

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, NOVEMBER 15, 2012**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District
Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
John L. Litzenberger, Jr., Sully District
James T. Migliaccio, Lee District
Peter F. Murphy, Jr., Springfield District

ABSENT: Kenneth A. Lawrence, Providence District
Timothy J. Sargeant, Commissioner At-Large

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The meeting was called to order at 8:27 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

Chairman Murphy announced that the Planning Commission would not meet next week due to the Thanksgiving holiday, adding that the Commission would next meet on Thursday, November 29, and Wednesday, December 5, 2012, the final Commission meetings of this year.

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Chairman Murphy welcomed Pamela Blumenthal, a doctoral candidate in Public Policy at George Washington University, who was observing tonight's meeting as part of her studies.

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Commissioner Hart announced that the Planning Commission's Environment Committee would meet on Thursday, November 29, 2012, at 7:00 p.m., in the Board Conference Room of the Fairfax County Government Center to complete the review of the Green Building Policy strawman document. He added that the Committee would also receive a briefing from staff regarding electric vehicle charging infrastructure. He noted that everyone was welcome to attend.

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION APPROVE THE FOLLOWING MINUTES:

MAY 3, 2012	JUNE 28, 2012	JULY 12, 2012
MAY 10, 2012		JULY 19, 2012
MAY 17, 2012		JULY 25, 2012
MAY 31, 2012		JULY 26, 2012

Commissioner Hart seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Lawrence and Sargeant absent from the meeting. *(Note: The minutes for the meeting held on June 14, 2012 were approved on November 29, 2012.)*

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FSA-M08-40-1 – CRICKET COMMUNICATIONS, INC., 3601 Firehouse Lane (Baileys Crossroads Fire Station)

Chairman Murphy MOVED THE APPROVAL OF THE CONSENT AGENDA ITEM.

Without objection, the motion carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Lawrence and Sargeant absent from the meeting.

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Commissioner Donahue MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ 2012-DR-017, CHRISTOPHER AND KAREN BARTH, TO A DATE CERTAIN OF NOVEMBER 29, 2012.

Commissioner Litzenberger seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Lawrence and Sargeant absent from the meeting.

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. RZ/FDP 2012-MV-007 – BAINBRIDGE COMMUNITIES ACQUISITION III, LLC
2. RZ/FDP 2012-BR-014 – ELEVEN OAKS, LLC
3. RZ 2012-MA-012 AND SE 2012-MA-011 – TITAN AMERICA, LLC
4. PCA 89-L-008 – FAIRFAX COUNTY SCHOOL BOARD

This order was accepted without objection.

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RZ 2012-MV-007 AND FDP 2012-MV-007 – BAINBRIDGE
COMMUNITIES ACQUISITION III, LLC – Appls. to rezone from R-3, R-20, C-5, and C-8 to PRM to permit mixed-use development with an overall density of 46.7 including Affordable Dwelling Units (ADU) (1.3 FAR), bonus density, approval of the conceptual and final development plans, and a waiver (#5224-WPFM-001-1) to permit the location of underground stormwater management facilities in a residential area. Located in the N.W. quadrant of the intersection of Richmond Hwy. and Backlick Rd. on approx. 6.06 ac. of land. Comp. Plan Rec: Option Mixed-Use 30-40 du/ac. Tax Map 109-1 ((1)) 5, 6, 7, 8, 9, 13, 14, 15, and 16 and portions of public right-of-way for Anderson Lane 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 Anderson Lane to proceed under Section 15.2-2272 (2) of the *Code of Virginia*.) MOUNT VERNON DISTRICT. JOINT PUBLIC HEARING.

Gregory Riegle, Esquire, McGuireWoods LLP, reaffirmed the affidavit dated October 2, 2012. There were no disclosures by the Commissioners.

William Mayland, 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.

Commissioner Flanagan pointed out that the property in front of the subject site would be condemned in order to allow the widening of Richmond Highway; hence, this site would ultimately front the roadway.

