

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MAY 25, 2017**

PRESENT: 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 M. Strandlie, Mason District
Earl L. Flanagan, Mount Vernon District
Phillip A. Niedzielski-Eichner, Providence District
Karen A. Keys-Gamarra, Sully District
Janyce N. Hedetniemi, Commissioner At-Large

ABSENT: Peter F. Murphy, Springfield District
Timothy J. Sargeant, Commission At-Large

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The meeting was called to order at 8:18 p.m., by Vice Chairman Frank A. de la Fe, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

RZ/FDP 2016-PR-012 – SEKAS HOMES, LTD
(Decision Only) (The public hearing on this application was held on May 18, 2017.)

(Start Verbatim Transcript)

Commissioner Niedzielski-Eichner: Thank you Mr. Chairman. If I could, with regard to the application that's up for decision only this evening, I – I'm really pleased to report that good progress has been made this week regarding the applicant and staff – with the applicant and staff regarding the rezoning application for the Kena Temple site at Arlington Blvd and Barkley Road. Plan design changes have been agreed to and revised proffer language has been drafted that address the concerns raised at last week's public hearing by my Commission colleagues and community representatives. Also, staff is in the process of completing an addendum to its staff report to account for the changes that have been agreed to. And finally, a healthy dialogue continues within the community, including, among other considerations, ways to mitigate the long-standing traffic problems at the Arlington/Barkley intersection. In this regard, the record will remain open for comment on the overall development plans until the Commission acts on June 15th, if this motion were to be approved. The applicant has completed additional road engineering and design work so that we can more concretely understand the impacts on the flood plain and resource protection area of a Karen Drive extension to and through the site. My belief is that we will all better understand the traffic issues and options by an on-site visit, which I have scheduled for the Commission on Wednesday, June 7th at 2:30 p.m. The applicant and staff will participate and I hope you can join us. The public is certainly welcomed to join us as well. So

with that Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ/FDP 2016-PR-012 TO A DATE CERTAIN OF JUNE 15TH, 2017. Commissioners Hedetniemi and Hart: Second.

Vice Chairman de la Fe: Second by Commissioners Hedetniemi and Hart. Any discussion? Hearing and seeing none, all those in favor please say signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

The motion carried by a vote of 10-0. Chairman Murphy and Commissioner Sargeant were absent from the public hearing.

(End Verbatim Transcript)

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FDPA 87-C-060-19 ANTHONY J. DEGREGORIO TR & CLAUDIA M. DEGREGORIO TR

(Start Verbatim Transcript)

Commissioner de le Fe: And I had a public hearing in Hunter Mill scheduled for tonight, however there has been – there was an affidavit problem and we’ve had to defer that public hearing. So I MOVE THAT FDPA 87-C-060-19, ANTHONY J. DEGREGORIO AND CLAUDIA M. DEGREGORIO, THE PUBLIC HEARING BE DEFERRED TO A DATE CERTAIN OF JUNE 29TH, 2017.

Commissioner Flanagan: Second.

Secretary Hart: Motion’s been made by Commissioner de le Fe and seconded by Commissioner Flanagan. Any discussion? Seeing none, we move to a vote. All in favor, please say aye.

Commissioners: Aye.

Secretary Hart: Those opposed? Chair notes aye. That motion carries.

Commissioner de le Fe: Thank you very much.

The motion carried by a vote of 10-0. Chairman Murphy and Commissioner Sargeant were absent from the public hearing.

(End Verbatim Transcript)

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ZONING ORDINANCE AMENDMENT – SMALL CELL FACILITIES ZONING ORDINANCE

ZONING ORDINANCE AMENDMENT – PUBLIC FACILITIES AND MODIFICATIONS TO EXISTING WIRELESS TOWERS OR BASE STATIONS

PA 2017-CW-1CP – COMPREHENSIVE PLAN AMENDMENT (MOBILE AND LAND BASED TELECOMMUNICATIONS POLICY PLAN) (Hearing Scheduled for June 21, 2017)

Secretary Hart reminded the Commission of the above referenced telecommunications packages. He stated the first two zoning ordinance amendments were scheduled for public hearing on June 15, 2017 and the third amendment was scheduled for public hearing on June 21, 2017. He indicated all three staff reports were available online.

ORDER OF THE AGENDA

Commissioner Hart established the following order of the agenda:

1. Z.O. AMENDMENT – PLANNED DEVELOPMENT DISTRICT RECREATIONAL FACILITIES
2. CSP 2011-PR-005-02 – LMV TYSON HOLDINGS, LLC
3. SEA 84-V-034 and SEA 84-V-035-02 – HUNTWOOD, LLC

This order was accepted without objection.

