

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JULY 31, 2019**

PRESENT: Peter F. Murphy, Chairman, Springfield District
James R. Hart, Commissioner At-Large
James T. Migliaccio, Lee District
Timothy J. Sargeant, Commissioner At-Large
John C. Ulfelder, Dranesville District
John A. Carter, Hunter Mill District
Julie M. Strandlie, Mason District
Phillip A. Niedzielski-Eichner, Providence District
Mary D. Cortina, Commissioner At-Large

ABSENT: Ellen J. Hurley, Braddock District
Walter C. Clarke, Mount Vernon District
Donté Tanner, Sully District

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The meeting was called to order at 7:38 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

Commissioner Migliaccio announced that the Planning Commission's Land Use Process and Review Committee would meet on Wednesday, September 11, 2019 at 6:30 p.m. in the Board Conference Room of the Fairfax County Government Center to receive a briefing on the Merrifield Comprehensive Plan Amendment from staff. He added that the meeting was open to the public.

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Chairman Murphy announced that Keisha Strand, Deputy Clerk to the Planning Commission, gave birth to her second child, Keilah Marie Citizen. On behalf of the Commission, Chairman Murphy congratulated Ms. Strand and her family.

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On behalf of the Planning Commission, Chairman Murphy thanked Jill Cooper, Executive Director; Jacob Caporaletti, Clerk to the Planning Commission; Toni Denson, Planning Technician; Teresa Wang, Senior Deputy Clerk; Samantha Lawrence, Deputy Clerk; Keisha Strand, Deputy Clerk; Angela, Schauweker, Management Analyst; and Sara Girello, Management Analyst for their work over the course of the year.

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On behalf of the Planning Commission, Chairman Murphy thanked the staff for Channel 16 and Government Center security personnel for their work.

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Chairman Murphy announced that Marianne Gardner, Leonard Wolfenstein, Noel Kaplan, Fred Selden, and John Bell had recently retired from the positions with the County. On behalf of the Commission, he thanked them for their service to the County.

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On behalf of the Commission, Chairman Murphy commended Commissioners Carter, Clarke, Cortina, and Tanner, who were first-time Commissioners that had been appointed in 2019.

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MINUTES APPROVAL – JANUARY 2019 TO FEBRUARY 2019

(Start Verbatim Transcript)

Commissioner Migliaccio: Thank you, Mr. Chairman. I have two items this evening. The first is, I WOULD LIKE TO MOVE APPROVAL OF PLANNING COMMISSION MINUTES FROM JANUARY 2019 AND FEBRUARY 2019.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of the motion? All those in favor of the motion as articulated by Mr. Migliaccio, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 9-0. Commissioners Clarke, Hurley, and Tanner were absent from the meeting.

(End Verbatim Transcript)

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CODE AMENDMENT – CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE) AND CHAPTER 124 (STORMWATER MANAGEMENT ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA (COUNTY CODE) RE: LONG-TERM MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES, ILLICIT DISCHARGES, AND ENFORCEMENT (Decision Only)
(Public Hearing on these applications was held on July 24, 2019)

(Start Verbatim Transcript)

Commissioner Hart: Thank you, Mr. Chairman. I have two items. On the stormwater amendment, Mr. Friedman is here just in case there is any questions, but I am assuming not. We still have some questions under review. With respect to the proposed amendments to Chapter 118, Chesapeake Bay Preservation Ordinance and Chapter 124, Stormwater Management Ordinance of *The Code of the County of Fairfax Virginia*, County Code RE: Long-term maintenance of stormwater management facilities, illicit discharges, and enforcement I MOVE THAT THE PLANNING COMMISSION DEFER DECISION ONLY ON THE PROPOSED AMENDMENTS TO THE STORMWATER MANAGEMENT ORDINANCE TO A DATE CERTAIN OF SEPTEMBER 11 – no, SEPTEMBER 12, excuse me, SEPTEMBER 12, 2019, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioners Cortina and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Ms. Cortina. Is there a discussion of that motion? All those in favor of the motion to defer decision on the Code Amendment as articulated by Mr. Hart to a date certain of September 12th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 9-0. Commissioners Clarke, Hurley, and Tanner were absent from the meeting.

