

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, DECEMBER 10, 2015**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
Julie Strandlie, Mason District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Earl L. Flanagan, Mount Vernon District
John L. Litzenberger, Jr., Sully District
Janyce N. Hedetniemi, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Kenneth A. Lawrence, Providence District

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The meeting was called to order at 8:18 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

Chairman Murphy announced that this evening would be the Planning Commission's last meeting for 2015, adding that the Commission would not meet again until Wednesday, January 13, 2016. He commended staff from the Planning Commission, the Department of Planning and Zoning, and the other departments who had helped the Commission throughout the year.

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FS-V14-38 – VERIZON WIRELESS, 2006 Belle View Boulevard

(Start Verbatim Transcript)

Commissioner Flanagan: I have a "feature shown" application listed as FS-V14-38 on the agenda tonight. In the application, Verizon Wireless asks permission to collocate six additional panel antennas in the 91-foot high steeple of the Mount Vernon Methodist Church at 2006 Belle View Boulevard in Alexandria, and four equipment cabinets, and one generator to the rear of the church. The six antennas and the ground equipment are not visible from the street or adjacent buildings and therefore satisfy the "feature shown" guideline policies a and c in Objective 44. I CONCUR WITH STAFF'S CONCLUSION THAT THIS NEW VERIZON WIRELESS ANTENNA COLLOCATION IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN." I THEREFORE MOVE THAT THE PLANNING

COMMISSION FIND APPLICATION FS-V14-38 MEETS THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT, AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Is there a discussion of the motion? All those in favor of the motion to concur with the “feature shown” determination in FS-V14-38, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

(End Verbatim Transcript)

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SE 2015-SU-014 – DEBRA E. GOODMAN t/a WEE TENDER CARE

(Start Verbatim Transcript)

Commissioner Litzenberger: Thank you, Mr. Chairman. I have a case this evening that we have to defer because – due to an affidavit issue. So I WOULD LIKE TO DEFER SE 2015-SU-014, THE WEE TENDER DAYCARE, TO A DATE CERTAIN OF JANUARY 14TH, 2016.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion of the motion? All those in favor of the motion to defer SE 2015-SU-014 to a date certain of January 14th, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

(End Verbatim Transcript)

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AR 98-S-001-02 – EDITH BIERLY

(Start Verbatim Transcript)

Chairman Murphy: Due to a scheduling issue with an agricultural and forestal district advisory committee meeting, which is required – a requirement for an A&F case prior to it being heard by

the Planning Commission, I MOVE THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR AR 98-S-001-02, CURRENTLY SCHEDULED FOR JANUARY 28TH, TO A DATE CERTAIN OF MARCH 2ND.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

(End Verbatim Transcript)

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PA 2015-IV-T1 – COMPREHENSIVE PLAN AMENDMENT (NEWINGTON RD)
(Decision Only) (The public hearing on this application was held on December 3, 2015.)

(Start Verbatim Transcript)

Commissioner Flanagan: On December 3, after deferring action on PA 2015-IV-T1, we tabled a following on motion [*sic*] – we tabled a follow-on motion of mine regarding a study for Newington Road. The follow-on motion recommended details for the proposed study. Since then the Board of Supervisors on December 8 moved to authorize such a study and the scope of the study. It now makes unnecessary our tabled motion. I therefore MOVE TO LIFT THAT MOTION FROM THE TABLE SO THAT IT CAN BE WITHDRAWN.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Is there a discussion of the motion? All those in favor of the motion to remove that item from the table, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Flanagan.

Commissioner Flanagan: Yes, and then I wish to - I MOVE TO WITH WITHDRAW THE MOTION AND LIFT IT FROM THE TABLE.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. All those in favor of the motion to withdraw the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

(End Verbatim Transcript)

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SE 2015-HM-013 – SINGH PROPERTIES, II, LLC (Decision Only) (The public hearing on this application was held on October 21, 2015.)

(Start Verbatim Transcript)

Commissioner de la Fe: Mr. Chairman, on – excuse me – on October 21st, we held a public hearing on SE 2015-HM-013, in the name of Singh Properties II, LLC, and – which is for a medical facility in the Hunter Mill District right off Route – right on Route 7. The – yesterday you received a written response from the applicant addressing the major issues that could be addressed that were raised at the public hearing and new development conditions were passed out tonight to reflect the changes. They’re relatively minor. The new condition 12 has been added to limit the hours of trash and/or recycling collection, and food and linen deliveries to 8:00 a.m. to 6:00 p.m., Monday through Friday. Condition 17 has been modified to reflect the applicant’s commitment to install a seven foot tall solid wood fence along the rear of the loading area and supplemental evergreens to address concerns from the community regarding light and noise impacts. And a new condition 25 has been added to reflect the applicant’s agreement to grant a sanitary sewer easement to serve the residential properties to the west. And before I move to – on this, could I request the applicant’s representative come forward.

