

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 16, 2013**

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

ABSENT: Jay P. Donahue, Dranesville District

//

The meeting was called to order at 8:16 p.m. by Chairman Peter F. Murphy in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

//

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, October 17, 2013, to continue the discussion regarding electric vehicle charging stations.

//

FS-P13-31- NEXTNAV, LLC, 1800 Tysons Boulevard

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR THAT THE DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY NEXTNAV, LLC, AT 1800 TYSONS BOULEVARD IN MCLEAN 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 de la Fe seconded the motion, which carried by a vote of 11-0. Commissioner Donahue was absent from the meeting.

//

FSA-Y08-113-1 - VERIZON WIRELESS, 3663 West Ox Road

Chairman Murphy MOVED THE CONSENT AGENDA ITEM.

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

//

ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. RZ 2011-PR-005 – NV COMMERCIAL, INC. & CLYDE’S REAL ESTATE GROUP, INC.
FDP 2011-PR-005/SEA 2008-MD-036 – NV COMMERCIAL INC.
2. RZ/FDP 2012-BR-020 – EASTWOOD PROPERTIES, INC.

This order was accepted without objection.

//

RZ 2011-PR-005 – NV COMMERCIAL INCORPORATED AND CLYDE’S REAL ESTATE GROUP, INC. – Appl. to rezone from C-8, HC, and SC to PTC, HC, and SC to permit mixed use development with an overall Floor Area Ratio (FAR) of 8.05, and a waiver #1682-WSWD-001-1 to permit the location of underground storm water management facilities in a residential area. Located in the N.E. quadrant of the intersection of Leesburg Pk. and Chain Bridge Rd. on approx. 5.79 ac. of land. Comp. Plan Rec: Transit Station Mixed Use. Tax Map 29-3 ((1)) 65, 71, 71A pt., 72, 73, 75, 76 and 78A. (Concurrent with FDP 2011-PR-005 and SEA 2008-MD-036.)

FDP 2011-PR-005 – NV COMMERCIAL INCORPORATED – Appl. to approve the final development plan for RZ 2011-PR-005 to permit a residential mixed use building. Located in the N.E. quadrant of the intersection of Leesburg Pk. and Chain Bridge Rd. on approx. 42,213 sq. ft. of land zoned PTC, HC and SC. Tax Map 29-3 ((1)) 73 pt., 75 pt. and 76 pt. (Concurrent with RZ 2011-PR-005 and SEA 2008-MD-036.)

SEA 2008-MD-036 – NV COMMERCIAL INCORPORATED – Appl. under Sects. 4-704, 4-804, and 9-401 of the Zoning Ordinance to amend SE 2008-MD-036, previously approved for an electrically-powered regional rail transit facility and associated components, to permit deletion of land area and associated modifications to site design and development conditions. Located at 8348 Leesburg Pk., Vienna, 22182, on approx. 110,461 sq. ft. of land zoned C-7, C-8, HC and SC. Tax Map 29-3 ((1)) 32 and 71A pt. and Route 7 public right-of-way to be vacated and/or

abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Route 7 to proceed under Section 15.2-2272 (2) of the *Code of Virginia*). (Concurrent with RZ 2011-PR-005 and FDP 2011-PR-005.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Elizabeth Baker, Applicant's Agent, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavits for RZ 2011-PR-005 and SEA 2008-MD-036, both dated September 30, 2013; and the affidavit for FDP 2011-PR-005, which was dated September 16, 2013.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a pending case with Ms. Baker's law firm in which there were attorneys representing an adverse party, but indicated that there was no financial relationship and would not affect his ability to participate in this case.

Commissioner Lawrence announced that he would defer the decision only on these applications at the end of the public hearing.

Suzanne Lin, , 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.

Commissioner Lawrence noted that he would like to continue discussions regarding the easements for the alignments of the streets during the deferral period. In addition, he expressed concern that after the FDP was approved, the application might not address any changes that could occur in accepted building materials or architectural elements, and said that the proffer statement should be expanded to cover such changes. He also suggested that revenue obtained from parking might be allocated throughout Tysons rather than to each private property owner. He noted a brief reference to interim, or "pop-up", retail, and requested further discussion with the applicant regarding the inclusion of visual representations in the application. Additionally, Commissioner Lawrence suggested that a proffer be included in the application to address public safety through coordination of public surveillance equipment by the onsite retail.