(End Verbatim Transcript)

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SE 2018-SU-027 – STONEBRIDGE INVESTMENTS, LLC (Decision Only)
(Public Hearing on these applications was held on July 17, 2019)

(Start Verbatim Transcript)

Commissioner Hart: And secondly, Mr. Chairman, with respect to the brewery case, I've got a statement from County Attorney's Office. In Commissioner Tanner's absence, this is on Stonebridge Investments, LLC, SE 2018-SU-027, I will be moving to defer decision on this application to September 12, at Commissioner Tanner's request. I was already planning to make that motion to allow additional time for the applicant to work through some issues. But before making that motion, I want to address some concerns that have been raised since the public hearing. Let me just mention also the BZA public hearing on the SPA has already been moved to September 18th and is being re-advertised for then. With respect to the special exception, I'll be moving to defer this decision tonight. It has come to our attention that Stonebridge Investments,

LLC, the applicant in this case, owns the subject property but does not hold the ABC license. Instead, it leased the subject property to Bull Run Brewery, LLC, which obtained the ABC license. Unfortunately, the applicant failed to disclose this relationship on the affidavit. This presents a two-fold issue. First, is Stonebridge a proper SE applicant when it is not the ABC licensee? And second, what is the effect of the affidavit deficiency? With respect to the ABC license, the Zoning Ordinance does not require that the SE applicant be the same entity as the ABC licensee. Section 9-630 states that in the RC-District the Board may approve a special exception to allow for the expansion or development of a farm winery, limited brewery, or limited distillery. A license for the establishment must have been issued before July 1, 2016, or a license application for the establishment must have been filed with the Virginia Alcoholic Beverage Commission before July 1, 2016 and approved before approval of the special exception. In other words, the focus of the Ordinance is on the establishment. Here, the establishment is the proposed limited brewery at 6780 Bull Run Post Office Road. The Zoning Ordinance specifies who may apply for a special exception and Section 9-009 expressly allows any property owner to apply. Section 9-630, the provision specific to limited breweries, does not limit who is permitted to apply. Further, nothing in the Ordinance precludes a lessee from operating a use under a special exception approved in the name of the property owner. As for the affidavit, the applicant did not include Bull Run Brewery, LLC on the approved affidavit even though it has already leased the property to Bull Run. The applicant has explained that this was an oversight. I'm told that the applicant will be submitting a revised affidavit, which I would hope would be submitted long before the Commission's decision on this case. The applicant has also represented that the revised affidavit will not indicate – excuse me, will not include any disclosures or contributions from Bull Run – Bull Run Brewery, LLC. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE 2018-SU-027, TO A DATE CERTAIN OF SEPTEMBER 12, 2019, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of that motion? All those in favor of the motion to defer decision only on SE 2018-SU-027, Stonebridge Investments, LLC, to a date certain of September 12th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 9-0. Commissioners Clarke, Hurley, and Tanner were absent from the meeting.

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Commissioner Migliaccio established the following order of the agenda:

1. CSP 2016-DR-001 – DRI/MAPLE WOODLAND PARK, LLC
2. PCA 78-C-098-04/FDPA 78-C-098-05 – AP RESTON CAMPUS, LLC
3. RZ/FDP 2007-SP-013 – E. JAMES AND ANNE R. SOUVAGIS

This order was accepted without objection.

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CSP 2016-DR-001 – DRI/MAPLE WOODLAND PARK, LLC –
Appl. under Sect. 12-210 of the Zoning Ordinance for approval of
a Comprehensive Sign Plan associated with RZ 2016-DR-001.
Located on the N. side of Woodland Park Dr., approx. 400 ft. E. of
its intersection with Centreville Rd. on approx. 6.91 ac. of land
zoned PDH-30. Tax Map 16-3 ((1)) 29D1. DRANESVILLE
DISTRICT. PUBLIC HEARING.

Commissioner Ulfelder asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, she 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 Ulfelder for action on this case.

