

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JANUARY 18, 2006**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John R. Byers, Mount Vernon District

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The meeting was called to order at 8:29 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner de la Fe nominated the following slate of officers to again serve for the 2006 session of the Planning Commission:

Chairman	Peter F. Murphy, Jr., Springfield District
Vice Chairman	John R. Byers, Mount Vernon District
Secretary	Suzanne F. Harsel, Braddock District
Parliamentarian	Walter L. Alcorn, At-Large

He then MOVED TO ACCEPT THIS SLATE OF OFFICERS.

Commissioners Hopkins and Lawrence seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

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Chairman Murphy extended heartfelt condolences to Robin Hardy, Assistant Director of the Planning Commission Office, whose husband, John Hardy, had passed away on January 15, 2006 after a long illness. He noted that John had retired in 1995 from the County's Office of Comprehensive Planning, now known as the Department of Planning and Zoning, after an

illustrious 30-year career. Chairman Murphy announced that viewings would be held at the National Funeral Home, 6482 Lee Highway, Falls Church, on Thursday, January 19, 2006, from 2:00 to 4:00 p.m. and 6:00 to 8:00 p.m. and Friday, January 20, 2006, from 5:00 to 7:00 p.m., with a funeral service held immediately thereafter. He once again expressed deep sympathy on behalf of the Planning Commission to the Hardy family and requested that a moment of silence be observed in John’s honor.

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Commissioner de la Fe announced that the Planning Commission’s Transportation Committee would meet on Wednesday, January 25, 2006, at 7:30 p.m., in the Board Conference Room, to receive updates on the status of the Transportation Element of the Policy Plan review and Phase I of the Dulles Corridor Rail project.

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FS-D05-37 - OMNIPOINT COMMUNICATIONS, I-495 and GW Memorial Parkway

Commissioner Hopkins MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION BY THE DEPARTMENT OF PLANNING AND ZONING, DATED DECEMBER 7, 2005, THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY OMNIPOINT COMMUNICATIONS CAP, LLC, TO BE LOCATED IN THE VIRGINIA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY AT I-495 AND GEORGE WASHINGTON MEMORIAL PARKWAY, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A “FEATURE SHOWN” PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioners de la Fe and Hart seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. ZONING ORDINANCE AMENDMENT
(AFFORDABLE DWELLING UNIT ORDINANCE)
2. RZ 2005-SU-026 - SULLY NORTH INVESTMENTS LC
SE 2005-SU-023 - SULLY NORTH INVESTMENTS LC
3. RZ 2004-SU-029 - NVP, INC.

This order was accepted without objection.

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ZONING ORDINANCE AMENDMENT (AFFORDABLE DWELLING UNIT ORDINANCE) - To amend Chapter 112 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows: Set forth the provisions applicable to the conversion of rental affordable dwelling units to for-sale affordable dwelling units, including factors related to the control period, ownership of the units, parking, use of amenities, mix of units, and administration; extend the control period from 15 years for for-sale units and 20 years for rental units to 30 years for both types of units, with the for-sale units having a renewable term for each resale that occurs within a control period; grant the Fairfax County Redevelopment and Housing Authority the right to purchase any ADU that is offered for resale and establish a 1 ½ percent marketing and transaction allowance for units purchased and resold by the Fairfax County Redevelopment and Housing Authority; eliminate the option for new developments to buy out of the Affordable Dwelling Unit Program after ten years in the rental program; and exclude the floor area for affordable and market rate bonus units from the floor area ratio calculations in the PRM District. Copies of the full text are on file and may be reviewed at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035. For the convenience of the public, access to the full text will also be available for review at the County's website, www.fairfaxcounty.gov/dpz under the Zoning heading by clicking on Pending Zoning Ordinance Amendments. COUNTYWIDE. PUBLIC HEARING.

Donna Pesto, Zoning Administration Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the proposed amendment.

Commissioner Alcorn commended Commissioner Lusk for representing the Planning Commission on the Affordable Housing Preservation Action Committee.

In response to a question from Commissioner Lusk, Ms. Pesto explained that the Redevelopment and Housing Authority (RHA) had the option to repurchase an Affordable Dwelling Unit (ADU) up to the control price, which was established by a formula based on the type, size, and amenities of a unit.

Responding to a question from Commissioner Harsel, Ms. Pesto stated that the RHA would provide ADU tenants with subsidies from the Housing Trust Fund or other newly-developed options to help them pay increased condominium fees.

