

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 19, 2016**

Present: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Julie Strandlie, Mason District
Karen Keys-Gamarra, Sully District

Absent: Timothy J. Sargeant, Commissioner At-Large
Earl L. Flanagan, Mount Vernon District
Kenneth A. Lawrence, Providence District
Janyce N. Hedetniemi, Commissioner At-Large

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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

RZ 2015-DR-009 – GULICK GROUP, INC. (Decision Only)
(The public hearing was held on June 29, 2016)

(Start Verbatim Transcript)

Commissioner Ulfelder: We were supposed to make a decision only this evening in the matter of Gulick Group, Inc., involving the northern portion of the Hills Nursery in Great Falls and we are going to further defer that time for that decision. So, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ 2015-DR-009 TO A DATE CERTAIN OF NOVEMBER 9TH, 2016, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer decision only on RZ 2015-DR-009, to date certain of November 9th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 8-0. Commissioners Flanagan, Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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SEA 2006-LE-030 – PMIG 1009, LLC (Decision Only)
(The public hearing was held on September 21, 2016.)

(Start Verbatim Transcript)

Commissioner Migliaccio: Thank you, Mr. Chairman. On September 21st, we had a public hearing for a gas station/car wash in the Lee District on Franconia Road. Some issues arose during the public hearing that needed some additional time. The applicant has sent in a request to indefinitely defer the decision only. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION INDEFINITELY DEFER SEA 2006 – THE DECISION ONLY FOR – SEA 2006-LE-030.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to defer the decision only indefinitely on SEA 2006-LE-030, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 8-0. Commissioners Flanagan, Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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SE 2016-HM-017/2232-H16-23 – MILESTONE TOWER LIMITED PARTNERSHIP III
(Decision Only) (The public hearing was held on September 28, 2016.)

(Start Verbatim Transcript)

Commissioner de la Fe: Thank you, Mr. Chairman. Mr. Chairman, tonight we were supposed to make a decision on SE 2016-HM-017/2232-H16-20 – 236 – according to what that says – Milestone Tower Limited Partnerships, III and Verizon Wireless, for a tower at Crossfield Elementary. I deferred the - the decision to tonight to give a chance for the land use committee to make the recommendation so that I would have that as part of what I would take into consideration. They met last night, unfortunately, our community room was being used for voting so we had to meet at a school where they kicked us out at 10 and they did not reach a

decision. So, I – and they requested that I continue the deferral. So, Mr. Chairman, I MOVE THAT WE CONTINUE THE DEFERRAL ON THESE CASES TO A DATE CERTAIN OF NOVEMBER 16TH.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer decision only on SE 2016-HM-017 and 2232-H16-236, Milestone Tower Limited Partnership to a date certain of November 16th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman?

Chairman Murphy: Mr. de la Fe, yeah?

Commissioner de la Fe: And I - I WOULD REQUEST THAT THE BOARD OF SUPERVISORS BE ASKED TO DEFER THEIR PUBLIC HEARING ON THIS CASE UNTIL AFTER THE PLANNING COMMISSION MAKES A RECOMMENDATION.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motions carried by a vote of 8-0. Commissioners Flanagan, Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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PCA 95-Y-016-06/SEA 95-Y-024-06 – COSTCO WHOLESALE CORPORATION

(Start Verbatim Transcript)

Commissioner Keys-Gamarra: Yes, Mr. Chair. I have two deferrals. One is concerning Costco Wholesale Corporation. I MOVE THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR PCA 95-Y-016-06 AND SEA 95-Y-024-06, TO A DATE CERTAIN OF NOVEMBER 10TH.