Mr. Riegle explained that this site was envisioned by the community to be developed with a high-quality mixed-use project. He noted that after a Comprehensive Plan Amendment and over 30 community meetings, this proposal had received support from the South County Federation, Mount Vernon Council, Southeast Fairfax Development Corporation, and Mount Vernon-Lee Chamber of Commerce. He said that while the site contained constraints that challenged developers, its location provided an opportunity to address the desired jobs and housing balance relative to the growth of nearby Fort Belvoir. He added that the development conditions and proffers reflected the applicant's commitment to a high-quality, walkable, mixed-use project and requested the Planning Commission's approval.

In response to a question from Commissioner Flanagan, Mr. Riegle said the existing language in Proffer Number 32, Affordable Dwelling Units (ADUs), was appropriate. He explained that community groups had expressed interest in providing affordable housing as an alternative to the County standard. He stated that the proffer language reflected the community interest while also

clearly stating that the applicant must deal with the appropriate approval authority, the ADU Advisory Board, and follow the current policies in place.

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

Rebecca Shreve-Gore, P.O. Box 659, Amelia, stated that her family owned the Shreve Service Center, located at 9180 Richmond Highway, directly across from the subject site. She said that although her family did not support this proposal, she wanted to express her support for a rezoning of the property that would permit commercial use, with the hope that the service station could be rebuilt nearby if the County condemned the current site for the future widening of Richmond Highway.

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

Answering a question from Commissioner de la Fe, Mr. Riegle stated that the number of affordable dwelling/workforce housing units would cumulatively amount to 12 percent of the total provided on-site.

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 Flanagan for action on these items. (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 THAT IT APPROVE RZ 2012-MV-007 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE PROFFERS DATED NOVEMBER 15, 2012.

Commissioner Litzenberger seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Lawrence and Sargeant absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2012-MV-007, SUBJECT TO THE PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS CONTAINED IN APPENDIX 2 OF THE STAFF REPORT, THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2012-MV-007, AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Litzenberger seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Lawrence and Sargeant absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE WAIVER NUMBER

5224-WPFM-001-1 OF SECTION 6-0303.8 OF THE PUBLIC FACILITIES MANUAL, TO ALLOW AN UNDERGROUND STORMWATER VAULT ON A RESIDENTIAL PROPERTY, SUBJECT TO THE WAIVER CONDITIONS IN ATTACHMENT 3A OF APPENDIX 3 IN THE STAFF REPORT.

Commissioner Litzenberger seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Lawrence and Sargeant absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND O THE BOARD OF SUPERVISORS THAT IT APPROVE A MODIFICATION OF SECTION 13-303 OF THE ZONING ORDINANCE FOR THE TRANSITIONAL SCREENING REQUIREMENTS ALONG THE EASTERN BOUNDARY, A WAIVER OF SECTION 13-304 OF THE ZONING ORDINANCE FOR THE BARRIER REQUIREMENT ALONG THE EASTERN BOUNDARY, AND MODIFICATIONS OF THE BARRIER LOCATION ALONG THE NORTHERN BOUNDARY, AS SHOWN ON THE CONCEPTUAL DEVELOPMENT AND FINAL DEVELOPMENT PLANS.

Commissioner Litzenberger seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Lawrence and Sargeant absent from the meeting.

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RZ 2012-BR-014 AND FDP 2012-BR-014 – ELEVEN OAKS, LLC – Appls. to rezone from R-1 to PDH-8 to permit residential development with an overall density of 6.9 dwelling units per acre (du/ac) for the Fairfax County portion and 6.5 du/ac for the overall development (including the City of Fairfax) and approval of the conceptual and final development plans. Located N. of University Dr., approx. 350 ft. E. of intersection with Ox Rd. and S. of School St. on approx. 5.36 ac. of land. Comp. Plan Rec: 7 du/ac. Tax Map 57-4 ((1)) 6. BRADDOCK DISTRICT. JOINT PUBLIC HEARING.

Elizabeth Baker, Land Use Planner, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavit dated October 10, 2012. There were no disclosures by the Commissioners.

William O'Donnell, 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.

