

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, SEPTEMBER 12, 2013**

PRESENT: 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  
Janyce N. Hedetniemi, 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, Springfield District  
Timothy J. Sargeant, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:15 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Hart announced that the Planning Commission's Environment Committee would meet at 7:00 p.m. in the Board Conference Room of the Fairfax County Government Center on Thursday, September 19, 2013 to receive a presentation from staff regarding upcoming changes to the Stormwater Management Ordinance and invited the public to attend.

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Commissioner Lawrence announced that the Planning Commission's Policy and Procedures Committee met this evening to consider evaluation criteria for the Fairfax Forward process. He said that the Committee would meet again on Wednesday, October 2, 2013 to continue discussing this issue and invited the public to attend.

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On behalf of the Planning Commission, Chairman Murphy congratulated Lieutenant Colonel Edwin C. Roessler Jr., who had been appointed Fairfax County Police Chief. He also congratulated Karen Garza, who had been appointed Superintendent of Fairfax County Public Schools.

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Chairman Murphy welcomed John Cooper, who had been hired as the Clerk to the Planning Commission.

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Chairman Murphy stated that a dinner would be held on Sunday, October 6, 2013, at the Waterford in Fair Oaks to recognize former Planning Commission Director Barbara Lippa for her 35 years of service and to commemorate the 75<sup>th</sup> anniversary of the Planning Commission. He noted that interested parties should contact Director Jill Cooper or Assistant Director Kim Bassarab.

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Commissioner Donahue MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY FOR SE 2013-DR-001, TD BANK, NATIONAL ASSOCIATION, TO A DATE CERTAIN OF OCTOBER 17, 2013, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Hall seconded the motion which carried by a vote of 11-0-1. Commissioner Hart abstained.

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Chairman Murphy announced his intent to defer the public hearing for RZ 2013-SP-005, MH1 Spring Lake, LLC, originally scheduled for Wednesday, September 18, 2013, to a date certain of Wednesday, October 9, 2013.

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Chairman Murphy announced his intent to defer the public hearing for AR 96-S-002-02, Nila M. Castro, originally scheduled for Thursday, October 10, 2013, to a date certain of Thursday, October 24, 2013.

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FSA-L02-9-1 – SPRINT f/k/a NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC,  
6700 Springfield Center Drive  
456A-V96-1-2 – AT&T MOBILITY, 3200 Mount Vernon Memorial Highway

Chairman Murphy MOVED THAT THE PLANNING COMMISSION APPROVE CONSENT AGENDA ITEMS, FSA-L02-9-1 AND 456A-V96-1-2.

The motion carried by a vote of 12-0.

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FS-P13-26 – NEXTNAV, LLC, 1861 International Drive

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH STAFF'S CONCLUSION ON FS-P13-26 FROM NEXTNAV, LLC, AT 1861 INTERNATIONAL DRIVE IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND SHOULD BE DEEMED A "FEATURE SHOWN" UNDER VIRGINIA CODE 15.2-2232, AS AMENDED.

Commissioner de la Fe seconded the motion which carried by a vote of 12-0.

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. FDPA 1996-HM-043 – HOME PROPERTIES DULLES, LLC (Dranesville District)
2. RZ 2013-PR-004 – HITT CONTRACTING, INC.

This order was accepted without objection.

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FDPA 1996-HM-043 – HOME PROPERTIES DULLES, LLC –  
Appl. to amend the final development plans for RZ 1996-HM-043 to permit 38 additional parking spaces and associated changes to development conditions. Located on S.W. side of Sunrise Valley Dr. and E. of Rt. 28 on approx. 19.8 ac. of land zoned PDH-30. Tax Map 15-4 ((1)) 22J. DRANESVILLE DISTRICT. PUBLIC HEARING

Justin Dunn, Project Manager, KCI Technologies, Inc., reaffirmed the affidavit dated August 6, 2013. There were no disclosures by the Commissioners.

Commissioner Donahue asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Donahue for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Donahue MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 1996-HM-043, SUBJECT TO DEVELOPMENT CONDITIONS DATED SEPTEMBER 12, 2013, AND THE REAFFIRMATION OF ALL PREVIOUS DEVELOPMENT CONDITIONS.