ZONING ORDINANCE AMENDMENT
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In response to questions from Commissioner Hart, Ms. Pesto noted that the RHA would purchase an ADU, restate the covenant to implement the proposed 30-year renewable covenant, and then resell it to an eligible purchaser. She said the RHA could purchase an ADU at foreclosure, which would not violate the proposed amendment.

Responding a question from Commissioner Lawrence, Ms. Pesto stated that staff and a Workforce Housing group had been considering ways to assist ADU tenants who have to pay significantly higher fees for parking, amenities, and Transportation Demand Management Programs in upscale, high-rise buildings.

Chairman Murphy called attention to a letter dated January 17, 2006, from Patricia Wood, who asked if the County would continue to honor the current ADU agreements, as they existed and without any changes. (A copy of the letter is in the date file.) Ms. Pesto responded that the County would and said she had spoken with Ms. Wood.

Chairman Murphy called the first listed speaker.

Lynne Strobel, Esquire, representing Walsh, Colucci, Lubeley, Emrich & Terpak, PC, 2200 Clarendon Boulevard 13th Floor, Arlington, noted that she had served on the Affordable Housing Preservation Action Committee. She expressed concern that the proposed amendment would require ADUs in converted and new condominium developments to be sold, not rented. She said this could result in an economic loss for developers who had obtained bank financing and commenced construction on the assumption that the ADUs would be rental units. She requested that a grandfather provision for such cases be included in the amended Ordinance, citing RZ/FDP 2003-PR-009, Uniwest Group LLC, approved by the Board of Supervisors on February 23, 2004, as an example.

In response to a question from Commissioner Alcorn, Ms. Pesto said this amendment required that all units, including ADUs, be sold in a new condominium building.

Responding to a question from Commissioner Alcorn, Ms. Strobel suggested grandfathering existing proffered rezonings that specifically allowed the rental of ADUs. Commissioner de la Fe agreed with her suggestion.

In response to a question from Commissioner Alcorn, Ms. Pesto stated the proffer that Ms. Strobel had referred to, did not state that the ADUs could be treated differently from the market-rate units.

Responding to questions from Commissioner Hart, Ms. Pesto indicated that all the units, including ADUs in a building, would need to be either for-sale condominiums or rentals. She explained that the exemption of existing approved rezonings that had proffered to keep ADUs as rentals would be outside the scope of advertising.

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In response to a question from Commissioner Lusk, Ms. Pesto stated that at the end of the proposed 30-year renewable term for the ownership program, the revenue from a unit's sale at market-rate would be divided 50 percent to the Housing Trust Fund and 50 percent to the owner of the unit. However, she noted that at the end of the 30-year term for the rental program, a condominium unit would be sold at market-rate and the Housing Trust Fund would not receive any benefit. Commissioner Lusk agreed and said he was opposed to modifying this amendment.

Chairman Murphy called for further speakers but received no response. He called for concluding staff remarks from Ms. Pesto, who declined.

Commissioner Hall commented that the proffer in the existing rezoning that Ms. Strobel had referred to should be honored and, therefore, grandfathered.

There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Alcorn for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ON THE PROPOSED ZONING ORDINANCE AMENDMENT ENTITLED "AFFORDABLE DWELLING UNIT PROGRAM – CONDOMINIUM DEVELOPMENTS; COVENANT, PRICE, AND FINANCING CONTROL; AND MAXIMUM DENSITY IN A PLANNED RESIDENTIAL MIXED USE DISTRICT," TO A DATE CERTAIN OF JANUARY 26, 2006, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

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RZ 2005-SU-026 - SULLY NORTH INVESTMENTS LC - Appl. to rezone from R-1, I-3, AN, and WS to I-5, AN, and WS to permit office use with a Floor Area Ratio (FAR) of .03 on a portion of a larger office complex with an overall FAR of .5. Located on the S. side of Wall Rd. approx. 800 ft. W. of its intersection with Centreville Rd. on approx. 13.54 ac. of land. Comp. Plan Rec: Mixed Use. Tax Map 34-2 ((1)) 33 pt. and 34 pt. (Concurrent with SE 2005-SU-023.) SULLY DISTRICT.

SE 2005-SU-023 - SULLY NORTH INVESTMENTS LC - Appl. under Sect. 9-607 of the Zoning Ordinance to permit an increase in building height from 75 ft. up to a maximum of 150 ft. Located on the

S. side of Wall Rd. approx. 800 ft. W. of Centreville Rd. on approx.
27.27 ac. of land zoned I-5, WS, and AN. Tax Map 34-2 ((1)) 34.
(Concurrent with RZ 2005-SU-026.) SULLY DISTRICT. JOINT
PUBLIC HEARING.

