



# County of Fairfax, Virginia

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November 3, 2014

**2014 Planning  
Commission**

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

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

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

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

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**John Ulfelder**  
*Dranesville District*

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

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

**Ellen J. "Nell" Hurley**  
*Braddock District*

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

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

**James Migliaccio**  
*Lee District*

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

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

**Kimberly A. Bassarab**  
*Assistant Director*

**John W. Cooper**  
*Clerk to the Commission*

Scott Adams  
McGuireWoods, LLP  
1750 Tysons Boulevard, Suite 1800  
Tysons Corner, VA 22102

**Re: SE 2014-MV-017 – VERIZON VIRGINIA, LLC  
Mount Vernon District**

Dear Mr. Adams:

At its October 29, 2014 meeting, the Planning Commission voted 9-0 (Commissioners Lawrence, Litzenberger, and Sargeant were absent from the meeting) to **RECOMMEND APPROVAL** of the above referenced application to the Board of Supervisors. A copy of the verbatim transcript is attached.

This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final approval. The application is still subject to the final decision by the Board of Supervisors.

This action does not constitute exemption from the various requirements of this County and State. The applicant is responsible for ascertaining if permits are required and for obtaining the necessary permits.

Sincerely,

Jill G. Cooper, AICP  
Executive Director

cc: Gerald Hyland, Supervisor, Mount Vernon District  
Earl Flanagan, Planning Commissioner, Mount Vernon District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors  
Carmen Bishop, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
October 29, 2014 date file

To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.



Planning Commission Meeting  
October 29, 2014  
Verbatim Excerpt

SE 2014-MV-017 – VERIZON VIRGINIA, LLC

Decision Only During Commission Matters  
(Public Hearing held on October 1, 2014)

Commissioner Flanagan: And the second thing – of course, the decision on Verizon. I have – if you remember, this has been deferred three times because there were three outstanding issues. And every time I deferred it, we got one more done. And finally, we've gotten all of them taken care of. So, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2014-MV-017, SUBJECT TO THE CONDITIONS DATED SEPTEMBER 9, 2014, WITH THE ADDITIONAL OF A CONDITION 10 TO READ:

- “IF FAIRFAX COUNTY HAS NOT RECEIVE OR APPROVED A SUBDIVISION PLAN FOR THE REDEVELOPMENT OF THE 4.2 ACRE RESIDUE PARCEL OF VERIZON’S WITHIN 30 MONTHS OF THE DATE OF THIS SE APPROVAL, THE APPLICANT AGREES TO: ONE, ESCROW WITH FAIRFAX COUNTY THE SUM OF \$5,000 TO BE USED AFTER 30 MONTHS FOR THE IMMEDIATE MITIGATION BY THE APPLICANT OF OFF-SITE WATER MANAGEMENT RUNOFF ONTO EAST LEE AVENUE; AND TWO, INSTALL FENCING AT THE ENDS OF THE EAST LEE AVENUE AND PRESTON AVENUE.”

Chairman Murphy: Okay. Would a representative for the applicant please come forward – identify yourself for the record?

Commissioner Flanagan: I need a second to my motion, I think.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Please come forward. Mr. Flanagan.

Commissioner Flanagan: Do you – you've taken a look at this Condition Number 10 and you're entirely familiar with that?

Sheri Akins, Agents Applicant, McGuireWoods, LLP: Good evening. Sheri Akins with McGuireWoods, on behalf of the applicant – we have looked at the condition and my client agrees with the motion.

Chairman Murphy: Do you agree with all the conditions?

Ms. Akins: Yes.

Chairman Murphy: Okay. Thank you very much. All right, all those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-MV-017, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Okay. And I have one last motion, Mr. Chairman.

Chairman Murphy: Go ahead.

Commissioner Flanagan: And I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS:

- ONE, APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING TO PERMIT THE LANDSCAPING AS SHOWN ON THE SPECIAL EXCEPTION PLAT;
- AND TWO, APPROVE A WAIVER OF THE BARRIER REQUIREMENT ALONG THE SOUTHERN PROPERTY LINE; AND
- THREE, DIRECT THE DIRECTOR OF DPWES TO PERMIT A DEVIATION FROM THE TREE PRESERVATION TARGET, PURSUANT TO THE PUBLIC FACILITIES MANUAL.

Commissioner Migliaccio: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(Each motion carried by a vote of 9-0. Commissioners Lawrence, Litzenberger, and Sargeant were absent from the meeting.)

JLC



# County of Fairfax, Virginia

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October 2, 2014

**2014 Planning  
Commission**

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

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

**Janet R. Hall**  
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**Kimberly A. Bassarab**  
*Assistant Director*

**John W. Cooper**  
*Clerk to the Commission*

Sheri L. Akin  
McGuire Woods  
1750 Tysons Boulevard  
Suite 1800  
Tysons Corner, Virginia 22102-4215

**Re: SE 2014-MV-017 – Verizon Virginia, LLC  
Mount Vernon District**

Dear Ms. Akin:

At its October 1, 2014 meeting, the Planning Commission voted 11-0 (Commissioner Lawrence was absent from the meeting) to **DEFER THE DECISION ONLY** on the above-referenced application to a date certain of October 9, 2014. A copy of the verbatim transcript is attached.

This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final approval. The application is still subject to the final decision by the Board of Supervisors.

This action does not constitute exemption from the various requirements of this County and State. The applicant is responsible for ascertaining if permits are required and for obtaining the necessary permits.

Sincerely,

Jill G. Cooper, AICP  
Executive Director

cc: Gerald Hyland, Supervisor, Mount Vernon District  
Earl Flanagan, Planning Commissioner, Mount Vernon District  
Catherine A. Chianese, Assistant County Executive, County Executive Office  
William O'Donnell, Staff Coordinator, ZED, DPZ  
October 1, 2014 date file

 To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.





Planning Commission  
Verbatim Excerpt  
October 1, 2014

SE 2014-MV-017 – VERIZON VIRGINIA, LLC

After Close of the Public Hearing

Chairman Murphy: The public hearing is closed; Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. I've heard just enough, you know, testimony tonight that I think it would be to the advantage of everyone if we got the answers to some of those questions from staff during the next week. So, I MOVE TO DEFER THE DECISION ONLY FOR SE 2014-MV-017 TO A DATE CERTAIN OF OCTOBER 9, 2014, WITH THE RECORD REMAINING OPEN FOR WRITTEN TESTIMONY.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Is there a discussion of the motion? All those in favor of the motion to defer decision only on SE 2014-MV-017 to a date certain of 9 October, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 11-0. Commissioner Lawrence was absent from the meeting.)

JN