MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, FEBRUARY 9, 2012

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District
Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
James T. Migliaccio, Lee District
Peter F. Murphy, Jr., Springfield District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: None.

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The meeting was called to order at 8:25 p.m., by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Sargeant MOVED TO ACCEPT THE FOLLOWING SLATE OF PLANNING COMMISSION OFFICERS FOR 2012:

Chairman	Peter F. Murphy, Jr., Springfield District
Vice Chairman	Walter L. Alcorn, At-Large
Secretary	Janet R. Hall, Mason District
Parliamentarian	Frank A. de la Fe, Hunter Mill District

Commissioners Lawrence and Flanagan seconded the motion which carried unanimously.

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Commissioner Alcorn announced that the Commission's Tysons Corner Committee would meet on Wednesday, February 15, 2012, at 7:00 p.m. and Wednesday, February 29, 2012, at 7:00 p.m. in Conference Rooms 2/3 of the Government Center to continue discussions of financing options

for transportation infrastructure in Tysons Corner and related topics. *(Note: The February 29, 2012 meeting was subsequently cancelled.)*

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Chairman Murphy requested that Commissioners submit their 2012 Preference Forms for Planning Commission Committees to Barbara Lippa, Executive Director, no later than Wednesday, February 15, 2012. He also noted that the Tysons Corner Committee would remain unchanged due to the scope of the project and the need for continuity.

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Commissioner Hart announced that the Planning Commission's Environment Committee would meet on Thursday, February 23, 2012, at 7:00 p.m. in the Board Conference Room of the Government Center to continue discussions with staff regarding proposed changes to the Green Building Policy.

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR RZ 2009-PR-022, JAMES M. HOLLINGSWORTH, TO A DATE TO BE DETERMINED.

Commissioner de la Fe seconded the motion which carried unanimously.

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2232A-H98-8-1 – AT&T MOBILITY, 2610 Reston Parkway (Fox Mill Fire Station)

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION FIND THAT MODIFICATIONS PROPOSED BY AT&T TO THE EXISTING LATTICE TOWER LOCATED AT THE FOX MILL FIRE STATION, 2610 RESTON PARKWAY, ARE SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN," PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Lawrence seconded the motion which carried unanimously.

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456A-S97-6-4 – SPRINT, 6140 Rolling Road (West Springfield Public Safety Center)
2232A-Y01-21-1 – SPRINT, 13224 Franklin Farms Road
FSA-Y08-102-1 – AT&T MOBILITY, 6800 Compton Valley Place
FSA-M03-40-2 – SPRINT, 5501 Seminary Road

FSA-M03-30-2 – SPRINT, 6066 Leesburg Pike
FSA-Y97-1-2 – SPRINT, 13873 Park Center Road
FSA-M04-40-1 – SPRINT, 3100 South Manchester Street
FSA-M00-106-4 – SPRINT, 5881 Leesburg Pike

Chairman Murphy MOVED THAT THE PLANNING COMMISSION APPROVE THE CONSENT AGENDA ITEMS.

Without objection, the motion carried unanimously.

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ZONING ORDINANCE AMENDMENT (INDEPENDENT LIVING FOR LOW-INCOME RESIDENTS) (Decision Only) (The public hearing on this item was held on January 26, 2012. A verbatim transcript of the decision made is in the date file.)

Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING INDEPENDENT LIVING FACILITIES FOR LOW-INCOME RESIDENTS AND MODIFICATIONS OF THE ADMINISTRATIVE PROVISIONS OF THE AFFORDABLE DWELLING UNIT PROGRAM AND TO THE DEFINITIONS OF "DWELLING UNIT" AND "INDEPENDENT LIVING FACILITY" WITH A RECOMMENDATION FOR ADOPTION, AS ADVERTISED AND FURTHER SET FORTH IN THE STAFF REPORT DATED DECEMBER 6, 2011.

Commissioner Hall seconded the motion which carried unanimously.

Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS AUTHORIZE STAFF TO PROCEED WITH DRAFTING TEXT AND APPROPRIATE ADVERTISING TO AMEND THE ZONING ORDINANCE TO INCLUDE AN ADDITIONAL STANDARD FOR THE INDEPENDENT LIVING USE FOR LOW-INCOME RESIDENTS, AS WELL AS OTHER INDEPENDENT LIVING TYPE FACILITIES TO INCLUDE A HEIGHT LIMITATION OF 35 FEET OR SUCH OTHER RANGE OF HEIGHT LIMITATIONS AS THE BOARD DEEMS APPROPRIATE AT THE EARLIEST FEASIBLE OPPORTUNITY.

Commissioner Sargeant seconded the motion which carried unanimously.

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. S11-CW-4CP – COMPREHENSIVE PLAN AMENDMENT (HERITAGE RESOURCES PLAN UPDATE)
2. RZ/FDP 2011-BR-014 – MIDLAND ROAD LLC AND RIDGEWOOD COMMERCIAL OWNERS PROPERTY ASSOCIATION
   PCA 2005-SP-019 – MIDLAND ROAD LLC AND RIDGEWOOD COMMERCIAL OWNERS PROPERTY ASSOCIATION
3. S11-I-B1 – COMPREHENSIVE PLAN AMENDMENT (PEACE VALLEY LANE)
4. RZ 2011-SU-024 – POHANKA STONECROFT LLC
   SE 2011-SU-009 – POHANKA STONECROFT LLC

This order was accepted without objection.

