

Board Agenda Item
September 28, 2010

3:30 p.m.

Public Hearing on PCA 2003-PR-009 (MTC Commercial LLC) to Amend the Proffers, and Conceptual Development Plan for RZ 2003-PR-009 Previously Approved for Mixed Use Development Including ADU and Bonus Density to Permit Site Modifications with an Overall Floor Area Ratio of 1.35, Located on Approx. 21,321 Square Feet Zoned PRM and HC, Providence District

The application property is located at on the south side of Lee Highway 400 feet west of Intersection with Gallows Road and north of Strawberry Lane, Tax Map 49-4 ((17)) (2) pt.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing will be held on Wednesday, September 22, 2010. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4327973.PDF>

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

Planning Commission Meeting
September 22, 2010
Verbatim Excerpt

PCA/FDPA 2003-PR-009 – MTC COMMERCIAL, LLC

After the Close of the Public Hearing

Secretary Harsel: Close the public hearing and go into the motion; Mr. Hart.

Commissioner Hart: Thank you, Madam Chairman. First, let me thank Billy O'Donnell for his fine work on this case. The application is a very modest request to modify access to the property. It has staff's favorable recommendation, with which I concur. Therefore, Mr. Chairman (*sic*), I will have three motions. First, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2003-PR-009, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED AUGUST 26, 2010.

Commissioner Flanagan: Second.

Secretary Harsel: Seconded by Mr. Flanagan. Any discussion? All those in favor, signify by saying aye.

Commissioners: Aye.

Secretary Harsel: Opposed? Motion carries unanimously. Mr. Hart.

Commissioner Hart: Thank you, Madam, Chairman. Second, I move that the Planning Commission approve FDPA 2003-PR-009, subject to the Board's approval of the associated PCA.

Commissioner Flanagan: Second.

Commissioner Harsel: Discussion? Mr. Hart, it's 2009-PR-002. You said 2003.

Commissioner Hart: Well, you know, I got 2003-PR-009.

William O'Donnell: That's correct, 2003-PR-009.

Commissioner de la Fe: It's old. This is really old.

Commissioner Harsel: Okay, this is what I don't have. I have the wrong one? Okay.

Commissioner de la Fe: Yes. It's MTC.

Commissioner Harsel: Okay, go ahead.

Commissioner Hart: Okay. Yes, I'm – secondly, I'm – did I make the motion?

Commissioner Flanagan: Yes.

Commissioner Hart: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 2003-PR-009, SUBJECT TO THE BOARD'S APPROVAL OF THE ASSOCIATED PCA.

Commissioner Flanagan: Second.

Secretary Harsel: Seconded by Mr. Flanagan. Any discussion? All those in favor, signify by saying aye.

Commissioners: Aye.

Secretary Harsel: Okay. Mr. Hart.

Commissioner de la Fe: You've got to say, "those opposed," then "the motion carries."

Secretary Harsel: Oh. Opposed? Motion carries unanimously. Mr. Hart.

Commissioner Hart: Thank you, Madam Chairman.

Secretary Harsel: Commissioner Hart.

Commissioner Hart: Third, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A REAFFIRMATION OF THE PREVIOUSLY APPROVED MODIFICATION OF THE LOADING SPACE REQUIREMENT TO PERMIT THREE SPACES INSTEAD OF FIVE SPACES IN THE SOUTHERN BUILDING.

Commissioner Flanagan: Second.

Commissioner Harsel: Seconded by Mr. Flanagan. Any discussion? And I will be voting no on this motion because I've been around too many places where trucks unloading things are blocking traffic. I just – I just don't think that this type of a development – I think we ought to have every single loading space available. That's just my personal soap box; it isn't going to make any difference. Okay. All those in favor, signify by saying aye.

Commissioners: Aye.

Commissioner Harsel: The Chair votes no. Motion carries unanimously (*sic*).

Commissioners: No, not unanimously.

Commissioner Harsel: No, that's right. It's not; it's done. Six – one.

Commissioner Hart: Thank you, Madam Chairman.

//

(The first two motions carried unanimously with Commissioners Alcorn, Hall, Lawrence, Murphy, and Sargeant absent from the meeting)

(The third motion carried by a vote of 6-1 with Commissioner Harsel opposed; Commissioners Alcorn, Hall, Lawrence, Murphy, and Sargeant absent from the meeting.)

JN