

Planning Commission Meeting
October 4, 2007
Verbatim Excerpt

PCA 82-P-069-15, CDPA 82-P-069-3-1, FDPA 82-P-069-01-14, and FDPA 82-P-069-10-4;
PCA 82-P-069-16, CDPA 82-P-069-07-01, FDPA 82-P-069-11-5, and FDPA 82-P-069-06-11;
PCA 82-P-069-17, CDPA 82-P-069-03-03, and FDPA 82-P-069-08-05; PCA 82-P-069-19,
CDPA 82-P-069-03-02, and FDPA 82-P-069-09-08; PCA 82-P-069-20, CDPA 82-P-069-01-1,
and FDPA 82-P-069-01-15 - FAIR LAKES CENTER ASSOCIATES L.P. (Springfield District)

Decision Only During Commission Matters
(Public Hearing held on October 3, 2007)

Chairman Murphy: I have a decision only in the Springfield District. We had the public hearing last night. I'll pass the gavel, gratefully, to Mr. Alcorn.

Vice Chairman Alcorn: Mr. Murphy.

Commissioner Murphy: These are all the applications centered at the Fair Lakes development. And there are actually – there were actually originally six applications. And one has been deferred. We had five before us at the public hearing last night. All the applications now have a recommendation for approval. One, the last application, that I will move on this evening actually had a denial just prior to the public hearing but we resolved that last issue. So I will be making a motion on the last entry which is CDP 20 (sic), PCA rather, which will bring the FDP back to the Planning Commission for a decision only later in the month. This application is in conformance with the Comprehensive Plan and with the applicable Zoning Ordinances. It meets all the standards, quite successfully, of the Fairfax Center Checklist, including a tremendous donation in both construction and in finances for transportation amenities and construction and a lot of this money will be going to the interchange at Fair Lakes Parkway and the Fairfax County Parkway to improve that intersection and make it a great separate intersection which they feel will be ready for construction as it goes, in about five years. The construction on this site will not begin for another four years so it should be timed pretty closely. This has been before the Land Use Committee, the Springfield District/Fairfax Center Land Use Committee, it was recommended for approval on a split vote of 4 to 2. One of the votes that are in the 2 category was actually made by a person who made a motion to recommend approval of all the applications. I do want to point out that there were three caveats to the motion. Two have been addressed by the applicant, one is the timing of the lights will coincide with the construction of all the properties and the installation of the lights, subject to VDOT; and the second is that the Land Use Committee that were in the majority, voted that they would support every application that the staff recommended approval or denial, whichever way it fell. And now staff is recommending approval. The third was that they wanted to see the interchange built before anything was done at Fair Lakes and we just didn't think that was a feasible requirement to place on the developer. Neither did Supervisor McConnell and neither did the staff, with the tremendous money they've put into this road already – somewhere in the vicinity of 30 million dollars in 1984 money when they actually built all the roads that millions and millions of people have been driving on for over 20 years. So therefore, Mr. Chairman –

Vice Chairman Alcorn: Yes, Mr. Murphy.

Commissioner Murphy: I would move first on – I'm going to do this in the order we heard the public hearings last night and again – even though we are on the record, and I asked to be brief, I cannot make these motions without thanking Kris Abrahamson who did a tremendous job and Billy O'Donnell, who we gave the night off tonight so he could go back and reunite himself with his wife of three weeks, who actually worked on these applications on and off during the last month and a half. And I want to thank these two staff people because, as usual, the dedication was superior. Probably the worst thing they had to do was to put up with me. That was probably worse than the applicant in this particular instance. But first of all, here we go. On PCA 15, which was the first one we heard last night, first, I MOVE THE PLANNING COMMISSION RECOMMEND APPROVAL – RECOMMEND THE BOARD OF SUPERVISORS THAT IT APPROVE PCA 82-P-069-15, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 2, 2007. (1)

Commissioner Koch: Second.

Vice Chairman Alcorn: Motion's been made and seconded by Commissioner Koch. Any discussion? All those –

Commissioner Flanagan: Mr. Chairman?

Vice Chairman Alcorn: Yes, Mr. Flanagan.

Commissioner Flanagan: I was not present for the public hearing on this item and I will be abstaining on all of the motions.