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S11-CW-4CP – COMPREHENSIVE PLAN AMENDMENT (HERITAGE RESOURCES PLAN UPDATE) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. The Amendment proposes to update the Inventory of Historic Sites tables and maps that appear in the Area Plans; and revise the language in the Heritage Resources sections of the Area Plans to reflect changes that have taken place, such as where new research has uncovered more accurate information on a site. Two sites, Great Falls Park Historic District, located on 9200 Old Dominion Drive, McLean, 22102 [Tax Map 8-4((12))3A1 and 13-2((1))35], in the Dranesville District; and Clifton Elementary School, located on 7010 Clifton Road, Clifton, 20124 [Tax Map 75-4((1))24], in the Springfield District, are proposed to be added to the inventory. Significant proposed revisions include: 1) updating the Inventory of Historic Sites tables in the district-wide recommendation section of each planning district, with two sites being added as recommended for inclusion by the History Commission because the sites meet the criteria for listing in the Inventory; and 2) revising the language in the heritage resources sections of the planning districts, community planning sectors, and the Dulles Suburban Center and Fairfax Center special planning areas to reflect the objectives and policies stipulated in the Heritage Resources section of the Policy Plan for identification, recordation, and protection and preservation where feasible. COUNTYWIDE. PUBLIC HEARING.

Laurie Turkawski, Historian, Planning 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 Sargeant commended staff and the History Commission for their work and suggested that the Inventory of Historic Sites be made available online.

Chairman Murphy called for speakers but received no response; therefore, he noted that a rebuttal statement was not necessary. 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 Sargeant for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE STAFF RECOMMENDATION FOR COMPREHENSIVE PLAN AMENDMENT S11-CW-4CP, HERITAGE RESOURCES PLAN, AS SET FORTH IN THE STAFF REPORT DATED JANUARY 18, 2012.

Commissioner Alcorn seconded the motion which carried unanimously.

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RZ/FDP 2011-BR-014 – MIDLAND ROAD LLC AND RIDGEWOOD COMMERCIAL OWNERS PROPERTY ASSOCIATION – Appls. to rezone from PRM to PDH-12 with an overall density of 11.3 du/ac and PDC with an overall FAR of 0.99, waiver of the privacy yard for single-family attached residential development, waiver of minimum district size, and approval of the conceptual and final development plans. Located in the N.E. and S.E. quadrant of the intersection of Government Center Pkwy. and Ridge Top Rd. on approx. 3.83 ac. of land. Comp. Plan Rec: Fairfax Center Area, Option For Residential/Mixed Use at 1.2 FAR. Tax Map 56-2 ((1)) 37B, 37D, and 37G. (Concurrent with PCA 2005-SP-019.) BRADDOCK DISTRICT.

PCA 2005-SP-019 – MIDLAND ROAD LLC AND RIDGEWOOD COMMERCIAL OWNERS PROPERTY ASSOCIATION – Appl. to amend the proffers for RZ 2005-SP-019 previously-approved for PRM to permit mixed-use development and associated modifications to proffers and site

design with an overall density of 11.3 du/ac and FAR of 0.99, waiver of the privacy yard for single-family attached residential development, and waiver of minimum district size. Located in the N.E. and S.E. quadrant of the intersection of Government Center Pkwy. And Ridge Top Rd. on approx. 3.83 ac. of land. Comp. Plan Rec: Fairfax Center Area, Option For Residential/Mixed Use at 1.2 FAR. Tax Map 56-2 ((1)) 37B, 37D, and 37G. (Concurrent with RZ/FDP 2011-BR-014.) BRADDOCK DISTRICT. JOINT PUBLIC HEARING.

David Gill, Esquire, McGuireWoods LLP, reaffirmed the affidavit dated January 5, 2012. There were no disclosures by Commission members.

Suzianne Zottl, 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 applications.

Replying to a question from Commissioner Hart, Ms. Zottl said that the only change to the proffers dated February 8, 2012, was the addition of "in Fairfax County" to Proffer Number 36, Schools Contribution, for clarification. (A copy of the latest set of proffers is in the date file.)

Commissioner Hart suggested that Proffer Number 27, Projection from Building Façades, be modified to allow homeowners to make minor modifications to decks, including attached flower boxes, trellises, insect-screening, sun-rooms, and lattice work, and require disclosure of the restrictions and limitations of this proffer to all initial and subsequent purchasers prior to contract ratification and in the townhome homeowners association documents. Mr. Gill agreed to add this language.

In response to questions from Commissioner Hall, Kristen Abrahamson, ZED, DPZ, explained that there had been several amendments to the proffers while staff had been coordinating with the applicants on finalizing the language. She stated that the Commission should have received revised proffers dated February 2, 2012, or February 6, 2012, but Commissioner Hall maintained that none of the Commissioners had received these revisions and expressed concern that this caused confusion. Mr. Gill clarified that there had been numerous revisions to the proffers initially dated January 24, 2012 and contained in Appendix 1 of the staff report. He said the revisions were relatively minor in scope and he could provide the Commission a document outlining those changes. He added that the applicants had submitted each revised set to staff.

