

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 6, 2013**

PRESENT: Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District
Earl L. Flanagan, Mount Vernon 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

ABSENT: Janet R. Hall, Mason District
Timothy J. Sargeant, Commissioner At-Large

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The meeting was called to order at 8:17 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 had met earlier this evening to receive a presentation from staff regarding the proposed Stormwater Management Amendments, which were still under review and scheduled for decision only on Thursday, November 21, 2013. He said that the Committee also received a presentation from staff on the proposed amendment for Green Buildings. He stated that the Commission would also conduct a workshop regarding this amendment on Wednesday, January 22, 2014. He then announced that the Committee would meet again on the following dates at 7:00 p.m. in the Board Conference room of the Fairfax County Government Center:

- Wednesday, January 29, 2014 (MITRE Part 2 Energy Systems for Buildings)
- Wednesday, February 19, 2014 (Reviewing comments from the Green Buildings Amendment Workshop)

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Commissioner Lawrence stated that the applicant for RZ/FDP 2013-PR-007, EYA Development, LLC, had encountered some issues and submitted a letter requesting the deferral of the public hearing; therefore, he MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR RZ/FDP 2013-PR-007 TO A DATE CERTAIN OF WEDNESDAY, DECEMBER 4, 2013.

Commissioner Litzenberger seconded the motion which carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

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Commissioner Hurley stated that the applicant for RZ/FDP 2012-BR-020, Eastwood Properties, Inc., has submitted a revision and staff was in the process of creating a staff report addendum; therefore, she announced her intent to further defer the decision only for this case to a date certain of Thursday, November 21, 2013, at the Planning Commission meeting on Thursday, November 14, 2013.

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Commissioner Flanagan indicated that the decision only for RZ/FDP 2013-MV-001, A&R Huntington Metro, LLC, was not ready; therefore, he announced his intent to further defer the decision only on this case to a date certain of Thursday, November 14, 2013, at the Planning Commission's meeting on Thursday, November 7, 2013.

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FSA-P00-85-1 – SIRIUS XM, 1751 Pinnacle Drive
FSA-P09-4-2 – VERIZON WIRELESS, 3300 Gallows Road

Chairman Murphy MOVED THAT CONSENT AGENDA ITEMS, FSA-P00-85-1 AND FSA-P09-4-2, BE APPROVED.

Without objection, the motion carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

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FS-S13-23 – AT&T MOBILITY, 12777 Fair Lakes Circle

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-S13-23, AT&T MOBILITY, 12777 FAIR LAKES CIRCLE.

Commissioner de la Fe seconded the motion which carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

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RZ/FDP 2011-PR-005 – NV COMMERCIAL, INC. & CLYDE'S REAL EST. GROUP, INC.
SEA 2008-MD-036 – NV COMMERCIAL INC. (Providence District) (Decisions Only)
(Public Hearing held on October 16, 2013)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2011-PR-005, SUBJECT TO THE EXECUTION OF PROFFERS DATED OCTOBER 29, 2013.

Commissioner Hart seconded the motion which carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2011-PR-005 SUBJECT TO DEVELOPMENT CONDITIONS DATED NOVEMBER 6, 2013 AND THE BOARD'S APPROVAL OF THE CONCURRENT REZONING.

Commissioner Hart seconded the motion which carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SEA 2008-MD-036, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 2, 2013.

Commissioner Hart seconded the motion which carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

