



PLANNING COMMISSION SUMMARY OF ACTIONS

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JLC

January 10, 2013

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PRESENT: Commissioners de la Fe, Donahue, Flanagan, Hall, Hart, Hedetniemi, Hurley, Lawrence, Litzenberger, Migliaccio, Murphy, Sargeant

ABSENT: None

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The meeting was called to order at 8:16 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

The Honorable John T. Frey, Clerk of the Circuit Court, performed the swearing-in ceremony for the following Commissioners appointed and/or reappointed by the Board of Supervisors for four-year terms ending in December 2016:

- Kenneth A. Lawrence, Providence District, third term
- Jay P. Donahue, Dranesville District, second term
- Janyce N. Hedetniemi, At-Large, first term; accompanied by her husband, Joel

Chairman Murphy welcomed Ms. Hedetniemi to the Commission and thanked Mr. Frey for presiding over the swearing-in ceremony.

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION GO INTO CLOSED SESSION FOR CONSULTATION WITH LEGAL COUNSEL, PERTAINING TO RZ/FDP 2012-SU-010, NORTHERN VIRGINIA HEALTH INVESTORS, LLC, PURSUANT TO *CODE OF VIRGINIA* SECTION 2.2-3711 (7).

Commissioner Litzenberger seconded the motion which carried unanimously.

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Upon returning from closed session, Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION MEMBERS CERTIFY TO THE BEST OF THEIR KNOWLEDGE THAT ONLY THE PUBLIC BUSINESS MATTER LAWFULLY EXEMPTED FROM THE OPEN MEETING REQUIREMENTS PRESCRIBED BY THE *VIRGINIA FREEDOM OF INFORMATION ACT* AND ONLY THE MATTER IDENTIFIED IN THE MOTION TO CONVENE CLOSED SESSION WAS HEARD, DISCUSSED, OR CONSIDERED BY THE PLANNING COMMISSION DURING THAT SESSION.

Commissioner Lawrence seconded the motion which carried unanimously.

Lynne Strobel, Esquire, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, and Wendy Walter, Regional Director of Operations, Commonwealth Care of Roanoke, responded to questions from Commissioner Litzenberger regarding the inclusion of a proffer that would require the maintenance of a three-star Medicare rating for the proposed facility and the operation of other facilities in Virginia managed by the applicant. Subsequently, Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON RZ/FDP 2012-SU-010, NORTHERN VIRGINIA HEALTH INVESTORS, LLC, TO A DATE CERTAIN OF THURSDAY, FEBRUARY 7, 2013, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Flanagan seconded the motion which carried by a vote of 11-0-1 with Commissioner Hedetniemi abstaining.

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Commissioner Lawrence stated that it had come to his attention that he had erroneously referenced the date of the Development Conditions associated with FDP 2012-PR-009, Prosperity Metro Plaza of Virginia, LLC, which the Planning Commission approved at its meeting on October 4, 2012, and clarified for the record that the Development Conditions were dated September 19, 2012.

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Commissioner Hart announced that the Commission's Environment Committee had met earlier this evening to receive a presentation from representatives from The MITRE Corporation regarding electric vehicle charging infrastructure. He announced that the Committee would meet again in the Board Conference Room of the Fairfax County Government Center on the following dates:

- Thursday, February 7, 2013, at 7:00 p.m.
- Thursday, March 7, 2013, at 7:00 p.m. [*Note: This meeting was subsequently cancelled due to inclement weather.*]

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In accordance with the Commission Bylaws, Chairman Murphy announced that Planning Commission Officers would be elected at the third Planning Commission meeting of the year on Thursday, January 24, 2013.

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On behalf of the current and former Planning Commissioners and staff, Chairman Murphy expressed deepest sympathies and condolences to the family and friends of Hank Strickland, a former member of the Planning Commission and representative of the Mason District, who passed away on Thursday, December 20, 2012. He added that Mr. Strickland would be buried at Arlington National Cemetery with full military honors at a date to be announced.

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Chairman Murphy announced that the Planning Commission's Land Use Process Review Committee would meet in the Board Conference Room of the Fairfax County Government Center on Thursday, January 17, 2013, at 7:00 p.m. and added that the meeting would be open to the public.

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Without objection, the Planning Commission agreed to defer the joint public hearing for 2232-M08-26 and SEA 93-M-047, New Cingular Wireless PCS, LLC and Parklawn Recreation Association, Inc., originally scheduled for tonight to a date certain of Thursday, February 28, 2013.

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Commissioner Litzenberger announced that a representative for the applicant for 2232-Y12-5 and SE 2012-SU-015, Virginia Electric Power Company d/b/a Dominion Virginia Power, was not present at the joint public hearing scheduled tonight to reaffirm the affidavit. Therefore, he MOVED THAT THE PLANNING COMMISSION DEFER THE JOINT PUBLIC HEARING TO A DATE CERTAIN OF THURSDAY, JANUARY 17, 2013 (subject to confirmation from the County Attorney's Office).

