

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, SEPTEMBER 17, 2014**

PRESENT: Peter F. Murphy, Springfield District  
Frank A. de la Fe, Hunter Mill District  
Janet R. Hall, Mason District  
James R. Hart, Commissioner At-Large  
Ellen J. Hurley, Braddock District  
John C. Ulfelder, Dranesville District  
James T. Migliaccio, Lee District  
Earl L. Flanagan, Mount Vernon District  
Kenneth A. Lawrence, Providence District  
John L. Litzenberger, Jr., Sully District  
Janyce N. Hedetniemi, Commissioner At-Large

ABSENT: Timothy J. Sargeant, Commissioner At-Large

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The meeting was called to order at 8:18 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

Chairman Murphy announced that Jill Cooper, Executive Director of the Planning Commission Office, sent out an email reminding Commissioners that the Planning Commission would conduct a seminar on Saturday, September 27, 2014 at the Fairfax County Government Center.

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Chairman Murphy announced that the Planning Commission's Telecommunications Committee would meet on Thursday, September 18, 2014 at 7:00 p.m. in the Board Conference Room of the Fairfax County Government Center to discuss revisions to a proposed Zoning Ordinance regarding telecommunications facilities.

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Commissioner Lawrence announced that the Planning Commission's Tysons Committee had met earlier in the evening and that the Committee's next meeting had been rescheduled from Wednesday, October 8, 2014 to Thursday, October 9, 2014.

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2232A-Y11-9-1 – AT&T WIRELESS/NEW CINGULAR WIRELESS PCS, 11342 Lee Highway (Braddock District)

Chairman Murphy: OKAY, I WANT TO FIRST MOVE THE CONSENT AGENDA ITEMS – ITEM.

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(The motion carried by a vote of 11-0. Commissioner Sargeant was absent from the meeting.)

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FS-P14-27 – CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, 7501 Leesburg Pike

Commissioner Lawrence: I have, also, a “feature shown.” And this FS-P14-27, in the name of Cellco Partnership – 7501 Leesburg Pike, Falls Church. Mr. Chairman, I MOVE THAT THE COMMISSION CONCUR WITH THE STAFF DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY INSTALLATION PROPOSED BY CELLCO PARTNERSHIP, DOING BUSINESS AS VERIZON WIRELESS, AND LOCATED AT 7501 LEESBURG PIKE, FALLS CHURCH, VIRGINIA, IS 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 Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion? All those in favor of the motion to concur with the “feature shown” determination in FS-P14-27, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 11-0. Commissioner Sargeant was absent from the meeting.)

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. SE 2014-SU-023 – MEENAKSHI VERMA SPRINGFELLOW HOME CHILD DAY CARE
2. PCA 2010-LE-005 – GRAMM SPRINGFIELD PROPERTY, LLC  
SEA 2010-LE-009 – JENNINGS BUSINESS PARK, LLC

SE 2014-LE-004 – GRAMM SPRINGFIELD PROPERTY, LLC  
SE 2014-LE-005 – GRAMM SPRINGFIELD PROPERTY, LLC

This order was accepted without objection.

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SE 2014-SU-023 – MEENAKSHI VERMA SPRINGFELLOW  
HOME CHILD DAY CARE – Appl. under Sect. 8-305 of the  
Zoning Ordinance to permit a home child care facility. Located at  
5031 Cool Fountain Ln., Centreville, 20120 on approx. 1,120.00  
sq. ft. of land zoned PDH-8 and WS. Tax Map 55-1 ((26)) 115.  
SULLY DISTRICT. PUBLIC HEARING

Meenakshi Verma, Applicant, reaffirmed the affidavit dated July 16, 2014.

There were no disclosures by Commission members.

Commissioner Litzenberger 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 Litzenberger for action on this case.

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Chairman Murphy: Without objection – public hearing is closed. Mr. Litzenberger.

Commissioner Litzenberger: Thank you, Mr. Chairman. Ms. Verma, could you please come up to the podium one more time please? The staff asked me – I have a request here. I – I request that the applicant confirm for the record agreement to the proposed development conditions dated September 3<sup>rd</sup>, 2014.

Meenakshi Verma, Applicant: Yes.

Commissioner Litzenberger: Okay, thank you. You may sit down.

Ms. Verma: Thank you.

Commissioner Litzenberger: Okay, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2014-SU-023, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED SEPTEMBER 3<sup>RD</sup>, 2014.

Commissioners Flanagan and Hall: Second.

Chairman Murphy: Seconded by Mr. Flanagan and Ms. Hall. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-SU-023, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much. Thank you, ma'am. Good luck to you.

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(The motion carried by a vote of 11-0. Commissioner Sargeant was absent from the meeting.)