Answering questions from Commissioner Lawrence, Ms. Zottl stated that the proposed waiver of the 200 square-foot privacy yard requirement would apply to all 39 single-family attached residential units. She added that the units would not have privacy yards due to their rear-loaded design. Ms. Abrahamson identified nearby developed open space areas as the minor

plaza/pedestrian plaza at the corner of Government Center Parkway and Ridge Top Road, the proposed central courtyard within the residential portion of the development, and the plaza area behind the proposed office building. She noted that a playground was not proposed on-site, but indicated that there were suitable recreational facilities located to the west of the property. She said, at staff's request, the applicants would consider joining the umbrella organization composed of the various homeowners associations in the area to cooperatively provide access to those recreational facilities. Commissioner Lawrence recommended that the applicants include a proffered commitment to provide access to recreational facilities through either one or both of the adjoining homeowners associations. Mr. Gill agreed with this recommendation.

Commissioner Lawrence questioned whether the applicants' Transportation Demand Management (TDM) goal to reduce the evening peak hour vehicular trips by a minimum of 20 percent was still realistic given that retail would no longer be included. He therefore advised the applicants to re-examine this goal and make revisions as necessary before the Board of Supervisors' public hearing date on February 28, 2012.

In response to questions from Commissioner Hall, Ms. Abrahamson confirmed that staff had reviewed the most recent updates to the proffers.

Commissioner de la Fe pointed out that Proffer Number 18, Participation in TDM Fund from Original Rezoning, had been added to the TDM section, thereby increasing the total number of proffers to 43. Ms. Abrahamson maintained that the content of the proffers had not changed substantively since the January 24, 2012 version in the staff report, other than extensive editorial revisions for additional clarification. She added that the applicants had pulled forward many of the commitments originally associated with RZ 2005-SP-019 (the original rezoning).

Mr. Gill apologized for the confusion regarding the proffers. He explained that the proposal sought to implement the vision of the previously-approved South County Area Plans Review Item 09-III-2FC to allow modification of the original concept to better respond to changes in the market and to complete the Ridgewood mixed-use project in Fairfax Center, which included the provision of workforce housing and the extension of Government Center Parkway. He noted that the proffers included provisions for integrating the proposed development with the larger Ridgewood development, including consistent TDM strategies, street furniture, and signage. Mr. Gill described the design, orientation, and elevations of the proposed townhomes and listed some of the unifying features to be provided, including benches, a plaza, and a public park.

Commissioner Hart suggested the following editorial revisions to the most recent proffers:

- Proffer Number 7, Architecture – Correct the spelling of "Hardy plank" to "HardiPlank" in the fourth sentence of the second paragraph;
- Proffer Number 7 – Change the word "neon" in the final sentence of the second paragraph to a more appropriate term referring to color; and

- Proffer Number 18, Participation in TDM Fund from Original Rezoning – Correct the spelling of "Rezoing" to "Rezoning" in the title.

In response to a question from Commissioner Hart regarding Proffer Number 13, PDC [Planned Development Commercial] Uses, Secondary Uses, Mr. Gill explained that the Comprehensive Plan envisioned that the office building would house community-serving uses, which included veterinary hospitals.

In reply to a question from Chairman Murphy, Mr. Gill clarified that "CRMP" in Proffer Number 30, Historical Marker, stood for the Cultural Resources Management and Protection Section of the Fairfax County Park Authority. Chairman Murphy suggested that this acronym be spelled out. He also pointed out the historical significance of the subject property and commended the applicants for proffering to construct a historical marker memorializing the historical significance of the property.

Responding to questions from Commissioner Sargeant, Mr. Gill explained that Proffer Number 14, Ridge Top Road/Government Center Parkway Traffic Signal, required, pursuant to the original proffers associated with the original rezoning, the submission of a warrant study, based on full build-out, to the Virginia Department of Transportation for a traffic and pedestrian signal at the Government Center Parkway Extended/Ridge Top Road intersection. He said he did not believe the signal would be needed, but this proffer had been carried forward to ensure consistency.

Replying to questions from Commissioner Migliaccio, Ms. Abrahamson explained that because the trees proposed to be planted were large, staff had recommended that the applicants include a proffer to provide tree watering/slow release watering bags to increase the survivability of the trees. Mr. Gill stated that the applicants would consider including such proffer language.

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

Commissioner Alcorn requested that Commissioners receive a revised set of the proffers in advance of the scheduled decision only date on these applications.

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 Hurley for action on these items. (A verbatim excerpt is in the date file.)

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Commissioner Hurley MOVED THAT THE PLANNING COMMISSION DEFER THE DECISIONS ONLY FOR RZ/FDP 2011-BR-014 AND PCA 2005-SP-019, MIDLAND ROAD

LLC AND RIDGEWOOD COMMERCIAL OWNERS PROPERTY ASSOCIATION, TO A DATE CERTAIN OF FEBRUARY 23, 2012, WITH THE RECORD REMAINING OPEN FOR COMMENTS.

Commissioners Alcorn and Migliaccio seconded the motion which carried unanimously.

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S11-I-B1 – COMPREHENSIVE PLAN AMENDMENT (PEACE VALLEY LANE) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. The Amendment concerns approx. 1.89 ac. generally located on Peace Valley Ln., N. of Colmac Dr. and S. of the Vinewood townhouses in the Mason Supervisor District. The property is addressed as 3236 Peace Valley Lane, Falls Church, VA 22044 [Tax Map 61-1((1)) 7]. The area is planned for Residential use at 2-3 du/ac. The Amendment will consider adding an option for residential density up to 4-5 du/ac. Recommendations relating to the transportation network may also be modified. MASON DISTRICT. PUBLIC HEARING.

