

## **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 15, 2008 and September 20, 2008. 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. Following is a summary of the Committee's activities.

### **APPLICATIONS BEFORE THE FAIRFAX COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS**

**Chevy Chase Bank:** Chevy Chase Bank (CCB) applied for a Special Exception permit to build a bank with a drive-through ATM at the corner of Dolley Madison Blvd and Elm Street, which is inside the McLean Community Business Community and zoned C-2. CCB has purchased three parcels at this location and with the intent to consolidate them into a single parcel of 30,363 square feet (0.7 acres). The committee expressed opposition to the bank having a driveway on Dolley Madison, for safety reasons and non-compliance with the McLean Comprehensive Plan, and the applicant agreed to limited ingress/egress to a single curb cut on Elm Street. In addition, we asked Chevy Chase to update its proposed landscaping and streetscape design to comply with the newly updated McLean Open Space Standards. Lastly, the committee requested the applicant to commit to building its proposed stormwater detention facility as shown in the Special Exception plans. CCB had been reserving the right to downsize the detention facility should the final stormwater volume calculations show it was possible to do so. We took the position that Dead Run, which runs through McLean Central Park and is terribly degraded from excessive stormwater, needs to be protected. Since the proposed bank added impervious surface to the property, the committee felt it would be prudent to size the stormwater detention facility conservatively. The applicant willingly agreed with all the committee's requests. The MCA Board voted in support of the Chevy Chase Bank SE and the resolution can be viewed at:  
[http://www.mcleancitizens.org/mca/PZ\\_Resolution\\_060408c.pdf](http://www.mcleancitizens.org/mca/PZ_Resolution_060408c.pdf).

**NewPath Distributed Antenna System:** NewPath Networks sought 2232 Review approval to augment its approved 11-node distributed antenna system (DAS) along Georgetown Pike with two addition antennas. These two antennas are located on each side of Difficult Run and they fill a gap in coverage along the Difficult Run Stream valley. The applicant originally thought they could install their antennas on existing cell towers, but this proved to be infeasible. Current wireless coverage in this area is very poor due to topology and these DAS antennas provide wireless service for commuters and residences located within 1600' of the road. The chief benefit of NewPath's technology is that it permits multiple wireless providers to share each antenna. The applicant assured us that these were the last two antennas planned for this area and their coverage is complete. The committee voted in favor of the two

additional antenna nodes and drafted a resolution in support. The MCA Board approved the resolution on September 3, 2008.

[http://www.mcleancitizens.org/mca/PZ\\_Resolution\\_090308.pdf](http://www.mcleancitizens.org/mca/PZ_Resolution_090308.pdf)

**Nadimi Property:** Mr. and Dr. Nadimi own a property on 8325 Old Dominion Drive and seek a Special Exception for a minimum lot width waiver. The 5-acre lot is in the R-E zoning district (1 dwelling unit/2 acres) and is 342 feet wide. The applicants wish to subdivide creating another lot at the rear of their parcel with access via a pipestem driveway. The widths of the two lots (the measured frontage along Old Dominion Drive) would then be 279' and 64'. R-E zoning requires a minimum lot width of 200'. The applicants presented to P&Z in November, February and again in May. The committee felt the proposed second home, with a footprint of 4,900 sf, together with a 1,200 sf detached garage would result in a significant loss of trees, running counter to a key standard for approving lot width waiver special exception which is the preservation of vegetation. Other issues were the detached garage was sited just 39 feet from the lot line and the property required two new septic fields with two other septic fields held in reserve. Finally, there was significant neighborhood opposition to the special exception including four of the five abutting neighbors. At the May meeting, the committee voted in opposition to the SE and drafted a resolution recommending denial. The MCA Board approved the resolution on June 4, 2008

[http://www.mcleancitizens.org/mca/PZ\\_Resolution\\_060408a.pdf](http://www.mcleancitizens.org/mca/PZ_Resolution_060408a.pdf). In late August, the applicant was working with neighbors to resolve some of the issues. The Planning Commission hearing date is scheduled on October 30, 2008.

