



# County of Fairfax, Virginia

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July 25, 2016

**2016 Planning  
Commission**

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

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

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

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

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

**John Ulfelder**  
*Dranesville District*

**James Migliaccio**  
*Lee District*

**Julie Strandlie**  
*Mason District*

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

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

**Karen Keys-Gamarra**  
*Sully District*

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

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

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

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

Mark C. Looney  
Cooley, LLP  
11951 Freedom Drive  
Reston, VA 20190

**Re: PRC C-020/SE 2016-HM-012 – TALL OAKS DEVELOPMENT  
COMPANY, LLC AND TALL OAKS COMMERCIAL CENTER,  
LLC  
Hunter Mill District**

Dear Mr. Looney:

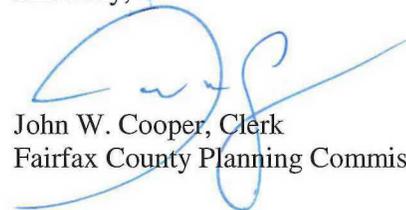
At its July 21, 2016 meeting, the Planning Commission voted 10-0-1 (Commissioner Strandlie abstained from the vote; Commissioner Lawrence was absent from the meeting) to **RECOMMEND APPROVAL** of PRC C-020, subject to the development conditions dated July 20, 2016. A copy of the verbatim transcript is attached.

Concurrently, the Planning Commission voted 10-0-1 (Commissioner Strandlie abstained from the vote; Commissioner Lawrence was absent from the meeting) to **RECOMMEND APPROVAL** of SE 2016-HM-012, subject to the development conditions dated July 20, 2016. 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 applications are 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

*(Continued on the Next Page)*

 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.



Attachments (a/s)

cc: Catherine Hudgins, Supervisor, Hunter Mill District  
Frank A. de la Fe, Planning Commissioner, Hunter Mill District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of  
Supervisors, County Executive Office  
Mary Ann Tsai, Staff Coordinator, Zoning Evaluation Division (ZED)  
Department of Planning and Zoning (DPZ)  
Robert Harrison, ZED, DPZ  
July 21, 2016 date file

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**Fairfax County Planning Commission**  
12000 Government Center Parkway, Suite 330, Fairfax, VA 22035  
703-324-2865 (Voice) 703-324-7951 (TTY) 703-324-3948 (Fax)  
[www.fairfaxcounty.gov/planning](http://www.fairfaxcounty.gov/planning)



Planning Commission Meeting  
July 21, 2016  
Verbatim Excerpt

PRC C-020/SE 2016-HM-012 – TALL OAKS DEVELOPMENT COMPANY, LLC AND TALL OAKS COMMERCIAL CENTER, LLC

Decision Only During Commission Matters  
(Public Hearing held on July 14, 2016)

Commissioner de la Fe: Mr. Chairman, I have two decisions tonight. The first one is the Tall Oaks Development Company, LLC and Tall Oaks Commercial Center, LLC. That is PRC C-020/SE 2016-HM-012. We had the public hearing on these cases on July 14<sup>th</sup> and we deferred decision for a number of issues that arose during the public hearing and those issues, I believe, have been satisfactorily resolved. And you received revised development conditions last night. I'll touch on the major ones. On Condition 7, we added language so that individual home – townhome building, which may be expanded or contracted to accommodate the required interior garage width, either through the removal of a drive space or by re-allocating unit dimensions within a row of townhouses, subject to meeting the parking requirements in Article 11 of the Zoning Ordinance. Condition 12 – we add a new –condition on pedestrian connection to the extent feasible. Special pavers, scored concrete, and other materials should be provided along the rear alleyways of the townhomes and two-over-two multi-family dwelling units to establish and/or differentiate pedestrian pathways from the vehicle driveways fronting on the alleyways. We – and then we added a condition to provide for traffic signal pre-emption devices and also another condition on a contribution to the Reston Association for its Tall Oaks Development pool – for its pool. And with those, I would ask a representative of the applicant to step forward. Yes.

Mark Looney, Applicant's Agent, Cooley, LLP: Thank you, Mr. de la Fe. Mark Looney on behalf of the applicant.

Commissioner de la Fe: Mr. Looney, do you agree with the development conditions – both for the PRC and the SE?

Mr. Looney: The ones dated July 20<sup>th</sup>?

Commissioner de la Fe: Yes.

Mr. Looney: We do.

Commissioner de la Fe: Now dated July 20<sup>th</sup>.

Mr. Looney: We do.

Commissioner de la Fe: Okay. Thank you very much. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PRC C-020, SUBJECT TO THE PRC CONDITIONS CONSISTENT WITH THOSE DATED JULY 20<sup>TH</sup>, 2016 AND SE 2016-HM-012, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JULY 20<sup>TH</sup>, 2016.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is that 12 or 20 on the SE?

Commissioner de la Fe: The SE is 12 – 012.

Mary Ann Tsai, Zoning Application Division, Department of Planning and Zoning: It's 012.