Clara Quintero-Johnson, Planning Division, 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 proposed Amendment.

Commissioner Hall noted that the Mason District Council had raised a number of concerns in a letter dated February 7, 2012, a copy of which is in the date file.

Answering questions from Commissioner Hall regarding the Mason District Council's concerns, Ms. Quintero-Johnson and Kristen Abrahamson, Zoning Evaluation Division, DPZ, explained the following:

- The Amendment stipulated that an applicant would need to meet a minimum district size depending on the zoning district, recognizing that there was a two-acre limit for the PDH-5 District and a four-acre limit for the R-4 or R-5 Districts;

- The subject property was only 1.89 acres; however, Zoning Ordinance provisions allowed applicants to request a waiver of the minimum district size at the time of rezoning;

- Specific stormwater concerns would not be addressed until the rezoning process; and

- The Fairfax County Code recognized P-Districts as a flexible tool to promote creative solutions to address challenges presented by infill lots in the County, and the Comprehensive Plan encouraged the use of such districts in certain areas.

In response to questions from Commissioner Alcorn, Ms. Quintero-Johnson clarified that this Amendment would not determine the zoning district of the subject property. She noted that some members of the surrounding community had expressed concerns about possible adverse impacts of introducing new traffic from Leesburg Pike (Route 7) directly into the neighborhood if Peace Valley Lane were constructed as a through street. She identified Section C of Peace Valley Lane as County-owned, unimproved right-of-way that was adjacent to the property. She indicated that Section B had been vacated and abandoned by the County and the State in the 1980s and currently half of the abandoned road was owned by the Vinewood townhouse development and the other half was owned by the Church of Christ. Ms. Quintero-Johnson described the current access to the site from Leesburg Pike via an access easement that ran across Sections C and B. She explained that one possible access point could be from the north via Leesburg Pike and another could be from the south through the Ravenwood Park community from the intersection of Peace Valley Lane and Colmac Drive. Ms. Abrahamson said she was not certain whether the current access easement would remain after development and the future method of access to the property would be addressed during the rezoning process.

Commissioner Hall described the surrounding community. She stated that concerns had been expressed that constructing Peace Valley Lane as a through street would encourage cut-through traffic to Route 7.

Answering questions from Commissioner Flanagan, Ms. Abrahamson reiterated that specific access and transportation issues would be addressed during the rezoning process. She noted that Section D of Peace Valley Lane was Virginia Department of Transportation (VDOT)-owned right-of-way, but Section C was still owned by the County because VDOT would not accept it until it was improved to VDOT's standards.

Responding to questions from Commissioner Hart, Ms. Abrahamson said absent vacation or abandonment, if the property were developed by-right to the existing R-3 zoning, the front yard setback would need to be eliminated from Section C of Peace Valley Lane. Ms. Quintero-Johnson described Figure 1: Conventional Subdivision – Existing R-3 on page 5 of the staff report, noting that it had been derived from a preliminary site plan approved in 2006. Ms. Abrahamson said staff had not analyzed the feasibility of the configuration depicted in Figure 2: Single Family Detached – 8 Unit Concept on page 6 of the staff report because it illustrated a concept that might not reflect the actual layout proposed at the time of rezoning. Fred Selden, Director, DPZ, concurred, noting that Figure 2 provided flexibility for future development. He explained that staff supported some flexibility in the Comprehensive Plan above the three to four dwelling units per acre, recognizing the context of the area; however, this Amendment did not provide a specific proposal of how to implement that Plan recommendation. Ms. Quintero-Johnson confirmed that the applicant would have to demonstrate an effort to preserve the

existing trees if the site were developed by-right or to provide additional plantings if the site were rezoned.

Commissioner Lawrence said staff should consider refining the proposed Plan language to encourage rezoning to the P-District due to its associated flexibility, innovation, and creativity in layout and design. He expressed concern that the size of the property was too restrictive to allow the development of eight single-family houses and the necessary easements for public facilities and roadway.

In reply to questions from Commissioner Sargeant, Mr. Selden explained that the Board of Supervisors had authorized this Plan Amendment to determine the appropriate residential density for the currently vacant property. He commented on circumstances wherein staff had evaluated Plan amendments with or without concurrent rezoning applications.

Commissioner Hall presented background on the subject property and its challenges. She said she recognized that members of the surrounding community had expressed concerns regarding cut-through traffic to Route 7 and future development or non-development of the property. She commented that flexibility should be built into the Comprehensive Plan language to encourage good design.

Answering questions from Commissioner Flanagan, Ms. Quintero-Johnson explained that:

- Section A was a segment of Peace Valley Lane that connected to Leesburg Pike and served the Vinewood townhouse development and the Church of Christ;

- The Lafayette Park Condominiums, located approximately 300 feet to the east of the subject property, were zoned R-30;

- The Vinewood and Ravenwood Park communities would be directly impacted by any future development on this site;

- A portion of Rio Drive and Section C were open space; and

- The area to the south and west was zoned R-3.