Commissioners de la Fe and Hall seconded the motion which carried by a vote of 12-0.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES) MODIFY THE TRANSITIONAL SCREENING REQUIREMENTS TO ALLOW THE SLIGHT ENCROACHMENT OF A PROPOSED SIDEWALK, AS DEPICTED ON THE FDPA AS PARKING AREA NUMBER 19 AND AS CONDITIONED.

Commissioner de la Fe seconded the motion which carried by a vote of 12-0.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE DIRECTOR OF DPWES CONSIDER THE PROPOSED 2 TO 1 REPLACEMENT OF REMOVED TREES, AS SHOWN ON THE FDPA AND AS CONDITIONED, AS MEETING PARKING LOT LANDSCAPING REQUIREMENTS FOR THE PROJECT.

Commissioner de la Fe seconded the motion which carried by a vote of 12-0.

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RZ 2013-PR-004 – HITT CONTRACTING, INC. – Appl. to rezone from R-1, R-3, and HC to C-3 and HC to permit commercial development with an overall Floor Area Ratio (FAR) of 0.3 and to reduce the Lot Width Requirement from 100 ft. to approx. 90ft. Located on the E. side of Hartland Rd. approx. 612 ft. N. of its intersection with Lee Hwy on approx. 28,832 sq. ft. of land. Comp. Plan Rec: Office Use. Tax Map 49-2 ((1)) 65, 73, and 74. PROVIDENCE DISTRICT. PUBLIC HEARING

Elizabeth Baker, Applicants Agent, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavit dated July 18, 2013.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had an ongoing case where attorneys from Ms. Baker's firm were representing an adverse party, but that matter and those parties were unrelated to this case and there was no financial relationship; therefore, it would not affect his ability to participate in this public hearing.

Commissioner Lawrence asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lawrence for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2013-PR-004, SUBJECT TO THE EXECUTION OF PROFFERS DATED AUGUST 19, 2013.

Commissioners de la Fe and Hall seconded the motion which carried by a vote of 12-0.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE FOLLOWING MODIFICATIONS:

- A MODIFICATION OF THE 100-FOOT MINIMUM LOT WIDTH SIZE FOR THE C-3 DISTRICT TO ALLOW A LOT WIDTH OF APPROXIMATELY 90 FEET; AND
- A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS AND WAIVER OF THE BARRIER REQUIREMENTS IN FAVOR OF THE STREETSCAPE SHOWN ON THE GDP.

Commissioner de la Fe seconded the motion which carried by a vote of 12-0.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO PERMIT APPROVAL OF A DEVIATION FROM THE TREE PRESERVATION TARGET PERCENTAGE IN FAVOR OF THE PROPOSED LANDSCAPING SHOWN ON THE GDP AND AS PROFFERED.

Commissioner de la Fe seconded the motion which carried by a vote of 12-0.

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION GO INTO CLOSED SESSION FOR CONSULTATION WITH LEGAL COUNSEL PERTAINING TO THE PROPOSED ZONING ORDINANCE AMENDMENT ON RESIDENTIAL STUDIO UNITS, PURSUANT TO *CODE OF VIRGINIA* SECTION 2.2-3711 (7).

Commissioner Hall seconded the motion which carried by a vote of 12-0.

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Upon returning from closed session, Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION MEMBERS CERTIFY TO THE BEST OF THEIR KNOWLEDGE THAT ONLY THE PUBLIC BUSINESS MATTER LAWFULLY EXEMPTED FROM THE OPEN MEETING REQUIREMENTS PRESCRIBED BY THE *VIRGINIA FREEDOM OF INFORMATION ACT* AND ONLY THE MATTER IDENTIFIED IN THE MOTION TO CONVENE CLOSED SESSION WAS HEARD, DISCUSSED, OR CONSIDERED BY THE PLANNING COMMISSION DURING THAT SESSION.

Commissioners Hall and Hart seconded the motion which carried by a vote of 10-0. Commissioners Lawrence and Sargeant were not present for the vote.

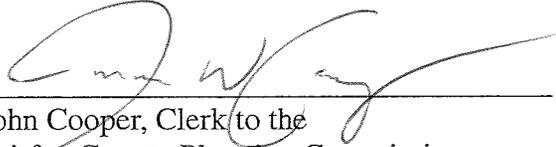
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The meeting was adjourned at 9:37 p.m.  
Peter F. Murphy, Chairman  
Janet R. Hall, Secretary

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 17, 2014



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John Cooper, Clerk to the  
Fairfax County Planning Commission