

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 22, 2008**

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
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large

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The meeting was called to order at 8:22 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 Litzenberger MOVED TO ADMINISTRATIVELY DEFER THE JOINT PUBLIC HEARING ON PCA 78-S-063-06 AND SE 2008-SU-026, THE AEROSPACE CORPORATION, SCHEDULED FOR DECEMBER 4, 2008, TO A DATE CERTAIN OF JANUARY 14, 2009, WITH A BOARD OF SUPERVISORS' PUBLIC HEARING DATE OF JANUARY 26, 2009.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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Commissioner Harsel MOVED THAT THE PUBLIC HEARING ON SEA 85-S-109-02, MEDICAL FACILITIES OF AMERICA XXIX (29) LP, BE DEFERRED TO A DATE CERTAIN OF DECEMBER 4, 2008.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ 2004-LE-042, JAMES PURYEAR, TO A DATE CERTAIN OF DECEMBER 3, 2008.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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Commissioner Hart announced that the Planning Commission's Environment Committee would hold another workshop on riparian buffers on Thursday, October 23, 2008, at 7:00 p.m. in the Board Conference Room.

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On behalf of Commissioner Alcorn, Chairman Murphy announced that the newly-established Planning Commission's Tysons Corner Committee would meet on Thursday, November 6, 2008, at 7:30 p.m. in the Board Conference Room.

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Chairman Murphy reminded Commissioners that there would be no Planning Commission meetings on Thursday, October 23, 2008, and Wednesday, October 29, 2008.

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Chairman Murphy noted that the Planning Commission's Land Use Process Review Committee had met earlier this evening. He said the Committee had accepted the Department of Planning and Zoning staff proposal that when the Commission was not meeting on a given week, staff would deliver staff reports to the District Supervisor's Office or to the Planning Commission Office in lieu of the system currently in place. Chairman Murphy requested that Commissioners respond to an e-mail from staff to select their preferred delivery location.

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BRAC APR Items 08-IV-3LP and 08-IV-4LP

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION ACCEPT THE NOMINATOR'S REQUEST TO WITHDRAW BRAC APR ITEM 08-IV-3LP FROM THE BRAC APR PROCESS.

Commissioners Sargeant and Litzenberger seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION ACCEPT THE NOMINATOR'S REQUEST TO WITHDRAW BRAC APR ITEM 08-IV-4LP FROM THE BRAC APR PROCESS.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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FS-Y08-41 – CRICKET COMMUNICATIONS, 7400T Ordway Road

FS-Y08-44 – CRICKET COMMUNICATIONS, 4511 Daley Drive

FS-Y08-54 – CRICKET COMMUNICATIONS, 4050 Westfax Drive

FS-Y08-69 – CRICKET COMMUNICATIONS, NW Cloverleaf of I-66 & Rte 28 (Sully Road)

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION FIND THE TELECOMMUNICATIONS FACILITIES PROPOSED BY CRICKET COMMUNICATIONS UNDER FS-Y08-41, LOCATED AT 7400T ORDWAY ROAD; FS-Y08-44, LOCATED AT 4511 DALEY DRIVE; FS-Y08-54, LOCATED AT 4050 WESTFAX DRIVE; AND FS-Y08-69, LOCATED IN THE NORTHWEST CLOVERLEAF OF I-66 AND ROUTE 28 (SULLY ROAD), ARE IN SUBSTANTIAL CONFORMANCE WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED "FEATURES SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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FSA-M03-30-1 – SPRINT NEXTEL COMMUNICATIONS, 6066 Leesburg Pike

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF JAMES ZOOK, DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING, DATED OCTOBER 22, 2008, IN FSA-M03-30-1 THAT THE MODIFICATIONS PROPOSED BY SPRINT NEXTEL COMMUNICATIONS TO THE TELECOMMUNICATIONS FACILITY, LOCATED AT 6066 LEESBURG PIKE, IS IN SUBSTANTIAL CONFORMANCE WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioner Lusk seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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FS-B08-66 – CRICKET COMMUNICATIONS, 7920 Woodruff Court