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

John Iekel, 6239 Diamond Drive, Falls Church, Co-President, Ravenwood Park Citizens Association, presented the following recommendations to address the concerns of his association, as detailed in an email to the Commission dated February 9, 2012, a copy of which is in the date file:

- The Amendment should encourage a land use pattern that would protect, enhance, and/or maintain stability in the Ravenwood Park neighborhood, in accordance with Objective 8 of the Comprehensive Plan;

- If the Plan language was amended to allow for a change in the current zoning, the surrounding residents should be given the opportunity to provide input on any future proposals;

- The Amendment should adequately address stormwater drainage issues and responsibility for maintenance of a stormwater management facility;

- The topography and grading of the property should be verified; and

- Peace Valley Lane should remain closed.

Replying to questions from Commissioner Hall, Mr. Iekel provided background on the house and accessory structure on the property and how they had become blighted and later demolished in 2010. He clarified that the Ravenwood Park Citizens Association sought additional Plan language that would address the concerns outlined in his letter.

Responding to another question from Commissioner Hall, Ms. Quintero-Johnson explained that the County would maintain the existing dry pond and any additional stormwater management measures, such as the infiltration structure featured on the previously-approved preliminary site plan, would need to be maintained by the homeowners association for the new development.

Answering questions from Commissioner Flanagan, Mr. Iekel identified the potential access routes to the subject property from the north via Leesburg Pike (Route 7) or from the south via Colmac Drive. He said he was concerned that if the property were rezoned at a higher density, it would set a precedent for higher density within the surrounding area. He indicated his preference for access to Leesburg Pike provided that a barrier was installed to prevent access to Colmac Drive.

In reply to another question from Commissioner Flanagan, Ms. Abrahamson pointed out that staff would encourage the new homeowners to join the Ravenwood Park Citizens Association, but noted that they could also establish their own separate homeowners association.

Chairman Murphy reminded everyone that the item before the Commission tonight was a proposed Comprehensive Plan Amendment, not a rezoning application.

In response to questions from Commissioner Hall, Mr. Iekel identified the houses that were part of the Ravenwood Park community.

Martin Machowsky, 6208 Colmac Drive, Falls Church, described how stormwater runoff from the subject property had caused flooding in the downhill residences. He recommended that the proposed maximum number of single-family houses be lowered to six; Peace Valley Lane remain closed; and issues concerning setback, tree preservation, and landscaping be adequately addressed.

Commissioner Lawrence recommended that Mr. Machowsky register a complaint with the Mason District Supervisor's Office if basements in his community were being flooded due to stormwater flowing downhill from the subject property so that there would be a record of such occurrences.

Patrick Hoar, 6200 Colmac Drive, Falls Church, noted that he had submitted to the Commission a letter, dated January 31, 2012, that listed additional conditions and modifications for inclusion in the Amendment. He said these recommendations were endorsed by him; Tate Linden, 6202 Colmac Drive; and Mr. Machowsky. Mr. Hoar explained the rationale for the following changes, as outlined in his letter:

- Add the condition, "Vehicular access to the site via Peace Valley Lane shall be by private road";

- Add the condition, "Peace Valley Lane shall remain closed";

- Modify, "As an option, up to 8 single family detached units," to read, "As an option, up to 7 single family detached units";

- Add the condition, "A minimum 35-foot landscaped buffer to reduce the effect of the grade variation is provided"; and

- Add the condition, "Tree preservation, additional plantings, and stormwater management requirements for the site are developed in consultation with the Fairfax County Restoration Project."

(A copy of Mr. Hoar's letter is in the date file.)

Steve Tran, 6195 Vine Forest Court, Falls Church, representing the Vinewood Townhouse Homeowners Association, pointed out that because his Association and the neighboring Church of Christ cooperatively owned Section B of Peace Valley Lane, they could be held liable for accidents that occurred there, which could potentially bankrupt both parties. He noted that both parties have attempted to limit traffic on this section by posting "No Parking" signs and planned to eventually convert this private roadway into green space. He expressed safety concerns regarding the traffic and parking situation along Peace Valley Lane. Mr. Tran presented a proposed site plan for a by-right, five-lot single-family detached layout. He maintained that his

proposed layout would allow for sufficient buffering between each unit and be compatible with the adjacent residences. (Copies of Mr. Tren's statement and site plan are in the date file.)

Responding to questions from Commissioner Hall, Mr. Tran said he supported keeping Peace Valley Lane closed and using Colmac Drive to access the subject property. He noted that the Vinewood townhouse community and the Church of Christ had been towing cars that parked along Section B of Peace Valley Lane. Ms. Quintero-Johnson confirmed that five single-family detached houses could be constructed by-right under the current R-3 zoning. Mr. Tran said the Vinewood Townhouse Homeowners Association opposed any increase in density or changes to the current zoning, noting that 32 of the total 33 homeowners in the Vinewood community had signed a petition in support of this view. (A copy of the petition is in the date file.)

In reply to a question from Commissioner Lawrence, Mr. Tran said he did not oppose six single-family detached units, provided that they were reduced in size to allow for sufficient spacing and buffering between the units.

Commissioner Lawrence pointed out to Mr. Tran that the actual site layout might not necessarily reflect what was depicted in Figures 1 or 2 on pages 5 and 6 of the staff report, adding that it would need to be more compatible with the adjacent properties while providing enough incentive for it to be developed. When he asked whether the Vinewood community would support this concept, Mr. Tran said the residents would support development of the subject site, provided that Section B of Peace Valley Lane remained closed.

