



# County of Fairfax, Virginia

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2014 Planning  
Commission

February 3, 2014

**Peter F. Murphy, Jr.**  
Chairman  
*Springfield District*

Molly M. Novotny  
Cooley LLP  
11951 Freedom Drive  
Suite 1500  
Reston, VA 20190

**Frank de la Fe**  
Vice Chairman  
*Hunter Mill District*

**Janet R. Hall**  
Secretary  
*Mason District*

**RE: FDP 2013-MV-001 – A&R Huntington Metro, LLC**  
Mount Vernon District

**James R. Hart**  
Parliamentarian  
*At-Large*

Dear Ms. Novotny:

The purpose of this letter is to formally advise you that on Thursday, January 23, 2014, the Planning Commission voted 5-3-4 (Commissioners Hall, Hedetniemi, and Lawrence voted in opposition; Commissioners Hart, Migliaccio, Murphy, and Ulfelder abstained) to approve FDP 2013-MV-001, subject to the development conditions dated January 9, 2014, as attached.

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**John C. Ulfelder**  
*Dranesville District*

**Earl L. Flanagan**  
*Mount Vernon District*

Enclosed for your records is a copy of the verbatim of the Commission's action on this matter. Should you have any questions or require any additional information, please do not hesitate to contact me.

**Janyce N. Hedetniemi**  
*At-Large*

**Ellen "Nell" Hurley**  
*Braddock District*

Sincerely,

**John L. Litzenberger**  
*Sully District*

**Kenneth A. Lawrence**  
*Providence District*

Jill G. Cooper, AICP  
Executive Director

**James T. Migliaccio**  
*Lee District*

Attachments (a/s)

**Timothy J. Sargeant**  
*At-Large*

cc: Gerald Hyland, Supervisor, Mount Vernon District  
Earl Flanagan, Planning Commissioner, Mount Vernon District  
Megan Duca, Staff Coordinator, ZED, DPZ  
January 23, 2014 date file

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**Jill G. Cooper**  
*Executive Director*

**Kim A. Bassarab**  
*Assistant Director*

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## FINAL DEVELOPMENT PLAN CONDITIONS

FDP 2013-MV-001

January 9, 2014

The Planning Commission approved FDP 2013-MV-001 for a mixed use development at Tax Map 83-1 ((8)) 92A, 92B, 93A, 93B, and 94A. The approval was subject to conformance with the following development conditions.

1. Development of the property shall be in substantial conformance with the FDP entitled "Huntington Avenue Properties" submitted by Bowman Consulting consisting of 29 sheets dated November 16, 2013, as revised through December 9, 2013.
2. Irrespective of what is shown on the CDP/FDP, the applicant shall provide Category III trees rather than Category II trees along the north and west frontages of the site, as determined by UFMD.

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Planning Commission Meeting  
January 23, 2014  
Verbatim Excerpt

FDP 2013-MV-001 – A & R HUNTINGTON METRO, LLC

After Close of the Public Hearing

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Chairman Murphy: Public hearing is closed; Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. I am – once again, I'll repeat the purpose of why we're here tonight is to consider this – the additional parking that the applicant has proposed to the Board of Supervisors. And I think we're – from what I've heard, I've heard a lot of good suggestions from the other Commissioners. And I would anticipate that Mr. Looney will take – I think he is impressed with the request that you've made for clarification of some of the proffers, particularly those with regard to noise and the guaranteeing of parking permits and the time limit on retail. I would like to point out that the one of the drawings there was – showed a bus on Biscayne. I don't believe there are buses on Biscayne so – but there is a traffic signal there and all the traffic stops at Biscayne so there isn't noise constantly roaring down a highway there. But I MOVE THAT THE PLANNING COMMISSION APPROVE THE FINAL DEVELOPMENT PLAN 2013-MV-001, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 9, 2014 AND THE BOARD'S APPROVAL OF RZ 2013-MV-001 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Is there a discussion of the motion? All those in favor to approve this application, FDP 2013-MV-001, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners: No.

Commissioner Migliaccio: Mr. Chairman?

Chairman Murphy: All right. We'll have – yes?

Commissioner Lawrence: I'm just saying I was one of the no's.

Chairman Murphy: All right, who was no's? One, two, three – who voted no?

Commissioner Hart: I abstained.

Commissioner Migliaccio: I was going to say I'm abstaining on this one as I did at the initial rezoning FDP.

Chairman Murphy: Okay, the Chair is abstaining too. I was not here for the public hearing on the initial application. I'm a little bit adrift here. I don't know how anybody else feels.

Commissioner de la Fe: Do we have a division?

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Chairman Murphy: All right. So all those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners: No.

Chairman Murphy: The motion carries.

Commissioner Hart: Better count.

Chairman Murphy: Yes, let's have a – Mr. Ulfelder?

Commissioner de la Fe: Abstain.

Chairman Murphy: He's abstaining.

Commissioner Ulfelder: I was saying because I was not present for the earlier –

Chairman Murphy: Okay.

Commissioner Hedetniemi: No.

Chairman Murphy: Okay. Mr. Litzenberger.

Commissioner Litzenberger: Yes.

Chairman Murphy: Okay, Mr. Flanagan, yes. Mr. Lawrence.

Commissioner Lawrence: No.

Chairman Murphy: No. Mr. de la Fe.

Commissioner de la Fe: Aye.

Chairman Murphy: Ms. Hall.

Commissioner Hall: No.

Chairman Murphy: Mr. Hart.

Commissioner Hart: Abstain.

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Chairman Murphy: Abstain. Mr. Sargeant.

Commissioner Sargeant: Yes.

Chairman Murphy: Mr. Migliaccio.

Commissioner Migliaccio: Abstain.

Chairman Murphy: Ms. Hurley.

Commissioner Hurley: Aye.

Chairman Murphy: And the chair abstains. And – one, two, three, four – the motion carries 5-3-4 abstentions. Get that Jim? Is that right? Okay. You got it? Okay. The math is correct. Mr. Looney, thank you very much for making our evening very exciting.

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(The motion carried by a vote of 5-3-4. Commissioners Hall, Hedetniemi, and Lawrence voted in opposition. Commissioners Hart, Migliaccio, Murphy, and Ulfelder abstained.)

JLC