Responding to questions from Commissioner Hurley, Mr. O'Donnell confirmed that the County Attorney's Office was satisfied with the Letter of Understanding between George Mason University (GMU) and the applicant regarding the provision of stormwater management facilities, as shown on Sheet 11 of the CDP/FDP in the staff report. He noted that the Department of

Public Works and Environmental Services (DPWES) had also reviewed the agreement. He added that Sheet 6 of the CDP/FDP included a letter from the City of Fairfax Utilities Department indicating that the City would provide water service to the subject property. (Copies of these letters are in the date file.)

In reply to questions from Commissioner Hart, Mr. O'Donnell stated that Fairfax City would be responsible for fire protection service, as indicated in Note 6 on Sheet 6 of the CDP/FDP. He pointed out that there would be adequate radius on the private roads to accommodate fire truck movement. In addition, he noted that the logistics for school attendance would be addressed as part of an ongoing boundary study. He also said that none of the lots on the subject site ran through the boundary line separating the County and Fairfax City.

Ms. Baker stated that the subject property was located immediately adjacent to the City of Fairfax (henceforth referred to as "the City"), adding that the applicant had coordinated closely with the City to ensure that the proposed development would be seamless and harmonious. She explained that the consolidated residential community would consist of 49 single-family homes, of which 37 would be located in the County and 12 would be located in the City. She said the development would provide a transition between a higher density of units on the west and a lower density on the east. Ms. Baker added that fronting the units onto George Mason Boulevard or School Street created a favorable streetscape that was pleasant and safe for pedestrians. She noted that the proposed tree preservation plan included the preservation of a large Red Oak on the subject site and a large Tulip Poplar on the adjacent City site in addition to trees along the eastern and southern boundaries. She indicated that George Mason Boulevard would continue to be maintained by the City. She added that the applicant had worked with City representatives to ensure that the access points to the community on George Mason Boulevard would function effectively. Ms. Baker stated that the City would provide sanitary sewer collection and water services to the subject property, as indicated in letters from the City of Fairfax Utilities Department on Sheet 6 of the CDP/FDP. She said the City would also be the first responder for fire emergencies. She pointed out that the portion of the proposed development located in the City would be served by City schools and the portion located in the County would be served by County schools. She explained that the Letter of Understanding between GMU and the applicant outlined the general responsibilities for construction and upgrades to the stormwater management facilities for each party, adding that DPWES accepted the proposed measures. She noted that bicycle facilities were provided at the GMU campus, shared-lane marking or sharrows were provided along George Mason Boulevard, and a joint pedestrian/bicycle asphalt trail was provided along the west side of George Mason Boulevard. Ms. Baker said she believed that the proposed density and design were in keeping with the Comprehensive Plan recommendations. In addition, she expressed appreciation for the efforts of the Braddock District Land Use Committee and County staff.

Commissioner Hart noted the five-foot minimum side yard and asked if the applicant would provide reciprocal easement agreements for the property owners. Ms. Baker stated that it would be included in the homeowner documents.

In response to questions from Commissioner Flanagan, Mr. O'Donnell confirmed that the site was currently vacant. He added that the applicant had committed to protect the existing trees on-site and the critical root zones. He added that staff was confident that the tree preservation plan was sufficient.

Answering questions from Commissioner de la Fe, Ms. Baker explained that although the stormwater management would be handled by Fairfax City, a 2232 Review application had been filed with the County for the sanitary sewer pump station that would be built on the western portion of the site. Mr. O'Donnell added that it would be approved by the Planning Commission before the subject applications went before the Board of Supervisors.

Chairman Murphy called for speakers from the audience.

Donald Garret, George Mason University student, c/o George Mason University, 4450 Rivanna River Way, Fairfax, spoke in opposition to the applications, noting that GMU continued to grow and should have additional affordable housing for the students. He added that the proposed cost of the new homes was prohibitive since none of the teachers or students at GMU could afford to live at Eleven Oaks. He pointed out that the high volume of traffic around the campus would detract homebuyers and suggested that such traffic could be avoided with additional student housing.