Chairman Murphy called for speakers from the audience, but received no response.

In response to questions from Commissioner Hall, Ms. Abrahamson said there would be no buffering requirements between properties developed with single-family detached units. She explained that landscaped buffers differed from transitional screening.

Answering questions from Commissioner Flanagan, Ms. Abrahamson explained the following:

- Section C of Peace Valley Lane from Leesburg Pike to the intersection of Colmac Drive, which consisted of public right-of-way, was owned by Fairfax County;

- Section D of Peace Valley Lane from the end of Section C to the south towards JEB Stuart Park was owned and maintained by VDOT;

- The County would need to improve Section C before ownership of this section was transferred to VDOT;

- If the County abandoned Section C, there would be no access to the subject property causing it to be landlocked;

- Staff would consult the recently-approved VDOT Connectivity Standards to determine ways to address this issue through the rezoning process;

- Section C, which covered the site frontage, was already dedicated into the transportation system for the County, and improvements would be required to this section;

- If the extension of Peace Valley Lane was public, then a cul-de-sac would need to be constructed at the end of the public portion of this road;

- All of Section C could not be vacated because it was public right-of-way and public street access into the subdivision, either by-right or through rezoning, was required;

- If the site was developed by-right, this would assume that the street network would be completed; therefore, abandoning another section of Peace Valley Lane would be infeasible; and

- Although transferring the ownership of Section C to VDOT would essentially prevent access from Colmac Drive to Route 7, it was uncertain whether this could actually be effectuated as it would be near impossible to abandon this entire section.

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 Hall for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ON S11-I-B1 TO A DATE CERTAIN OF MARCH 8, 2012, WITH THE RECORD REMAINING OPEN FOR COMMENTS.

Commissioner Sargeant seconded the motion which carried unanimously.

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The Commission went into recess at 11:07 p.m. and reconvened in the Board Auditorium at 11:22 p.m.

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RZ 2011-SU-024 – POHANKA STONECROFT LLC – Appl. to rezone from I-5, AN, and WS to C- 8, AN, and WS to permit vehicle sale, rental, and ancillary service establishment and vehicle major service establishment with an overall Floor Area Ratio

(FAR) of 0.18. Located in the N.E. quadrant of the intersection of Stonecroft Blvd. and Stonecroft Center Ct. on approx. 9.86 ac. of land. Comp. Plan Rec: Industrial. Tax Map 34-3 ((1)) 1D. (Concurrent with SE 2011-SU-009.) SULLY DISTRICT.

SE 2011-SU-009 – POHANKA STONECROFT LLC – Appl. under Sect. 4-804 of the Zoning Ordinance to permit vehicle sale, rental, and ancillary service establishment and vehicle major service establishment. Located at 4175 Stonecroft Blvd., Chantilly, on approx. 9.86 ac. of land zoned C-8, AN, and WS. Tax Map 34-3 ((1)) 1D. (Concurrent with RZ 2011-SU-024.) SULLY DISTRICT. JOINT PUBLIC HEARING.

David Houston, Esquire, Pillsbury Winthrop Shaw Pittman LLP, reaffirmed the affidavit dated November 28, 2011. Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had an ongoing case where one of the agents for the applicant, Burgess & Niple, Inc., represented an adverse party; therefore, he indicated that he would recuse himself and not participate in this public hearing.

Brent Krasner, 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 denial of these applications because they were not in conformance with the County's Green Building Policy to attain certification through the Leadership in Energy and Environmental Design (LEED) program. He added, however, that the applicant continued to work with staff to develop measures to ensure that the proposed development complied with the Green Building Policy. Mr. Krasner explained that the revised set of proffers, dated February 7, 2012, included additional definitions and guarantees that more precisely identify the planned energy efficient technologies, materials, and construction practices, most notably the following:

- Proffer Number 13 included a commitment to post a green building escrow equal to $2 per square foot of gross floor area to guarantee that all green building items have been properly incorporated and installed, and release of this escrow would be subject to sign-off from DPZ;

- Proffer Number 18 included a commitment to the installation of a wind turbine, subject only to approval of any other relevant governmental or public agencies; and

- Addition of Exhibit A, Green Building Construction Practices Checklist, which listed energy efficient technologies, building practices, and materials planned to be installed.

(A copy of the revised set of proffers is in the date file.)

Mr. Krasner further explained that the applicant's commitment to achieve a 15-percent energy savings (natural gas and electricity) over its other three existing auto dealerships in Fairfax County could be strengthened to become a more meaningful green building commitment, noting that these dealerships were older and inherently less efficient than a new building constructed to today's codes. He said staff recommended that the applicant's recently constructed Honda dealership in Fredericksburg, Virginia, be utilized as a more appropriate benchmark for energy savings. He concluded that while the revised proffers represented a major improvement from the applicant's initial submission, they continued to fall short as they would not provide the energy savings and increased efficiency expected in the Comprehensive Plan.

