

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, NOVEMBER 8, 2012**

PRESENT: Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
James T. Migliaccio, Lee District
Peter F. Murphy, Jr., Springfield District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District
Ellen J. Hurley, Braddock District

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The meeting was called to order at 8:18 p.m. by Chairman Peter F. Murphy, Jr. in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Litzenberger announced that the Planning Commission's Housing Committee had met earlier this evening with the Fairfax County Redevelopment and Housing Authority (FCRHA) to discuss future policy issues concerning a non-residential contribution for affordable and workforce housing, the Housing Blueprint for Fiscal Year 2013, and the County's efforts to develop new housing options to serve homeless individuals. He noted that the Committee would continue working with the FCRHA to foster increased development of affordable/workforce housing.

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On behalf of the Planning Commission, Chairman Murphy congratulated Dawn Ashbacher, Assistant Director of the Planning Commission Office, on her new position as the Town Manager of Sykesville, Maryland. He expressed appreciation for her competence and efficiency, and commended her readiness to handle difficult situations.

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Chairman Murphy noted that the Veterans Day holiday would be observed on Monday, November 12, 2012. On behalf of the Commission, he paid tribute to the men and women

servicing in the United States Armed Forces and wounded veterans, or “Wounded Warriors,” thanking them for their service and their families for their support. He also recognized the following Commission members who had served themselves, and noted those with family members who have or are currently serving in the U.S. Military:

- John Litzenberger, Air Force;
- Earl Flanagan, Army;
- Ken Lawrence, Army;
- Janet Hall, whose husband served in the U.S. Navy and son is a veteran of Desert Storm; and
- Nell Hurley, a retired Captain in the U.S. Navy, and whose husband retired an Admiral.

Chairman Murphy noted that he had also served in the Army. He also suggested visiting a “Wounded Warrior” or contributing time or money to the Wounded Warrior Project.

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FSA-V97-13-3 – SPRINT, Monopole Collocation at 8101 Lorton Road (Lorton Elementary School)

Chairman Murphy MOVED THE APPROVAL OF THE CONSENT AGENDA ITEM.

Without objection, the motion carried unanimously with Commissioners Alcorn, de la Fe, Donahue, and Hurley absent from the meeting.

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. 2232-P12-4 – FAIRFAX COUNTY PARK AUTHORITY (HARTLAND GREEN PARK)
2. FDPA 89-P-042 – RICHARD AND TERESA GENDRON
3. RZ/FDP 2012-LE-005 – MUSSARAT S., ADEELA I., AND TANZEELA I. AHMAD
4. S11-IV-LP2 – COMPREHENSIVE PLAN AMENDMENT (LAUREL HILL ADAPTIVE REUSE AREA)

This order was accepted without objection.

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2232-P12-4 – FAIRFAX COUNTY PARK AUTHORITY (HARTLAND GREEN PARK) – Appl. under provisions of *Virginia Code* Sects. 15.2-2204 and 15.2-2232, as amended, to

consider the proposal by the Fairfax County Park Authority to develop the Hartland Green Park for public use. The park's master plan envisions the ultimate development will serve the surrounding community with a trail, basketball half-court, playground equipment, a plaza, picnic tables, and "skateable" art. The Hartland Green Park is located at 2733 Hartland Road, Falls Church, VA 22043, Tax Map 49-2 ((16)) 2 and 3.

PROVIDENCE DISTRICT. PUBLIC HEARING.

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

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Commissioner Lawrence CONCURRED WITH STAFF THAT THE PROPOSAL BY THE FAIRFAX COUNTY PARK AUTHORITY TO DEVELOP HARTLAND GREEN PARK, LOCATED AT 2722 HARTLAND ROAD, FALLS CHURCH, VIRGINIA, 22180, SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT, AS SPECIFIED IN *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED, AND MOVED THAT THE PLANNING COMMISSION FIND 2232-P12-4 SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners Litzenberger and Flanagan seconded the motion which carried unanimously with Commissioners Alcorn, de la Fe, Donahue, and Hurley absent from the meeting.