Christopher Terry, 10531 School Street, Fairfax, questioned whether anyone had performed a study of the water pressure at the proposed location. He noted that he lived adjacent to the site and said that auxiliary pressure pumps had been installed in several of the units in his neighborhood because of low pressure conditions. He asked that the Planning Commission take this into consideration during its deliberations on this proposal.

Dan Lee, 10533 School Street, Fairfax, noted that he also lived in the adjacent Fairfax Gateway Community and asked how the applicant planned to maintain the separation between the proposed site and his neighborhood.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Ms. Baker, who stated that the applicant was aware of the neighboring issues with water pressure. However, she noted that after speaking with the Director of Utilities for the City of Fairfax, residents could be assured that there was adequate water pressure. She added that the issue would be reevaluated during the site plan review process and, if auxiliary boosters were required, the applicant would install them. With regard to maintaining separation of the properties, Ms. Baker stated that there was a fence along the boundary line to separate the site from the neighboring community. She added that the applicant had committed in its tree preservation plan to provide additional trees and plantings to serve as buffering.

In response to a question from Commissioner Alcorn, Ms. Baker noted that the Braddock District Land Use Committee had met with Fairfax Gateway residents on several occasions.

In reply to questions from Commissioner Flanagan, Ms. Baker stated that a number of universal design features would be installed in the units regardless of the purchasers. She pointed out that the provision of access ramps would depend on the timing of the construction and purchaser.

Answering questions from Commissioner Hurley, Ms. Baker described the tree plantings along George Mason Boulevard and said that the applicant would provide consistent tree canopy along both sides of the street. When asked about low-impact development techniques, Ms. Baker said that the applicant would provide stormwater detention through bio-retention rain gardens.

Responding to an additional question from Commissioner Flanagan, Ms. Baker confirmed that the residents of the new homeowners association would be responsible for the maintenance of the rain gardens.

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

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Commissioner Hurley MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2012-BR-014, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 30, 2012.

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

Commissioner Hurley MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2012-BR-014, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF THE CONCURRENT REZONING APPLICATION.

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

Commissioner Hurley MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE 600-FOOT MAXIMUM LENGTH FOR A PRIVATE STREET.

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

Commissioner Hurley MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE OFF-STREET PARKING SPACE REQUIREMENT, SECTION 11-102(1), WHICH REQUIRES OFF-STREET PARKING SPACES TO BE LOCATED ON THE SAME LOT AS THE STRUCTURE, TO PERMIT EXTENSIONS OF THE DRIVEWAY BEYOND THE LOT LINE SHOWN ON THE CDP/FDP.

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

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RZ 2012-MA-012 – TITAN AMERICA, LLC – Appl. to rezone from C-8 and R-2 to I-6 to permit industrial development with an overall Floor Area Ratio (FAR) of 0.05. Located on the E. side of Industrial Dr., N. of Iron Pl., N. and S. of Electronic Dr., on approx. 1.28 ac. of land. Comp. Plan Rec: Industrial. Tax Map 80-2 ((1)) 33pt. (Concurrent with SE 2012-MA-011.) MASON DISTRICT.

SE 2012-MA-011 – TITAN AMERICA, LLC – Appl. under Sects. 5-604 and 9-607 of the Zoning Ordinance to permit concrete mixing and batching plant and increase in building height from 75 ft. to 85 ft. Located at 6600 Electronic Dr., Springfield, 22151, on approx. 9.43 ac. of land zoned I-6. Tax Map 80-2 ((1)) 33 and 33A. Concurrent with RZ 2012-MA-012.) MASON DISTRICT. JOINT PUBLIC HEARING.

Andrew Painter, Esquire, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavit dated September 28, 2012. There were no disclosures by the Commissioners.

St. Clair Williams, 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 Hall, Mr. Williams explained that Development Condition Number 11 of the Revised Development Conditions, dated November 14, 2012, noted that a point of contact would be provided to the Lincolnia Park Civic Association and the Mason District Supervisor's Office. He added that responses to citizen concerns must be provided within 14 business days. (A copy of the Revised Development Conditions is in the date file.)

