

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, APRIL 14, 2016**

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

Absent: None

The meeting was called to order at 8:24 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

RZ 2014-DR-022 – BASHEER/EDGEMOORE-BROOKS, LLC
(Decision Only) (The public hearing was held on January 21, 2016.)

(Start Verbatim Transcript)

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Commissioner Ulfelder: I guess so. We were scheduled to render a decision this evening on a rezoning case in Great Falls. It's been deferred a number of times for good reasons. We've been doing a lot of work with the applicant and with the neighbors and with the community and we are continuing to work on it. So therefore, I am planning to defer the decision this evening, therefore, I MOVE THAT THE PLANNING COMMISSION DEFER DECISION ONLY IN THE BASHEER/EDGEMOORE-BROOKS, LLC, RZ 2014-DR-022, TO A DATE CERTAIN OF MAY 12TH, 2016.

Commissioners Hart and Lawrence: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Lawrence. Is there a discussion of the motion? All those in favor of the motion to continue the deferred decision only in RZ 2014-DR-022, to a date certain of May 5th (sic) with the...

Commissioner de la Fe: No, 12th.

Chairman Murphy: May 12th.

Commissioner de la Fe: May 12th.

Chairman Murphy: I'm sorry, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Flanagan was not present for the vote.

(End Verbatim Transcript)

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FS-L15-17 – VERIZON WIRELESS, 7409 Grace Street

(Start Verbatim Transcript)

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Commissioner Migliaccio: Thank you, Mr. Chairman. I have one feature shown tonight that I would like to move on. It is in the Springfield area of Lee District and is to replace a church steeple with a new steeple, with antenna within the steeple. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FIND THAT THE PROPOSED TELECOMMUNICATIONS FACILITY BY VERIZON WIRELESS LOCATED AT 7409 GRACE STREET, SPRINGFIELD, VIRGINIA 22150, SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of the motion to concur with the feature shown item say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Flanagan was not present for the vote.

(End Verbatim Transcript)

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CSP 2011-HM-032 – TYSONS WEST RESIDENTIAL, LLC

(Start Verbatim Transcript)

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Commissioner de la Fe: Mr. Chairman?

Chairman Murphy: Yes, Mr. de la Fe?

Commissioner de la Fe: Yes, I, I've just been made aware the I have to move a public hearing that was originally, at one point, scheduled for tonight on Tysons West Residential, LLC, a sign plan. It was CSP 2011-HM-032 and I would like TO MOVE THE PUBLIC HEARING ON THAT SIGN PLAN TO A DATE CERTAIN OF MAY 4TH, 2016.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion? All those in favor of the motion to defer the public hearing on CSP 2011-HM-032, to a date certain of May 4th, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Flanagan was not present for the vote.

(End Verbatim Transcript)

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RZ 2015-DR-009 – GULICK GROUP, INC.

(Start Verbatim Transcript)

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Commissioner Ulfelder: Mr. Chairman?

Chairman Murphy: Yes, Mr. Ulfelder.

Commissioner Ulfelder: I've been told I have another item that I need to...

Chairman Murphy: Okay.

Commissioner Ulfelder: To change the date on for the public hearing, therefore, I WOULD MOVE THAT THE PUBLIC HEARING FOR GULICK GROUP, INC., RZ 2015-DR-009, BE MOVED TO MAY 12TH, 2016.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the motion to defer the public hearing on RZ 2015-DR-009, to a date certain of May 12th, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Flanagan was not present for the vote.

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. CSPA 85-C-088 – RESTON TOWN CENTER PROPERTY, LLC

This agenda was accepted without objection.

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CSPA 85-C-088 - RESTON TOWN CENTER PROPERTY, LLC
– Appl. under Sect. 12-210 of the Zoning Ordinance to amend the previously approved Comprehensive Sign Plan associated with RZ 85-C-088 to permit sign modifications. Located W. of Reston Pkwy., S. of New Dominion, and E. of Town Center Pkwy., on approx. 48.5 ac. of land zoned PRC. Tax Map 17-1 ((16)) 1A, 5A, 9A, 10, A2, B1, B2 (part), 12, 12A, 13, 13A, 17, and 18A; 17-3 ((1)) 3A3; 17-3 ((10)) 1, 6, 7, 8A1, 8B, 14, and 15; 17-3 ((20)) 100, 200, and 300. (HUNTER MILL DISTRICT) (PUBLIC HEARING)

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

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(Start Verbatim Transcript)

Chairman Murphy: Without objection, the public hearing is closed; recognize Mr. de la Fe.

Commissioner de la Fe: Thank you very much, Mr. Chairman. I apologize for all the copies of this report that you got as well as the addendum. The reason for the addendum and the original delay, I hope the applicant doesn't object to my using the word "oops" but there was an error that they left a little piece out of the sign plan. And the other thing that I would like to mention is that you received tonight an addition to Development Condition Number 2, the first sentence which says, "Regardless of the depictions or descriptions of the signs highlighted in the CSPA, content of a sign is not regulated by this CSPA." I just wanted to...

Chairman Murphy: Okay.

Commissioner de la Fe: Say that was on advice of counsel. If the applicant could please step forward? Do you agree?

Brian Winterhalter, Esquire, Cooley, LLP: Good evening, I'm Brian Winterhalter with Cooley, go ahead, sorry.

Commissioner de la Fe: Thank you. Do you agree to the proposed development conditions for CSPA 85-C-088, now dated April 6th, 2016?

Mr. Winterhalter: Yes, on behalf of the applicant we are in agreement with the conditions.

Commissioner de la Fe: Thank you very much. Mr. Chairman, given that I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 85-6 (sic), no, 85-C-088, SUBJECT TO THE DEVELOPMENT CONDITIONS NOW DATED APRIL 6TH, 2016.

Commissioners Hart and Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence and Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to approve CSPA 85-C-088, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Flanagan was not present for the vote.

(End Verbatim Transcript)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION GO INTO CLOSED SESSION WITH ATTORNEYS FROM THE COUNTY ATTORNEY'S OFFICE TO DISCUSS SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE AND SPECIFICALLY RELATING TO SENATE BILL 549, THE NEW PROFFER BILL, THAT WAS RECENTLY SIGNED BY THE GOVERNOR ALL AS PERMITTED BY VIRGINIA CODE SECTION 2.2-37-11 (7).

Commissioner Hart seconded the motion which carried by vote of 11-0. Commissioner Flanagan was not present for the vote.

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Upon returning from closed session, Commissioner de la Fe MOVED THAT IN ACCORDANCE WITH THE *VIRGINIA CODE* SECTION 2.2-3712, I MOVE THAT THE PLANNING COMMISSION MEMBERS CERTIFY THAT, TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS UNDER THE VIRGINIA FREEDOM OF INFORMATION ACT AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION BY WHICH THE CLOSED SESSION WAS CONVENED WERE HEARD, DISCUSSED, OR CONSIDERED IN THE CLOSED SESSION.

Commissioner Hart seconded the motion which carried by a vote of 11-0. Commissioner Flanagan was not present for the vote.

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The meeting was adjourned at 10:27 p.m.

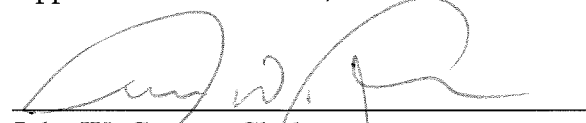
Peter F Murphy, Chairman

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: Teresa M. Wang

Approved on: October 6, 2016



John W. Cooper, Clerk
Fairfax County Planning Commission