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FDPA 89-P-042 – RICHARD AND TERESA GENDRON –
Appl. to amend the final development plans for FDP 89-P-042 to permit an additional 10.1 ft. from front lot line and associated modifications to development conditions. Located at 2108 Tysons Executive Ct., Dunn Loring, 22027, on approx. 8,751 sq. ft. of land zoned PDH-3. Tax Map 39-2 ((48)) 11. PROVIDENCE DISTRICT. PUBLIC HEARING.

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Joshua P. Desilets, agent for the applicant, reaffirmed the affidavit dated September 15, 2012. There were no disclosures by the Commissioners.

Commissioner Lawrence 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 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 FDPA 89-P-042, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 25, 2012.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioners Alcorn, de la Fe, Donahue, and Hurley absent from the meeting.

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Commissioner Hart stated that more stringent review during the approval process for Planned Residential Districts (P-Districts) would prevent homeowners from having to file FDPA applications for simple home additions like decks and porches. Commissioner Lawrence concurred and suggested a review of the current P-District zonings to evaluate what systematic changes might be made to expedite the process.

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RZ 2012-LE-005 AND FDP 2012-LE-005 – MUSSARAT S. AHMAD, ADEELA I. AHMAD, AND TANZEELA I. AHMAD –
Appls. to rezone from R-1 and HC to PDH-5 and HC to permit residential development with an overall density of 4.86 du/ac, approval of the conceptual and final development plans, waiver of the minimum district size requirements, and a waiver #24949-WPFM-001-1 to permit the location of underground stormwater management facilities in a residential area. Located on the E. side of Villa St. approx. 500 ft. S. of its intersection with Franconia Rd. on approx. 1.03 ac. of land. Comp. Plan Rec: 4-5.5 du/ac. Tax Map 81-4 ((3)) L and M. LEE DISTRICT. JOINT PUBLIC HEARING.

Gregory Riegle, Esquire, McGuire Woods LLP, reaffirmed the affidavit dated August 9, 2012. There were no disclosures by the Commissioners.

Nicholas Rogers, 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 the applications.

In response to a question from Commissioner Migliaccio, Mr. Rogers explained the proposed parking plan and said that the applicant had provided more than enough parking for the proposed development.

Mr. Riegle briefly described the site and said that it had remained unconsolidated when the adjacent property had been rezoned for the Northampton development. He pointed out, however, that the proposed development would be a compatible and cohesive extension of Northampton. He noted several proffer commitments, including universal design, ENERGY STAR for homes qualification, and innovative stormwater management. He added that while Northampton had experienced problems with home additions, the applicants had worked with staff to ensure that provisions for additions could be made during the approval process. Mr. Riegle said that the Lee District Land Use Committee supported the applications and requested the Planning Commission's support.

Commissioner Hart noted the proposed six-foot side yards and asked if reciprocal easements would be included in the proffers, should homeowners need space for ladders to perform home repairs. Mr. Riegle said that although he was confident that the proposed space would be sufficient, the additional language for the easements would be included in the proffers.

Commissioner Lawrence referenced the revised proffers dated November 8, 2012, and asked about the new development's obligation for maintaining the stormwater facility as it pertained to Proffer Number 23, Establishment of HOA [Homeowners Association]. Mr. Riegle explained that if the Kingstowne Residential Owners Corporation (KROC) incorporated the new development, the stormwater facility maintenance would be addressed during the incorporation negotiation. He added, however, that if KROC denied incorporation of the new development, the applicant would be required to establish an HOA, which would be independently responsible for the maintenance of the facility. (A copy of the revised proffers is in the date file.)

Consequently, Commissioner Lawrence suggested that revised Proffer Number 25, Disclosure, be modified to reflect the stormwater facilities maintenance requirement and inclusion of a maintenance guide to inform current and future purchasers of this requirement. Mr. Riegle agreed to incorporate these revisions into the proffers prior to the Board of Supervisors' public hearing on these applications.