David Houston, Esquire, Applicant’s Agent, Reed Smith, LLP: Yes, Sir. David Houston with [inaudible] representing the applicant.

Commissioner de la Fe: Thank you very much. Mr. Houston, do you as the applicant’s representative agree to the development conditions now dated December 7th?

Mr. Houston: Yes, sir.

Commissioner de la Fe: Okay, thank you very much. I have my motions here somewhere. And let me check and see what I did with them.

Chairman Murphy: Here they come. Billy’s coming with them.

Commissioner de la Fe: How could they disappear so quickly. Mr. Chairman, I – I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF

SUPERVISORS APPROVAL OF SE 2015-HM-013, SUBJECT TO CONDITIONS DATED DECEMBER 7TH, 2015.

Commissioners Hart and Flanagan: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2015-HM-013, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: And, Mr. Chairman, I further MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS: 1) APPROVAL OF MODIFICATIONS OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS OF SECTION 13-303 AND 304 OF THE ZONING ORDINANCE IN FAVOR OF THE LANDSCAPING AND BARRIERS SHOWN ON THE SPECIAL EXCEPTION PLAT; AND 2) APPROVAL OF A WAIVER OF THE SERVICE DRIVE REQUIREMENT OF SECTION 17-201 OF THE ZONING ORDINANCE ALONG LEESBURG PIKE; THIRD, AN INCREASE IN THE WALL HEIGHT ABOVE SEVEN FEET, PURSUANT TO SECTION 10.104(3)(H) OF THE ZONING ORDINANCE TO PERMIT THE WALLS, AS SHOWN ON THE SPECIAL EXCEPTION PLAT.

Commissioners Hart and Flanagan: Second.

Chairman Murphy: Same seconds. Is there a discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

(End Verbatim Transcript)

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SEA 87-L-012-02 – R JOUN ENTERPRISE LLC; ROLAND JOUN, TRUSTEE & MARIA JOUN, TRUSTEE (Decision Only) (The public hearing on this application was held on December 9, 2015.)

(Start Verbatim Transcript)

Commissioner Migliaccio: Thank you Mr. Chairman. Last night we held a public hearing on an SEA for a service station on Backlick Road in the Springfield CRD. Unlike most cases in Lee

District, this application had speakers. While these speakers did not participate through the well-established Lee District community land use process, it does not discount the land use concerns they raised as a neighbor to the service station. My hope is that through the new development conditions before the Planning Commission, we are able to address many of those concerns. What we are not able to address is the sincerity of the applicant to follow through on these conditions or any past personal issues not land use related. The applicant is fully aware that his gas station is under scrutiny by his neighbor and is fully expected to live up to these development conditions. That is why the outdoor lifts, which have caused the greatest concern, are conditioned to only go in after all other development conditions listed in Phase One are implemented. Other conditions address the parking issue with new striping of spaces, signage directing customers to park onsite and not in adjacent lots, and the extra pavement on the site, will allow for a drive aisle to better circulate vehicles, provided all others are properly parked. I believe that this path forward is the best route to bring the applicant into compliance and to give all a so-called clean slate moving forward. The Lee District Land Use Advisory Committee also believes this and voted 19-0-1 to pursue this path. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 87-L-012-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 9, 2015, WITH THE FOLLOWING REVISIONS –

Chairman Murphy: Hold on a minute. Do you want to bring up the applicant?

Commissioner Migliaccio: After, Mr. Chairman, after I –

Chairman Murphy: Okay.

Commissioner Migliaccio: – read my revision; REMOVAL OF THE LAST SENTENCE IN CONDITION 12; REVISE CONDITION 13 TO STATE “THE DEVELOPMENT SHALL CONSIST OF TWO PHASES. PHASE I IMPROVEMENTS SHALL CONSIST OF THOSE IMPROVEMENTS LISTED IN DEVELOPMENT CONDITIONS 18, 19, 20, 21, 23, AND 28 BELOW. PHASE II SHALL CONSIST OF THE INSTALLATION OF TWO EXTERIOR AUTO LIFTS, AS SHOW ON THE SEA PLAT. PHASE II SHALL NOT BE CONSTRUCTED UNTIL ALL IMPROVEMENTS LISTED IN PHASE I HAVE BEEN COMPLETED. THE EXTERIOR AUTO LIFTS SHALL REQUIRE ANY APPLICABLE SITE PLAN AND PERMIT APPROVALS PRIOR TO THEIR INSTALLATION”; AND THE ADDITION OF THE FOLLOWING CONDITION: TO REDUCE NOISE LEVELS ASSOCIATED WITH ANY IMPACT GUNS FOR OUTDOOR VEHICLE SERVICE, THE EMPLOYEES OF THE SERVICE STATION SHALL USE QUIET GUN IMPACT GUNS DURING OUTDOOR VEHICLE SERVICE.

Commissioner Sargeant: Second.

Commissioner Migliaccio: Thank you, and can I get the applicant to come down, please.

Roland Joun, Applicant: Yes, my name is Roland Joun.