Commissioner Lawrence: As will I.

Vice Chairman Alcorn: Okay.

Commissioner Murphy: Mr. Lawrence and Mr. Flanagan will abstain.

Vice Chairman Alcorn: So two abstentions. Any additional discussion? All those in favor of approving the motion that the Planning Commission recommend approval of PCA 82-P-069-15, subject to the execution of the proffers consistent with those dated October 2, 2007, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE CDPA 82-P-069-3-1. (2)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommending approval of CDPA 82-P-069-3-1, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 82-P-069-1-14, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 3RD, WITH THE FOLLOWING CHANGE: MODIFY DEVELOPMENT CONDITION 4 TO READ: "THE USE OF THE CELLAR SPACE SHALL BE LIMITED TO THE PRINCIPAL USE INDICATED ON THE FDPA AND ACCESSORY USES AS DEFINED BY ARTICLE 10 OF THE ZONING ORDINANCE. ANY USE OF THE CELLAR SPACE SHALL BE PARKED AS REQUIRED IN ARTICLE 11 OF THE ZONING ORDINANCE." (3)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Mr. Koch. Any discussion? All those in favor of approving FDPA 82-P-069-1-4 (sic), subject to the development conditions dated October 3rd as articulated and modified by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All those opposed? That motion carried. Same abstentions on every motion.

Commissioner Murphy: I MOVE THE PLANNING COMMISSION APPROVE FDPA 82-P-069-10-4, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 3RD, WITH THE FOLLOWING CHANGE: MODIFY DEVELOPMENT CONDITION 4 TO READ: "THE USE OF THE CELLAR SPACE SHALL BE LIMITED TO THE PRINCIPAL USE INDICATED ON THE FDPA AND ACCESSORY USES AS DEFINED BY ARTICLE 10 OF THE ZONING ORDINANCE. ANY USE OF THE CELLAR SPACE SHALL BE PARKED AS REQUIRED IN ARTICLE 11 OF THE ZONING ORDINANCE." (4)

Commissioner Koch: Second.

October 4, 2007

Fair Lakes Center Associates L.P. (Springfield District)

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of approving FDPA 82-P-069-10-4, subject to the development conditions dated October 3rd with the changes articulated by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: I MOVE THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISOR APPROVE THE MODIFICATION OF THE PFM STANDARD 12-07-02.1B2 TO PERMIT THE REDUCTION OF THE MINIMUM PLANTING WIDTH REQUIREMENT FROM EIGHT FEET TO SIX FEET AS SHOWN IN THE CDPA/FDPA AND DESCRIBED IN THE PROFFERS. (5)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommending approval of the modification of the PFM Standard as articulated by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All those opposed? That motion carries.

Commissioner Murphy: I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE LOADING REQUIREMENT IN FAVOR OF THE LOADING SPACES PROVIDED ON THE CDPA/FDPA. (6)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of the motion, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All those opposed? Motion carries.

Commissioner Murphy: Page 2. This will be on PCA 16, the second application we heard last night. Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE PCA 82-P-069-16, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 28, 2007. (7)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of the motion as articulated by Commissioner Murphy, approval of – recommend approval of PCA 82-P-069-16, subject to the execution of proffers dated September 28, 2007, please say aye.

Commissioners: Aye.

Commissioner Alcorn: All opposed? And same abstentions.

Commissioner Murphy: Was the date on the proffer correct on that, Kris, September 28?

Kristen Abrahamson: Yes.

Commissioner Murphy: I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE CDPA 82-P-069-7-1, (8)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommending approval of CDPA 82-P-069-7-1, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 82-P-069-11-5, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 3RD, 2007 WITH THE FOLLOWING CHANGE: MODIFY DEVELOPMENT CONDITION 4 TO READ: "THE USE OF THE CELLAR SPACE SHALL BE LIMITED TO THE PRINCIPAL USE INDICATED ON THE FDPA AND ACCESSORY USES AS DEFINED BY ARTICLE 10 OF THE ZONING ORDINANCE. ANY USE OF THE CELLAR SPACE SHALL BE PARKED AS REQUIRED IN ARTICLE 11 OF THE ZONING ORDINANCE." (9)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of approving FDPA 82-P-069-11-5, subject to the development conditions dated October 3rd, with the change articulated by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All those opposed? That motion carries. Same abstentions.