(Start Verbatim Transcript)

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Commissioner Ulfelder: Thank you, Mr. Chairman. This is an application for a Planning Commission approval of a Comprehensive Sign Plan for the Alexan Ridgeline, a 295-unit multifamily residential building currently under construction, located in the Herndon area at the intersection of Centreville and Woodland Park Roads, just south of the Dulles Toll Road. The application includes a variety of permanent signs, as well as three temporary signs for use during the initial lease-up area. Condition Number 7 makes it clear that the three temporary signs will require individual sign permits, each one valid for a maximum of 24 months from the date of issuance. This is consistent with other temporary signs approved for similar buildings. Based on its review, staff concluded that the proposed Comprehensive Sign Plan for the Alexan Ridgeline is consistent with the Comprehensive Plan and meets the applicable provisions of the Zoning Ordinance based on the proposed development conditions dated July 16th, 2019. I agree. Would a representative of the applicant please come forward?

Bernard Suchicital, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C.: Good evening Planning Commissioners. Bernie Suchicital with Walsh Colucci on behalf of the applicants, we agree to the development conditions, as set forth in the staff report.

Commissioner Ulfelder: So, you are confirming for the record for the July 16th development conditions that are in the staff report?

Mr. Suchicital: Yes.

Commissioner Ulfelder: Okay, thank you.

Mr. Suchicital: Thank you.

Commissioner Ulfelder: With that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE CSP 2016-DR-001, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY 16TH, 2019.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to approve CSP 2016-DR-001, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 9-0. Commissioners Clarke, Hurley, and Tanner were absent from the meeting.

(End Verbatim Transcript)

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PCA 78-C-098-04/FDPA 78-C-098-05 – AP RESTON CAMPUS, LLC – Appls. to amend the proffers and final development plan for RZ 78-C-098 previously approved for office uses with an option for residential uses to permit office uses and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.64. Located on the W. side of Old Reston Ave., N. side of Washington and Old Dominion Trail and south of Temporary Rd. on approx. 5.19 ac. of land zoned PDC. Comp. Plan Rec: Mixed Use. Tax Map 17-4 ((1)) 1. HUNTER MILL DISTRICT. PUBLIC HEARING.

Andrew Painter, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC, reaffirmed the affidavit dated February 19, 2019.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had at least one case in which there were attorneys from Mr. Painter's firm representing adverse parties. However, he noted that matter and those parties were unrelated to the subject applications and there was no business or financial relationship; therefore, it would not affect his ability to participate in the public hearing.

Mary Ann Tsai, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications PCA 78-C-098-04/FDPA 78-C-098-05.

Mr. Painter gave a presentation on the subject applications, a copy of which is in the date file.

There was a discussion between Mr. Painter; Ms. Tsai; Charles Betancourt, Applicant/Title Owner, AP Reston Campus, LLC; and multiple Commissioners on the following issues:

- The applicant's stormwater management commitments;
- The reporting requirements for the applicant's stormwater management commitments;
- The adequacy of the applicant's commitments for phosphorous removal;
- The applicant's commitment to implement a green roof for the proposed buildings;
- The features of the applicant's stormwater management provisions that would be finalized at the time of site plan review;
- The timeline for determining appropriate stormwater management provisions for the proposed development;
- The Comprehensive Plan recommendations for stormwater management provisions on the site;
- The amount of green roof that would be included with the proposed development;
- The status of the existing A. Smith Bowman Manor House (Manor House) as a historically significant structure, under the County's Inventory of Historic Site;
- The eligibility of the Manor House for listing with the National Register of Historic Places (NRHP);
- The applicant's efforts to preserve and maintain the Manor House;
- The applicant's efforts to ensure the development complemented the use and appearance of the Manor House;
- The funding mechanism for a possible Commercial Association for the proposed development;
- The efforts and procedures for adding the Manor House to the NRHP;
- The proffered commitments to sidewalk improvements;
- The proffered commitments to off-site trail improvements for the W&OD Trail;
- The architecture of the proposed office buildings;
- The applicant's justification for retaining the four existing parking spaces along the northern property line, which staff had recommended removing;
- The amount of impervious surface and open space included with the development; and
- The possible use of signage to designate certain parking spaces for visitors to the Manor House.

