



PLANNING COMMISSION SUMMARY OF ACTIONS

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JLC

November 14, 2013

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PRESENT: Commissioners de la Fe, Flanagan, Hart, Hurley, Migliaccio, Murphy, Sargeant

ABSENT: Commissioners Donahue, Hall, Hedetniemi, Lawrence, Litzenberger

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The meeting was called to order at 8:21 p.m. by Chairman Peter F. Murphy.

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COMMISSION MATTERS

Commissioner Sargeant stated that the Commission had received feedback from citizens and elected officials regarding the current draft for the proposed Zoning Ordinance Amendment for Residential Studio Units (RSU), which focused primarily on the compatibility of the use and the quality and character of established residential neighborhoods. He said that there would be opportunities for RSUs in within other districts; therefore, he announced his intent to ask the Planning Commission's RSU Committee at its next meeting to recommend that the ongoing review of the proposed ordinance focus on locating RSUs in higher density Residential, Commercial, Industrial, and Mixed-Use Planned Districts, thereby removing low-density R-Districts from consideration in this Zoning Ordinance Amendment. In addition, Commissioner Sargeant said that he would request that staff revise the proposed Zoning Ordinance Amendment accordingly while continuing their review of other outstanding issues, such as code enforcement, parking, street access, occupancy, and other standards. He then announced that the RSU Committee's next meeting would be on Wednesday, November 20, 2013, at 7:00 p.m. in Room 106/107 of the Herrity Building at 12055 Government Center Parkway.

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On behalf of the Commission, Chairman Murphy congratulated the Honorable John T. Frey, Clerk of the Circuit Court, for receiving the Open Government award from the Virginia Coalition for Open Government.

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Chairman Murphy stated that on Wednesday, October 30, 2013, Commissioner Lawrence announced his intent to present an item to the Planning Commission in response to a directive by the Board of Supervisors on Fairfax Forward, explaining that the directive instructed staff to develop a procedure to allow for proposed Comprehensive Plan Amendments to be submitted to the County at any time. He said that the Policy and Procedures Committee had been coordinating with staff on this item and information about the procedure was available at the Fairfax Forward website: <http://www.fairfaxcounty.gov/dpz/fairfaxforward/>. He added that in

Commissioner Lawrence's absence, the presentation of this item would be deferred to Thursday, November 21, 2013.

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Commissioner Hurley stated that revised proffers and revisions for RZ/FDP 2012-BR-2020 had been distributed and in order to provide sufficient time for review by the Commission and the community, she MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON RZ/FDP 2012-BR-020, EASTWOOD PROPERTIES, INC., TO A DATE CERTAIN OF THURSDAY, NOVEMBER 21, 2013, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioner Migliaccio seconded the motion which carried by a vote of 7-0. Commissioners Donahue, Hall, Hedetniemi, Lawrence, and Litzenberger were absent from the meeting.

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Chairman Murphy announced his intent to further defer the decision only for RZ 2013-SP-005, MHI-Spring Lake, LLC, at the Planning Commission's meeting on Thursday, November 21, 2013, to a date to be determined.

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RZ/FDP 2013-MV-001 – A&R HUNTINGTON METRO, LLC (Decisions Only)
(Public Hearing held on October 24, 2013)

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2013-MV-001 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN (CDP), SUBJECT TO THE EXECUTION OF PROFFERS DATED NOVEMBER 14, 2013.

Commissioner Sargeant seconded the motion which carried by a vote of 4-0-3. Commissioners Hart, Migliaccio, and Murphy abstained. Commissioners Donahue, Hall, Hedetniemi, Lawrence, and Litzenberger were absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2013-MV-001, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 10, 2013, AND THE BOARD'S APPROVAL OF RZ 2013-MV-001 AND THE ASSOCIATED CDP.

Commissioner Sargeant seconded the motion which carried by a vote of 4-0-3. Commissioners Hart, Migliaccio, and Murphy abstained. Commissioners Donahue, Hall, Hedetniemi, Lawrence, and Litzenberger were absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS:

- A WAIVER (#25678-WPFM-001-1) TO LOCATE UNDERGROUND FACILITIES IN A RESIDENTIAL AREA (PFM SECTION 6-0303.8), SUBJECT TO CONDITIONS DATED JULY 10, 2013 CONTAINED IN APPENDIX 10 AS ATTACHMENT A;
- A WAIVER OF PARAGRAPH 1 OF SECTION 6-407 OF THE ZONING ORDINANCE FOR THE MINIMUM DISTRICT SIZE FOR THE PRM DISTRICT;