October 4, 2007

Fair Lakes Center Associates L.P. (Springfield District)

Commissioner Murphy: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 82-P-069-6-11, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 3RD, 2007, WITH THE FOLLOWING CHANGE: MODIFY DEVELOPMENT CONDITION 4 TO READ: "THE USE OF THE CELLAR SPACE SHALL BE LIMITED TO THE PRINCIPAL USE INDICATED ON THE FDPA AND ACCESSORY USES AS DEFINED BY ARTICLE 10 OF THE ZONING ORDINANCE. ANY USE OF THE USE OF CELLAR SPACE SHALL BE PARKED AS REQUIRED IN ARTICLE 11 OF THE ZONING ORDINANCE." (10)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? This is important.

Commissioner Murphy: I am going to know this by heart by the time we finish this thing.

Vice Chairman Alcorn: All those in favor of approving FDPA 82-P069-6-11, subject to the development conditions dated October 3rd, with the change articulated by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND – approval of the modification – TO THE BOARD OF SUPERVISORS TO APPROVE A MODIFICATION OF THE PFM STANDARD 12-07-02.1B2 TO PERMIT REDUCTION OF THE MINIMUM PLANTING WIDTH REQUIREMENT FROM EIGHT FEET TO SIX FEET AS SHOWN ON THE CDPA/FDPA AS DESCRIBED IN THE PROFFERS. (11)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommending approval of the modification of the PFM Standard as articulated by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Harsel: Abstain.

Vice Chairman Alcorn: An additional abstention, Commissioner Harsel abstains.

Commissioner Murphy: I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE MODIFICATION OF THE LOADING REQUIREMENT IN FAVOR OF THE LOADING SPACES PROVIDED ON THE CDPA/FDPA. (12)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommending approval of the modification of the loading requirement in favor of the loading spaces required (sic) in the CDPA/FDPA, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All those opposed? That motion carries. Same abstentions.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ON THE SOUTH SIDE OF THE PROPERTY, ADJACENT TO I-66, IN FAVOR OF THE EXISTING AND PROPOSED LANDSCAPING. (13)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of the motion, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: Mr. Chairman, now we will move to PCA 17, the third application we heard last night. I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE PCA 82-P-069-17, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 2, 2007. (14)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommending approval of PCA 82-P-069-17, subject to the proffers dated October 2, 2007, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE CDPA 82-P-069-3-3. (15)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommending approval of CDPA 82-P-069-3-3, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: I MOVE THE PLANNING COMMISSION APPROVE FDPA 82-P-069-8-5, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 3RD, 2007, WITH THE FOLLOWING CHANGE: MODIFY DEVELOPMENT CONDITION 4 TO READ: "THE USE OF THE CELLAR SPACE SHALL BE LIMITED TO THE PRINCIPAL USE INDICATED ON THE FDPA AND ACCESSORY USES AS DEFINED BY ARTICLE 10 OF THE ZONING ORDINANCE. ANY USE OF THE USE OF CELLAR SPACE SHALL BE PARKED AS REQUIRED IN ARTICLE 11 OF THE ZONING ORDINANCE." (16)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of approving FDPA 82-P-069-8-5, subject to the development conditions dated October 3rd, with the modification as articulated by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE MODIFICATION OF THE PFM STANDARD 12-07-02.1B2 TO PERMIT REDUCTION OF THE MINIMUM PLANTING WIDTH REQUIREMENT FROM EIGHT FEET TO SIX FEET AS SHOWN ON THE CDPA/FDPA AND DESCRIBED IN THE PROFFERS. (17)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of the motion to recommend approval of the modification of the PFM Standard articulated by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? Motion carries.

Commissioner Harsel: Abstain.