The discussion resulted in no changes to the subject applications, but the applicant agreed to finalize the language for Proffer Number 31, W&OD Trail Off-Site Improvements, prior to the Board of Supervisors' public hearing for the subject applications. A copy of the applicant's proffers is in Appendix 1 in the staff report.

There being no listed speakers, Chairman Murphy called for speakers from the audience.

Katherine Hanley, 11776 Stratford House Place, Reston, voiced the following concerns about the subject applications:

- The adequacy of the buffer between the subject property and the existing multifamily residential development to the west;
- The applicant's efforts to preserve the existing trees along the buffer; and
- The extent to which the applicant would comply with the language pertaining to tree preservation on Sheet 21 of the CDP/FDP, as listed in the staff report.

Mr. Painter addressed Ms. Hanley's concerns, stating that applicant would coordinate with residents from the neighboring residential development to ensure adequate tree preservation for the buffer.

There was a discussion between Ms. Tsai; Catherine Lewis, ZED, DPD; Commissioner Hart regarding the following issues:

- The applicant's tree preservation commitments, as articulated in the CDP/FDP and the proffers;
- The amount of flexibility the applicant could exercise in pursuing those commitments;
- The standards for the 10-year tree canopy within the buffer between the subject property and the existing multifamily residential development to the west;
- The types of plantings the applicant could utilize under the landscaping commitments articulated in Proffer Number 27, Landscaping; and
- The role of the Urban Forester in determining the appropriate landscaping and tree preservation provisions.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Painter, who declined.

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 Carter for action on these cases.

(Start Verbatim Transcript)

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Commissioner Carter: Okay, this is called AP Reston Campus, LLC, but it's really the American Armed Forces Mutual Association. We shouldn't forget that. It's PCA 78-C-098-04 and FDPA 78-C-098-05. So the application, again, it's a proffered condition amendment and a final development plan. It will allow a valued existing employer to expand in Reston. The amendment proposes to adaptively reuse the A. Smith Bowman house, which is unusual. We often change – save the artifact, but in this case, we have a use that works well with the house. In addition, it's gonna improve the existing gazebo, open space and pond area that were a part of the original Town of Wiehle. The applicant will also remove the – remove the existing office building and construct two new office buildings. The proposed project is consistent with the development in the Comprehensive Plan – with the land use recommendations in the Comprehensive Plan. Placemaking, the augmented system of open spaces will continue the effort to increase access and create a recognizable linear park along the W&OD Trail along the TSA areas in Reston. If

you remember, a couple of the other projects that we've done by the Reston Town Center have done this and we have two or three more coming. So that we'll have – keep the trail, but we'll also have large – large and small open spaces and improved access to that WD – OD Trail. This will be the central park for Reston eventually. Transportation and mobility, the proposed streets, pedestrian pathways with the changes as proposed and bicycle connections are adequate, safe, and efficient. Environment and energy, as you remember, some of these projects have not proffered improvements to stormwater management in Reston. This one is going above and beyond what normally – well, what has been done on some of the recent projects in Reston. The Architectural Review Board has carefully reviewed the proposal and supports the application. The Reston Planning and Zoning Committee, as you heard, unanimously recommended approval. Now, no good deed gets a little bit of punishment. So, we have two issues that staff has brought up. One is the removal of the four parking spaces. I think this might be appropriate if this was a speculative project. But in this case, you have an existing use that's already there and so I don't think we need to review – remove those spaces. We have enough open spaces. Again, they're [inaudible] intended to adequately serve the needs of the families and guests and I think the signage would be a good idea in this case. As you remember, similar Reston projects – we also add short-term parking spaces near the front and this – all of these spaces might not help that. Other spaces closer to the front would help that. Again, the open space is significantly more than the minimum. So, I recommend retention of the four parking spaces. Extension of the sidewalk to the W&OD Trail, this is the only missing piece in the whole area. I think the County is just finished some sidewalks along Sunset Hills Road and they're completing all the sidewalks in front. So I think we should have that. We can work on the final language before the Board of Supervisors takes this up. So, in conclusion, I certainly would like to thank especially Mary Ann Tsai who is always use to my marks before and after. The applicant, including Andrew Painter, the design team, including DBI Architects, and the Armed Forces Mutual Association for their sensitive design, adaptive reuse of the existing nineteenth century house, and the improvement to the open spaces along the W&OD Trail. I also would like to thank the representatives and we had one today, but there are several more back there, from the Stratford House and their constructive comments that resulted in improvements to the design to achieve compatibility. And then finally, the Reston Planning and Zoning Committee for their constructive comments and recommendation of approval. So with that, I want to have a motion to approve, Mr. Chairman, I request staff to confirm for the record agreement to the proposed development conditions as amended, to include the signage for the four parking spaces and the sidewalk extension.