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 PCA 95-Y-016-06 and SEA 95-Y-024-06, which is Costco Wholesale Corporation, to a date certain of November 10th, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 8-0. Commissioners Flanagan, Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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SE 2016-SU-015 – ARDAVAN BADIO & FOROUZANDEH FARNOUSH A/K/A FOROUZ FARNOUSH d/b/a BULLION & DIAMOND CO., LLC

(Start Verbatim Transcript)

Commissioner Keys-Gamarra: This one concerns Ardavan Badii d/b/a Bullion and Diamonds and I have a deferral. I MOVE THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR SE 2016-SU-015 TO A DATE CERTAIN OF NOVEMBER 10TH.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of deferring the public hearing on SE 2016-SU-015, to a date certain of November 10th – and that's d/b/a Bullion and Diamonds Company – say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 8-0. Commissioners Flanagan, Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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SE 2015-SU-034 – PDG DALY DRIVE, LLC
(The public hearing was held on October 5, 2016.)

(Start Verbatim Transcript)

Commissioner Hart: Thank you, Mr. Chairman. I have – I have two items. First, on Wednesday, October 5th, the Planning Commission held a public hearing on special exception application SE 2015-SU-034. We had only seven members present for the meeting. For reasons that I've previously stated on the record, I recused myself from the hearing. I remained present, though not seated at the dais for the entire hearing. Let the record reflect that I was present, but did not vote.

Chairman Murphy: Okay.

(End Verbatim Transcript)

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ORDER OF AGENDA

Secretary Hart established the following order of the agenda:

1. SE 2016-DR-009 - SENECA CORNER ASSOCIATES, LLC
2. SE-2016-PR-014 - CABOOSE BREWING COMPANY, LLC
3. SE 2015-DR-027 - MAHLON A. BURNETTE, III AND MARY H. BURNETTE

This agenda was accepted without objection.

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SE 2016-DR-009 - SENECA CORNER ASSOCIATES, LLC –
Appl. under Sects. 4-804, 9-501 and 9-502 of the Zoning Ordinance to permit a retail sales establishment with drive-through pharmacy. Located at 1020 Seneca Rd., Great Falls, 22066, on approx. 3.37 ac. of land zoned C-8 and R-1. Tax Map 6-4 ((3)) 1 and Seneca Road public right-of-way to be vacated and/or abandoned. Approval of this application may enable the vacation and/or abandonment of portions of the public right-of-way for Seneca Road to proceed under Section 15.2-2272 (2) of Code of Virginia. (DRANESVILLE DISTRICT) (PUBLIC HEARING)

Lynne Strobel, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC, reaffirmed the affidavit dated September 13, 2016.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC currently had a pending case with Ms. Strobel's law firm in which there were attorneys representing an adverse party, but indicated that it would not affect his ability to participate in this case.

Kelly Posusney, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of application SE 2016-DR-009.

Ms. Strobel explained that due to the subject property being split zoned, the applicant has proposed that the R-1 portion of the property, approximately 1.2 acres, would remain as a buffer to the adjacent residential properties. She said the remainder of the property, which was zoned C-8, would be developed with two retail buildings, one with a drive-through pharmacy along with a second freestanding retail building. Ms. Strobel noted that the drive-through window was what necessitated this special exception request, otherwise the uses were allowed by-right. She said that while this application did not generate the need for a traffic impact analysis, the applicant had an operational analysis conducted by Wells and Associates which determined that only one additional lane was needed on Seneca Road; therefore, the previously dedicated right-of-way would remain and could be utilized in the future if additional road improvements were needed. Ms. Strobel noted that Wells and Associates also conducted a sensitivity analysis, to address community concerns over additional traffic impact at Seneca Road and Georgetown Pike, and it was determined that the trips generated by this proposal would not adversely impact the current level of service. In addition, she said that the applicant has limited the types of uses permitted on this property, provided screening and buffers to the adjacent community, and provided a historical marker identifying the historical significance of Great Falls. Ms. Strobel noted that the applicant had worked with the Great Falls Citizen Association, Environmental Trails and Parks Committee, Transportation Committee, as well as two local architects regarding the proposed building.

Commissioner Ulfelder confirmed with Ms. Strobel that the traffic analysis included the potential impact of future development to the north of Seneca Road down to this intersection.