Vice Chairman Alcorn: Another abstention. Commissioner Harsel abstains on that one too.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A MODIFICATION OF THE LOADING SPACE REQUIREMENT FOR RESIDENTIAL USE TO PERMIT TWO LOADING SPACES AS DEPICTED ON THE CDPA/FDPA. (18)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of the motion, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioners Murphy: I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS BETWEEN THE PROPOSED RESIDENTIAL AND THE EXISTING NON-RESIDENTIAL USES. (19)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of the motion, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed: That motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A MODIFICATION OF THE PDC STANDARDS TO PERMIT RESIDENTIAL USES TO EXCEED 50 PERCENT OF THE GROSS FLOOR AREA OF PRINCIPAL USES. (20)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of the motion, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: Now we move to application PCA-19, the fourth application we heard last night. Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS TO APPROVE PCA 82-P-069-19, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 28, 2007. (21)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of the motion to recommend approval of PCA 82-P-069-19, subject to proffers dated September 28, 2007, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION recommend approval – RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE CDPA 82-P-069-3-2. (22)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommend approval of CDPA 82-P-069-3-2, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION APPROVE FDPA 82-P-069-9-8, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 3RD, 2007, WITH THE FOLLOWING CHANGE. And it's the last time you will hear this. MODIFY DEVELOPMENT CONDITION 4 TO READ: "THE USE OF THE CELLAR SPACE SHALL BE LIMITED TO THE PRINCIPAL USE INDICATED ON THE FDPA AND ACCESSORY USES AS DEFINED BY ARTICLE 10 OF THE ZONING ORDINANCE. ANY USE OF THE USE OF CELLAR SPACE SHALL BE PARKED AS REQUIRED IN ARTICLE 11 OF THE ZONING ORDINANCE." (23)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of approving FDPA 82-P-069-9-8, subject to the development conditions dated October 3rd, with the modification articulated by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT MODIFY THE PFM STANDARD 12-07-021B2 TO PERMIT THE REDUCTION OF THE MINIMUM PLANTING WIDTH REQUIREMENT FROM EIGHT FEET TO SIX FEET AS SHOWN ON THE CDPA/FDPA AS DESCRIBED IN THE PROFFERS. (24)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommending approval of the modification of the PFM standards as articulated by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed?

Commissioner Harsel: Abstain

Vice Chairman Alcorn: Same abstention but one more. Three abstentions on that one – Commissioner Harsel.

Commissioner Murphy: Now we move to the final application, PCA-20, which had a negative recommendation from the staff until last night and now it is recommending approval and this is the one where we will bring the FDPA back to the Planning Commission. So, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE PCA 82-P-069-20, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 2ND, 2007. (25)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommend approval of PCA 82-P-069-20, subject to the proffers dated October 2nd, 2007, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE CDPA 82-P-069-1-1. (26)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of recommending approval of CDPA 82-P-069-1-1, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE A MODIFICATION OF THE PDC STANDARDS TO PERMIT RESIDENTIAL USES TO EXCEED 50 PERCENT OF THE GROSS FLOOR AREA OF PRINCIPAL USES. (27)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of approving the motion articulated by Commissioner Murphy, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? Motion carries.

Commissioner Murphy: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR FDPA 82-P-069-1-15 TO A DATE CERTAIN OF OCTOBER 25TH, 2007, WITH THE RECORD REMAINING OPEN FOR COMMENT. (28)

Commissioner Koch: Second.

Vice Chairman Alcorn: Seconded by Commissioner Koch. Any discussion? All those in favor of deferring the decision only on FDPA 82-P-069-1-15 to a date certain of October 25, 2007, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All those opposed? That motion carries and for all of those we had two abstentions as noted in the record.

Fair Lakes Center Associates L.P. (Springfield District)

Commissioner Harsel: I abstained every time he was modifying –

Commissioner Murphy: Thank you very much. I want to thank Mr. Koch for staying with me on all of this. I want to thank MR. McDermott, Mr. Saxe, for their efforts for working on this with me, with staff, with Supervisor McConnell to bring – this is going to be an exciting, exciting development.

//

(All motions with the exception of 11, 17, and 24 carried by votes of 9-0-2 with Commissioners Flanagan and Lawrence abstaining; Commissioners Hopkins absent from the meeting.)

(Motions 11, 17, and 24 carried by votes of 8-0-3 with Commissioners Flanagan, Harsel, and Lawrence abstaining; Commissioner Hopkins absent from the meeting.)

LBR