Chairman Murphy: Mr. Painter?

Andrew A. Painter, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh PC: We agree.

Commissioner Carter: Okay, do we get a – okay, I MOVE THAT THE PLANNING COMMISSION – I'll try it again – I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS' APPROVAL OF PCA 78-C-098-04, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JULY 9TH, 2019, WITH THOSE TWO MODIFICATIONS: THE SIGNAGE FOR THE FOUR PARKING SPACES AND THE SIDEWALK EXTENSION.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 78-C-098 (sic), say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Carter.

Commissioner Carter: Secondly, I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 78-C-098-05, SUBJECT TO THE DEVELOPMENT CONDITION DATED JULY 17TH, 2019, AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF PCA 78-C-098-04.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of that motion? All those in favor of the motion to approve FDPA 78-C-098-05, subject to the Board's approval of the PCA, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: And finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS – ONE, APPROVAL OF THE MODIFICATION OF SECTION 11-202 OF THE ZONING ORDINANCE TO PERMIT A REDUCTION OF THE NUMBER OF REQUIRED LOADING SPACES FROM 5 TO 2 SPACES AND APPROVAL OF A MODIFICATION OF SECTIONS 13-303 AND 13-304 OF THE ZONING ORDINANCE FOR THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS THAT ARE SHOWN ON CDPA AND THE FDPA.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Each motion carried by a vote of 9-0. Commissioner Clarke, Hurley, and Tanner were absent from the meeting.

(End Verbatim Transcript)

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The next case was located in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman Hart.

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RZ/FDP 2007-SP-013 – E. JAMES AND ANNE R. SOUVAGIS –
Appl. under Sect. 9-620 of the Zoning Ordinance to permit waiver of certain sign regulations. Located at 8402 Old Keene Mill Rd., Springfield, 22152 on approx. 10.09 ac. of land zoned C-6 and HC. Tax Map 79-3 ((5)) 1B. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Lynne Strobel, Applicant's Agent, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC, reaffirmed the affidavit dated June 17, 2019.

Vice Chairman Hart disclosed that his law firm, Hart & Horan, PC, had at least one case in which there were attorneys from Ms. Strobel's firm representing adverse parties. However, he noted that matter and those parties were unrelated to the subject applications and there was no business or financial relationship; therefore, it would not affect his ability to participate in the public hearing.

Zachary Fountain, Zoning Evaluation Division, Department of Planning and Development, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of applications RZ/FDP 2007-SP-013.

Ms. Strobel gave a presentation for the subject applications, a copy of which is in the date file.

There was a discussion between Ms. Strobel; E. James Souvaxis, Applicant/Title Owner; and multiple Commissioners on the following issues:

- The applicant's commitment to utilizing universal design elements for the proposed development;
- The presence of historically significant structures on the site;
- The applicant's efforts to relocate or salvage historic materials from the historically significant structures on the site;
- The process and timeframe for salvaging and relocating historic materials or structures from the site;
- The applicant's efforts to find prospective purchasers that would be interested in buying and preserving the historic resources on the site;
- The process and timeframe for advertising the relocation or preservation of historic materials from the site;
- The flexibility for extending the timeframe to allow interested parties to relocate or preserve historic materials on the site;
- The methods the applicant would utilize to advertise the presence of historic resources on the site to prospective buyers;
- The process of photographing and documenting the historic resources of the site;

- The updating of language referencing the Department of Planning and Zoning to the Department of Planning and Development;
- The efforts of the applicant and prospective purchasers to list the historic resources on the site with the National Register of Historic Places or the Virginia Landmarks Register; and
- The applicant's stormwater management and tree preservation provisions for the proposed development.