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

- A MODIFICATION OF PARAGRAPH 2 OF SECTION 17-201 AND PUBLIC FACILITIES MANUAL (PFM) SECTION 8-0201.3 OF THE ZONING ORDINANCE TO PERMIT THE CONSTRUCTION OF THE SIDEWALKS AND ON-ROAD BIKE LANE SYSTEM SHOWN ON THE CDP IN LIEU OF THE COMPREHENSIVE PLAN TRAILS ONSITE;
- A WAIVER OF SECTION 2-505 TO PERMIT STRUCTURES AND VEGETATION ON THE CORNER LOT, AS SHOWN ON THE CDP AND FDP;
- A WAIVER OF PARAGRAPH 1 OF SECTION 6-506 TO PERMIT A MINIMUM DISTRICT SIZE OF LESS THAN TEN ACRES FOR A PTC ZONED PARCEL;
- A WAIVER TO ALLOW THE USE OF UNDERGROUND STORMWATER MANAGEMENT AND BEST MANAGEMENT PRACTICES IN A RESIDENTIAL DEVELOPMENT (16-WSWD-001-1), SUBJECT TO THE CONDITIONS DATED AUGUST 13, 2013, CONTAINED IN ATTACHMENT A OF APPENDIX 11 OF THE STAFF REPORT;
- A WAIVER OR MODIFICATION OF PARAGRAPH 2 OF SECTION 2-506 TO ALLOW FOR A PARAPET WALL, CORNICE, OR SIMILAR PROJECTION TO

EXCEED THE HEIGHT LIMIT ESTABLISHED BY MORE THAN THREE FEET, AS MAY BE INDICATED ON THE FDP, TO SCREEN MECHANICAL EQUIPMENT;

- A WAIVER OF PARAGRAPHS 3(E) AND 3(G) OF SECTION 10-104 TO INCREASE THE MAXIMUM FENCE HEIGHT FROM 7 TO 14 FEET AROUND ACCESSORY USES/STRUCTURES LOCATED WITHIN THE REAR YARD FOR AREAS ASSOCIATED WITH SPORTS COURTS AND URBAN PLAZAS, AS IDENTIFIED ON THE FDP;
- A MODIFICATION OF PARAGRAPH 4 OF SECTION 11-202 REQUIRING A MINIMUM DISTANCE OF 40 FEET BETWEEN THE LOADING SPACES AND DRIVE AISLE TO PERMIT THE LOADING SPACES AS SHOWN ON THE CDP;
- A WAIVER OF SECTION 11-302 OF THE ZONING ORDINANCE TO ALLOW A PRIVATE STREET TO EXCEED 600 FEET IN LENGTH, AS SHOWN ON THE CDP;
- A MODIFICATION OF SECTION 7-800 OF THE PFM TO ALLOW THE USE OF TANDEM PARKING SPACES AND VALET SERVICES TO BE COUNTED AS REQUIRED PARKING (AS PERMITTED BY THE PTC DISTRICT REGULATIONS);
- A WAIVER OF SECTION 16-403 TO PERMIT A SITE PLAN FOR PUBLIC IMPROVEMENTS PLANS ASSOCIATED WITH PUBLIC ROADWAY, INFRASTRUCTURE, OR FINAL OR INTERIM PARK SPACES, AS SHOWN ON THE CDP, TO BE FILED WITHOUT AN APPROVED FDP;
- A WAIVER OF PARAGRAPH 3(B) OF SECTION 17-201 TO PROVIDE ANY ADDITIONAL INTERPARCEL CONNECTIONS TO ADJACENT PARCELS BEYOND THAT SHOWN ON THE PLANS AND AS PROFFERED;
- A WAIVER OF PARAGRAPH 3(A) OF SECTION 17-201 WHICH REQUIRES A SERVICE DRIVE ALONG LEESBURG PIKE AND CHAIN BRIDGE ROAD;
- A WAIVER OF PARAGRAPH 7 OF SECTION 17-201 TO ALLOW ESTABLISHMENT OF PARKING CONTROL, SIGNS, AND PARKING METERS ALONG PRIVATE STREETS WITHIN THE DEVELOPMENT;
- A WAIVER OF PARAGRAPH 4 OF SECTION 12-515.6(B) TO REDUCE THE MINIMUM PLANTER OPENING AREA FOR TREES USED TO SATISFY THE TREE COVER REQUIREMENT IN FAVOR OF THAT SHOWN ON THE CDP AND FDP;
- A MODIFICATION OF SECTION 12-515.6(B) TO ALLOW TREES LOCATED ABOVE ANY PROPOSED PERCOLATION TRENCH OR BIORETENTION AREAS TO COUNT TOWARDS COUNTY TREE COVER REQUIREMENTS, AS DEPICTED ON THE CDP AND FDP;

