

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, SEPTEMBER 21, 2006**

UNAPPROVED  
OCTOBER 2, 2006

PRESENT: Walter L. Alcorn, Commissioner At-Large  
Frank A. de la Fe, Hunter Mill District  
Janet R. Hall, Mason 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

ABSENT: John R. Byers, Mount Vernon District  
Suzanne F. Harsel, Braddock District  
Laurie Frost Wilson, Commissioner At-Large

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The meeting was called to order at 8:15 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 announced that the Transportation Committee met tonight to discuss Phase II of the update to the Transportation Plan. He noted that the Committee would meet again on October 18, 2006.

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Commissioner Alcorn announced that the Transit-Oriented Development Committee would meet on September 27, 2006 and October 4, 2006 at 7 p.m. in Conference Rooms 4 and 5 of the Government Center.

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APR 05-III-1FC (Springfield District) (Decision Only)

(The public hearing on this application was held on June 22, 2006. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF APR ITEM 05-III-1FC WHICH IS THE

FAIRFAX CORNER APPLICATION AS SHOWN ON PAGES 2 THROUGH 5 OF MY HANDOUT DATED SEPTEMBER 21, 2006.

Commissioners Hall and de la Fe seconded the motion which carried unanimously with Commissioners Byers, Harsel, and Wilson absent from the meeting.

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APR 05-III-3FC (Springfield District) (Decision Only)

(The public hearing on this application was held on June 22, 2006. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF APR 05-III-3FC WITH THE LANGUAGE SHOWN ON PAGE 613 OF MY HANDOUT DATED SEPTEMBER 21, 2006.

Commissioners Hall and de la Fe seconded the motion which carried unanimously with Commissioners Byers, Harsel, and Wilson absent from the meeting.

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SE 2005-SU-031 - UNICORP NATIONAL DEVELOPMENTS, INC. (Decision Only)

(The public hearing on this application was held on September 20, 2006. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2005-SU-031, SUBJECT TO DEVELOPMENT CONDITIONS DATED SEPTEMBER 21, 2006.

Commissioners Lawrence, Hall, and Hart seconded the motion which carried unanimously with Commissioners Byers, Harsel, and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG LEE HIGHWAY.

Commissioners Hall and Hart seconded the motion which carried unanimously with Commissioners Byers, Harsel, and Wilson absent from the meeting.

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FS-P06-50 - NATIONAL CAPITAL REGION INTEROPERABILITY PROGRAM, 4100 Chain Bridge Rd.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DETERMINE THAT FS-P06-50 IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE

ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A “FEATURE SHOWN” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232 AS AMENDED.

Commissioners Alcorn and Hall seconded the motion which carried unanimously with Commissioners Byers, Harsel, and Wilson absent from the meeting.

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ORDER OF THE AGENDA

In the absence of Secretary Harsel, Chairman Murphy established the following order of the agenda:

1. PUBLIC FACILITIES MANUAL AND COUNTY CODE AMENDMENTS
2. PCA 83-C-021/FDPA 83-C-021 - ATLANTIC REALTY COMPANIES, INC.

This order was accepted without objection.

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PUBLIC FACILITIES MANUAL AND COUNTY CODE AMENDMENTS - To amend the Public Facilities Manual (PFM) and Chapters 101 (Subdivision Ordinance) and 112 (Zoning Ordinance) of The Code of the County of Fairfax, Virginia (County Code). The proposed amendments are related to extending the allowable timing for pre-construction conferences; codifying the requirement for a certification by a surveyor that subdivision monuments have been installed; implementing stricter bond requirements for developers that are in default; requiring a notification and replacement agreement when a developer’s surety falls below the minimum rating standard and eliminating the processing fee for the replacement agreement. In addition, editorial changes are being made including adjusting an inspection fee for consistency between the Zoning, Subdivision, and Erosion and Sediment Control Ordinances. Pursuant to authority granted by *Virginia Code* Sections 15.2-107, 15.2-2204, 15.2-2286(A)(6), the amendment proposes to decrease a fee charged by Land Development Services, Department of Public Works and Environmental Services, which is charged under Chapter 112, Article

17-109 (Zoning Ordinance) of the County Code related to inspections.  
The proposed amendment decreases the fee from \$215 to  
\$210 for each inspection following a violation. COUNTYWIDE.  
PUBLIC HEARING.

Jan Leavitt Shaw, Code Analysis Group, Department of Public Works and Environmental Services, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the proposed Public Facilities Manual and County Code Amendments.