Answering additional questions from Commissioner Hall, Mr. Williams confirmed that the R-2 portion of the site was less than an acre, the site sat adjacent to the I-395/I-495 interchange, and that the application provided an opportunity to consolidate the industrial zoning within the Shirley Industrial Park.

In reply to a question from Commissioner de la Fe, Mr. Williams described the location of the nearest residential community to the subject site.

Commissioner Migliaccio suggested that the point of contact information in Development Condition Number 11 include telephone numbers, particularly in light of recent correspondence regarding concerns about truck traffic through the neighborhoods. Mr. Williams replied that staff would consider including full contact information in this condition.

Commissioner Hall addressed the resident concerns regarding truck traffic and discussed the routes the trucks would use.

Responding to a question from Commissioner Hart, Mr. Williams confirmed that no residential construction could occur on the R-2 portion of the site because of its proximity to the Interstate.

Mr. Painter explained that Titan America had been looking for a site inside the Beltway, noting that the proposed site would offer the ability to provide a concrete mixing plant and reuse of an existing industrial site. He added that the site would also be an acceptable distance from residential neighborhoods while also serving the residential and commercial projects within a 20-mile radius. He pointed out that County staff had suggested consolidating the entire property to the I-6 District, noting that the proposed use would fall well under the maximum floor area ratio (FAR) recommended in the Comprehensive Plan. Mr. Painter explained that the development would occur in three phases, the first of which would contain the most changes on the property, including the demolition of some of the existing buildings, construction of maintenance shops, and the installation of two temporary ready-mix concrete plants. He added that the last two phases would take two to five years, during which two permanent plants would be constructed in place of the temporary ones. He stated that Titan enjoyed a good record of environmental stewardship and had in fact selected this site for its adaptive reuse potential and to minimize their carbon footprint, thereby lowering their operating costs. Mr. Painter pointed out that the applicant would dedicate one acre of the site to the County for a conservation easement for mature hardwoods. He added that the development would cause no increase in stormwater runoff, noting that the applicant had committed to reducing phosphorous and implementing other best management practices in excess of County requirements. He said that Titan would upgrade the existing parking lot, plant a minimum of 18 new trees, remove several spaces, and install several landscaped median islands. He stated that by law Titan must meet strict emissions and particulate dust requirements, adding that no noise, odors, or noxious fumes would emanate from the site. With regard to traffic, Mr. Painter noted that a traffic study discovered a negligible increase in the morning and evening peak-hour trips. He added that Titan had found this site favorable because of its proximity to the nearby railroad. He stated that a phone number would be provided for the point of contact to allow citizens to voice their concerns. He added that the applicant had met with nearby residents and civic/homeowners associations to discuss concerns regarding traffic and reiterated that the traffic would not enter the residential neighborhoods. Mr. Painter noted that the applicant had also contacted representatives from Washington Gas, which operated across from the site, and said that they supported the application. In addition, he noted that the application received a unanimous recommendation from the Mason District Land Use Committee.

Responding to questions from Commissioner Litzenberger, Mr. Painter noted that concrete would be manufactured on-site and moved off-site by trucks. He stated that the total trip

generation would be 383 per day and reiterated that Titan America would simply replace the current heavy industrial use. He added that the trucks would travel via Edsall and Backlick Roads to the Interstate, all of which could handle the frequency and weight of the trucks.

Chairman Murphy called for speakers from the audience and received no response. He noted that there was no need for rebuttal; however, he recognized Mr. Painter for closing remarks.

Mr. Painter noted that the number of trucks on-site would depend on the job specifications; however, on average there would be approximately 100 during peak hours.

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 Hall for action on these items. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2012-MA-012, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED NOVEMBER 13, 2012.

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

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2012-MA-011, SUBJECT TO THE DEVELOPMENT CONDITIONS NOW DATED NOVEMBER 15, 2012.

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

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG ALL SIDES OF THE SUBJECT PROPERTY, SUBJECT TO THE TREATMENT ON THE GDP/SE PLAT AND AS CONDITIONED.