In response to questions from Commissioner Sargeant, Mr. Krasner stated that although the Comprehensive Plan created an expectation that green building practices sufficient to attain certification through the LEED program or its equivalent were incorporated into zoning proposals for nonresidential development, staff was unaware of any practical equivalent third-party rating system; therefore, LEED had been used as the standard of green building for all other similar nonresidential projects in the County. Maya Dhavale, Planning Division, DPZ, explained that ENERGY STAR was not an appropriate green building measure in this case due to the unusual nature of a car dealership. She said staff was attempting to benchmark this dealership to an existing Honda dealership in Fredericksburg. She pointed out that car dealerships were able to become LEED certified although she recognized the fact that LEED was better suited for new construction of office and similar type buildings.

Chairman Murphy questioned staff's rationale for its recommendation of denial, stating that it was based on equivocation. He strongly recommended that the Green Building Policy language be clearly defined to help encourage people to establish new businesses or expand existing businesses in the County.

Commissioner de la Fe pointed out that the Comprehensive Plan did not stipulate that LEED was the only green building standard.

In reply to a question from Commissioner de la Fe, Mr. Krasner confirmed that staff’s denial recommendation was based solely on the applicant’s inability to attain LEED certification.

Answering questions from Commissioner Lawrence, Mr. Krasner explained that the green building provisions proffered by the applicant would fail to attain LEED certification. Ms. Dhavale noted that there were certain prerequisites for a LEED building that would not be fulfilled by the proposal, notably energy savings and increased efficiency. Kristen Abrahamson, ZED, DPZ, added that many of the proposed green building measures were already required to comply with the Fairfax County Building Code. She noted, for example, that the proffer to achieve a 15-percent energy savings would simply meet the Building Code. She acknowledged the effort put forth by the applicant to implement green building features, but maintained that the applicant had not done enough to warrant staff’s favorable recommendation.

Responding to questions from Commissioner Flanagan, Ellen Eggerton, Green Building Ombudsman, Department of Public Works and Environmental Services, clarified that developers did not earn points for LEED certification by simply meeting Building Code requirements. She added that the 2009 Virginia Uniform Statewide Building Code (VUSBC), effective March 1, 2011, was 15 percent more energy efficient than the 2006 VUSBC. Ms. Eggerton pointed out that it was still possible to purchase building materials that were not considered energy efficient. She added that building codes enforced the requirements adopted in a given climatic region.

Replying to questions from Commissioner Litzenberger, staff explained the following:

- Under the current I-5 zoning, the subject property could be developed by-right up to 0.5 floor area ratio (FAR), which would generate approximately 2,400 vehicular trips per day, but by reducing the density to 0.18 FAR, it would generate less than 1,000 trips per day;

- LEED did not consider reduction in pollution due to fewer vehicular trips because it was a standard of construction;

- The applicant had proffered the installation of an electricity-generating wind turbine and an electric vehicle charging station, but had not specifically proffered to use the electricity generated by the wind turbine to power the charging station;

- If the wind turbine generated more than one percent of the energy, it would receive more LEED points than the bicycle racks;

- Staff favored using the applicant's newer Honda dealership in Fredericksburg as a more appropriate energy savings benchmark than the applicant's three older existing dealerships in Fairfax County;

- LEED provided points for proximity to a Metrorail station and public transit, but did not penalize developers for not meeting this measure; and

- The recently-approved applications RZ 2011-PR-021 and SE 2011-PR-007, by Page Annandale Road Associates, LLC, for a Toyota dealership, had not been held to the same expectation for green building performance as the subject dealership because it was not located within the Tysons Corner Urban Center, Suburban Centers, Community Business Centers, or Transit Station Areas as identified on the Concept Map for Future Development. However, the subject site was located in the Dulles Suburban Center and, therefore, subject to the Green Building Policy expectation for green building certification.

In response to questions from Commissioner Hurley, Mr. Krasner said that the proposed wind turbine would be the second one in Fairfax County. He indicated that the applicant had provided documentation from the wind turbine manufacturer demonstrating that the noise generated by the

turbine would not disrupt the nearest residences, which were located approximately 800 feet away.

Answering a question from Commissioner Migliaccio, Mr. Krasner stated that the wind turbine was not required to have a light on top of it.

Mr. Houston provided background on the subject property, noting that it was surrounded by automobile sales and industrial uses. He noted that the proposed auto dealership would be accessed by two entrance points along Stonecroft Boulevard, landscaped buffers would be provided, and the proposed design would be compatible with the adjacent dealerships. Mr. Houston argued that the applications were in conformance with the Green Building Policy of the Comprehensive Plan because he believed that the revised proffers and Green Building Construction Practices Checklist incorporated green building practices that were equivalent to LEED. He claimed that the process necessary to attain certification through the LEED program was too costly and time-consuming, noting that the applicant's proposed green building commitments would prove more effective. He cited a document that had been distributed to the Commission listing the green building features provided for in the subject applications in comparison to the following recently-approved auto dealerships in the County:

- Penske Automotive Group, Inc. Audi/Mercedes (SEA 2004-SU-027/PCA 2004-SU-028);
- Westlawn Limited Partnership Honda (SEA 95-M-039/RZ 2009-MA-011); and
- Page Annandale Road Associates, LLC Toyota (SE 2011-PR-007/RZ 2011-PR-021).

(A copy of this document is in the date file.)