Commissioner Ulfelder and Ms. Posusney discussed moving the building back 12 feet from where it was currently proposed; wherein, Ms. Posusney explained that the applicant would be required to obtain a modification of the transitional screening and it would no longer be in compliance with the Comprehensive Plan.

Commissioner Ulfelder discussed with Ms. Strobel the community's concerns over the proposed placement of the sidewalk; wherein, Ms. Strobel explained that it was requested that the applicant move the sidewalk closer to the building to accommodate future road improvements. She said that in order to accommodate that request, a retaining wall would be required due to the vertical grade. However, it would not be allowed by VDOT because it would be located within their right-of-way. Ms. Strobel noted that if an additional lane was built by VDOT for future road improvements, it would require the area to be re-graded which would negate the need for a retaining wall.

Commissioner Ulfelder discussed with Ms. Strobel a letter that was received this evening from the Great Falls Citizen Association (GFCA), outlining several issues they had with the application; wherein, Ms. Strobel said that she had read the letter and that most of the items had been addressed in the proposed development conditions. With regards to the issues not previously addressed, she noted that the applicant was working with the Great Falls Woods

community regarding additional development conditions to address their concerns, approval was received from the local architects regarding the building design, and that VDOT reviews traffic signals on a two year rolling basis for function. Ms. Posusney said that she had discussed the issue of traffic signal review with VDOT and had confirmed that they do conduct it every two years. Commissioner Ulfelder suggested at the time of site plan approval, that the applicant notify the GPCA and provide them with a copy of the proposal. Ms. Strobel agreed.

Commissioner Hart and Ms. Strobel discussed Development Condition 5, permitted uses for the additional retail building; wherein, Ms. Strobel explained that the applicant wanted to provide some flexibility since they do not have a tenant for this building.

Chairman Murphy called the first listed speaker and recited the rules for testimony.

Walter Kim, 11547 Preserve Drive, Great Falls, representing the Great Falls Woods Homeowners Association, spoke in opposition to the proposal citing the current traffic congestion at Georgetown Pike and Leesburg Pike. He said it would add to the increasing levels of traffic and unsafe conditions. Mr. Kim also questioned the impact on traffic once the second building was leased, citing a specific concern over possible types of fast food establishments that could occupy the property. In addition, he cited concerns over the following: tree preservation and restoration, impact on area wildlife, decrease of home values, and security issues. Mr. Kim requested that a Heritage Resource Study or Phase 1 Archeological Survey be conducted and submitted to the Cultural Resource Management and Protection Section of the Fairfax County Park Authority because the subject property was located within the footprint of the Dranesville Battlefield.

Commissioner Ulfelder noted there was a development condition that required the applicant to conduct a Phase 1 Archeological Survey and if deemed necessary, to follow-up with other phases. He also noted his intention to defer the decision only on this case in order to allow the applicant and the community homeowners association to have further discussions regarding some of these issues.

Ralph Lazaro, 305 Seneca Road, Great Falls, spoke in opposition citing the following reasons:

- The lack of proper road improvements needed for a drive-through pharmacy use, which currently include only one additional right turn lane on Seneca Road;
- The proposed site only has one entrance and exit;
- The current traffic congestion on Georgetown Pike would make it difficult to access;
- An additional retail building, along with the CVS drive-through window, could generate additional traffic which would create a negative impact at the entranceway; and
- He did not agree with the trip generation analysis provided by the applicant because it did not include dangerous driving habits.

Mr. Lazaro said that he would support the special exception application if an additional right turn lane was added to the site plan.

Commissioner Ulfelder, Mr. Lazaro, and Vanessa Holt, Fairfax County Department of Transportation, discussed the proposed traffic lanes; wherein, Ms. Holt clarified that the applicant has proposed two right turn lanes with this development. She said it would consist of the following four lanes: a left turn only lane, a through lane, a shared through lane/right turn lane, and a right turn only lane. Mr. Lazaro reiterated his request for a second right turn only lane.