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

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE REQUIREMENTS FOR RIGHT-OF-WAY DEDICATION AND CONSTRUCTION OF CURB, GUTTER, AND SIDEWALK ALONG INDUSTRIAL DRIVE, ELECTRONIC DRIVE, AND IRON PLACE, IN FAVOR OF THAT SHOWN ON THE GDP/SE PLAT AND AS CONDITIONED.

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

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PCA 89-L-008 – FAIRFAX COUNTY SCHOOL BOARD –

Appl. to amend the proffers for RZ 89-L-008 previously-approved for public school to permit an increase in proffered gross floor area for renovation/expansion of existing facilities and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.22. Located at 7101 Old Keene Mill Rd., Springfield, 22150, on approx. 8.14 ac. of land zoned R-3 and HC. Comp. Plan Rec: Public Use. Tax Map 90-1 ((1)) 52. LEE DISTRICT. PUBLIC HEARING.

Susan Yantis, Land Use Planner, Hunton & Williams LLP, reaffirmed the affidavit dated October 9, 2012. There were no disclosures by the Commissioners.

Mary Ann Tsai, 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.

Commissioner Migliaccio announced his intent to defer the decision only on this case at the end of the public hearing.

In response to questions from Commissioner Migliaccio, Alan Kessler, Fairfax County Department of Transportation (FCDOT), explained that it would be more appropriate to install an eight-foot pedestrian/bicycle path closer to the school and away from the existing utilities.

When Commissioner Migliaccio asked about the reference to Project Number AC9517 of the Accotink Creek Watershed Management Plan, under Stormwater Management Analysis on page 17 of the staff report, Craig Carinci, Stormwater Planning Division, Department of Public Works and Environmental Services (DPWES), explained that it described a 25-year Best Management Practice (BMP) project identifying a bio-retention facility and bio-swale. He noted, however, that upon coordination with the engineer for this project, DPWES had determined that neither of the projects could be accomplished because of existing conditions. He stated that DPWES continued to work with Fairfax County Public Schools (FCPS) to deal with stormwater management and applauded the Schools' proposed improvements.

Commissioner Hart expressed concern about the lack of specificity in the proffers with regard to the Chesapeake Bay Preservation Ordinance (CBPO), and stated that this application should incorporate specific commitments to stormwater enhancements as depicted in the Accotink Watershed Management Plan. Mr. Carinci responded that DPWES was actively working with FCPS' engineer to identify stormwater enhancements on the site, adding that it was in both the

County's and Schools' interest to meet the requirements of the Municipal Separate Storm Sewer System (MS4) Permit, requiring the retrofit of facilities currently without stormwater.

Commissioner Hart recommended that the applicant commit in writing the specific stormwater management improvements planned to be incorporated into the project so that it was enforceable by the County. He then asked whether staff anticipated identifying achievable stormwater enhancements for the school site during the deferral period to which Mr. Carinci confirmed.

Answering a question from Commissioner Migliaccio, Mr. Carinci confirmed that staff would provide a range of possible solutions and would coordinate with the applicant during the deferral period.

Commissioner Hurley noted that the Accotink Watershed required attention and stated that applicants wishing to develop in the area must provide specific commitments in adherence to the CBPO. When she asked who would finance the on-road bicycle lane along Old Keene Mill Road, Ms. Tsai replied that the County would. Commissioner Hurley then requested that the applicant address the time discrepancy between the beginning of the renovation and the construction of the sidewalk, as noted in Proffer Number 4B of the revised proffers, dated November 14, 2013, a copy of which is in the date file.