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF JAMES ZOOK, DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING, DATED OCTOBER 16, 2008, IN FS-B08-66 THAT THE TELECOMMUNICATIONS FACILITY CO-LOCATION PROPOSED BY CRICKET COMMUNICATIONS, LOCATED AT 7920 WOODRUFF COURT, IS IN SUBSTANTIAL CONFORMANCE WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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FS-M06-87 – T-MOBILE NORTHEAST LLC, 3435 Sleepy Hollow Road

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION AND FINDING OF JAMES ZOOK, DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING, DATED OCTOBER 16, 2008, IN FS-M06-87 THAT THE TELECOMMUNICATIONS FACILITY CO-LOCATION PROPOSED BY T-MOBILE NORTHEAST LLC, LOCATED AT 3435 SLEEPY HOLLOW ROAD, IS IN SUBSTANTIAL CONFORMANCE WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO *VIRGINIA CODE* 15.2-2232, AS AMENDED.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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ZONING ORDINANCE AMENDMENT (AMENDED CIVIL PENALTIES AND APPEAL PERIOD) (Decision Only)

(The public hearing on this proposed amendment was held on October 16, 2008. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT ADOPT THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING APPEAL PERIOD AND CIVIL PENALTIES, AS CONTAINED IN THE SEPTEMBER 22, 2008 STAFF REPORT, WITH AN EFFECTIVE DATE OF 12:01 A.M. ON THE DAY FOLLOWING ADOPTION.

Commissioner Lusk seconded the motion.

Commissioner Hart MOVED TO AMEND THE MOTION TO DELETE PARAGRAPH 2G FROM PART 3, APPEALS, SECTION 18-303, TIME LIMIT ON FILING, OF THE ZONING ORDINANCE.

Commissioner Litzenberger seconded the motion which carried by a vote of 6-3-2 with Commissioners Lusk, Murphy, and Sargeant opposed; Commissioners Hall and Harsel abstaining; Commissioner Alcorn absent from the meeting.

The original motion, as amended to delete Paragraph 2G from Section 18-303 of the Zoning Ordinance, carried by a vote of 6-3-2 with Commissioners Lusk, Murphy, and Sargeant opposed; Commissioners Hall and Harsel abstaining; Commissioner Alcorn absent from the meeting.

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SEA 83-D-030-08 - THE MADEIRA SCHOOL, INC. (Decision Only)

(The public hearing on this application was held on June 26, 2008. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 83-D-030-8, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE CONTAINED IN ATTACHMENT 1 OF THE SECOND STAFF REPORT ADDENDUM DATED OCTOBER 16, 2008, AND WITH THE FOLLOWING TWO ADDITIONAL CONDITIONS TO BE NUMBERED 16 AND 17:

NUMBER 16 READS, AS FOLLOWS: "THE APPLICANT WILL PARTNER WITH THE NATURE CONSERVANCY, OR OTHER QUALIFIED TRAIL AND CONSERVATION ORGANIZATIONS, TO CONDUCT GUIDED TOURS ON THE EXISTING TRAILS AT LEAST THREE TIMES PER YEAR ON THE SCHOOL CAMPUS. AT THE APPLICANT'S DISCRETION, A MEMBER OF THE APPLICANT'S FACULTY OR STAFF MAY ACCOMPANY THE PARTNER ON EACH HIKE. ALL PARTICIPANTS MAY BE REQUIRED TO INDEMNIFY AND HOLD THE APPLICANT HARMLESS FROM ANY INJURY OR DAMAGE THAT MAY OCCUR AS A RESULT OF THE TOURS."