Commissioner Hart asked what would happen if the applicant failed to acquire the rights-of-way/easements addressed in Proffer Number 61. Ms. Lin described the street layout, adding that traffic would be conveyed onsite. Commissioner Hart stated that the proffer was unclear with regard to what offsite parcel permissions were required and pointed out that they should be clarified. Ms. Lin added that the county would not likely exercise its condemnation powers.

Commissioner Flanagan asked why the applicant was not required to meet the 65 percent office goal set for office usage near transit station mixed use areas. Ms. Lin explained that upon review, there was a high percentage of office space in the proximate location; hence, staff suggested more residential space to provide a more ideal balance.

Commissioner Flanagan referenced an existing telecommunications tower on Pinnacle Street and asked what would happen to it upon conveyance of the property for an easement. Ms. Lin stated

that while discussions with the representatives from the U.S. Army at Fort Belvoir were ongoing, staff was optimistic that the necessary conveyance would occur without having to disturb the telecommunications tower. In addition, she explained to Commissioner Flanagan that the tabulations on Sheet C-3 pertained to the Conceptual Development Plan for the entire site, and pointed out that the applicant had committed to provide 20 percent workforce housing units in Building F, which would be between 52 and 83 of the total number of units in the building.

Commissioner Sargeant expressed concern that the proposed grocery store might be too small. Ms. Lin acknowledged that the store was small, but stated that accommodations, such as loading for a larger store, would not be feasible at this site. When Commissioner Sargeant asked about exposed facilities during building construction, Ms. Lin explained that interim conditions, e.g., landscaping or surface parking, were on the FDP to demonstrate their relation to the existing development. Ms. Lin further explained that the Tysons Transportation Management Association (TMA), referenced in Proffer Number 45, would be the operational organization that would handle the seed money for the Transportation Demand Management Program, adding that staff had negotiated the same schedule provided in Paragraph 45B with all of the Tysons applicants. When Commissioner Sargeant expressed concern about the timing of the funds, Martha Coello, Transportation Planner, Fairfax County Department of Transportation, explained that staff was working with the Tysons Partnership to develop the TMA and to ensure that the funds were provided within the ten-year commitment.

Ms. Baker provided a brief description of the current site and surrounding properties. She detailed the proposed application, noting that several new streets would be created in addition to connections with existing streets in the current grid. She explained how the new grid of streets would be developed contemporaneously with the construction of the buildings, adding that while the ultimate alignment of some streets might take time, the proposal contained a plan for interim development. She gave a detailed description of the proposed plazas, retail, and other enhancements, and noted that retailers had expressed interest in pop-up retail. She added that the site would be pedestrian-friendly with ground floor retail, while also allowing for passive recreation with fountains and sculptures. She pointed out that Building F would stand between 325 and 400 feet tall and was proposed for residential use with approximately 400 units. She addressed Commissioner Flanagan's concerns regarding the workforce housing, telling him that it would be here that 75 units would be provided. In addition, Ms. Baker noted that she agreed with Commissioner Lawrence's suggestions with regard to building flexibility into the future architectural plans as well as public safety and coordination of surveillance cameras. She pointed out that although the condemnation referenced in Proffer Number 61 might be unlikely, the county continued to require developers to contribute monies toward construction of the grid of streets, and said such a contribution would not be required if condemnation were not a consideration.

Commissioner de la Fe asked if the height of the tower building would interfere with the function of the Federal telecommunication tower. Ms. Baker explained that after meeting with a representative from the agency, the applicant had been assured that it would not.

Commissioner Sargeant asked Ms. Baker to indicate the location of the grocery store and other retail amenities on the site. Ms. Baker noted that the grocery store would be at the corner of

Metro Plaza and Route 7, adding that storefront retail and restaurants would operate throughout Metro Plaza, thereby creating a sense of place.

Commissioner Hurley asked if space would be available for a childcare facility. Ms. Baker noted that retail space might be available; however, outdoor space would be more difficult to find. She noted that the applicant had planned a public facility onsite where a childcare center could be located, but said it had been planned as an educational facility with the option for community and public use. Commissioner Hurley asked about public facilities for patrons visiting the pop-up retail shops, Ms. Baker explained that facilities would be available for citizens shopping at any of the shops onsite, adding that there would be no outdoor facilities.