Ms. Yantis explained that the applicant proposed a renovation of the Garfield Elementary School, which had originally been built in the 1950s. Addressing Commissioner Hurley's earlier request, she noted that the existing sidewalk along Spring Road would be widened at the same time as the renovation, adding that Proffer Number 4B had initially been written because a minor site plan review ran concurrently with this application. She indicated that a separate site plan would likely be submitted for the sidewalk improvements and trail along Old Keene Mill Road. She pointed out that no stormwater detention or BMP facilities currently existed on the site and stated that the proposed underground stormwater detention and infiltration system would exceed the Public Facilities Manual requirements. With regard to the Countywide Trails Plan requirement, Ms. Yantis explained that the applicant proposed to avoid the existing utilities and improve the sidewalk system by constructing an eight-foot-wide sidewalk along Old Keene Mill Road, as well as a fence and a grass strip area where the Virginia Department of Transportation (VDOT) could relocate its existing signage. She said she believed that this proposal accomplished the Comprehensive Plan Trail recommendation and provided connectivity throughout this area. However, she pointed out that staff's request for the trail location would place the trail within five feet of the school and would therefore need to be evaluated further. Ms. Yantis noted that the applicant had agreed to provide an easement, upon request by the County, for an on-road bicycle lane along a portion of Old Keene Mill Road to be constructed by others. She stated that the school renovation would benefit the community and reiterated that the applicant would continue to work with staff regarding the trail location.

Commissioner Migliaccio commended the applicant for agreeing to construct the trail and sidewalk concurrent with the construction of the school renovation. When he asked about commitments to adhere to the Accotink Creek Watershed Management Plan, Ms. Yantis explained that the applicant had proposed to provide improvements through stormwater

detention and BMP facilities. Commissioner Migliaccio suggested that the applicant prepare proffer language during the deferral period demonstrating its intent to continue ongoing coordination with the Stormwater Planning Division, DPWES, to incorporate proposed stormwater management solutions to the greatest extent possible.

Answering additional questions from Commissioner Migliaccio, Ms. Yantis explained where the fence would be located and said she would determine what adjustments might be made for safety during the deferral period. In addition, she explained that after a brief discussion with a noise consultant, it had been determined that noise from the proposed cooling tower would not exceed Ordinance requirements, adding that she would send the notification to the Planning Commission. She also noted that the tower would be screened by a brick wall consistent with the school's architecture.

Commissioner Hart expressed concern about the County's responsibility for the maintenance costs of the trail. Mr. Kessler pointed out that VDOT would maintain the extended sidewalk that abutted the curb along Old Keene Mill Road, but the County would maintain the asphalt trail. In addition, Commissioner Hart suggested that the issue concerning the location of the trail be reexamined during the deferral period.

Commissioner de la Fe expressed concern that none of the proffers addressed stormwater management. Therefore, he suggested that Ms. Yantis explore the development condition language regarding stormwater management for another FCPS case (PRC C-203, Terraset Elementary School) to determine whether similar language could be adapted to this proposal during the deferral period. Ms. Yantis concurred and said proffer language detailing the proposed stormwater management/BMP facilities and low-impact development measures would be provided.

Answering questions from Commissioner Flanagan, Mr. Kessler reiterated the applicant's proposed trail plan and FCDOT's alternate suggestion. In addition, Mr. Kessler and Ms. Yantis confirmed that the applicant would replace the existing sidewalk with eight feet of concrete, thereby upgrading and widening the walkway.

In reply to questions from Commissioner Hurley, Ms. Yantis said that the on-road bicycle lane was part of the Countywide Trails Plan and not part of the School renovation. She confirmed that this lane was not intended for school children to ride along Old Keene Mill Road.

Chairman Murphy called for speakers from the audience and received no response. He noted that there was no need for rebuttal. There were no further comments or questions from staff.

Commissioner Flanagan noted his support for the deferral, adding that stormwater detention was extremely important to the Accotink Watershed.

Commissioner Migliaccio reiterated Ms. Yantis' earlier remarks regarding the eight-foot trail and reiterated that the deferral period would allow for resolution of the stormwater detention plan.

There were no further comments from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Migliaccio for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PCA 89-L-008 TO A DATE CERTAIN OF NOVEMBER 29, 2012, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMUNICATION.

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

Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DELAY ITS PUBLIC HEARING UNTIL AFTER THE PLANNING COMMISSION MAKES ITS RECOMMENDATION FOR PCA 89-L-008.

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

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The meeting was adjourned at 10:27 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: _____

Kara A. DeArrastia, Clerk to the
Fairfax County Planning Commission