Commissioner Hart noted that during the deferral period the community might want to consider whether they would prefer a development with a drive-through pharmacy which would include development conditions that could limit the hours and other specifications or a by-right development that would not have the drive-through pharmacy but would not have enforceable development conditions. He explained that the Commission is limited in its ability to require an applicant to improve a condition unless there was an increased impact from what was being proposed on a particular intersection.

Domenica Lopez, 415 Ole Dirt Road, Great Falls, spoke in opposition to the application citing a negative impact on traffic congestion which would create an unsafe and dangerous situation.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Ms. Strobel who reiterated that this was a special exception application with development conditions imposed by staff and offers the community an opportunity to participate and work with the applicant on those conditions. She noted that there has to be a reasonable relationship between a requested condition and the use that was being proposed. Ms. Strobel said because the special exception was limited to the drive-through pharmacy use there was not enough impact that would require the construction of an additional lane on Seneca Road. She said that the applicant considered this CVS as a community serving store and did not anticipate commuters pulling off at that location to stop on their way home. Ms. Strobel introduced Robin Antonucci, Wells and Associates, to address the traffic analysis.

Ms. Antonucci explained that their analysis showed that the existing southbound left through lane and right lane on Seneca Road would queue approximately 254 feet in the morning. She said with the applicant's proposed lane configuration it was expected to reduce the left lane to 78 feet and the right lane to 98 feet. Ms. Antonucci said they did consider what impact an additional right only lane would have and it was determined that it would not be significant and could cause issues with lane transitions.

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 Ulfelder for action on this case.

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(Start Verbatim Transcript)

Chairman Murphy: Public hearing is closed. Mr. Ulfelder, please.

Commissioner Ulfelder: Thank you, Mr. Chairman. I...

Chairman Murphy: Mic

Commissioner Ulfelder: Thank you, I thought my voice was loud enough, no. I think we can – we have some - a few things we need to do based on the letter from the GFCA, the Great Falls Citizen Association, as well as some of the testimony and the comments this evening, in particular, with Great Falls Woods Homeowners Association. But I think we can do it in two weeks and unless I hear an objection from the applicant's representative. And I would urge the other parties to be available so that we can address any of these remaining issues and get this wrapped up and bring it back to the Planning Commission. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE 2016-DR-009, TO A DATE CERTAIN OF NOVEMBER 2ND, 2016, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? All those in favor of the motion to defer decision only on SE 2016-DR-009, to a date certain of November 2nd, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 8-0. Commissioners Flanagan, Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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SE-2016-PR-014 - CABOOSE BREWING COMPANY, LLC –
Appl. under Sects. 5-504 and 9-610 of the Zoning Ordinance to
permit an eating establishment and a waiver of minimum lot width
requirement. Located at 8301 Lee Hwy., Fairfax, 22031, on
approx. 1.34 ac. of land zoned I-5 and HC. Tax Map 49-3 ((1))
96B and 97. (PROVIDENCE DISTRICT) (PUBLIC HEARING)

Steven Teets, Applicant's Agent, Eskridge II, LLC, reaffirmed the affidavit dated July 28, 2016.

There were no disclosures by Commission members.

William O'Donnell, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of application SE 2016-PR-014.

Mr. Teets said that this property became a critical piece to the Mosaic District in order to build Eskridge Road and was considered the "front door" to the development. He said the addition of a brewery/eating establishment would be a benefit to the development and fit the mode of the Mosaic District because it was a good product owned by two entrepreneurs who were interested in expanding their business. Mr. Teets noted that a brewery was allowed by-right in the I-5 District but a special exception was required for an eating establishment.

Chairman Murphy called the listed speaker and recited the rules for testimony.