Commissioner Hart said that if Proffer Number 61 were to remain in the application, the applicant should clarify the offsite parcels that would be affected. He added that the application was silent in regard to public facilities for patrons of the pop-up retail and said it needed to be addressed.

Commissioner Flanagan noticed that no workforce housing had been proposed in Building F under Option 1. Ms. Baker explained that Option 1 for Building F was for an office building, while Option 2 was for residential, which would therefore contain the workforce units.

Commissioner Litzenberger asked how much parking would be available for the grocery store. Ms. Baker said there would be approximately 88 spaces.

Commissioner Lawrence pointed out that the grocery store could be accessed through the garages of each building. In addition, he noted that the language in Proffer Number 5G(i), regarding interim pop-up uses, needed to be modified to remove the word "shown," which had been repeated.

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

Mark Zetts, representing the McLean Citizens Association (MCA), 6640 Kirby Court, Fairfax, supported the application, but suggested that proposals for pop-up retail, including plans and/or illustrations, must be submitted to the county for final approval. He also stated that the parking for the 14,000 square foot proposed educational facility in Building C should be addressed, noting that the current proposal was silent.

Commissioner Litzenberger asked what the MCA's position was on the parking for the grocery store. Ms. Zetts stated that the MCA did not have a position on it.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Ms. Baker, who said that the parking for the educational facility had been incorporated into the proposal as a retail component with notes saying that it would be considered during the site plan review process.

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 Lawrence for action on this case. (A verbatim excerpt of the decisions made is in the date file.)

//

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON RZ 2011-PR-005, FDP 2011-PR-005, AND SEA 2008-MD-036 UNTIL NOVEMBER 6, 2013.

Commissioner Flanagan seconded the motion, which carried by a vote of 11-0. Commissioner Donahue was absent from the meeting.

Commissioner Lawrence MOVED THAT THE BOARD OF SUPERVISORS DEFER ITS PUBLIC HEARING FOLLOWING THE DETERMINATION MADE BY THE PLANNING COMMISSION.

Commissioner Flanagan seconded the motion, which carried by a vote of 11-0. Commissioner Donahue was absent from the meeting.

//

RZ/FDP 2012-BR-020 – EASTWOOD PROPERTIES, INC. – Appls.
to rezone from R-1 to PDH-3 to permit residential development with an overall density of 2.5 du/ac and approval of the conceptual and final development plans. Located on the E. side of Ox Rd., approx. 100 ft. N. of its intersection with Adare Dr. on approx. 5.15 ac. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 77-1 ((1)) 36, 37 and 38. BRADDOCK DISTRICT. PUBLIC HEARING.

Lori Greenlief, Applicant's Agent, McGuireWoods LLP, reaffirmed the affidavit dated September 11, 2013. There were no disclosures by the Commissioners.

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 approval of the applications.

Commissioner Sargeant and Mr. Krasner briefly discussed the stormwater that would be channeled through the site to the rain gardens, and Mr. Krasner noted that it would be conveyed through underground pipes into the garden and storage area.

Commissioner Hart asked who would be responsible for the maintenance of the eight foot wide trail. Ariel Yang, Transportation Planner, Fairfax County Department of Transportation, stated that the new homeowners association (HOA) would be responsible for its maintenance.

Commissioner Hurley asked if the house sizes would be comparable to the surrounding homes. Mr. Krasner stated that they would be slightly larger.

A brief discussion between Commissioner Hedetniemi and Mr. Krasner revealed that the proposed cul-de-sac would be 500 feet long, similar to other county streets. When Commissioner Hedetniemi asked how the proposal would impact the onsite tree cover and vegetation, Mr. Krasner explained that staff had worked with the applicant to provide sufficient buffer for the site from the neighboring residents, acknowledging that while it had been undeveloped and wooded for many years, the applicant would try to soften the impact to the surrounding neighborhoods. Commissioner Hedetniemi cautioned that too much infill development might reduce the county's overall tree canopy.