- A MODIFICATION OF THE 10 YEAR TREE CANOPY REQUIREMENTS IN FAVOR OF THAT SHOWN ON THE PLANS AND AS PROFFERED;
- A MODIFICATION OF THE ZONING ORDINANCE AND PFM FOR REQUIRED TREE PRESERVATION TARGET AND TEN PERCENT CANOPY TO BE CALCULATED AS SHOWN ON THE OVERALL CDP AREA; AND
- A MODIFICATION OF PARAGRAPH 8 OF SECTION 13-202 AND PARAGRAPH 5 OF SECTION 13-203 OF THE ZONING ORDINANCE FOR INTERIOR AND PERIPHERAL PARKING LOT LANDSCAPING FOR NEW INTERIM SURFACE PARKING LOTS TO WHAT IS SHOWN ON AN APPROVED FDP OR A LANDSCAPE PLAN FOR EXISTING SURFACE LOTS.

Commissioner Hart seconded the motion which carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

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ORDER OF THE AGENDA

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

1. AF 2013-SU-002 – CHARLES KULBOK
2. SEA 99-M-026 - THOMAS LAPHAM (AUTOSTOP SERVICE CENTER)

This order was accepted without objection.

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SEA 99-M-026 – THOMAS LAPHAM (AUTOSTOP SERVICE CENTER) – Appl. under Sects. 4-804, 9-501, 9-503, and 9-622 of the Zoning Ordinance to amend SE 99-M-026, previously approved for a vehicle light service establishment, to permit expansion of vehicle light service operations and the addition of vehicle sales; waivers and modifications in a CRD; waiver of open space requirements and modifications of development conditions. Located at 5635 Leesburg Pk., 22041-2902 on approx. 15,409 sq. ft. of land zoned C-8, CRD, HC, and SC. Tax Map 61-2 ((1)) 96. MASON DISTRICT. PUBLIC HEARING

Chairman Murphy noted that Commissioner Hart would handle this case in Commissioner Hall's absence.

Ronald McCormack, Esquire, Attorney for the Applicant, reaffirmed the affidavit dated September 10, 2013. There were no disclosures by Commission members.

Commissioner Hart 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 Hart for action on this case. (A verbatim excerpt is in the date file.)

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On behalf of Commissioner Hall, Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SEA 99-M-026, SUBJECT TO DEVELOPMENT CONDITIONS DATED OCTOBER 23, 2013.

Commissioner Migliaccio seconded the motion which carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

On behalf of Commissioner Hall, Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE PARKING REQUIREMENT IN A COMMERCIAL REVITALIZATION DISTRICT TO ALLOW 27 PARKING SPACES WHERE 31 SPACES ARE REQUIRED.

Commissioner Migliaccio seconded the motion which carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

On behalf of Commissioner Hall, Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A REAFFIRMATION OF A MODIFICATION OF THE OPEN SPACE REQUIREMENT TO ALLOW 12 PERCENT WHERE 15 PERCENT IS REQUIRED.

Commissioner Migliaccio seconded the motion which carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

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AF 2013-SU-002 – CHARLES KULBOK – Appl. to permit the creation of an agricultural and forestal district authorized by Chapter 115 (County Code), effective June 30, 1983. The purpose is to preserve significant agricultural and forest lands in the County. Located at 7100 Bull Run Post Office Rd., Centreville, 20120, on approx. 47.04 ac. of land zoned R-C and WS. Tax Map 64-1 ((1)) 33. SULLY DISTRICT. PUBLIC HEARING.

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. (A verbatim excerpt is in the date file.)

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Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE AF 2013-SU-002 AND AMEND APPENDIX F OF THE FAIRFAX COUNTY CODE TO ESTABLISH THE KULBOK LOCAL AGRICULTURAL AND FORESTAL DISTRICT, SUBJECT TO THE ORDINANCE PROVISIONS DATED OCTOBER 10, 2013.

Commissioner Flanagan seconded the motion which carried by a vote of 10-0. Commissioners Hall and Sargeant were absent from the meeting.

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The meeting was adjourned at 8:31 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 30, 2014



John Cooper, Clerk to the
Fairfax County Planning Commission