

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MARCH 1, 2007**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Earl L. Flanagan, Mount Vernon District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District
Ronald W. Koch, Sully District

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The meeting was called to order at 8:20 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

Chairman Murphy read into the record a thank you letter from Colonel David M. Rohrer, Police Chief, for the funds raised at the Planning Commission's Soda Stand at Celebrate Fairfax! Fair last June for Officers Vicky Armel and Michael Garbarino who were slain on May 8, 2006:

"I would like to thank you and members of the Fairfax County Planning Commission for the generous donation made to the Armel and Garbarino Trust Funds. Our department has been overwhelmed by the amount of support we have received in response to the tragic shooting at the Sully District Station. I know your donation will be greatly appreciated by the families of our fallen officers. I also know that the men and women of our department appreciate the continued show of support from the community. I believe it has been motivational to them as they continue working to keep Fairfax County safe in the wake of this tragedy. Thank you again for your thoughts and generosity."

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Commissioner Lusk MOVED THAT THE PUBLIC HEARING ON RZ 2006-LE-018, FLEET DRIVE LLC, BE DEFERRED TO A DATE CERTAIN OF MARCH 7, 2007.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners Hall and Koch absent from the meeting.

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Commissioner de la Fe announced that the Planning Commission's Parks Committee would meet on Thursday, March 15, 2007, at 7:30 p.m., in the Board Conference Room, to discuss fees, proffers, and a proposed Plan Amendment.

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Commissioner Lusk announced that the Planning Commission's Redevelopment and Housing Committee would meet with the Redevelopment and Housing Authority on Wednesday, March 14, 2007, at 7:30 p.m, in the Board Conference Room, to continue discussion of the recommendations of the High-Rise Affordability Panel.

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Commissioner Lusk announced the following schedule for the Capital Improvement Program (CIP):

- CIP Workshop – March 8, 2007
- CIP Public Hearing – March 15, 2007
- CIP Committee Meeting – March 21, 2007
- CIP Markup – March 29, 2007.

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FS-P06-109 – CLEARWIRE, U.S., LLC, 1800 Old Meadow Road

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-P06-109, IN THE NAME OF CLEARWIRE, U.S., AT 1800 OLD MEADOW ROAD.

Commissioner Lusk seconded the motion which carried unanimously with Commissioners Hall and Koch absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. FDPA 82-P-069-06-09 - CRP FAIR LAKES, LP (Springfield District)

2. PCA 91-Y-010-04 - SKY06, LLC (Sully District)
FDPA 91-Y-010-03 - SKY06, LLC (Sully District)

This order was accepted without objection.

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Since the following case was in the Springfield District, Chairman Murphy relinquished the Chair to Vice Chairman Alcorn.

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FDPA 82-P-069-06-09 - CRP FAIR LAKES, LP - Appl. to amend the sixth final development plan for FDP 82-P-069 previously approved for mixed use development to permit building additions and site modifications to an existing hotel and associated changes to development conditions. Located in the S.E. quadrant of the intersection of Fairfax County Pkwy. and Fair Lakes Ci. on approx. 7.68 ac. of land zoned PDC and WS. Tax Map 55-2 ((1))7A and 7B. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Inda Stagg, land use planner with Walsh, Colucci, Lubeley, Emrich and Walsh, P.C., reaffirmed the affidavit dated December 20, 2006. Commissioner Hart disclosed that the law firm, Hart and Horan P.C., had two cases in which attorneys from Ms. Stagg's firm were representing other parties. He said those matters were unrelated to this case and there was no business or financial relationship that would affect his ability to participate in this case.

Commissioner Murphy asked that Vice Chairman Alcorn to ascertain whether there were any speakers present for this application. Receiving no response, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Vice Chairman Alcorn closed the public hearing and recognized Commissioner Murphy for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 82-P-069-06-09, SUBJECT TO THE REVISED DEVELOPMENT CONDITIONS DATED MARCH 1, 2007.

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

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS TO THE SOUTH IN FAVOR OF THE EXISTING LANDSCAPING.

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

Commissioner Murphy MOVED THE PLANNING COMMISSION APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS TO THE EAST, IN FAVOR OF THE EXISTING AND THE PROPOSED LANDSCAPING.

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

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Vice Chairman Alcorn noted that Commissioner Murphy would be handling this case in the absence of Commissioner Koch.

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PCA 91-Y-010-04/FDPA 91-Y-010-03 - SKY06, LLC - Appls. to amend the proffers, conceptual, and final development plans for RZ 91-Y-010 previously approved for mixed use development to add a private school of special education, fast food restaurant, and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.07. Located within Centre Ridge Shopping Center at 6206 Multiplex Dr. on approx. 2.19 ac. of land zoned PDC and WS. Comp. Plan Rec: 16-20 du/acTax Map 65-1 ((10)) 6. SULLY DISTRICT. PUBLIC HEARING.

Jane Kelsey with Jane Kelsey and Associates, Inc. reaffirmed the affidavit dated January 29, 2007. Commissioner Hart, pursuant to *Virginia Code* Section 15.2852, disclosed that his law firm, Hart and Horan, P.C., had two clients who had hired Ms. Kelsey's firm as a consultant in pending litigation. Therefore, he said he was ineligible to participate in this case and recused himself.

Commissioner Murphy asked that Vice Chairman Alcorn to ascertain whether there were any speakers present for this application. Receiving no response, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Vice Chairman Alcorn closed the public hearing and recognized Commissioner Murphy for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT PCA 91-Y-010-04 BE APPROVED, SUBJECT TO THE EXECUTION OF THE PROFFERS DATED FEBRUARY 28, 2007.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioner Hart not present for the vote; Commissioners Hall and Koch absent from the meeting.

Commissioner Murphy MOVED THAT FDPA 91-Y-010-03 BE APPROVED, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 27, 2007.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioner Hart not present for the vote; Commissioners Hall and Koch absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE PREVIOUSLY APPROVED MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE PERIPHERY OF LAND BAY 11B, IN FAVOR OF THE EXISTING LANDSCAPING AS PREVIOUSLY CONDITIONED, BE APPROVED.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioner Hart not present for the vote; Commissioners Hall and Koch absent from the meeting.

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Chairman Murphy resumed the Chair and adjourned the meeting.

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The meeting was adjourned at 8:35 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: Linda B. Rodeffer

Approved on: September 11, 2008

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