Ms. Greenlief briefly described the subject site and said that the applicant proposed infill development with a density of 2.5 dwelling units per acre, which was compatible with the neighboring subdivisions. She identified several items that the applicant proposed, which exceeded Zoning Ordinance requirements, which are listed below:

- Open space: the final plan would include 40 percent open space featuring tree save, a tot lot, seating area, and a trail system;
- Tree Preservation: the site would contain 30.6 percent tree preservation;
- Parking: the site would contain 71 parking spaces, almost double the required number;
- Phosphorous Removal: the proposed best management practice (BMP) initiatives would allow 47 percent phosphorous removal; and
- Innovative BMPs, such as permeable pavers, vegetated swales, and conservation easements, in addition to green building practices for the residences, were included in the proposal.

Ms. Greenlief noted that all of the above aspects would create an infill plan compatible with the surrounding subdivisions. She added that the proposal also exceeded county requirements in terms of stormwater management, explaining that the proposed stormwater system would capture the water not only from the proposed site, but also from an additional 3.6 acres adjacent to the subject site, thereby reducing the current surface flow, utilizing an underground storm system and rain garden and releasing it into the existing storm system. She further explained that the proposed system had been analyzed for two-, ten-, and 100-year storms and was determined to have met the allowable release rates. She added that offsite grading could be provided as a solution to drainage issues on the neighboring properties, but stated that in providing the 100-year storm detention and proportional improvements, the applicant was not required to do so. Ms. Greenlief noted that these applications would have no negative impact on the adjacent neighborhoods, noting that the surface flow condition would be improved to predevelopment levels. She stated that staff had recommended approval of the applications, which had also garnered the support of the Braddock District Land Use Committee, and requested that the Commission's approval.

Commissioner Hurley and Ms. Greenlief briefly discussed the current lack of stormwater retention and sheet flow issues, after which Ms. Greenlief reiterated the applicant's proposed plan for detention.

Commissioner Sargeant asked about the location of the existing easement and the depth of the pipes. Ms. Greenlief said that the easement was located on Lot 261, and noted that the pipes located on the property were approximately 10 feet deep. Paul Johnson, President, Charles P. Johnson and Associates, Inc., added that the piping was sufficiently deep throughout the site to carry water off the property. He further described an overland relief route that was proposed to allow water to flow out and off the site before flooding onto adjacent properties. When Commissioner Sargeant asked where overland relief route would be, Mr. Johnson stated that it would follow the pipeline in the existing easement.

Commissioner Flanagan and Ms. Greenlief discussed the tree preservation inventory on Sheets 6 and 7, and Ms. Greenlief explained that Sheet 7 identified trees onsite as well as trees that were to be removed. Chairman Murphy pointed out that development in a planned development housing (PDH) district ensured the preservation of more trees than a typical residential district. Ms. Greenlief agreed and reiterated that the application exceeded the tree preservation target.

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

Betty Hickey, 10914 Oak Park Court, Fairfax, expressed concern about the stormwater runoff, noting that she currently experienced flooding in her backyard during significant storms. She added that her lot, number 261, along with Lot 262, and a neighboring lot at the corner of Middlegate Drive and Shooters Hill Lane all had serious issues with runoff during heavy rain events because of runoff from the proposed site. She questioned the applicant's proposal to connect to the existing pipe, since it could not handle the current flow. In addition, she noted that the neighboring property to the south was under development and the outfall was being diverted to the system in her subdivision. She said that new development would only exacerbate existing flooding problems.

When Commissioner Hurley asked Ms. Hickey about the current lack of overland relief onsite, Ms. Hickey reiterated the existing flooding issues for her lot as well as the neighboring properties.

Timothy Hickey, 10914 Oak Park Court, Fairfax, echoed the previous speaker's remarks, adding that further analysis must be done prior to approval. He added that significant modifications had been made to the initial submission and required concurrence by the property owners. He questioned the applicant's calculations in terms of the amount of water that was expected to drain from the site and asked for deferral of the decision until all of the outstanding issues could be resolved.

Commissioner Hall asked Mr. Hickey to explain how the proposed development would impact his property. He explained that his property was at the lowest point in the subdivision and, therefore, received the entire outfall. He feared that the new development would only add more to the existing outfall.