The discussion resulted in no changes to the subject applications, but Ms. Strobel did not object to the following modifications:

- Modifying the language of Proffer 6D, Historic Preservation and Heritage Resources, to clarify the guidelines for preserving or relocating historic materials;
- Modifying the language of Proffer 6D to permit interested parties a minimum of 120 days from the date of the public notice to implement a relocation or preservation effort for historic resources; and
- Modifying any reference to the Department of Planning and Zoning to the Department of Planning and Development.

Vice Chairman Hart called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman Hart closed the public hearing and recognized Commissioner Murphy for action on these cases.

(Start Verbatim Transcript)

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Commissioner Murphy: Thank you Mr. Chairman. Ms. Strobel, I'm not going to defer decision on this. I am going to move – even though you don't have a Board date – with your assurances that you would work on the suggestions that Mr. Ulfelder articulated as far as the Woodaman House is concerned prior to the Board public hearing, okay? Mr. Chairman, this application to rezone 5.17 acres from the R-1 District to the PDH-2 District for the development of nine new single family detached dwelling units and the preservation of one historic single family detached house, the Woodaman House, for a total of ten units with a density of 1.94 dwelling units per acre, is in conformance with the Comprehensive Plan. It's in conformance with the applicable Zoning Ordinances. It meets the residential development criteria and the Fairfax Center Area Plan. I think I mentioned that the proffer on the universal design and I compliment again the applicant on the record for that. For those of us, and I'm sure we all have read the proffers, it's a very comprehensive proffer package for this – this application and for this land use on Westbrook Road. I think one of the most important ones – because we have been after the developers in that area to do something with that rise in the road on Westbrook Drive. I am glad to see you tackling that and I know its subject – I want the applicant to understand – it's subject to VDOT approval. The Virginia Department of Transportation has to approve that before it can be executed. But the applicant has given it a shot to take – what is it, twelve inches – off the top of that. I think there is a concern from VDOT that there may be something under that hump that

may be important to the road and that may preclude this going through, but at least they are going to take a shot. For all the neighbors in that area who for years have been trying to do something with that hump to bring it down by twelve inches. So, having said all that Mr. Chairman, I request the applicant please come forward and state for the record that you have read the development conditions, you understand, and you'll abide by them.

Lynne Strobel, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh P.C.: Yes.

Commissioner Murphy: Thank you very much. Therefore, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS' APPROVE RZ 2007-SP-013, SUBJECT TO THE EXECUTION OF THE PROFFERS DATED JULY 17TH, 2019.

Commissioner Sargeant: Second.

Vice Chairman Hart: Seconded by Commissioner Sargeant. Any discussion on that motion? Seeing none we'll move to vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE FDP 2007-SP-013, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITION – FINAL DEVELOPMENT PLAN CONDITIONS DATED JULY 17TH, 2019, AND THE BOARD OF SUPERVISORS' APPROVAL OF THE REZONING AND CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Sargeant: Second.

Vice Chairman Hart: Seconded by Commissioner Sargeant. Any discussion of that motion? Seeing none we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Any opposed? That motion carries.

Each motion carried by a vote of 9-0. Commissioners Clarke, Hurley, and Tanner were absent from the meeting.

(End Verbatim Transcript)

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Chairman Murphy resumed the Chair.

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The meeting was adjourned at 9:06 p.m.
Peter F. Murphy, Chairman
James T. Migliaccio, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035.

Minutes by: Jacob Caporaletti

Approved on: December 11, 2019

Jacob Caporaletti

Jacob Caporaletti, Clerk to the
Fairfax County Planning Commission

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 22 day of January 2020, by
Jacob Caporaletti.

Dorothy M. Steele
Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2020