Mr. Houston pointed out that the proposed dealership would be greener than the applicant's recently-constructed Honda dealership in Fredericksburg. He explained that the applicant was wary to use the Fredericksburg dealership as a benchmark to achieve a greater percentage in energy savings because it was only three years old and energy technologies have not advanced considerably in that time. He listed the following green building provisions proffered in the subject applications that had not been included in the Fredericksburg dealership proposal:

- Green building escrow;
- Reviews by a LEED-accredited professional;
- Review by the Environment and Development Review Branch (EDRB), DPZ, to ensure fulfillment of proffers upon construction;
- Wind turbine;
- Energy savings commitment;
- Bicycle racks;
- Shower and changing facilities;
- Vanpool/carpool parking;
- Low-emissions vehicle designated parking; and
- Interior lighting controls.

Mr. Houston pointed out, however, that the natural gas and electricity utilities were similar between the two dealerships. He explained that the applicant had proffered to install a minimum of two high-speed overhead doors at the main entrances to the service department, which would contribute to energy savings, but did not earn any LEED points. Mr. Houston estimated that the proposed green building practices equated to 37 LEED points, but LEED certification required 40 points or more. He indicated that more LEED points were given for site selection, such as proximity to mass transit, or adaptive reuse, both of which did not apply to this site. He noted that although it was possible to pay more money to acquire more LEED points, the applicant did not believe that this was the most efficient use of funds.

In reply to questions from Commissioner Litzenberger, Mr. Houston explained that the energy generated by the wind turbine would be integrated into the main electric power grid for the property. He said the applicant would consider using the electricity generated by the wind turbine to help power the electric vehicle charging station.

Answering another question from Commissioner Litzenberger, Jonathan Penney, with Penney Design Group, LLC, said he was the architect for the subject dealership, the recently-approved Page Toyota dealership, and the Springfield Toyota dealership, which he noted had committed to attain LEED Platinum certification. He pointed out that approximately 30 items in the Page Toyota application would meet the same criteria of green building construction and operating practices that were proffered in the subject proposal. However, he stated that 20 to 25 items provided in the subject application exceeded those in the Page Toyota application, citing the following major ones:

- Green building escrow;
- LEED-accredited professional;
- Review by the EDRB to ensure the fulfillment of proffers upon construction; and
- Energy savings commitment.

Responding to a question from Commissioner de la Fe, Mr. Penney described how the on-site exterior lighting would be managed to minimize disruption on adjacent properties.

In response to questions from Commissioner Lawrence, Mr. Penney confirmed that a LEED-accredited professional would certify that the green building construction practices were met. He explained how the cost of gaining additional points for LEED certification was prohibitive. He said that the applicant would commit to at least match the energy performance of the Fredericksburg dealership.

Commissioner Sargeant pointed out that ENERGY STAR's Commercial Building Energy Consumption Survey included an energy measure for vehicle dealerships and suggested that this be used as a benchmarking tool for the applicant. He said he had observed the application of ENERGY STAR measures in addition to another green building measure in other similar applications. In reply to these comments, Mr. Penney described how the applicant would gather projected energy saving data from the product manufacturers.

Commissioner Sargeant also recommended to Mr. Penney that he continue to work with staff to develop a plan to share energy data. Mr. Penney agreed with this recommendation.

Answering a question from Commissioner Flanagan, Mr. Penney explained that both dealerships in Fairfax County and Fredericksburg were required to meet ASHRAE (American Society of Heating, Refrigerating and Air Conditioning Engineers) 90.1, a standard that provided minimum requirements for energy efficient designs for buildings except for low-rise buildings.

Chairman Murphy called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary. 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 Litzenberger for action on these items. (A verbatim excerpt is in the date file.)

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Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2011-SU-024, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 7, 2012.

Commissioners Flanagan and Lawrence seconded the motion which carried unanimously with Commissioner Hart having recused.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2011-SU-009, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JANUARY 13, 2012.

Commissioners Flanagan and Lawrence seconded the motion which carried unanimously with Commissioner Hart having recused.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE SIGNAGE REQUIREMENTS AS THEY PERTAIN TO THE FREE STANDING SIGNS, DIRECTIONAL SIGNS, AND BUILDING MOUNTING SIGNS, IN FAVOR OF THE SIGNAGE DEPICTED ON THE GDP/SE PLAT.

Commissioners Flanagan and Lawrence seconded the motion which carried unanimously with Commissioner Hart having recused.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE TRAIL REQUIREMENT ALONG STONECROFT BOULEVARD, IN FAVOR OF THE EXISTING CONDITION DEPICTED ON THE GDP/SE PLAT.

Commissioners Flanagan and Lawrence seconded the motion which carried unanimously with Commissioner Hart having recused.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENT ALONG THE SOUTHERN PROPERTY LINE, IN FAVOR OF THE EXISTING VEGETATION DEPICTED ON THE GDP/SE PLAT.

Commissioners Flanagan and Lawrence seconded the motion which carried unanimously with Commissioner Hart having recused.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE INTERIOR AND PERIPHERAL PARKING LOT LANDSCAPING, IN FAVOR OF THE PLANTING SHOWN ON THE GDP/SE PLAT.

Commissioners Flanagan and Lawrence seconded the motion which carried unanimously with Commissioner Hart having recused.

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The meeting was adjourned at 12:41 a.m.
Peter F. Murphy, Jr., Chairman
Janet R. Hall, 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: Jacob Caporaletti

Approved on: July 26, 2012

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Kara A. DeArrastia, Clerk to the
Fairfax County Planning Commission