



# PLANNING COMMISSION SUMMARY OF ACTIONS

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KAD

October 19, 2005

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PRESENT: Commissioners Alcorn, Byers, de la Fe, Harsel, Hart, Hopkins, Koch, Lawrence, Lusk, Murphy, Wilson

ABSENT: Commissioner Hall

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The meeting was called to order at 8:19 p.m. by Chairman Peter F. Murphy, Jr.

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## COMMISSION MATTERS

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION GO INTO CLOSED SESSION FOR CONSULTATION WITH LEGAL COUNSEL PERTAINING TO SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY COUNSEL, SPECIFICALLY WITH REGARD TO *KELO v. THE CITY OF NEW LONDON*, REGARDING THE POWERS OF EMINENT DOMAIN, PURSUANT TO *CODE OF VIRGINIA* SECTION 2.1-344 (A) (7).

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

The closed session was called to order at 8:25 p.m. in the Board of Supervisors' Conference Room, Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, by Chairman Peter F. Murphy, Jr. and was adjourned at 8:59 p.m.

Following the closed session, Commissioner Harsel MOVED THAT THE PLANNING COMMISSION MEMBERS CERTIFY THAT TO THE BEST OF THEIR KNOWLEDGE 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 Byers seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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Commissioner Murphy MOVED THAT THE PUBLIC HEARING ON RZ 2005-SP-012, JEFFREY A. GOLDBERG, MANAGER OF BO-BUD RESIDENTIAL, LLC, BE DEFERRED TO A DATE CERTAIN OF NOVEMBER 9, 2005.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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Commissioner Alcorn noted that the Planning Commission's Environment Committee had met earlier this evening with the Environmental Quality Advisory Committee to review a stream protection tools matrix that had been developed by Fairfax County staff. He said the purpose of the matrix was to help the Committee prioritize its focus for the coming months to examine the County's parking requirements and its associated environmental issues. Commissioner Alcorn indicated that the Committee would also be receiving information on additional maps and on the technical value of protection of elevated lands in the County's watersheds. He added that the Committee would meet again in the near future.

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Commissioner de la Fe announced that the Planning Commission's Transportation Committee would meet on Wednesday, October 26, 2005, at 7:30 p.m. in the Board Conference Room, to receive a briefing on the Transportation Element of the Policy Plan update.

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Chairman Murphy reminded Commissioners that the Planning Commission would not meet tomorrow, Thursday, October 20, 2005.

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RZ 2003-MV-060 - D. R. HORTON, INC.  
FDP 2003-MV-060 - D. R. HORTON, INC. (Decisions Only)  
(Public Hearing held on July 14, 2005)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS DENIAL OF RZ 2003-MV-060 AND THE CONCEPTUAL DEVELOPMENT PLAN AS SUBMITTED.

Commissioners Harsel and Koch seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION DENY FDP 2003-MV-060.

Commissioners Wilson and Lusk seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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RZ 2004-MV-041 - MHI HUNTINGTON LLC

FDP 2004-MV-041 - MHI HUNTINGTON LLC

SE 2004-MV-035 - MHI HUNTINGTON LLC (Decisions Only)

(Public Hearing held on October 6, 2005)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2004-MV-041 AND THE CONCEPTUAL DEVELOPMENT PLAN (CDP), SUBJECT TO THE EXECUTION OF PROFFERS DATED OCTOBER 14, 2005, AND THE PROPOSED CDP CONDITIONS DATED OCTOBER 19, 2005, AS REVISED WITH THE DELETION OF PROPOSED CDP CONDITION NUMBER 1 REGARDING INTERPARCEL ACCESS TO THE HUNTINGTON COMMUNITY.

Commissioner Lusk seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2004-MV-041, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2004-MV-041 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Lusk seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2004-MV-035, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED SEPTEMBER 29, 2005.

Commissioner Lusk seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ADJACENT TO THE SINGLE-FAMILY DETACHED DWELLING UNITS, IN FAVOR OF THAT SHOWN ON THE CDP/FDP/SE PLAT.

Commissioner Lusk seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE REQUIREMENT FOR A MINIMUM 200 SQUARE FOOT PRIVACY YARD FOR THE SINGLE-FAMILY ATTACHED DWELLING UNITS.

Commissioner Lusk seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Hall absent from the meeting.

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RZ 2005-MV-001 - BROOKFIELD RIDGE ROADFDP 2005-MV-001 - BROOKFIELD RIDGE ROAD (Decisions Only)

(Public Hearing held on July 13, 2005)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2005-MV-001, SUBJECT TO THE EXECUTION OF PROFFERS DATED OCTOBER 18, 2005, AND AMENDED AS FOLLOWS:

- ON PAGE 9, REPLACE LINE 5 OF PROFFER 5N WITH THE FOLLOWING WORDS: "THE BACKYARD SHALL BE GRADED TO DIVERT SURFACE WATER AWAY FROM THE HOUSE. IF NECESSARY, THE EXISTING DECK AND HEAT PUMP SHALL BE MOVED FOR GRADING AND THEN REPLACED. AFTER GRADING IS COMPLETED, AN AREAWAY SHALL BE CONSTRUCTED WITH A TOP MINIMUM OF ONE FOOT ABOVE THE 100-YEAR WATER SURFACE ELEVATION AS A SAFETY FACTOR DETERMINED BY THE APPLICANT'S ENGINEER."
- IN THE SECOND LINE UP FROM THE BOTTOM OF PAGE 9, CHANGE THE ESCROW AMOUNT FROM \$3,000 TO \$5,000.
- IN THE SECOND LINE OF PAGE 10, ADD "AND REPLACEMENT OF ANY TREES LOST DUE TO GRADING" AFTER "...IMPROVEMENTS ON LOT 21."

Commissioner Lusk seconded the motion which carried by a vote of 7-1-3 with Commissioner Wilson opposed; Commissioners Alcorn, Harsel, and Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2005-MV-001, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS IN ATTACHMENT 2 OF THE STAFF REPORT AND THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2005-MV-001 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Lusk seconded the motion which carried by a vote of 7-1-3 with Commissioner Wilson opposed; Commissioners Alcorn, Harsel, and Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRAIL LOCATION REQUIRED FOR THE SOUTHERN HALF OF THIS SITE.

Commissioner Lusk seconded the motion which carried by a vote of 8-1-2 with Commissioner Wilson opposed; Commissioners Alcorn and Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE MAXIMUM PERCENTAGE OF PIPESTEM LOTS BE GRANTED TO PERMIT 30 PERCENT PIPESTEM LOTS.

Commissioner Lusk seconded the motion which carried by a vote of 7-1-3 with Commissioner Wilson opposed; Commissioners Alcorn, Harsel, and Murphy abstaining; Commissioner Hall absent from the meeting.

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2232-Y04-19 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION FIND 2232-Y04-19, AS AMENDED, SUBSTANTIALLY IN ACCORD WITH PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Hart seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioner Hall absent from the meeting.

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2232-V04-16 - FAIRFAX COUNTY PARK AUTHORITY (Laurel Hill Park)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION FIND 2232-V04-16, AS AMENDED, SUBSTANTIALLY IN ACCORD WITH PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners de la Fe and Chairman Murphy seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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RZ 2005-SU-007 - CARL BERNSTEIN, TRUSTEE AND HORACIO MAGALHAES, TRUSTEES

Commissioner Koch MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON RZ 2005-SU-007 TO A DATE CERTAIN OF OCTOBER 26, 2005, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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The meeting was adjourned at 11:58 p.m.  
Peter F. Murphy, Jr., Chairman