

McLean Citizens Association Planning & Zoning Committee

Report to the Membership May 26, 2005

This report covers the activities of the Planning & Zoning (P&Z) Committee between January 1, 2005 and April 30, 2005. 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 Appeals to the Board of Zoning Appeals, as well as presentations and discussions on other subjects of interest to Committee Members. Following is a summary of the Committee's activities.

APPLICATIONS BEFORE THE FAIRFAX COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS

Tuckahoe Recreation Club: Mr. Keith Martin, Sack, Harris & Martin, described the plan to add a 2,700 sq ft third- floor exercise facility to the main building at the Tuckahoe Recreation Club on Great Falls Street. The facility operates under a Special Permit Amendment. As of April 30, the Club had not submitted its application to the County. The P&Z Lead is Mark Zetts.

Moutoux Orchards: Mr. Greg Reigle, McGuire Woods, presented information on the planned development of the Moutoux Orchards property at the intersection of Route 7 and Beulah Road. The 70-acre site is conceived as a PDH-1 and R-1 site, changed from R-A and R-1. There would be sixty-one new homes; two existing homes would remain. There are a number of issues to be resolved, one being traffic, especially when the effect of a new firehouse and soccer field are included in the mix. Planning Commission hearing will be September 22, 2005. The P&Z Lead is Brad Macomber.

Cingular/Sprint: Mr. Jim Michal, Jackson & Campbell, described a plan to submit a 2232 * application to the County for the inclusion of two additional antennas on a 20-foot extension of the new power pole to be erected off Georgetown Pike near the CIA, in accordance with the Verizon Application 2232-D-04-7. Filing will be in May with a Planning Commission hearing possibly in July. He also described an alternative pole configuration and locations, possibly involving Nextel. Mr. Al Kuhn, President of the Evermay Community Association, presented the views of his neighborhood in opposition, especially in light of the recently-approved Verizon 2232, which Evermay also opposed. The P&Z lead is Sally Simms.

* A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1 456) of the Virginia Code, which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

McLean Glen: Mr. Greg Reigle and Mr. David Gill, McGuire Woods, and Mr. Greg Ruff, Winchester Homes, presented information about the planned development near the intersection of Gordon Lane and Lewinsville Road. The project is being proposed as a PDH-3 containing fourteen

homes on a 5.27 acre site, rezoned from R-1. The proposed site plan relocates Gordon Lane from its present location on the west side of the site to a location in the center of the site, thereby removing the jog in the road at the southern end of the property. A land swap is being proposed to accomplish this. The Planning Commission public hearing has been scheduled for September 15, 2005. The P&Z Lead is Steve Keller.

ISSUES BEFORE THE BOARD OF ZONING APPEALS

McLean Bible Church: The McLean Bible Church appealed to the BZA on a ruling by the County Zoning Evaluation Division that determined that the Church was out of compliance with its previously approved SEA and must return to the Planning Commission for approval for the operation of a Seminary and the installation of clothing distribution bins and storage containers. The MCA passed a resolution in support of the Zoning Division's decision, and submitted it to the BZA. The BZA held a public hearing on the case on March 15, 2005 at which time representatives from the church, some neighbors and MCA testified. The BZA voted unanimously to deny the appeal. The containers were removed in April, leaving the operation of the Seminary as an open issue. The P&Z Lead is Michelle Meehan.

Residence on Georgetown Pike: Presentations were made by Mr. V. Railan and Mr. C. Oge pertaining to the cement-block wall that Mr. Rialan constructed at 6531 Georgetown Pike, immediately across from Langley High School and next door to Mr. Oge. Mr. Railan had been cited by the Zoning Inspector and appealed the Notice of Violation on the grounds that the wall is necessary to block the noise and lights coming from the school. Mr. Oge and a group of neighbors - including the Langley Oaks Homeowners Association and the Georgetown Pike and Potomac River Association -- are opposed to the existence of the wall, which was constructed without a building permit and is higher than the legal limit. The MCA passed a resolution in opposition to the appeal. The BZA will hear the case on May 10, 2005. The P&Z Lead is Jim Robertson.