Chairman Murphy: Okay. Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to the Board of Supervisors that it approve PRC C-020 and SE 2016-HM-012, say aye.

Commissioners: Aye.

Chairman Murphy: Oppose? Motion carries.

Commissioner Strandlie: Mr. Chairman, I need to abstain. I was not here for the hearing.

Chairman Murphy: Okay. Ms. Strandlie abstains, not present for the hearing. Mr. de la Fe.

Commissioner de la Fe: Yes. Mr. Chairman, I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING WAIVER AND MODIFICATIONS:

- ONE, APPROVAL OF A MODIFICATION OF PARAGRAPH 2 OF SECTION 6-306 OF THE ZONING ORDINANCE FOR THE 200 SQUARE-FOOT PRIVACY YARD REQUIREMENT FOR SINGLE-FAMILY ATTACHED DWELLING UNIT LOTS TO THAT SHOWN ON THE PRC PLAN/SE PLAT;
- APPROVAL OF A WAIVER OF PARAGRAPH 10 OF SECTION 11-102 OF THE ZONING ORDINANCE TO PERMIT TANDEM PARKING FOR THE TWO-OVER-TWO DWELLING UNITS TO COUNT TOWARDS THE OFF-STREET PARKING REQUIREMENT FOR MULTI-FAMILY DWELLING UNITS;
- APPROVAL OF A MODIFICATION OF SECTION 11-203 OF THE ZONING ORDINANCE FOR THE REQUIRED NUMBER OF LOADING SPACES TO THAT SHOWN ON THE PRC PLAN/SE PLAT; AND
- APPROVAL OF SECTION – OF A MODIFICATION OF SECTIONS 13-303 AND 13-304 OF THE ZONING ORDINANCE FOR THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS TO THAT SHOWN ON THE PRC/SE PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor of the motion, as articulated by Mr. de la Fe, say aye.

Commissioners: Aye.

Chairman Murphy: Oppose? Motion carries.

Commissioner de la Fe: Thank you very much. That's it and...

Commissioner Strandlie: Mr. Chairman, I abstain from that vote too.

Chairman Murphy: Yes. Same abstention. Thank you.

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(Each motion carried by a vote of 10-0-1. Commissioner Strandlie abstained from the vote.  
Commissioner Lawrence was absent from the meeting.)

JLC



# County of Fairfax, Virginia

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July 15, 2016

**2016 Planning  
Commission**

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

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

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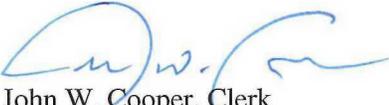
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**Re: PRC C-020/SE 2016-HM-012 – TALL OAKS DEVELOPMENT  
COMPANY, LLC AND TALL OAKS COMMERCIAL CENTER,  
LLC  
Hunter Mill District**

Dear Mr. Looney:

At its July 14, 2016 meeting, the Planning Commission voted 10-0 (Commissioners Lawrence and Strandlie were absent from the meeting) to **DEFER THE DECISION ONLY** of the above referenced applications to a date certain of July 21, 2016. A copy of the verbatim transcript is attached.

Sincerely,

  
John W. Cooper, Clerk  
Fairfax County Planning Commission

Attachments (a/s)

cc: Catherine Hudgins, Supervisor, Hunter Mill District  
Frank A. de la Fe, Planning Commissioner, Hunter Mill District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office  
Mary Ann Tsai, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
July 14, 2016 date file

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Planning Commission Meeting  
July 14, 2016  
Verbatim Excerpt

PRC C-020/SE 2016-HM-012 – TALL OAKS DEVELOPMENT COMPANY, LLC AND TALL OAKS COMMERCIAL CENTER, LLC

After Close of the Public Hearing

Chairman Murphy: If not, public hearing is closed. Mr. de la Fe.

Commissioner de la Fe: Thank you, Mr. Chairman. I'd like to – I'm going to defer decision on this for one week so that the applicant can – and staff can work on tweaking the development conditions to deal with, you know, like the fire prevention devices – the issue of the garages, if that needs to be further developed. Perhaps, the – although I – this may not be necessary to do before the decision, but, you know, continuation with RA on, you know, assistance to the Tall Oaks Pool. And so if we could, you know, address those issues, I would like to defer the decision until next Thursday if that's all right with the applicant and staff. It does have a decision date of – a Board of Supervisors date of July 26<sup>th</sup> and, on a personal note, this is the village center that both Supervisor Hudgins and I call "our Village Center" so we're very familiar with it. And – so we would like to revitalize it and, you know, make sure that it's more than just an empty parking lot with a couple of drive-throughs or, you know, drive-out facilities, not drive-through. So with that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS, FOR PRC C-020 AND SE 2016-HM-012 TO A DATE CERTAIN OF JULY 21<sup>ST</sup>, 2016.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the motion to defer decision only on these applications to a date certain of July 21<sup>st</sup>, with the record remaining open for comment, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 10-0. Commissioner Lawrence and Strandlie were absent from the meeting.)

JLC