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Z.O. AMENDMENT – PLANNED DEVELOPMENT DISTRICT RECREATIONAL FACILITIES. – Chapter 112 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows: Increase the minimum per dwelling unit expenditure for recreational facilities from \$1,800 to \$1,900 in the PDH Planned Development Housing District (Par. 2 of Sect. 6-110), PDC Planned Development Commercial District (Par. 2 of Sect. 6-209), PRM Planned Residential Mixed Use District (Par. 2 of Sect. 6-409) and the PTC Planned Tysons Corner Urban District (Par. 2 of 6-508). [Note: advertised to allow the Board to consider and approve any expenditure within the range of \$1,800 to \$1,900.]
COUNTYWIDE PUBLIC HEARING.

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

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(Start Verbatim Transcript)

Commissioner Hedetniemi: Mr. Chairman, I recommend – I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING PLANNED

DEVELOPMENT DISTRICT RECREATIONAL FACILITIES, AS ADVERTISED AND SET FORTH IN THE STAFF REPORT, DATED MAY 2ND, 2017.

Commissioner Flanagan: Second.

Vice Chairman de la Fe: Seconded by Commissioner Flanagan. Is there any discussion? Hearing and seeing none, all in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

The motion carried by a vote of 10-0. Chairman Murphy and Commissioner Sargeant were absent from the public hearing.

(End Verbatim Transcript)

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CSP 2011-PR-005-02 – LMV TYSON HOLDINGS, LLC. – Appl.
under Sect. 12-210 of the Zoning Ordinance for approval of a
Comprehensive Sign Plan associated with RZ 2011-PR-005.
Located on the Northern quadrant of the intersection of Route 7
and Route 123 on approx. 42,214 sq. ft. of land zoned PTC, SC,
and HC. Tax Map 29-3 ((1)) 76B. PROVIDENCE DISTRICT
PUBLIC HEARING.

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

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(Start Verbatim Transcript)

Commissioner Niedzielski-Eichner: Thank you. I would, Mr. Chairman, request that the applicant confirm for the record, their agreement on the proposed development conditions dated May 10th, 2017.

Elizabeth Baker with Walsh, Colucci, Lubeley & Walsh, PC: Elizabeth Baker with Walsh, Colucci. Yes, the applicant accepts those development conditions.

Commissioner Niedzielski-Eichner: I therefore MOVE THAT THE PLANNING COMMISSION APPROVE CSP 2011-PR-005-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 10TH, 2017.

Commissioner Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioner Hedetniemi. Is there any discussion? Hearing and seeing none, all in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

The motion carried by a vote of 10-0. Chairman Murphy and Commissioner Sargeant were absent from the public hearing.

(End Verbatim Transcript)

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SEA 84-V-034 – HUNTWOOD, LLC. – Appl. under Sects. 2-904, 9-014 and 9-606 of the Zoning Ordinance to amend SE 84-V-034 previously approved for fill in the floodplain to modify development conditions. Located at 5845 Richmond Hwy., Alexandria, 22303 on approx. 4.48 ac. of land zoned C-8, CRD and HC. Tax Map 83-4 ((1)) 8, 10 and 11. (Concurrent with SEA 84-V-035-02). MOUNT VERNON DISTRICT PUBLIC HEARING.

SEA 84-V-035-02 – HUNTWOOD, LLC. – Appl. under Sects. 9-014 and 9-622 of the Zoning Ordinance to amend SE 84-V-035 previously approved for an increase in building height to permit modifications to development conditions. Located at 5845 Richmond Hwy., Alexandria, 22303 on approx. 4.48 ac. of land zoned C-8, CRD and HC. Tax Map 83-4 ((1)) 8, 10 and 11. (Concurrent with SEA 84-V-035). MOUNT VERNON DISTRICT PUBLIC HEARING.

Robert Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC, reaffirmed both affidavits dated April 17, 2017.

Commissioner Hart disclosed the law firm of Hart & Horan, P.C. had one case where the attorneys in Mr. Brant's firm representing an adverse party or adverse parties. He stated that matter and those parties were unrelated to the above referenced case. Commissioner Hart said The law firm of Hart & Horan, P.C. had no business or financial relationship and did not think this matter would affect his ability to participate in the case.

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

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(Start Verbatim Transcript)

Commissioner Flanagan: Thank you, Mr. Chairman. Would the applicant please come back to the lectern please? Have you read and agree with the proposed development conditions dated May 10, 2017?

Robert Brant with Walsh, Colucci, Lubeley & Walsh, PC: Yes, the applicant is in agreement with those conditions.

Commissioner Flanagan: Thank you. You may be seated.

Mr. Brant: Thank you.

Commissioner Flanagan: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 84-V-034 AND SEA 84-V-035-02, SUBJECT TO THE DEVELOPMENT CONDITIONS NOW DATED MAY 10, 2017.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Commissioner Hart. Is there any discussion? Hearing and seeing none, all in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

The motion carried by a vote of 10-0. Chairman Murphy and Commissioner Sargeant were absent from the public hearing.

(End Verbatim Transcript)

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The meeting was adjourned at 8:28 p.m.
Frank A. de la Fe, Vice 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: Samantha Lawrence

Approved on: October 5, 2017



John W. Cooper, Clerk to the
Fairfax County Planning Commission