**Liberty Crossing:** Liberty Crossing is an office complex at the corner of Dolley Madison Blvd and Lewinsville Road. The property owner, Peterson Companies, is proposing to build ramps on its southern border that would directly connect to existing entrance ramps providing access to both the Dulles Toll Road and the Beltway. The property is currently limited to a single ingress/egress point onto Lewinsville Road and these proposed ramps on the south side would provide a second exit and substantially reduce the amount of traffic on Lewinsville Road. At the July 29 meeting, the committee reviewed the latest design of the ramps and it was much improved from the initial design as it reduces the disruption to the existing ramp onto the Dulles Toll Road and keeps the amount of added pavement to a minimum. Given the ramps cut through a conservation easement of which MCA is party to, Peterson is proposing to increase the area of conservation easement accordingly in two other locations. MCA views these privately funded ramps as a key transportation improvement that will significantly improve traffic flow at the intersection of Lewinsville Road and Rt. 123. The next steps are for Peterson to record the newly drawn conservation easement plat and obtain the necessary approvals to construct the ramps.

**The Madeira School:** The Madeira School, located at 8328 Georgetown Pike, operates under a special exception permit approved in 1983 and last amended in 2002. The school has filed an application for a special exception amendment to make several improvements and modifications to its plant and 371-acre property including:

- A new wastewater treatment plan.
- The replacement of one or more of the athletic fields with artificial turf.

- Relocation of the previously approved but unconstructed new maintenance facility.
- A new single dormitory building, in lieu of the previous approval for two wings on existing dormitories.
- A new horse exercising facility, stable building, outdoor arena, indoor riding ring and staff living quarters.
- Upgrades to the existing riding paddock.
- Relocation of six (unconstructed) single-family detached residences.
- Increasing the maximum enrollment by 22 students.

The critical request in this application was the replacement of the wastewater treatment plant as Madeira signed a consent decree with the Commonwealth of Virginia to have a new treatment plant operational by 2010. The only point of issue with the SEA application was a trail easement shown in the County Master Trail Plan running along Madeira's Potomac River border, part of the Potomac National Heritage Scenic Trail. The committee asked the applicant to grant a trail easement as does for every SE applicant whose property shows a planned trail easement. Trail easements are a priority with both MCA and Fairfax County and the Madeira planned trail is a key link between Great Falls Park and Scotts Run Park. Madeira refused to grant an easement citing security concerns and the difficulty of constructing such a trail. Trails are often difficult to construct and connect with other trail segment and it is not unusual for this process to take many years to complete. However, planning a trail can only proceed once a trail easement is granted and the County requests trails easements during the special exception approval process. While the committee recognized the school's concern about security, Fairfax County has not experienced problems with crime along its 300 miles of trails. The committee voted to recommend approval of the wastewater treatment plant and condition its support of the remaining special exception requests upon Madeira granting Fairfax County the Potomac River trail easement. The MCA approved the resolution on June 4, 2008.

[http://www.mcleancitizens.org/mca/PZ\\_Resolution\\_060408b.pdf](http://www.mcleancitizens.org/mca/PZ_Resolution_060408b.pdf)

**American Foundation For Better Living:** This special exception (SE 2008-DR-004) proposes to consolidate three parcels at the corner of Route 7 and Towlston Road for a building to be used as a museum for future living combining technology and art. The proposed structure is 20,000 sf with a 19-car parking lot with an entrance on Vernon Drive. While this SE application was filed in 2007, the applicant did not make a presentation to the P&Z committee until June 24, 2008 and the information presented then was only cursory. The committee has received three letters from neighboring HOAs opposing the proposed museum because it appears to be connected to the marketing of household goods and materials, and therefore a commercial enterprise. In response to these objections, the applicant modified his SE justification to claim the facility will be demonstrating 'green' construction materials and technology, however the end goal still appears to be advertising products available for purchase. This special exception application has been indefinitely deferred.

**T-Mobile:** T-Mobile filed a special exception application to add a wireless antenna at the top of an existing utility pole adjacent to the CIA near the intersection of Route 123 and Georgetown Pike. The utility pole is 100' in height and has two existing wireless antennas

belonging to AT&T and Verizon. Because the addition of the T-Mobile antenna requires the height of the utility pole to be extended 10 feet, exceeding the 100-foot height limitation, T-Mobile must apply for a Special Exception permit. The proposed antenna has a much lower profile than the existing two cell antennas. P&Z has not yet taken a position on this case.