Commissioner Migliaccio: Did you have a chance to read the development conditions and understand the development conditions that I just revised? And do you agree to abide by these?

Mr. Joun: Yes, I do.

Commissioner Migliaccio: Thank you.

Chairman Murphy: Would you state your name for the record please?

Mr. Joun: My name is Roland G. Joun. J-O-U-N.

Chairman Murphy: Thank you very much. That motion was seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the board of supervisors that it approve SEA 87-L-012-02, subject to development conditions as amended tonight by Mr. Migliaccio, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. AR 2006-SP-002 – GEORGE F. & SUSAN M. SCHULZ
2. RZ/FDP 2014-HM-024 – GEORGE FAMILY PROPERTY DEVELOPMENT, LLC

This agenda was accepted without objection.

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Since the following case was in the Springfield District, Vice Chairman de la Fe assumed the chair.

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AR 2006-SP-002 – GEORGE F. & SUSAN M. SCHULZ – A&F
District Renewal authorized by Chapter 115 (County Code), effective June 30, 1983, to permit renewal of a previously approved agricultural and forestal district. Located at 8142 & 8146 Rondelay Lane, Fairfax, 22039, on approx. 23.03 ac. of land zoned R-C, WS. Tax Map 96-3 ((1)) 7Z and 8Z; and 96-3 ((2)) 10Z and 11Z.
SPRINGFIELD DISTRICT. PUBLIC HEARING.

Commissioner Murphy asked that Vice Chairman de la Fe 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, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Murphy for action on this case.

(Start Verbatim Transcript)

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Vice Chairman de la Fe: I'll close the public hearing; Mr. Murphy.

Commissioner Murphy: Thank you, very much. This is a straightforward renewal of an agricultural and forestal district in the Springfield District; 23.03 acres on Rondelay Lane in Fairfax Station. And therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT AMEND APPENDIX F OF THE FAIRFAX COUNTY CODE TO RENEW THE SCHULZ LOCAL AGRICULTURAL AND FORESTAL DISTRICT, SUBJECT TO THE PROPOSED ORDINANCE PROVISIONS CONTAINED APPENDIX 1 OF THE STAFF REPORT.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Is there any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

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

(End Verbatim Transcript)

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Chairman Murphy resumed the chair.

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RZ/FDP 2014-HM-024 – GEORGE FAMILY PROPERTY DEVELOPMENT, LLC – Appls. to rezone from R-1 and R-C to PDH-2 to permit residential development with an overall density of 1.05 dwelling units per acre (du/ac) and approval of the conceptual and final development plan. Located W. of the terminus of Crim Dell Lane and N. of the terminus of Higdon Dr., on approx. 20.09 ac. of land. Comp. Plan Rec: Residential, 1-2 du/ac. Tax Map 28-4

((1)) 19, 19A, 21, 21B, 25, 25A, and 25C. HUNTER MILL
DISTRICT. PUBLIC HEARING.

Scott Adams, Esquire, Applicant's Agent, McGuireWoods, LLP, reaffirmed the affidavit dated November 15, 2015.

There were no disclosures by Commission members.

Carmen Bishop, 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 applications RZ/FDP 2014-HM-024.

Mr. Adams explained that the application comprised a group of property owners who wanted to consolidate their undeveloped parcels to build a project that would be consistent with the surrounding area. He noted that unlike other developments, the owners would continue to reside in the area as the project was built, thus ensuring a more careful design of the project and attention to any environmental concerns. He stated that the applicants worked diligently with county staff, the Soil and Water Conservation District, and the residents at the Manors at Wolftrap across the Resource Protection Area (RPA) to devise a plan that included significant replanting and enhancement of the RPA. In addition, Mr. Adams noted that the applicants worked with the neighbors to provide a new trail connection to the nearby Spring Hill Metrorail station. He concluded that the application had received a favorable recommendation from the Hunter Mill District Land Use Committee and requested that the Planning Commission support this application.

Commissioner Sargeant asked about the three bioretention facilities on one lot. Mr. Adams confirmed that they were located on one open space parcel, adding that they would be owned and managed by the homeowners association. Commissioner Sargeant asked if the new trail connection would be safe. Mr. Adams said that residents were currently using the site for the new trail and confirmed that it was safe.

Chairman Murphy called for speakers from the audience, but received no response. 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 de la Fe for action on this item.

(Start Verbatim Transcript)

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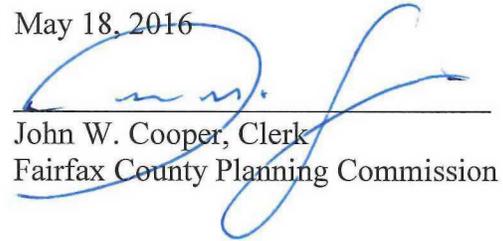
The meeting was adjourned at 8:48 p.m.

Peter F. Murphy, Chairman
James R. Hart, 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 18, 2016



John W. Cooper, Clerk
Fairfax County Planning Commission