properties downhill of the proposed parking lot and the proximity of an existing 90-foot diamond baseball field.

On December 7, the Pimmit Hills Community Association received a separate briefing from Dean Tistadt (FCPS) and school board representative Janie Strauss. As of February 2011, MCA had not received any additional information on the proposal dispatch center.

### **McLean Police and Government Center Renovation and Expansion Project**

The County is planning to renovate the police station and government center building at 1437 Balls Hills Road. At November P&Z, Christopher Smith from County staff presented a site plan and building elevations that showed a remodeled building with an additional 18,000 square feet of floor space and increased parking for police vehicles. The building currently houses the McLean Police Station, the Dranesville Supervisor office and the McLean Chamber of Commerce. All three uses will benefit from the increased floor space. Supervisor Foust's office will temporarily relocate during construction from spring 2012 to summer 2014.

### **Dominion Virginia Power Reddfield Substation Special Exception/2232**

In September and November 2010, Dominion Virginia Power (DVP) briefed the committee on a electrical power substation located in WMATA's West Falls Church Inspection and Maintenance Yard. Named the Reddfield substation, its purpose would be to provide power to the Metro's Silver Line tracks and the first 3 Metro stations in Tysons. In addition, the substation would provide electrical service to home and businesses in a corridor between West Falls Church and East Tysons. Furthermore, Reddfield substation would provide some much needed additional

power because the 4 existing substations that serve the Tysons, Falls Church, McLean, Great Falls general area currently operate at a high capacity.

While the need for a new substation was never an issue, the proposed location of the substation certainly was. The construction of the substation would result in the destruction of a wooded area. Furthermore, because the substation site would be elevated and located adjacent to a 100-foot power transmission line easement, it could not be shielded from the view of the neighboring properties along McKay Street. The visual impact on the McKay Street homes was acknowledged in the county staff report.

Pursuant to Virginia Code, DPV evaluated 15 other locations as potential sites for the substation and each one was rejected as unavailable or unsuitable. The Lemon Road Civic Association disagreed with these findings and voted to oppose the SE. This was a very difficult case for MCA. While clearly Reddfield was DVP's first and only choice of location for the substation, MCA felt that DVP's findings on the alternate sites were tenable. Furthermore, given the key role of this substation in the Silver Line project and the constrained construction schedule, the County would be disinclined to deny DVP the Reddfield site as it was the prime location that would ensure the quickest completion.

MCA passed a resolution opposing the Reddfield substation unless the applicant agreed to: 1) protect the small patch of remaining trees to the north of the substation with a conservation easement, 2) provide landscaping stock and services free of charge to the property owners along McKay Street to mitigate the view of the substation and, 3) not route the electrical power distribution lines aerially along McKay Street or Eastman Drive. DVP agreed to these conditions. The Reddfield substation was approved by the Board of Supervisors in February 2011. [http://www.mcleancitizens.org/PZ\\_Resolution\\_DominionReddfieldSubstation.pdf](http://www.mcleancitizens.org/PZ_Resolution_DominionReddfieldSubstation.pdf)

### **Discovery Woods Learning Center Special Exception**

The committee was briefed in January 2011 by representatives of Discovery Woods on a proposed private school of general education to be operated from a single family dwelling at 9224 Leesburg Pike. This property, located in the R-1 zoning district, is situated at the corner of Towlston Road and Vernon Drive. The proposed school enrollment would be 26 students with operating hours of 8:30 am to 3 pm. In addition to operating a private school, the applicant would also operate a child care center from the hours of 7 am – 8:30 am and 3 pm – 6 pm. The applicant currently operates a child care center under a special permit, so it is the private school use that represents an increase in intensity. Representatives from the Bradley Oaks HOA expressed concern about the increased vehicle trips generated by 26 students and 4 teachers. Furthermore, the applicant had modified a driveway entrance without HOA approval.

While the committee recognized the impact of the increased vehicle trips on this low-density neighborhood, it felt that the school would provide a valuable service to the wider community and the impact could be largely mitigated by staggering pick-up and drop-off times. MCA passed a resolution supporting the Special Exception if the applicant accepts three development conditions: 1) student enrollment would be restricted to 26 individual students, 2) drop-off and pick-up times would be staggered in a manner to preclude vehicle stacking and, 3) the applicant grants the Fairfax County a trail easement along Towlston Road and Leesburg Pike as shown in the Comprehensive Plan. [http://www.mcleancitizens.org/PZ\\_Resolution\\_DiscoveryWoods.pdf](http://www.mcleancitizens.org/PZ_Resolution_DiscoveryWoods.pdf)  
The Planning Commission public hearing is scheduled for March 16.