Carol Stiller, 10714 John Turley Place, Fairfax, spoke in opposition to the applications stating that it did not match the surrounding communities with regard to zoning or density. She added that the surrounding communities were more than their zoning and/or densities and were much larger than what the staff report said would be impacted.

Chairman Murphy pointed out that while he appreciated Ms. Stiller's sense of community, the Planning Commission could only make land use decisions based on the Zoning Ordinance, Comprehensive Plan, and the Public Facilities Manual. He added that in looking at the surrounding areas, all but one were either PDH-3 or R-3, which were comparable to the proposed development.

Robert Paine, 5323 Kipp Court, Fairfax, expressed concern about cut-through traffic in his neighborhood that would result from this development and asked that the decision be deferred until the traffic is reviewed more closely.

Commissioner Migliaccio asked if there traffic calming measures had been in place in Mr. Paine's neighborhood. Mr. Paine stated that approximately six years ago, two speed bumps had been installed within a half a mile of each other near Paynes Church Drive.

A brief discussion ensued between Chairman Murphy and Mr. Paine regarding the cut through traffic in the surrounding neighborhoods, wherein Mr. Paine stated that the applicant needed to provide more detail in its traffic analysis.

Sarah Mayhew, 10756 John Turley Place, Fairfax, expressed concern about the additional stormwater and its impacts on the communities downstream from the proposed development. Noting that she participated in stream cleanups, she said that if the proposed rain gardens on the new development were not properly maintained they would have a negative impact on an existing unnamed stream that ran across the subject site. She recommended that a proffer commitment be added to recommend the county require at the proffer stage that:

- that the final rain garden facility plans be reviewed and approved by the Northern Virginia Soil and Water Conservation District staff;
- the rain garden facility be designed to release water slowly over a period of many days to reduce the storm surge entering the streams;
- the proposed HOA be required to hire a professional maintenance company to ensure that the rain garden and swales are properly maintained in the future; and
- the HOA be required to build reserves for the future replacement of the rain garden when it reaches its span of approximately 20 years, or sooner if not properly maintained.

Betty Mills, 10913 Oak Park Court, Fairfax, expressed concern about the proximity of the sewer line within ten feet of the foundation of her home, pointing out that the PFM required a distance of 15 feet. She said that she had voiced her concerns with the applicant at previous meetings and requested written confirmation of the resulting agreement; however, she stated that when she received the document, the applicant had failed to address her concerns and she feared that the sewer line would be installed on her property.

Chairman Murphy asked Ms. Mills whether there was an easement on her property for the sewer line. She confirmed that an easement existed within ten feet of her house.

Commissioner Hart asked if the proximity of this home to the sewer line created a conflict between the PFM and the location of that line. Mr. Krasner said that he believed a waiver of the

PFM might be required prior to installation of the line, but deferred to the applicant for a more detailed response.

Sebastian Stolorz, 10911 Oak Park Court, Fairfax, expressed concern about the density of the proposed site and said that the application was not compatible with the surrounding communities. He suggested a reduction in the number of houses and pointed out that the proposed houses would be significantly larger than the neighboring homes. He also noted that the tree preservation plan was more of a restoration plan, since there was no attempt to preserve any of the large, mature trees that made up the character of the community.

Rick Jones, President, Middle Ridge Civic Association, 10916 Spurlock Court, Fairfax, echoed many of the sentiments expressed by previous speakers regarding the proposed density, home size, stormwater runoff and detention, and the impacts on the surrounding areas. He noted that the Middleridge Civic Association had several requests, the first of which was an annual contract for a professional maintenance company for the rain garden. He added that the staff report was silent on the expansion of Route 123 and dredging Woodglen Lake, both of which would be heavily impacted by the subject development. He stated that the Middleridge Civic Association requested an independent study be performed to include the expansion of Route 123 and verify that the area of stormwater management required for this development was accurate. He added that because of the added impacts on Adare Drive, the Civic Association requested a simplified intersection of the access road with Adare Drive, as well as a traffic mitigation design that would alleviate the impact on traffic throughout the area. In addition, he noted that a professional company should be responsible for the maintenance of the private access road. (A copy of Mr. Jones's statement is in the date file.)