- A WAIVER OF SECTION 13-303 OF THE ZONING ORDINANCE FOR TRANSITIONAL SCREENING AND SECTION 13-304 FOR THE BARRIER REQUIREMENTS BETWEEN THE USES WITHIN THE PROPOSED DEVELOPMENT AND MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENTS FOR THE SURROUNDING PROPERTIES;
- A DEVIATION FROM THE TREE PRESERVATION TARGET PURSUANT TO SECTION 12-0508 OF THE PUBLIC FACILITIES MANUAL (PFM);
- A MODIFICATION OF SECTION 12-0510.4E(5) OF THE PFM TO PERMIT A REDUCTION OF THE MINIMUM FOUR FOOT PLANTING DISTANCE FROM A RESTRICTIVE BARRIER;
- A WAIVER OF PARAGRAPH 3 OF SECTION 8-0201 OF THE PFM AND PARAGRAPH 2 OF SECTION 17-201 OF THE ZONING ORDINANCE FOR THE REQUIREMENT TO CONSTRUCT AN ON-ROAD BIKE LANE IN FAVOR OF A CONTRIBUTION FOR FUTURE FUNDING;
- A WAIVER OF PARAGRAPH 3 OF SECTION 17-201 OF THE ZONING ORDINANCE FOR THE REQUIREMENT TO PROVIDE INTER-PARCEL CONNECTIONS TO ADJOINING PARCELS;
AND
- A WAIVER OF PARAGRAPH 4 AND 10 OF SECTION 17-201 OF THE ZONING ORDINANCE FOR FURTHER CONSTRUCTION AND/OR WIDENING OF EXISTING ROADS SURROUNDING THE APPLICATION PROPERTY AND OF THE REQUIREMENT FOR UNDER-GROUNDING EXISTING UTILITIES.

Commissioner Sargeant seconded the motion which carried by a vote of 4-0-3. Commissioners Hart, Migliaccio, and Murphy abstained. Commissioners Donahue, Hall, Hedetniemi, Lawrence, and Litzenberger were absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE FOLLOWING ADDITIONAL WAIVERS:

- A WAIVER OF SECTION 6-1307-2E IN THE PFM FOR THE MINIMUM SETBACKS OF BIORETENTION FILTER BASINS FROM BUILDING FOUNDATIONS AND PROPERTY LINES;
AND
- A WAIVER OF SECTION 7-0802-2 OF THE PFM FOR PARKING GEOMETRIC STANDARDS TO ALLOW PROJECTIONS OF THE STRUCTURAL COLUMNS WITHIN THE PARKING STRUCTURES INTO THE REQUIRED PARKING STALL AREA.

Commissioner Sargeant seconded the motion which carried by a vote of 4-0-3. Commissioners Hart, Migliaccio, and Murphy abstained. Commissioners Donahue, Hall, Hedetniemi, Lawrence, and Litzenberger were absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF SECTION 11-203 OF THE ZONING ORDINANCE FOR REQUIRED LOADING SPACES TO PERMIT THE LOADING SPACE DEPICTED ON THE CDP/FDP.

Commissioner Sargeant seconded the motion which carried by a vote of 4-1-2. Commissioner Hart voted in opposition. Commissioners Migliaccio and Murphy abstained. Commissioners Donahue, Hall, Hedetniemi, Lawrence, and Litzenberger were absent from the meeting.

Commissioner Flanagan 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 FROM THE TREE PRESERVATION TARGET, PURSUANT TO SECTION 12-0508 OF THE PFM.

Commissioner Sargeant seconded the motion which carried by a vote of 4-0-3. Commissioners Hart, Migliaccio, and Murphy abstained. Commissioners Donahue, Hall, Hedetniemi, Lawrence, and Litzenberger were absent from the meeting.

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SE 2013-HM-012 – BLUE OCEAN DEVELOPMENT, INC.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON SE 2013-HM-012, BLUE OCEAN DEVELOPMENT, INC., TO A DATE CERTAIN OF THURSDAY, NOVEMBER 21, 2013, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioner Hart seconded the motion which carried by a vote of 7-0. Commissioners Donahue, Hall, Hedetniemi, Lawrence, and Litzenberger were absent from the meeting.

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APR 09-IV-1MV AND APR 09-IV-15MV – COMPREHENSIVE PLAN AMENDMENT (NORTH GATEWAY)

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT STAFF'S ALTERNATIVE RECOMMENDATION FOR 2009-2010 SOUTH COUNTY AREA PLANS REVIEW NOMINATIONS 09-IV-1MV AND 09-IV-15MV, AS ARTICULATED IN THE DOCUMENT ENTITLED "PLANNING COMMISSION RECOMMENDED PLAN TEXT," DATED NOVEMBER 14, 2013. THE ALTERNATIVE SUPPORTS THE STAFF RECOMMENDATIONS WITH ADDITIONAL LANGUAGE THAT RECOGNIZES THE UPCOMING TRANSPORTATION STUDIES AND POSSIBLE FUTURE NEED TO REEXAMINE THE PLAN RECOMMENDATIONS. THE ALTERNATIVE ALSO MODIFIES LANGUAGE ABOUT ACCESS IN SUB-UNIT A-2, TO ALLOW FLEXIBILITY TO DETERMINE THE LOCATION AT REZONING STAGE.

Commissioner Sargeant seconded the motion.

Commissioner Hart MOVED A FRIENDLY AMENDMENT FOR THE COMMISSION TO ALSO RECOMMEND THAT STAFF CLARIFY IN THE FINAL BULLET AT THE BOTTOM OF PAGE TWO OF THE DOCUMENT ENTITLED, "PLANNING COMMISSION RECOMMENDED PLAN TEXT," WHICH PORTIONS OF OLD RICHMOND HIGHWAY WOULD BE VACATED.

Commissioner Flanagan accepted the amendment and the motion carried by a vote of 7-0. Commissioners Donahue, Hall, Hedetniemi, Lawrence, and Litzenberger were absent from the meeting.

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The meeting was adjourned at 9:45 p.m.
Peter F. Murphy, Chairman