NUMBER 17 READS, AS FOLLOWS: "THE UNIQUE AND ENDANGERED PLANT SPECIES THAT ARE IDENTIFIED IN 'ECOLOGICAL COMMUNITIES OF THE POTOMAC GORGE IN VIRGINIA' ALONG THE RIVERFRONT SHALL CONTINUE TO BE PROTECTED AND THE RIVERFRONT AREA SHALL BE STEWARDED CONSCIENTIOUSLY."

Commissioners Lawrence and Lusk seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT ALONG ALL BOUNDARIES TO THAT SHOWN ON THE SEA PLAT.

Commissioners Lawrence, Lusk, and Sargeant seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE BARRIER REQUIREMENT ALONG ALL BOUNDARIES TO THAT SHOWN ON THE SEA PLAT.

Commissioners Sargeant, Lawrence, and Lusk seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS REAFFIRMATION OF THE PREVIOUSLY-APPROVED MODIFICATION OF THE TRAIL REQUIREMENT ALONG GEORGETOWN PIKE, IN FAVOR OF THE PREVIOUSLY-GRANTED EASEMENT AND CONSTRUCTION ESCROW PREVIOUSLY POSTED BY MADEIRA SCHOOL.

Commissioners Sargeant and Lusk seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

Commissioner Donahue MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE REQUIREMENT FOR THE STREAM VALLEY TRAIL ALONG THE POTOMAC RIVER BE WAIVED FOR THIS APPROVAL ONLY.

Commissioners Sargeant and Lusk seconded the motion which carried by a vote of 9-0-2 with Commissioners de la Fe and Hart abstaining; Commissioner Alcorn absent from the meeting.

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ORDER OF THE AGENDA

On behalf of Secretary Harsel, Chairman Murphy noted that there was only one public hearing remaining on the agenda:

CSP 2002-PR-016 - PARK CREST SPE PHASE I, L.L.C.

This agenda order was accepted without objection.

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CSP 2002-PR-016 - PARK CREST SPE PHASE I, L.L.C. – Appl. under Sect. 12-210 of the Zoning Ordinance for approval of a Comprehensive Sign Plan associated with RZ 2002-PR-016. Located in the N.W. quadrant of the intersections of West Park Dr. and Park Run Dr. on approx. 13.54 ac. of land zoned PRM. Tax Map 29-4 ((7)) A6, A7, A8, and A9. PROVIDENCE DISTRICT. PUBLIC HEARING.

Suzanne Lin, 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 application.

Sara Mariska, Esquire, with Walsh, Colucci, Lubeley, Emrich & Walsh, PC, stated that the applicant sought approval of a comprehensive sign plan to provide coordinated and complementary signage that was harmonious with the size and scope of the Park Crest development and the surrounding area. She explained that the signage would establish an identity for the community, identify individual portions of the community, and direct pedestrians and motorists throughout the development. Ms. Mariska described the monument entrance sign at the corner of West Park Drive and Park Run Drive and said the applicant agreed with the language added to Development Condition Number 9 specifying the building materials to be used for the sign.

Commissioner Lawrence commented that the Harris Teeter grocery store, anticipated to open in January of 2009, would not have any surface parking, hence the need for oversized and directional signage.

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, he 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 APPROVE CSP 2002-PR-016, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS NOW DATED OCTOBER 22, 2008.

Commissioners Lusk and Sargeant seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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Following the conclusion of this public hearing, Commissioner Hall MOVED THAT THE PLANNING COMMISSION'S PERSONNEL AND BUDGET COMMITTEE GO INTO A CLOSED SESSION IN THE BOARD CONFERENCE ROOM, FOR DISCUSSION AND CONSULTATION WITH THE EXECUTIVE DIRECTOR OF THE PLANNING COMMISSION OFFICE, PERTAINING TO SPECIFIC PERSONNEL AND BUDGET MATTERS RELATED TO PLANNING COMMISSION OFFICE STAFF, PURSUANT TO *CODE OF VIRGINIA* SECTION 2.2-3711 (7).

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Alcorn absent from the meeting.

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The meeting was adjourned at 9:14 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: Kara A. DeArrastia

Approved on: June 23, 2010

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