There being no more speakers, Chairman Murphy called for a rebuttal statement from Ms. Greenlief, who pointed out that the site had been planned for two to three dwelling units per acre, and that the proposal was well within that density at 2.5. She added that the adjacent Middleridge and Fairfax Club Estates communities were similar in density, but had been developed with different requirements, adding that neither had open space abutting them. She reiterated that the proposed stormwater detention system was planned for a 100-year storm and that county staff would ensure that it met the required standards. She acknowledged that there was erosion caused by the existing surface flow and ensured the Commission that the applicant would provide a storm system that would in fact slow the release rate into the existing storm system. In addition, Ms. Greenlief clarified that the applicant proposed to divert the existing sheet flow from its current direction to the rain gardens, rather than the existing inlet. Addressing the concerns raised by Ms. Mills, Ms. Greenlief explained that there was a ten-foot easement on Ms. Mills' property, which sat ten feet from the corner of her house. Ms. Greenlief stated that the applicant would install the sanitary sewer line completely within the easement and re-grade and sod the area afterward. Ms. Greenlief stated that although the county was considering taking over maintenance of rain gardens, the subdivision HOA would have to enter into an agreement to maintain the rain gardens. She pointed out that the developer had a great deal of experience with infill development and had created budgets for such maintenance; therefore, they were confident that the proposed budget for the maintenance would work. With regard to Route 123, she noted that a traffic study had been performed in response to concerns about the intersection with Adare Drive. She noted that mitigation measures regarding signal lights and timing had been recommended and reviewed by county and stated transportation departments. She further noted

that the proposed number of residences would comprise three to four percent of the total traffic in the area, adding that a trip generation study showed a maximum of 19 trips during peak travel hours.

Commissioner Hall encouraged the applicant to review the development plan and consider modifying the layout, including possibly reducing the number of houses. Commissioner Hedetniemi echoed Commissioner Hall's sentiments, adding that the open space should be more integral to the overall space, particularly the tot lot and related sitting area. She added that modifying the layout of the site could also prove more beneficial in relation to the tree preservation.

Commissioner Hart asked if the trail could be widened to ten feet so that VDOT would then take over its maintenance instead of the HOA. Ms. Greenlief said yes. In addition she confirmed that the pipe under Lot 261, at 27 inches, was sufficient to detain water because the proposed system would provide a delayed release that would be slower than the allowable release rate.

Commissioner Lawrence recommended that the Fairfax County Department of Transportation review the traffic for this proposal, cautioning Commissioners that each infill development added to the growing traffic issues throughout the county.

Commissioner Flanagan suggested that during the deferral period Commissioners and staff review the analysis in the staff report provided by Beth Forbes, Engineer IV, Site Development and Inspections Division, DPWES, on "Rezoning/Final Development Plan Application RZ/FDP 2012-BR-020, Eastwood Properties, Inc. - Ox Road Estates, Conceptual/Final Development Plan dated July 26, 2013, LDS Project #25667-ZONA-001-1, Tax Map #77-1-01-0036, -0037, and -0038, Braddock District".

Commissioner Hart asked Ms. Forbes whether county staff had visited the site to examine the pipes and/or the inlet on Lot 261 to determine if the pipes are sufficient to carry the water. Ms. Forbes said that no one had been to the site. She added that the low point in the backyard on Lot 261 had been on the original grading plan, and nothing would change that; however, the proposal would improve the runoff by routing the water to another inlet.

Mr. Krasner pointed out that Appendix 10 of the staff report, which addressed the Sanitary Sewer Analysis Relief, stated that the existing easement could be utilized without any adverse impact to the home.

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 this case. (A verbatim excerpt of the decision made is in the date file.)

//

Commissioner Hurley MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ/FDP 2012-BR-020 TO A DATE CERTAIN OF OCTOBER 30, 2013, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioners Migliaccio and Sargeant seconded the motion, which carried by a vote of 11-0. Commissioner Donahue was absent from the meeting.

//

The meeting was adjourned at 11:45 p.m.

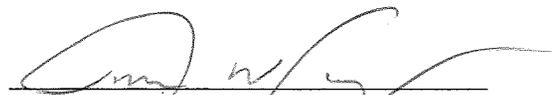
Peter F. Murphy, Chairman

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: Jeanette Nord

Approved on: July 17, 2014



John W. Cooper, Clerk to the
Fairfax County Planning Commission