Chairman Murphy called for speakers from the audience 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 items. (A verbatim excerpt is in the date file.)

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Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2012-LE-005 AND THE ASSOCIATED CDP, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED NOVEMBER 7, 2012, MODIFIED AS FOLLOWS:

- INCLUSION OF RECIPROCAL EASEMENT AGREEMENT FOR THE USE OF LADDERS; AND
- INCLUSION OF DISCLOSURE INFORMATION TO ALL HOMEOWNERS REGARDING MAINTENANCE OBLIGATIONS FOR THE STORMWATER DETENTION SYSTEM AND A HOW-TO GUIDE.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Alcorn, de la Fe, Donahue, and Hurley absent from the meeting.

Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2012-LE-005, SUBJECT TO THE BOARD'S APPROVAL OF RZ 2012-LE-005, THE ASSOCIATED CDP, AND AMENDED PROFFERS.

Commissioners Sargeant and Lawrence seconded the motion which carried unanimously with Commissioners Alcorn, de la Fe, Donahue, and Hurley absent from the meeting.

Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE WAIVER NUMBER 24949-WPFM-001-1 OF SECTION 6-303.8 OF THE PUBLIC FACILITIES MANUAL TO ALLOW AN ON-SITE UNDERGROUND STORMWATER DETENTION FACILITY IN A RESIDENTIAL DEVELOPMENT, SUBJECT TO THE WAIVER CONDITIONS DATED SEPTEMBER 20, 2012, IN ATTACHMENT A OF APPENDIX 13 IN THE STAFF REPORT.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Alcorn, de la Fe, Donahue, and Hurley absent from the meeting.

Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE MINIMUM DISTRICT SIZE FOR A PDH-5 DISTRICT FROM 2 ACRES TO 1.03 ACRES.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Alcorn, de la Fe, Donahue, and Hurley absent from the meeting.

Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO APPROVE A DEVIATION OF THE TREE PRESERVATION TARGET IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Alcorn, de la Fe, Donahue, and Hurley absent from the meeting.

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S11-IV-LP2 – COMPREHENSIVE PLAN AMENDMENT
(LAUREL HILL ADAPTIVE REUSE AREA) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. The Amendment concerns approx. 79 ac. generally located north of Lorton Road, west of Silverbrook Road, and south of White Spruce Way (Tax Map ID 107-1 ((1)) 9, no assigned address). The area is planned for Alternative Uses, including residential, retail, and education. The Amendment will consider incorporating the Laurel Hill Adaptive Reuse Area Master Plan, which includes residential, retail, and office uses and recommendations for adaptive reuse of historic buildings and new construction. The Plan Amendment will also reflect changes to the Lower Potomac Planning District that have occurred since the last update to the Comprehensive Plan related to the larger Laurel Hill property. Recommendations relating to the transportation network may also be modified. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Leanna O'Donnell, Planning 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 proposed amendment.

Chairman Murphy called for speakers from the audience but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Flanagan for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF THE STAFF RECOMMENDATION FOR PLAN AMENDMENT S11-IV-LP2 FOR THE LAUREL HILL ADAPTIVE REUSE AREA, AS DESCRIBED IN THE STAFF REPORT DATED OCTOBER 17, 2012, AND THE STAFF REPORT ADDENDUM DATED NOVEMBER 1, 2012.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Alcorn, de la Fe, Donahue, and Hurley absent from the meeting.

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ADJOURNMENT

November 8, 2012

The meeting was adjourned at 8:58 p.m.

Peter F. Murphy, Jr., Chairman

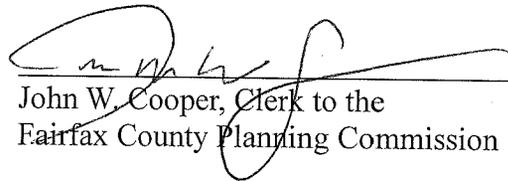
Janet R. Hall, Secretary

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: May 22, 2013





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