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PCA 2010-LE-005 – GRAMM SPRINGFIELD PROPERTY, LLC  
– Appl. to amend the proffers for RZ 2010-LE-005 previously approved for commercial development to permit site modifications and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of .07. Located E. side of Loisdale Rd., W. of CSX railroad right of way and S. of Loisdale Park on approx. 53.46 ac. of land zoned C-8. Comp. Plan Rec: Industrial up to .35 FAR. Tax Map 90-4 ((1)) 6 A2; 90-4 ((1)) 6 A3; 90-4 ((1)) 6 A4; and 90-4 ((1)) 6 A5. (Concurrent with SE 2014-LE-004, SEA 2010-LE-009, and SE 2014-LE-005.) LEE DISTRICT. PUBLIC HEARING

SEA 2010-LE-009 – JENNINGS BUSINESS PARK, LLC – Appl. under Sect. 4-804 of the Zoning Ordinance to amend SE 2010-LE-009; previously approved for a vehicle sale, rental, and ancillary service establishment; to permit additional parking for vehicle sale, rental and service establishment and associated modifications to site design and development conditions. Located on the W. side of Fredericksburg & Potomac Railroad, E. side of Loisdale Rd., approx. 2,800 ft. S. of its intersection with Lois Dr., on approx. 35.52 ac. of land zoned C-8. Tax Map 90-4 ((1)) 6 A2; 90-4 ((1)) 6 A3 pt.; 90-4 ((1)) 6 A4 pt.; and 90-4 ((1)) 6 A5. (Concurrent with SE 2014-LE-004, PCA 2010-LE-005, and SE 2014-LE-005.) LEE DISTRICT. PUBLIC HEARING

SE 2014-LE-004 – GRAMM SPRINGFIELD PROPERTY, LLC – Appl. under Sect. 4-804 of the Zoning Ordinance to permit a vehicle sale, rental and ancillary service establishment. Located on the W. side of Fredericksburg and Potomac Railroad, E. side of Loisdale Rd., approx. 2,000 ft. S. of its intersection with Lois Dr. on approx. 10.28 ac. of land zoned C-8. Tax Map 90-4 ((1)) 6 A3

pt. (Concurrent with PCA 2010-LE-005, SEA 2010-LE-009, and  
SE 2014-LE-005.) LEE DISTRICT. PUBLIC HEARING

SE 2014-LE-005 – GRAMM SPRINGFIELD PROPERTY, LLC –  
Appl. under Sect. 4-804 of the Zoning Ordinance to permit a  
vehicle sale, rental and ancillary service establishment. Located on  
the W. side of Richmond Fredericksburg and Potomac Railroad, E.  
side of Loisdale Rd., approx. 2,400 ft. S. of its intersection with  
Lois Dr. on approx. 7.65 ac. of land zoned C-8. Tax Map 90-4 ((1))  
6 A4 pt. (Concurrent with PCA 2010-LE-005, SEA 2010-LE-009,  
and SE 2014-LE-004.) LEE DISTRICT. PUBLIC HEARING

Elizabeth Nicholson, Applicant's Agent, Walsh, Colucci, Lubeley, Emrich & Walsh, PC,  
reaffirmed the affidavits for each application dated September 5, 2014.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a case where attorneys  
from Ms. Nicholson's firm were representing an adverse party, but noted that this matter and  
those parties were unrelated to these applications and there was no business or financial  
relationship. He also disclosed that his law firm, Hart & Horan, PC, has had an attorney/client  
relationship within the past 12 months with a sibling of Michael Jennings, who was listed on the  
affidavits, regarding a business matter where the client was an adverse party to Mr. Jennings;  
therefore, he would recuse himself from participating in these cases.

Michael Van Atta, Zoning Evaluation Division, Department of Planning and Zoning, presented  
the staff report, a copy of which is in the date file. He noted that staff recommended approval of  
applications PCA 2010-LE-005, SE 2014-LE-004, SE 2014-LE-005, and SEA 2010-LE-009.

Answering questions from Commissioner Migliaccio, Mr. Van Atta said that approval of the  
subject applications would not necessitate the widening of Loisdale Road. He also deferred to the  
applicant for more information on the status of the proposed traffic signal located near one of the  
proposed dealerships.

A discussion ensued between Commissioner Hedetniemi and Mr. Van Atta regarding the location  
and design of the proposed bicycle lane wherein Mr. Van Atta pointed out that the proposed lane  
would run along the frontage of the proposed development and that additional pavement would  
be added for the lane, adding that this would provide sufficient space to accommodate bicycles.

When Commissioner Ulfelder asked about the origin of the \$1.1 million contribution to the  
Fairfax County Park Authority (FCPA) articulated in Proffer Number 32, Athletic Field, of the  
revised set, Mr. Van Atta indicated that this provision had been carried over from the previously-  
approved rezoning application for the subject property. (A copy of the revised proffers dated  
September 15, 2014 is in the date file.)

