

## **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 11, 2009 and September 25, 2009. 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.

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

**West Falls Church Metro Service and Inspection Yard SEA 85-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. This sound box is a requirement of the federal government as set forth in its Record of Decision for the Dulles rail extension.

In July 2009, MWAA's noise consultant conducted a study of the ambient noise in surrounding neighborhoods and the noise created by the loop track. The consultant concluded that the even though the design of the sound box cover is only at the preliminary stage, it would meet the Fairfax County Noise Ordinance noise limit of 55 dBA Lmax in almost all cases. MWAA also submitted a new storm water management plan that improves the outfall of the stream that runs behind the residences of McKay Street which have had a long-standing problem with flooding. On October 7, 2009, the MCA Board approved a resolution opposing the special exception amendment unless the application agrees to a development condition limited the site to a noise level of 55 dBA Lmax. The resolution will be posted on the MCA website: <http://mcleancitizens.org/pz.asp>

**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 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](http://www.mcleancitizens.org/PZ_Resolution_072109.pdf)

**Nourish Market SE 2009-DR-0015:** Sherwood Development LLC is proposing 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 is not proposing any changes to the store exterior or landscaping and the shopping center has sufficient parking to accommodate this use. The busiest time for this type of store would be on weekends. MCA will pass a resolution on this special exception at its November 4 Board meeting.

**Cricket Wireless Antenna at the Filene Center FS D09-20:** 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, 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](http://www.mcleancitizens.org/PZ_Resolution_070109.pdf)

**AT&T Wireless Monopole at Westmoreland & Kirby Road:** AT&T is proposing 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 must file for a special exception permit. A balloon test was held on September 19 from 9-1PM 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.

**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 is complying with the Plan and Ordinance requirements and MCA continues to monitor the architectural changes of the building as well as the overall site plan. A Planning Commission hearing is scheduled for December and the MCA Board will draft a resolution on the MPS at its November 4, 2009 meeting.

**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 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. MCA has not yet taken a position on this case as the applicant is scheduled to present these and other changes to the committee on October 27.

**T-Mobile at Langley Fork SE 2009-DR-005:** T-Mobile is seeking 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 is 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 Planning Commission hearing date has not yet been set. [http://www.mcleancitizens.org/PZ\\_Resolution\\_090209.pdf](http://www.mcleancitizens.org/PZ_Resolution_090209.pdf)