Francis McDermott, Esquire, with Hunton & Williams LLP, reaffirmed the affidavit dated January 4, 2006. There were no disclosures by Commission members.

Aaron Shriber, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

In response to a question from Commissioner Harsel, Mr. Shriber said the proposed 150-foot office buildings would not be visible from the Sully Plantation.

Responding to questions from Commissioner Hart, Mr. Shriber stated that staff would revise the second sentence of Development Condition Number 10 to indicate that the maximum fence height would be eight feet unless there was a change to the Zoning Ordinance that allowed the applicant to exceed that height.

In response to a question from Commissioner Wilson, Mr. Shriber indicated that Development Conditions Numbers 6 and 7 were included to ensure that the applicant would comply with the lighting and signage provisions of the Ordinance.

Commissioner Wilson recommended that Development Condition Number 6 refer to outdoor lighting.

Mr. McDermott said the top of the proposed buildings would not be visible from the Sully Plantation. He noted that the applicant had proffered to connect the Air and Space Museum Parkway from the subject site's entrance to Wall Road. He stated that the applications sought to rezone the current I-3 and R-1 parcels to the I-5 District to be consistent with the surrounding areas and to modify the height allowed to 150 feet. He indicated that the applicant had met with the Sully District Council and the Franklin Farms Land Use Committee. Mr. McDermott explained that the buildings would be centrally located to meet a 350-foot secured area requirement from the uncontrolled perimeter of the site. He stated that the Sully District Council and the applicant both believed that the site, which was adjacent to Route 28, Centreville Road, and other industrial sites, was an ideal location for 150-foot tall office buildings. He noted that the eastern half of the site would only contain parking decks that would not exceed a 0.03 floor area ratio and one story in height and would, therefore, be invisible from the residential area on the east side of Centreville Road. Mr. McDermott pointed out that the three buildings, including an approved five-story building, would be connected to each other and clustered on the western 60 percent of the site. He explained that the employees would be discouraged from leaving the site during the day and would work on a flexible schedule so fewer would enter and exit at peak times. He indicated that the applicant provided a Transportation Demand Management proffer

and would provide shuttle access to and from the Herndon Monroe Park and Ride. Mr. McDermott stated that the owner of a one-acre R-1 parcel next to the site adjacent to Wall Road had refused to sell it to the applicant. He noted that there would be substantial evergreen buffering and retaining wall barriers between the site and that parcel.

Responding to a question from Commissioner Alcorn, Mr. McDermott explained that all but 13 acres of the 55-acre complex was zoned I-5, which permitted office use. He said spreading out the buildings on the property would be extremely costly due to the security requirements.

Chairman Murphy called for speakers but received no response; therefore, he noted that a rebuttal statement was not necessary.

In response to questions from Commissioner Wilson, Mr. Shriber indicated that staff did not recommend a waiver of the Comprehensive Plan trail requirement along Sully Road since the subject property was not adjacent to that road. However, he said staff recommended a waiver of the trail requirement along a portion of Wall Road because it had already been abandoned west of the cul-de-sac. He noted that the applicant had committed to construct a trail along the northern portion of the property on the east side of the cul-de-sac, which would also be improved.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2005-SU-026, SUBJECT TO THE DRAFT PROFFERS DATED JANUARY 3, 2006 AND CONTAINED IN APPENDIX 1 OF THE STAFF REPORT, WITH THE FOLLOWING MODIFICATION:

REVISE PROFFER NUMBER 14 TO RECOGNIZE THAT A VARIANCE IS NECESSARY TO PERMIT THE SECURITY FENCING TO BE ABOVE EIGHT FEET IN HEIGHT.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2005-SU-023, SUBJECT TO THE APPROVAL OF RZ 2005-SU-026 AND THE DEVELOPMENT CONDITIONS DATED JANUARY 18, 2006, WITH THE FOLLOWING CHANGES:

REVISE CONDITION NUMBER 6 SO IT REFERS TO OUTDOOR LIGHTING, AND
REVISE CONDITION NUMBER 10 TO RECOGNIZE THAT THE MAXIMUM
FENCE HEIGHT WOULD BE EIGHT FEET UNLESS THE ZONING ORDINANCE
WAS AMENDED TO ALLOW AN INCREASE IN THE HEIGHT.