Ms. Nicholson stated that the applicant's proposal for an additional automotive dealership was  
consistent with the Comprehensive Plan recommendations for the subject property, noting the

proposed development would be under the recommended intensity for the associated land units. In addition, she said that the proposal would continue the environmental remediation of the property, which had been formerly utilized as a landfill. Ms. Nicholson said that the proposal had the unanimous support of the Lee District Land Use Committee, which was subject to an additional contribution for improvements to Loisdale Park, included in Proffer Number 38, Loisdale Park Contribution.

Addressing Commissioner Migliaccio's question regarding the status of the proposed traffic signal, Ms. Nicholson pointed out that this issue was addressed in the proffers. She added that a traffic signal warrant had been requested by the Virginia Department of Transportation (VDOT) at the time of the previously-approved rezoning for the site and it was determined that the site did not meet the requirements to warrant a traffic signal. However, she said that VDOT requested another traffic signal warrant upon the opening of the proposed dealerships and indicated that the applicant had committed to constructing a traffic signal, as outlined in Proffer Number 8, Traffic Signal, because it was expected that the site would meet the requirements under the proposal.

Ms. Nicholson addressed Commissioner Ulfelder's question regarding the \$1.1 million contribution, explaining that this contribution had been determined by coordinating with the FCPA to ensure it would cover the construction cost of a turf field. In addition, she described the status of the construction for the previously-approved automotive dealership on the site and the proposed athletic field located nearby.

When Commissioner Migliaccio asked whether the applicant supported the revised set of development conditions, Ms. Nicholson indicated that the applicant supported these conditions. (A copy of the revised Development Conditions dated September 15, 2014 is in the date file.)

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 Migliaccio for action on these cases.

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Chairman Murphy: Public hearing is closed. Mr. Migliaccio.

Commissioner Migliaccio: Thank you, Mr. Chairman. First of all, I would like to thank Mike Van Atta from staff. He did quite a bit of work on this – attended the Lee District Land Use Committee meetings a number of times on this case and another case. And I would also like to thank the applicant for moving forward on the Loisdale Park proffer. I know it's only \$6,000 versus the \$1.1 million for the turf field, but for Loisdale Estates it meant a lot because they feel landlocked and that's their one little outlet that they can do within their own community. And this will go a long way – and thank you. These four applications simply add two – two auto dealerships on land previously rezoned and one parking lot for additional cars for the, hopefully, soon-to-be-open Jennings Toyota Dealership. As staff and the applicant has mentioned, this has the Lee District Land Use Committee's support. It has staff's support and it has my support.

Therefore, I have a few motions to make tonight so someone can get home to watch a certain show.

Commissioner Hall: Thank you. It's the Roosevelts.

Commissioner Migliaccio: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2010-LE-005, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 17<sup>TH</sup>, 2014.

Commissioner Hall: Second.

Chairman Murphy: Seconded by Ms. Hall. Is there a discussion of the motion? All those in favor – it's not that funny, Earl.

Commissioner Hall: No Earl, it's not funny.

Commissioner Flanagan: I just want to – I just wanted to ask a question. This is – replaces – relocates the Stafford Chrysler from its present location to this site. Is that right?

Commissioner Migliaccio: Eventually, this will be the new Stafford, but perhaps the applicant can speak to that.

Commissioner Flanagan: I purchased my Chrysler from Stafford and although that was over a year ago, I feel I don't have to recuse myself from voting on this application.

Chairman Murphy: All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 2010-LE-005, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Migliaccio.

Commissioner Migliaccio: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2014-LE-004, subject to the – SUBJECT TO DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED SEPTEMBER 15, 2014.

Commissioner Hall: Second.

Chairman Murphy: Seconded by Ms. Hall. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-LE-004, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2014-LE-005, SUBJECT TO DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED SEPTEMBER 15, 2014.

Commissioner Hall: Second.

Chairman Murphy: Seconded by Ms. Hall. Discussion? All those in favor of the motion to recommend to the Board of Supervisors to approve SE 2014-LE-005, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 2010-LE-009, SUBJECT TO DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED SEPTEMBER 15<sup>TH</sup>, 2014.

Commissioner Hall: Seconded.

Chairman Murphy: Seconded by Ms. Hall. Is there a discussion? All those in favor of the motion to recommend to the Board that it approve SEA 2010-LE-009, say aye.

Commissioners: Aye.

Chairman Murphy: Motion carries.

Commissioner Migliaccio: And one more, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF FRONTAGE IMPROVEMENTS ALONG LOISDALE ROAD.

Commissioner Hall: Second.

Chairman Murphy: Seconded by Ms. Hall. Is there a discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Thank you, Mr. Chairman.

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(Each motion carried by a vote of 10-0. Commissioner Hart recused himself. Commissioner Sargeant was absent from the meeting.)

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The meeting was adjourned at 8:41 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: March 26, 2015



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John Cooper, Clerk to the  
Fairfax County Planning Commission