

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 2009 and March 2010. 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 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 January – March 2010

McLean Main Street

P&Z met jointly with the McLean Planning Committee (MPC) on January 20 for a presentation from Alan Ward, a master planner from Sasaki Inc, on the status of the Main Street planning effort. Main Street refers a planned street that will run between the Staybridge Hotel on Beverly Road and the Palladium Condominiums, however the downtown area planned for redevelopment over the next 20 years is bordered by Ingleside Avenue, Beverly Road, Old Dominion Drive and Chain Bridge Road and encompasses the McLean Shopping Center.

Mr. Ward showed a conceptual elevation of Main Street with building heights varying from 1 to 5 stories. The design of Main Street is still in its early stages and the purpose of the meeting was to get MPC/MCA feedback on the conceptual elevations and a proposed plaza and community center. Design work will continue through 2010 and culminate in an update to the McLean Comprehensive Plan, the target date of which is still uncertain. Much work remains and the committee will continue to monitor the progress.

Tysons Corner Comp Plan Amendment: In February, the committee reviewed the proposed Tyson Corner Comprehensive Plan amendment scheduled for Planning Commission hearing in April. The Plan amendment comprises 233-pages and virtually re-writes the existing 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.

Among the areas of concerns to the committee were:

- A very large increase in density (from the existing 45 million square feet (MSF) to 116 MSF) without safeguards for ensuring the supporting infrastructure keeps pace with the burgeoning redevelopment.
- The proposed widening of the Dulles Toll Road by 3-4 lanes with three new interchanges.
- The estimated cost of over \$2 billion to pay for the Dulles Toll Road widening and adding approximately 12 miles of new roads inside Tysons.
- 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.

The Tysons amendment is scheduled for Board of Supervisors consideration in the May-June timeframe.

Rezoning – Linway Terrace: On March 30 the P&Z committee heard a proposal regarding a 4.5-acre consolidation and rezoning of properties at 6500 & 6460 Linway Terrace and 1517 & 1519 Mintwood Drive. These properties, currently zoned R-2 (2 homes per acre), would be rezoned to the PDH-3 district which would allow 13 single family dwellings. The new landowner has not filed a rezoning application, but, at the request of Supervisor Foust, was informing neighborhood residents of the proposed redevelopment in order to obtain feedback.

The meeting was well attended by local residents who, together with members of the P&Z committee expressed concerns with the increased density in the largely R-2 area, increased traffic on Linway Terrace and existing storm water flooding problems on Linway Terrace and Old Dominion Drive. A neighborhood HOA representative reported strong opposition to the proposal by residents.

A Recap of Committee Activities from May - December 2009

McLean Personal Storage: This case is a rezoning and a submission of a development plan for a mini-warehousing use on Beverly Road in downtown McLean. The proposed site is currently a surface parking lot adjacent to the Madison building. This parcel and the Madison parcel would also be rezoned to the Planned Development Commercial (PDC) zoning district.

The business name is McLean Personal Storage (MPS) and it is a type of personal storage that is also referred to as self-storage. The McLean CBC Comprehensive Plan was amended in 2004 approving this specific use on this parcel with the proviso that the storage bins had to be located inside a multi-story building that has the outward appearance of an office building and the building should be at least 60,000 square feet. The Fairfax County Zoning Ordinance was amended in 2009 to require the individual storage bins (in mini-warehouses) not be visible through the windows and the area where loading and off-loading occurs be well screened from the neighboring properties.

A mini-warehouse use is less intense than either an office or residential use as it generates far fewer vehicle trips. The proposed MPS complies with the McLean Comprehensive Plan and Zoning Ordinance requirements and MCA continues to monitor the architectural changes of the building as well as the overall site plan. On November 4, the MCA Board approved a resolution in support of MPS. http://www.mcleancitizens.org/PZ_Resolution_110409.pdf

SFD Grade ZOA: Fairfax County amended its Zoning Ordinance in an effort to mitigate the increasing problem of new homes looming over smaller existing homes. This problem manifests itself when large houses are built close to the property line and they ‘loom’ over a smaller house next door. The looming problem however is exacerbated when a house is constructed on top of a grade that has been built-up by bringing in fill dirt. Houses in Fairfax County cannot exceed 35’ as measured from the grade around the house. However if the grade is artificially raised 10 feet, a 35-foot house becomes a 45-foot house when viewed from the abutting property.

As a remedy, the Ordinance now requires the height of a house to be measured from the natural or pre-existing grade. If a house is raised by modifying the grade, the maximum height of the

house will be reduced by the amount the grade was raised. Therefore, a house built on a grade artificially raised 5 feet could not exceed a height of 30 feet. The Ordinance, however, does permit the grade to be raised if the house lies within a flood plain. The resolution may be read at http://www.mcleancitizens.org/PZ_Resolution_072109.pdf

West Falls Church Metro Service and Inspection Yard SEA 87-D-033-02: The West Falls Church Service and Inspection Yard is a 39-acre property adjacent to the West Falls Church Metro station. The entrance to the facility is at 7305 M Idylwood Road. This facility has been operating in support of the Orange line under a special exception approved in 1985. This special exception amendment (SEA) seeks approval to expand the facilities to support the Silver line extension to Dulles Airport and Loudoun County.

A 23,000 square foot shop annex would be built along with 5 additional segments of track to store up to 40 Metrorail cars for use on the Silver line. A new traction power station would also be built to power the extra lengths of track. The yard would connect to the Silver line via a tunnel under the eastbound lanes of the Dulles Airport Road Extension to a portal in the median. Lastly, a stormwater management facility would be constructed inside a Pimmit Run RPA to buffer the extra runoff from the new construction.

Noise has long been an issue at this site with the Lemon Road Civic Association. The yard employs a loop track with a tight radius turn that generates substantial high-frequency noise referred to as 'wheel-squeal'. The applicant proposes to build a sound cover box over this section of track to attenuate the wheel-squeal noise, however the sound box is not yet designed and construction materials have not been selected. MCA is troubled by the lack of information on this sound box given its planned function of eliminating very objectionable environmental noise and the fact it was first proposed five years ago in Metro's Environmental Impact Statement. Accordingly, MCA voted in opposition to the expansion of the West Falls Church Service and Inspection Yard unless the application agrees to meet a noise standard of 70 dBA maximum noise for single noise events and a 55 dBA day-night noise average. MCA is further asking the applicant to submit the design of the sound box, and its noise attenuation performance criteria, to the Planning Commission for review. MCA views the design of the sound box as critical to ensuring this chronic noise problem gets effectively and finally resolved. The MCA Board approved a resolution on April 1, 2009 opposing the SEA unless the noise problem is addressed and at least 30% tree cover is provided.

http://www.mcleancitizens.org/PZ_Resolution_040109c.pdf

The SEA was approved by the Board of Supervisors on 2/23/2010. The applicant agreed to a development condition limiting at the property line to 55 dBA Lmax.

Nourish Market SE 2009-DR-0015: Sherwood Development LLC proposed a quick-service food store in a shopping center at 8100 Old Dominion Drive, Suite E. This shopping center is located at the corner of Springhill Road and Old Dominion. The store would sell packaged and prepared all-natural foods and products. A quick-service food store would normally be a by-right use, however this shopping center only has 6 tenants and the county ordinance requires at least 6 other tenants in addition to this type of use. The applicant did not propose any changes to the store. MCA passed a resolution supporting the Special Exception.

http://www.mcleancitizens.org/PZ_Resolution_NourishMarketSE.pdf

Cricket Wireless Antenna at the Filene Center FS : Cricket filed a 2232 Review to install 6 flush-mounted antennas at the top of the Filene Center (Wolf Trap Park). The Filene Center has several existing dummy wireless antennas installed on the face of the building just below the roofline. The antennas are painted the same color as the building and blend in very well. When a carrier wishes to install an antenna there, a dummy antenna is removed and a real antenna is installed in its place. MCA passed a resolution in support of this 2322 review which was designated as a feature shown by the county staff.

http://www.mcleancitizens.org/PZ_Resolution_070109.pdf

AT&T Wireless Monopole at Westmoreland & Kirby Road:

AT&T proposed a 128-foot monopole located on the property of the Westmoreland New Life Christian Church at the corner of Westmoreland Street and Kirby Road. Since the pole would be located in a residential district and the pole height exceeds 100 feet, the applicant was required to for a special exception permit. A balloon test was held on September 19 to allow the community to assess its impact and it was determined the top of the pole would extend 50 feet above the existing tree line. Four neighborhoods expressed their concern with the proposed height of the antenna and the location of the equipment shelter and several residents wrote letters to Supervisor Foust's office. These concerns were passed on to the applicant along with a request that the search be conducted for a more suitable location. Subsequently, Milestone Communications (see below) applied for a permit to install a tree monopole at Longfellow Middle School. Accordingly, AT&T withdrew its special exception application in anticipation it will co-locate with Milestone at Longfellow.

Milestone Communications:

Milestone Communications is proposing a 115-foot wireless tree-pole antenna at Longfellow Middle School on Westmoreland Street. The committee has not yet been briefed on the case by the applicant and has no further information.

T-Mobile at Langley Fork SE 2009-DR-005: T-Mobile sought a special exception to mount a wireless antenna on top of an existing utility pole located in the Langley Forks area just off Colonial Farm Road. Since the pole would extend above the 100-foot limit in a residential area, a special exception permit was required. Three flush-mounted antennas would be mounted on the 10-foot pole extension. The Evermay Community Association (ECA) was concerned that a red marking light might be required in the future for aviation safety. Although three different government agencies provided letters that stated a marking light is not currently required, it remains a possibility that these same agencies could require a light in the future. MCA passed a resolution in favor of the SEA requesting that the applicant be required to work with ECA if a marking light were required in the future in order to mitigate its impact. ECA opposed the SE on the grounds the applicant had not considered other sites for its antenna. The Supervisor's office confirmed that the applicant had failed to consider other locations as required by Virginia code. The Special Exception was denied by the Board of Supervisors.

http://www.mcleancitizens.org/PZ_Resolution_090209.pdf

Vinson Hall APR SEA 87-D-025-03: The Vinson Hall Retirement Community (VHRC) is located at the corner of Kirby Road and Old Dominion Drive adjacent to Franklin Park and the

Chesterbrook Shopping Center. It currently has 169 independent living units, 21 assisted living units and 49 nursing beds. VHRC is seeking a special exception amendment to construct a 5-story independent living (IL) building containing 100 units and a 53,000 sf Commons/Community building. The proposed development would add a total of 254,000 square feet of floor space and increase the number of staff on duty to 91. A parking garage would also be built with 2 stories below ground and one above ground.

MCA was concerned about the size and mass of the new IL building and passed a resolution on October 7, 2009 asking VHRC to defer its Planning Commission hearing in order to discuss this and 3 other issues with the Franklin Area Community Association (FACA) and MCA. VHRC agreed to defer and on September 19, it met with FACA and MCA representatives to discuss some proposed changes. VHRC reduced the size of the new IL building approximately 20,000 sf (roughly 10%) and stepped back the building where it fronts Kirby Road so that instead of having a 5-story building 50 feet from Kirby Road, the building would be 3 stories, then step up to 4 then to 5 stories. This softens the edge of the building and reduces the perceived mass. Still MCA remains concerned about the tremendous amount of density being proposed for this property in a residential district. In recognition of the low-density nature of the Chesterbrook community, the Fairfax County Comprehensive Plan limits the size of the nearby Chesterbrook Shopping Center to a maximum floor-area ratio (FAR) of 0.25 which is half the FAR allowed by the Zoning Ordinance. Vinson Hall's FAR would be 0.833 or three times the limit of the shopping center.

Accordingly, on November 4, MCA passed a resolution requesting that Vinson Hall enter into a contractual agreement with the community that would limit future development on the property (excluding this proposed expansion) without the consent of the community.

http://www.mcleancitizens.org/PZ_Resolution_VinsonHallSEA.pdf

Vinson Hall representatives indicated they would not enter into such an agreement, however to further mitigate community impacts they made additional changes to the plan including: the reduction of the new IL building by an additional 10,000 square feet, the relocation of the IL garage entrance away from Kirby Road and planting trees ranging from 3 to 3.5 inches in caliper along the property border.