Commissioner Flanagan seconded the motion, which carried unanimously with Commissioner Sargeant having recused himself; Commissioner Murphy not present for the vote.

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FSA-M97-59-1 – VERIZON WIRELESS, 3800 Powell Lane (Lakeside Plaza Condominium)
FSA-S94-38-1 – SPRINT, 4050 Legato Road (Centrepointe Building)

Chairman Murphy MOVED APPROVAL OF THE CONSENT AGENDA ITEMS.

Without objection, the motion carried unanimously.

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SE 2012-HM-009 – INSITE REAL ESTATE INVESTMENT PROPERTIES, LLC (Decision Only)
(Public Hearing held on December 5, 2012)

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2012-HM-009, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 3, 2013.

Commissioner Hart seconded the motion which carried by a vote of 11-0-1 with Commissioner Hedetniemi abstaining.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAVIER OF THE MINIMUM LOT AREA AND MINIMUM LOT WIDTH REQUIREMENTS FOR THE R-1 AND C-5 DISTRICTS.

Commissioner Hart seconded the motion which carried by a vote of 11-0-1 with Commissioner Hedetniemi abstaining.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE EIGHT-FOOT WIDE TRAIL REQUIREMENT ALONG CENTREVILLE ROAD TO ALLOW THE EXISTING FIVE-FOOT WIDE CONCRETE SIDEWALK TO REMAIN.

Commissioner Hart seconded the motion which carried by a vote of 11-0-1 with Commissioner Hedetniemi abstaining.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE INTERIOR PARKING LOT LANDSCAPING REQUIREMENT TO THAT SHOWN ON THE SE PLAT AND AS CONDITIONED.

Commissioner Hart seconded the motion which carried by a vote of 11-0-1 with Commissioner Hedetniemi abstaining.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE BARRIER REQUIREMENT ALONG THE NORTHERN AND WESTERN BOUNDARIES OF THE SUBJECT PROPERTY.

Commissioner Hart seconded the motion which carried by a vote of 11-0-1 with Commissioner Hedetniemi abstaining.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE TREE PRESERVATION TARGET REQUIREMENT.

Commissioner Hart seconded the motion which carried by a vote of 11-0-1 with Commissioner Hedetniemi abstaining.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE CONSTRUCTION OF THE ON-ROAD BIKE LANE AND ROAD IMPROVEMENTS, DUE TO CONSTRAINTS ON THE PROPERTY.

Commissioner Hart seconded the motion which carried by a vote of 11-0-1 with Commissioner Hedetniemi abstaining.

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RZ 2012-MV-004 – 8921 PROPERTIES, LLC (Decision Only)
(Public Hearing held on November 29, 2012)

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2012-MV-004, SUBJECT TO THE EXECUTION OF PROFFERS DATED JANUARY 8, 2013.

Commissioners Litzenberger and Sargeant seconded the motion which carried by a vote of 11-0-1 with Commissioner Hedetniemi abstaining.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE INTERIOR PARKING LOT LANDSCAPING REQUIREMENT AND A MODIFICATION OF THE PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENT, IN FAVOR OF THAT SHOWN ON THE GENERALIZED DEVELOPMENT PLAN.

Commissioners Litzenberger and Sargeant seconded the motion which carried by a vote of 11-0-1 with Commissioner Hedetniemi abstaining.

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S11-CW-6CP – COMPREHENSIVE PLAN AMENDMENT (EDITORIAL UPDATES)

Commissioner Hart MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON PLAN AMENDMENT S11-CW-6CP TO A DATE CERTAIN OF JANUARY 17, 2013, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT IN ORDER TO REVIEW THE DOCUMENT OF ADDITIONAL COMMENTS DATED JANUARY 10, 2013, AND THE COMMENTS SUGGESTED AT THE PUBLIC HEARING.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioner Murphy not present for the vote.

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Commissioner de la Fe MOVED THAT MEMBERS OF THE PLANNING COMMISSION'S PERSONNEL AND BUDGET COMMITTEE GO INTO CLOSED SESSION ON WEDNESDAY, JANUARY 16, 2013, AT 6 P.M., TO CONDUCT PERSONNEL MATTERS RELATED TO COMMISSION STAFF THAT ARE LAWFULLY EXEMPT FROM THE OPEN MEETING REQUIREMENTS, PURSUANT TO *CODE OF VIRGINIA* SECTION 2.2-3711(A)(1).

Commissioner Sargeant seconded the motion which carried unanimously.

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The meeting was adjourned at 9:40 p.m.
Peter F. Murphy, Jr., Chairman