Jim Coakley, 5810 North 25th Road, Arlington, owner of adjacent property, spoke in opposition to the application because the building, as proposed, did not fit in with the Mosaic District brand. He said the building was a 40 year old warehouse covered with aluminum siding and the proposal showed that it would remain with the addition of a few windows and awnings. Mr. Coakley said that he would be in support of this proposal if the applicant would make improvements to the exterior of the existing warehouse by changing the siding to a higher quality material and the addition of wood or stone accents which would be in harmony with the rest of the development.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Teets, who noted that this property would be located at the end of Strawberry Lane, across from a parking garage. He said it was a larger warehouse facility with the applicant replacing or repairing any deteriorated panels along with the addition of landscaping, picnic tables and awnings. Mr. Teets said this new proposal would leave Mr. Coakley's parking lot configuration unchanged and at grade level.

Commissioner Hart discussed with Mr. Teets the revised Development Conditions dated October 19, 2017, which also contained new renderings. Mr. Teets said he agreed with those Conditions along with any added language which would require the applicant to repair and replace any damaged metal siding and maintain the building in good condition. Commissioner Hart announced his intention to defer the decision only on this case in order to allow time for the Commission to review the proposed changes.

There being no more speakers, Chairman Murphy called for concluding remarks from the staff. Mr. O'Donnell said that this proposal was an example of adaptively reusing a commercial building and referred to Page 8 of the Staff Report, Objective 7 of the Comprehensive Plan, which encouraged redevelopment in the commercial areas that would preserve existing facilities. In addition, he said that this proposal would be compatible with the Mosaic Development.

There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hart for action on this case.

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(Start Verbatim Transcript)

Chairman Murphy: Public hearing is closed. Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. First let me – let me thank the speaker for coming out and for submitting the letter and the photos. I think we are close on this, but I would like to make one more pass through the paperwork and - and maybe look at the conditions again on a couple of things. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE 2016-PR-014, TO A DATE CERTAIN OF OCTOBER 27TH, 2016, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of the motion? All those in favor of the motion to defer decision only on SE 2016-PR-014, to a date certain of October 22nd–27th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 8-0. Commissioners Flanagan, Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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SE 2015-DR-027 - MAHLON A. BURNETTE, III AND MARY H. BURNETTE - Appl. under Sect. 9-610 of the Zoning Ordinance to permit a waiver of the minimum lot width requirement. Located at 631 Walker Rd., Great Falls, 22066, on approx. 4.0 ac. of land zoned R-E. Tax Map 7-4 ((1)) 47. (DRANESVILLE DISTRICT) (PUBLIC HEARING)

Jane Kelsey, Applicant's Agent, Jane Kelsey and Associates, reaffirmed the affidavit dated August 18, 2016.

Commissioner Hart disclosed that his law firm of Hart and Horan had one case representing the Board of Directors of a condominium association in Arlington which Mr. Lawson is a member of and would therefore recuse himself from this case.

Bob Katai, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended

denial based on the Zoning Ordinance Section 9-610, which stipulated the provisions under which a special exception for a waiver of lot width can be granted. Mr. Katai said it was staff's opinion that the applicant had failed to demonstrate that the waiver would result in a development that preserved existing vegetation, reduced impervious surfaces or improved stormwater management.

Commissioner Ulfelder and Mr. Katai discussed the recommendation for denial; wherein, Mr. Katai explained that a lot width waiver was an extraordinary request which required applicants to demonstrate, as a result of what they proposed to do, that it would go above and beyond what would normally be required of a two lot subdivision. He said that while the tree preservation met the Ordinance standards and the reduction of impervious surface along with the stormwater management met the county requirements, it did not result in any extraordinary measures. Mr. Katai also noted that the applicant had not agreed to a commitment of rebuilding standards for the one lot where a new house would be located nor a contribution to the Fairfax County Public Schools for one additional pupil.

William B. Lawson, Jr., Applicant's Attorney, said that this was a unique situation and provided the following background:

- An outlet road was created in 1951 to provide ingress and egress to be utilized by the owners of the subject property;
- The Burnette's deed indicated that the right to use that outlet road was conveyed;
- As a result of the Deerfield Park Community subdivision, Outlot A was created overtop of that outlet road with a new road being built 20 feet from the Burnette's property line and was dedicated to VDOT; and
- At the time this occurred, the Subdivision Ordinance required the road to abut the Burnette property. Instead, the sub-divider chose to create Outlot A; therefore, the county determined that Outlot A should be given to the Burnettes but instead, the deed was conveyed to Deerfield Pond HOA.

