



County of Fairfax, Virginia

July 17, 2015

**2015 Planning
Commission**

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Hunter Mill District

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Lee District

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Executive Director

Kimberly A. Bassarab
Assistant Director

John W. Cooper
Clerk to the Commission

Lynne Strobel, Esquire
Walsh, Colucci, Lubeley, Emrich & Walsh, PC
2200 Clarendon Boulevard, 13th Floor
Arlington, VA 22201

**Re: PCA 94-L-004 – 4203 BUCKMAN, LLC
Lee District**

Dear Ms. Strobel:

At its July 15, 2015 meeting, the Planning Commission voted 11-0 (Commissioner Lawrence was 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 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 obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning building permits may be obtained by calling 703-222-0801.

Sincerely,

John W. Cooper, Clerk
Fairfax County Planning Commission

Attachments (a/s)

cc: Jeffrey McKay, Supervisor, Lee District
James Migliaccio, Planning Commissioner, Lee District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Kelly Atkinson, Staff Coordinator, ZED, DPZ
Robert Harrison, ZED, DPZ
July 15, 2015 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
July 15, 2015
Verbatim Excerpt

PCA 94-L-004 – 4203 BUCKMAN, LLC

After Close of the Public Hearing

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

Commissioner Migliaccio: Thank you, Mr. Chairman. First off, I'd like to thank Kelly Atkinson for – and Cathy Lewis for coming to the Lee District Land Use Committee on Monday night to present staff's opinion, even though they knew that they were coming into a situation where staff – staff's opinion wasn't going to carry the day with the community. But they did a very good job and were very professional and I want to thank them for coming out. As we heard tonight, staff doesn't have a problem with townhomes at this site. What we essentially – what it boils down, as I see it, is five townhomes versus four townhomes; and four – and keeping the existing five multifamily apartments, which no one in the community wants. You've seen the pictures. You've seen what the site looks like currently. With this application the community gains funding for parks or a playground next door, improves stormwater management, frontage improvements to include additional pavement to accommodate a road bike lane along Buckman Road, and a wider sidewalk along Main Street, and a full transitional screening between the proposed townhomes and the abutting single family home. As I had mentioned earlier, the Lee District Land Use Committee heard from the applicant and staff on Monday night and decided to support the applicant's application – this PCA – as currently brought forth. But as Mr. Hart mentioned tonight, I just want to get Ms. Strobel to agree to this to make certain that we have it because we have a Board date on July 28th. I would like to get this to it in some form or fashion. But as Mr. Hart mentioned, PROFFER NUMBER 5 DOESN'T SPEAK TO THE MAINTENANCE AGREEMENT OR INSURANCE ON THIS. AND IF THIS GETS passed by the Planning Commission tonight, are you able to put something in writing between now and the 28th for the Board to make certain that we do have a maintenance agreement SO IT'S NOT – as Mr. Hart described – AN ORPHAN?

Lynne Strobel, Esquire, Applicant's Agent, Walsh, Colucci, Lubeley, Emrich & Walsh, PC: Yes. Yes, we will do that.

Commissioner Migliaccio: Thank you. And once I find the motions again – – Thank you Mr. Chairman. As I just mentioned, I plan on going against staff's recommendation this evening and moving this forward to the Board of Supervisors. And therefore, Mr. Chairman, I MOVE THAT THE PLANNING – THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE PCA 94-L-004, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED JULY 14, 2015, WITH THE AMENDMENT THAT MS. STROBEL JUST AGREED TO.

Commissioners Flanagan and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Flanagan. Is there any discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 94-L-004, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE WAIVERS AND MODIFICATIONS PROVIDED UNDER A SEPARATE ATTACHMENT AND DATED JULY 15, 2015 AND AS NOTED IN THE STAFF REPORT.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

JN

Requested Waivers and Modifications

July 15, 2015

PCA 94-L-004

1. Modification of the western transitional screening yard planting requirements in accordance with Paragraph 2 of Section 13-305 of the Zoning Ordinance in lieu of that shown on Sheet 3 of the GDP.
2. Waiver of the western barrier requirement in accordance with Paragraph 2 of Section 13-305 of the Zoning Ordinance.
3. Waiver of the minor paved trail requirement per Paragraph 2 of Section 17-201 of the Zoning Ordinance along Buckman Road in lieu of the proposed five-foot wide sidewalk shown on Sheet 3 of the GDP.
4. Directive to the Director of DPWES for a deviation from the tree preservation target requirement identified in Section 12-0508 of the Public Facilities Manual.