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

In response to a question from Commissioner Alcorn, Craig Carinci, Director of the Environmental Facilities Inspection Division of the Department of Public Works and Environmental Services, agreed that the implementation of the amendment would help address bonding issues and unmet obligations.

In response to a question from Commissioner Alcorn, Mr. Carinci said adoption of the proposed PFM amendment would increase the number of days staff had to review proffers and perform the necessary coordination with other agencies to ensure that proffered commitments would be honored. Mr. Carinci also said that these meetings were not normally attended by DPZ staff.

Mr. Carinci responded to a question from Commissioner Hopkins about the implementation of PFM Section 2-0601.4A(2) which required the developer and the insurance company to notify the Director of DPWES if the rating for an insurance company fell below Class A VI. Mr. Carinci noted that a private consulting service tracked this information.

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

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Commissioner Hart MOVED THAT PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL, ZONING ORDINANCE, AND SUBDIVISION ORDINANCE AS SET FORTH IN THE STAFF REPORT DATE OF JULY 31, 2006, WITH THE FOLLOWING TWO EDITORIAL CHANGES:

- REVISE METRIC PLATE NUMER 32M7 TO MAKE IT MATCH THE ENGLISH VERSION BY STRIKING TABLE NUMBERS 7.13 AND 7.13A AND REPLACING IT WITH TABLE NUMBERS 7.14 AND 7.14A AND;
- REVISE SECTION 2-05-02.1D ON PAGE 2 OF ATTACHMENT A LINE 5 BY STRIKING THE #3 AND REPLACING IT WITH 5.

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

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PCA 83-C-021/FDPA 83-C-021 - ATLANTIC REALTY COMPANIES, INC. - Appls. to amend the proffers and final development plan for RZ 83-C-021 previously approved for commercial development to permit mixed use development with an overall floor area ratio of 0.25 (including electric substation). Located at the N.W. corner of the intersection of Lee Jackson Memorial Hwy. and Fair Ridge Dr. on approx. 35.39 ac. of land zoned PDC, HC, and WS. Comp. Plan Rec: Mixed Use at 0.25 FAR. Tax Map 46-3 ((1)) 15A and 15B. SULLY DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Sack, Harris & Martin, PC, reaffirmed the affidavit dated August 8, 2006. There were no disclosures by Commission members.

Tracy Strunk, Zoning Evaluation 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 applications.

Mr. Martin stated that the applications followed the recent adoption of an Area Plans Review nomination. He explained that a grocery store and office and retail uses would be located at the front of the site creating plazas and a pedestrian-friendly development. He described proposed road improvements and said the design of the project would be compatible in style and scale to the nearby residential and office development. He noted that the applicant was working with Virginia Dominion Power to locate utility lines underground and that the Sully District Council and the Fair Woods community had endorsed the project.

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

Dan Sherman, 12243 Ox Hill Road, Fairfax, asked what the length of the buffer would be and if it would be maintained continuously. He also expressed concern about the location of the parking in the back of the buildings which abutted his neighborhood.

Chairman Murphy told Mr. Sherman that his questions would be answered by Mr. Martin during rebuttal.

Tom Kollaja, 3879 Alder Woods Court, Fairfax, representing the Fair Wood Homeowners Association expressed support for the applications.

Responding to a question from Commissioner Hart, Ms. Strunk said there would be no public access to the property from the rear.

Guo Liang, 12508 Flatwood Circle, Fairfax, expressed support for the applications and thanked Mr. Martin for addressing the community's concerns.

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

Addressing the issues raised by Mr. Sherman, Mr. Martin said that the buffer would be 125 feet in length and proffers required that it be maintained throughout the life of the site. He also said that a fence would be provided along the edge of the parking lot abutting Mr. Sherman's neighborhood and pointed out that the number of buildings had been reduced from five to three.

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 these items. (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 PCA 83-C-021, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 5, 2006.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers, Harsel, and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 83-C-021, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 6, 2006 AND TO THE BOARD'S APPROVAL OF THE PCA.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers, Harsel, and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING TO ALLOW THE USE OF EXISTING VEGETATION TO THE NORTH AND THE WEST.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers, Harsel, and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF BARRIER REQUIREMENT TO THE SOUTH IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers, Harsel, and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE REQUESTED WAIVER OF THE SERVICE DRIVE ALONG ROUTE 50.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers, Harsel, and Wilson absent from the meeting.

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The meeting was adjourned at 8:50 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: Windy R. Rowland

Approved on: \_\_\_\_\_

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