Commissioner de la Fe seconded the motion which carried by a vote of 10-0-1 with
Commissioner Harsel abstaining; Commissioner Byers absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO
THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE
TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG PORTIONS OF
THE NORTHERN, SOUTHERN, EASTERN, AND WESTERN PROPERTY BOUNDARIES
FOR THOSE SHOWN ON THE GENERALIZED DEVELOPMENT PLAN AND SPECIAL
EXCEPTION PLAT.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner
Byers absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO
THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE COMPREHENSIVE
PLAN TRAIL REQUIREMENT ALONG A PORTION OF WALL ROAD FOR THAT
SHOWN ON THE GENERALIZED DEVELOPMENT PLAN AND SPECIAL EXCEPTION
PLAT.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner
Byers absent from the meeting.

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RZ 2004-SU-029 - NVP, INC. - Appl. to rezone from R-1 and WS to
R-3 and WS to permit residential development at a density of 2.45
dwelling units per acre (du/ac). Located on the E. side of Wharton La.
approx. 50 ft. S. of its intersection with Pickwick Rd. on approx. 3.68
ac. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 54-4 ((1)) 23 and
54-4 ((4)) 3A. SULLY DISTRICT. PUBLIC HEARING.

Robert Lawrence, Esquire, with Reed Smith LLP, reaffirmed the affidavit dated January 6, 2006.
Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a pending case with Mr.
Lawrence's law firm but there was no financial relationship and it would not affect his ability to
participate in this case.

Tracy Strunk, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

In response to questions from Commissioner Hall, Ms. Strunk indicated that the Board of Supervisors' public hearing on the expansion of the Centreville Historic Overlay District was scheduled for October 2006. She stated that the issues of the expansion study had been addressed in the proffers for the subject application. She said the applicant would not forfeit the right to develop the property if it was part of the historic district.

Responding to a question from Commissioner Hart, Ms. Strunk explained that Development Condition Number 10 would be revised to indicate that the time the applicant had to comply with the historic district requirements, including any amendments approved, would be beyond nine months from the date of approval of the application by the Board of Supervisors.

In response to questions from Commissioner Harsel, Ms. Strunk stated that staff had originally denied the application because the house on lot 5 did not face Wharton Lane and it lacked additional design components on the stormwater management pond. She explained that the cul-de-sac was temporary because the public road would be extended to the property to the south when it was developed and would be connected with the potential extension of Leland Road.

Mr. Lawrence referred to an e-mail in support of the application dated January 18, 2006, from Jim Katcham, Chairman of the West Fairfax County Citizens Association's (WFCCA) Land Use Committee, a copy of which is in the date file. He noted that the proposed proffers dated January 18, 2006, addressed the issues raised by the WFCCA. He said the applicant would provide additional screening at the rear of lot 9, as further requested by the WFCCA. Mr. Lawrence stated that the proposal would provide 17.4 percent open space, whereas none was required. He noted that the applicant had proffered to submit the architectural design and stormwater management pond landscaping plans for review by the Architectural Review Board (ARB). Mr. Lawrence said the applicant had proffered to conduct Phase I and Phase II archaeological surveys, and a Phase III survey if determined necessary. He indicated that the applicant would meet with the representatives of St. John's Episcopal Church to address their concerns that were expressed in a letter dated January 17, 2006, a copy of which is in the date file.

Commissioner Koch recommended that the applicant develop language that would state that any significant Civil War relics discovered during the archeological surveys would be donated to a museum for preservation. Mr. Lawrence agreed with his recommendation.

Commissioner Alcorn suggested that Proffer Number 5 be revised to reflect the current standard language that addressed school contributions and that the year in the date, "September 9, 2003," be changed to "2002."

Responding to a question from Commissioner Hart, Mr. Lawrence explained that the proposed stormwater management would not change the drainage divide, but would substantially reduce the runoff onto the neighboring properties and flow into either a raingarden or a pond.

In response to a question from Commissioner Hart, Ms. Strunk said staff would find out whether the application would comply with the Public Facilities Manual (PFM) if the proposed amendments regarding drainage divides were not adopted.

Commissioner Hart recommended that this plan be presented at the Commission's public hearing on the PFM amendments on Thursday, January 19, 2006, so staff could address questions.

Commissioner Wilson said she believed that a drainage diversion would occur on the site.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Doug Garrell, 13523 Moss Glen Road, Clifton, Senior Warden of St. John's Episcopal Church, requested that the Commission defer the decision to allow the applicant time to revise the proffers to address the church's preference for rock-sawing as the means for site preparation, post-development drainage calculations based on the as-built site, and pre and post-development water quality checks. He opposed the use of blasting for excavation because it could cause severe structural damage to the church. (A copy of his remarks is in the date file.)