AREA PLAN REVIEW (APR) ACTIVITIES

The Dranesville APR Task Force conducted its reviews of the APR nominations last fall, with inputs from MCA and others. There were four nominations, two of which were eventually withdrawn. The Task Force submitted its recommendations to the Planning Commission, which heard arguments for and against on April 20, 2005. A Planning Commission markup has been scheduled for May 18, 2005.

APR Nomination 04-II-2M: Property on Fleetwood Road near the intersection with Elm Street. The Nominator proposed a mixed-use option of up to 1.0 FAR comprising 60% office and 40% residential use, which would include up to 74 multi-family units in a seven-story building. The P&Z Committee objected to the change because of the height of the building compared to the height of neighboring townhouses. The Task Force approved a modification that limited the number of units to fifty and the height to seventy feet.

APR Nomination 04-II-4M: Self-Storage Units on Beverly Road. The Nominator proposed 1.25 FAR for mixed office with option for multi-family dwellings and a personal storage facility. The P&Z Committee favored the office with personal storage option, but opposed the multi-family content. The Task force agreed with the position taken by the P&Z Committee.

Covance: One of the two nominations withdrawn involved the Covance property on Leesburg Pike. Covance withdrew its nomination because of the change in the density level proposed by the APR

Task Force. Because Covance does not have definite plans at this time for the property, it indicated its preference to address the Comprehensive Plan at a future time.

Commons Nomination: The P&Z Committee investigated one additional nomination, which involved the McLean Commons property on Anderson Road, within the Providence District, but on McLean's doorstep and of significant interest to McLean residents. MCA presented a resolution in opposition to the nomination to the Providence APR Task Force, which itself voted to oppose the nomination. The nomination was subsequently deferred by the County and combined with other Tysons rail-related nominations to be decided in 2006.

OTHER ITEMS OF INTEREST DISCUSSED BY THE COMMITTEE

Fairfax County Zoning Ordinance Amendment: Following the Virginia Supreme Court's decision in *Cochran v. Fairfax County Board of Zoning Appeals*, 267 Va. 756 (2004), the County proposed a Zoning Ordinance Amendment in late 2004 to allow the Board of Zoning Appeals (BZA) or the Board of Supervisors to grant special permits or special exceptions allowing for the relaxation of minimum lot width and other requirements, and advertised a Planning Commission public hearing for early February. The Committee had a number of concerns about the amendment and drafted a resolution, passed by the full MCA Board, asking for additional time to review the proposed changes and for workshops allowing for additional citizen involvement. The County held an informational meeting on January 31 and subsequently withdrew the proposal. In February the Virginia legislature passed legislation that provides the County with an alternative to the proposed amendment. The County will draft a new proposal which may or may not make use of then new alternative and advertise it that later this year. The Committee will provide input to the County. The P&Z lead is Dale Murad.

Tysons Corner Center Rezoning: A presentation by the property owners on this major rezoning application, has been scheduled for the P&Z Committee meeting on June 28, 2005. The Planning Commission Public Hearing has been scheduled for September 15, 2005. The MCA Transportation Committee and the Providence District Council have been invited to join P&Z at this meeting. The P&Z Lead is John Foust.

Cell Phone Towers: A resident of the Chesterbrook area of McLean, Mr. Sperling, addressed the Committee to express his concern that cell phone towers not be placed on the McLean High School property because of safety risks. Mr. Sperling was advised that the schools had contracts with the cell phone companies which would likely prevail over efforts to keep the towers off school properties and that the position taken by the County was in accordance with the regulations issued by the FCC.

Low Impact Development: Mr. Jack Wilbern of Butz-Wilbern gave a presentation on Low Impact Development, which focused on water management issues.

Crown Castle Solutions – Distributive Antenna Systems – A 2232 filing will be submitted to the County in May. A presentation on this advanced technology proposal is scheduled for the May 31, 2005 meeting of the P&Z Committee.

Jim Robertson
Dale Murad
Co-chairs