He noted that the applicant had met with the Office of the County Attorney and they had been in agreement that Outlot A should have been conveyed to the Burnettes; however, due to the length of time since the error had occurred, the Office of the County Attorney was unable to remedy the situation. Mr. Lawson surmised that if the property was conveyed properly to the Burnettes, then they would have been allowed to subdivide by-right.

Ms. Kelsey said the application met the required standards and specifically referred to residential development which required the lot to be compatible with the surrounding neighborhood. She said the applicant had discussions with the Deerfield Pond HOA and they had requested that both lots become a part of their HOA. Ms. Kelsey said the applicant agreed with the new house being part of the HOA and would be built to their covenants with access provided from either Deerfield

Pond or Walker Road. She noted that applicant did not want their house in the HOA because it would not meet the HOA's criterion for size and they wished to maintain its historical value.

Commissioner Ulfelder confirmed with staff that the Burnette's house was not listed on the county's list of historic sites.

Commissioner Hurley and Ms. Kelsey discussed the school contribution; wherein, Ms. Kelsey said the applicant would provide the contribution based on the Fairfax County Public Schools formula.

Reed Dudley, Applicant's Engineer, Runyon Dudley Associates, 10650 Main Street, Fairfax, addressed the applicant's stormwater management proposal by explaining that the applicant had proposed an infiltration trench on both lots that would decrease stormwater runoff and would construct an impervious driveway system on the new lot. He said they were requesting that the trees and vegetation in the buffer areas, as depicted on the special exception plat, not be disturbed so the existing vegetation would be able to continue to grow.

Chairman Murphy called the first listed speaker and recited the rules for testimony.

Karen Keegan, 609 Deerfield Pond Court, spoke in support of the application stating that the proposed home would be in harmony with the area and would not negatively impact the Deerfield Pond community because it was not visible due to the assortment of trees on Deerfield Pond Court. She said the application included benefits such as a trail easement and buffer zones of established trees. Ms. Keegan said she was a member of the Deerfield Pond HOA and disagreed with their Board of Director's opposition to the special exception request.

Julie Ben-Achour, representing The Great Falls Trail Blazers, also spoke in support of the application explaining that that this portion of Walker Road was narrow and winding and would provide the connection needed for a continuous trail along Walker Road. She said this would provide the community safe pedestrian access to the local school, library and Great Falls Village.

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 Ulfelder for action on this case.

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(Start Verbatim Transcript)

Chairman Murphy: Public hearing is closed. Mr. Ulfelder.

Commissioner Ulfelder: Gee thanks.

Chairman Murphy: It's your night.

Commissioner Ulfelder: Thank you, Mr. Chairman. I think there is a little bit more work we can do with this application and some of the issues that came up that my fellow Commissioners raised, which the representatives of the applicants said they would now be willing to make some certain changes to the application and so on. And I think that we need some time for – a little bit more time for consideration of this application. Right now there is no date set for Board of Supervisors consideration of this application and I'm trying to find an appropriate date for deferral. Mr. Chairman, I MOVE TO DEFER THE DECISION ONLY FOR SE 2015-DR-027, TO A DATE CERTAIN OF NOVEMBER 10TH, 2016, WITH THE RECORD REMAINING OPEN FOR THE SUBMISSION OF WRITTEN COMMENTS.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? All those in favor of the motion to defer decision only on SE 2015-DR-027, to a date certain of November 10th, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 7-0. Commissioner Hart had recused himself from the vote. Commissioners Flanagan, Hedetniemi, Lawrence and Sargeant were absent from the meeting.

(End Verbatim Transcript)

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The meeting was adjourned at 10:55 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: March 29, 2017



John W. Cooper, Clerk
Fairfax County Planning Commission