Claudette Ward, 5270 Tractor Lane, Fairfax, representing the Historic Centreville Society, spoke in opposition to the proposed development because it would not be compatible with the surrounding properties and the historic district. She recommended that intense archeological studies be conducted before the development plan was approved and that areas that had historic significance and artifacts be preserved. She requested that the applicant provide a complete report of the archeological studies to the Historic Centreville Society and allow a representative to observe the sites that were studied. She pointed out that the proffers failed to provide adequate screening and buffers between the subject property and the adjoining properties. (A copy of her remarks is in the date file.)

John McAnaw, 5326 Gainsborough Drive, Fairfax, President of the Bull Run Civil War Round Table, also opposed the application due to the adverse impact on the attractiveness, quality, and historic significance of the area. He described the handouts that had been distributed to the Commission, copies of which are in the date file. He recommended that a gateway heritage park featuring statuary or memorials for war veterans be developed on the site.

Responding to a question from Commissioner Lawrence, Mr. McAnaw said the Bull Run Civil War Round Table would agree to help develop the language for a proffer to address artifact preservation.

Richard Young, 4670 Luxberry Drive, Fairfax, voiced his objection to the proposal, citing destruction of the historic area.

Nancy Anwyll, 7715 Jewelweed Court, Springfield, also opposed the application due to the incompleteness of the Centreville Historic District Study and possible destruction of a significant historic site.

In response to questions from Commissioner Hall, Ms. Strunk said the owner still had the right to develop the property and file an application in accordance with the Comprehensive Plan even if the property was included in the historic district. She indicated that additional requirements and restrictions had been proffered in case the property was included in the district.

Dale Maschino, 7710 Falstaff Court, McLean, expressed opposition to the application, citing devastation to the historic significance of the site. He suggested that the site's heritage be preserved to benefit the community and the businesses in the area.

Ed Wenzel, 643 Hillcrest Drive, SW, Vienna, Officer of the Chantilly Battlefield Association, also opposed the proposal because the historic district study had not been completed yet and development of the property would destroy its historical value. He recommended that the County Park Authority acquire all surviving Civil War earthworks and archeological sites from the private owners for preservation. He stated that the historic properties in old Centreville, including this site, would make a first-rate Civil War historical attraction that would benefit County citizens and promote tourism in the area. (A copy of his remarks is in the date file.)

Cheryl-Ann Repetti, 5415 Goldmoore Court, Centreville, representing the Friends of Historic Centreville, indicated her support of staff's recommendation regarding the orientation of the house on lot 5, noting that it would be consistent with the existing streetscape in the historic district. She also indicated her support of a proffer that would protect artifacts found on the site.

Scott Legros, 5527 Wharton Lane, Centreville, opposed the application.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Lawrence.

Mr. Lawrence stated that the Comprehensive Plan recommended two to three dwelling units per acre on the subject property. He noted that the application had been delayed for almost a year due to the Centreville Historic District Study process. He said the study did not intend to take away the development rights of the property. He explained that since the study would take some time to be approved, the applicant had proffered to submit plans to the ARB as if the property was included in the district. Mr. Lawrence indicated that the applicant would develop a proffer to require the proper preservation of any artifacts found on the site. He reiterated that the applicant had proffered to conduct Phase I and Phase II archaeological surveys, and a Phase III survey if determined necessary. He pointed out that the density of surrounding development recently approved was more intense than this proposal.

Responding to a question from Commissioner Hall, Mr. Lawrence noted that archeological surveys would not be required if the property was developed by-right.

In response to a question from Commissioner Alcorn, Aaron Shriber, ZED, DPZ, explained that if the property was developed by-right, the developer would not have to report any artifacts found. However, he said if a cemetery was found, the developer would need to cease construction and report the finding to the Virginia Department of Historic Resources.

Responding to a question from Commissioner Wilson, Mr. Lawrence said the applicant would indicate on the Generalized Development Plan (GDP) that the sidewalks extended to the temporary cul-de-sac. He stated that the applicant had proffered that the proposed development would be in substantial conformance with the GDP, with only approved minor modifications.

Commissioner Hart suggested planning the entire process of what would happen to any artifacts found during the surveys.

In response to a question from Commissioner Wilson, Ms. Strunk noted that the applicant would need to work with the Department of Public Works and Environmental Services and the ARB to obtain their approval of the stormwater management pond landscaping plan

Commissioner Wilson recommended that Proffer Number 17 include a description of the County's planting policies.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ON RZ 2004-SU-029 TO A DATE CERTAIN OF FEBRUARY 1, 2006, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Alcorn and Lawrence seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

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The meeting was adjourned at 11:25 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Kara A. DeArrastia

Approved on: October 4, 2007

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission