



# County of Fairfax, Virginia

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September 19, 2016

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Department of Planning & Zoning

SEP 21 2016

Zoning Evaluation Division

**2016 Planning  
Commission**

**Peter F. Murphy**  
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Vice Chairman  
*Hunter Mill District*

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Secretary  
*At-Large*

**Timothy J. Sargeant**  
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**Ellen J. "Nell" Hurley**  
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**Karen Keys-Gamarra**  
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**Janyce N. Hedetniemi**  
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**Jill G. Cooper**  
*Executive Director*

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

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

Lori Greenlief  
McGuireWoods LLP  
1750 Tysons Boulevard, Ste. 1800  
Tysons Corner, Virginia 22102-4215

**Re: PCA-B-846-03/DPA HM-117-02/PRC B-846-04 – RP 11720, LLC  
Hunter Mill District**

Dear Ms. Greenlief:

At its September 14, 2016 meeting, the Planning Commission voted 7-0-2 (Commissioners Hart and Hurley abstained. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.) to **RECOMMEND APPROVAL** on the above-referenced Proffered Condition Amendment and Development Plan Amendment applications, subject to the execution of proffers dated August 26, 2016.

Concurrently, the Planning Commission voted 7-0-2 (Commissioners Hart and Hurley abstained. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.) to **RECOMMEND APPROVAL** on the above-referenced Planned Residential Community application, subject to the development conditions dated September 6, 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. These 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

Attachments (a/s)

 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.



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  
Laura Arseneau, Staff Coordinator, ZED, DPZ  
✓ Robert Harrison, ZED, DPZ  
September 14, 2016 date file

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Planning Commission Meeting  
September 14, 2016  
Verbatim Excerpt

PCA B-846-03/DPA HM-117-02/PRC B-846-04 – RP 11720, LLC

During Only During Commission Matters  
(Public Hearing held on July 28, 2016)

Commissioner de la Fe: Thank you, Mr. Chairman. On July 28<sup>th</sup>, 2016, the Planning Commission held a public hearing on RP 11720, LLC, to permit an amendment to the development plan proffers and approve a PRC plan to permit the construction of 54 single family attached dwelling units. The Planning Commission had a couple of issues that were raised at that point and that's why we deferred the decision. One had to do with where folks would, you know, delivery of folks with pizzas and things like that would be and the plan has been revised and the applicant has identified a place where such delivery, you know, delivery vehicles could be parked while making, you know, delivery. There – there was a – an issue *with the* Transportation Demand Management and the applicant has revised the proffers to provide their commitment that they would work with adjoining properties as they come in, in the future to establish a, you know, a participate in a Transportation Demand Management Program. And the Planning Commission also asked for a disclosure, change in the disclosure proffers relating to garage dimensions and that has been addressed. And the applicant amended the proffers to clarify the provision of the interparcel to the west; therefore, Mr. Chairman, I would, not it, I WOULD MOVE, no - before that could the applicant's representative please come forward?

Lori Greenlief, McGuireWoods LLP, Applicant's agent: Good evening, my name is Lori Greenlief representing the applicant.

Commissioner de la Fe: Thank you very much. Ms. Greenlief, does the applicant confirm for the record agreement to the proposed development conditions dated August 29<sup>th</sup>, 2016?

Ms. Greenlief: I was just told by staff that the correct date is September 6<sup>th</sup>?

Commissioner de la Fe: Oh, okay, it would be September 6<sup>th</sup> then.

Ms. Greenlief: And yes.

Commissioner de la Fe: Okay, thank you very much. That September 6<sup>th</sup> is the date of the addendum that we all received that covered these changes, thank you very much. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF DPA HM-117-02, TO AMEND THE EXISTING DEVELOPMENT PLAN DP 117, APPROVED FOR A CONVENTION OR CONFERENCE CENTER FOR OFFICE TO PERMIT MEDIUM DENSITY RESIDENTIAL.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? Yes, Mr. Migliaccio?

Commissioner Migliaccio: Mr. Chairman, I was not present for the public hearing but I did watch it on - on the video and I will be voting this evening.

Chairman Murphy: Yes, Ms. Hurley?

Commissioner Hurley: Thank you, Mr. Chairman. I am still uncomfortable with the narrow garages, as I am on all of these plans, and to be consistent I will not vote for it but I will abstain.

Chairman Murphy: Okay, thank you very much. Further discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve DPA HM-117-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Hurley abstains. Mr. Hart abstains.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA B-846-03, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED, is it also September 6<sup>th</sup>?

William Mayland, Zoning Evaluation Division, Department of Planning and Zoning: That would be – it is still August 26<sup>th</sup> for the proffers.

Commissioner de la Fe: Okay, FOR THE PROFFERS...

Mr. Mayland: Correct.

Commissioner de la Fe: ...IT WOULD BE THE DATE OF AUGUST 26<sup>TH</sup>, or twenty - 29<sup>th</sup>?

Mr. Mayland: 26<sup>TH</sup> for the proffers.

Commissioner de la Fe: 2016.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve DPA HM-1, oh – I did that one, PRC B-846-04, say aye.

Commissioner de la Fe: No, no. I had moved that, you had the original one correct...

Commissioner Hart: The second motion was the DPA.

Commissioner de la Fe: ...the second one, it was a PCA B-8...

Chairman Murphy: I'm sorry, PCA B-846-03, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Hart: Abstain.

Chairman Murphy: All right. No, you don't abstain? Okay.

Commissioner Hurley: And I abstain.

Chairman Murphy: Mr. Hart abstains.

Commissioner Hurley: And I abstain.

Chairman Murphy: Okay.

Commissioner de la Fe: Okay, and so does – okay.

Commissioner Flanagan: Ms. Hurley abstains as well.

Commissioner Hurley: Yes, I abstain.

Chairman Murphy: Oh, Ms. Hurley abstains, okay. I thought you...go ahead.

Commissioner de la Fe: Okay, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PRC B-846-04, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS NOW DATED SEPTEMBER 6<sup>TH</sup>.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PRC B-846-04, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Hurley abstains and Mr. Hart abstains.

Commissioner de la Fe: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF PARAGRAPH 2 OF SECTION 6-107 OF THE ZONING ORDINANCE, WHICH REQUIRES A 200 SQUARE FOOT MINIMUM PRIVACY YARD AREA FOR SINGLE FAMILY ATTACHED DWELLINGS AND APPROVAL OF A WAIVER OF THE TREE PRESERVATION REQUIREMENT FROM SECTION 12-0508.3 OF THE PUBLIC FACILITIES MANUAL.

Commissioner Flanagan: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Thank you.

Chairman Murphy: Mr. Hart abstains. Ms. Hurley abstains, same abstentions.

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(The motions carried by a vote of 7-0-2. Commissioners Hart and Hurley abstained from the vote. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.)

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# County of Fairfax, Virginia

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August 2, 2016

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AUG 05 2016

Zoning Evaluation Division

**2016 Planning  
Commission**

**Peter F. Murphy**  
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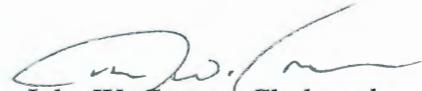
Lori R. Greenlief  
McGuire Woods LLP  
1750 Tysons Blvd, Suite 1800  
Tysons Corner, VA 22102

**Re: PCA-B-846-03/PRC-B-846-04/DPA-HM-117-02 – RP 11720, LLC  
Hunter Mill District**

Dear Ms. Greenlief:

At its July 28, 2016 meeting, the Planning Commission voted 9-0 (Commissioners Keys-Gamarra, Lawrence and Migliaccio were absent from the meeting) to **DEFER THE DECISION ONLY** on the above-referenced application to a date certain of September 14, 2016. A copy of the verbatim transcript is attached.

Sincerely,

  
John W. Cooper, Clerk to the  
Fairfax County Planning Commission

Attachments (a/s)

cc: Catherine Hudgins, Supervisor, Hunter Mill District  
Frank de la Fe, Planning Commissioner, Hunter Mill District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office  
Laura Arsenau, Staff Coordinator, ZED, DPZ  
✓ Robert Harrison, ZED, DPZ  
July 28, 2016 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.

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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)



PCA B-846-03/PRC-B-846-04/DPA-HM-117-02 – RP 11720, LLC

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Mr. de la Fe.

Commissioner de la Fe: Thank you, Mr. Chairman. I – I think we have agreement on the things that we need to address and – but I would like them at least to see the language before I recommend approval for this. And, you know, I don't think it's – I realize that we, you know, it's been long time and you have had, particularly, with the property to the east, we have had guidance from the Board of Supervisors that the fact that they approved that development. But I would like to see some language on the TDM on – I – I'm not as concerned about the pizza guy coming in. They have – you know, they have, unless you want to provide pizzas for everyone. But the – as far as the contribution for the road fund, you did take out the cap because we really don't know what that is going to be. There is a whole area working on that. I believe that the – the park contribution based on the traditional park contribution, and the fact that these units you will apply for Reston Association membership and that will open up great deal of open space for those folks. But I – I would like the issues, you know, that we can address and the changes. Yes.

John Sekas, Applicant's Agent, Sekas Homes, Ltd.: We're happy right now to add a development condition that we will participate in the area-wide TDM on the pro-rata share basis. I mean, I know what a TDM is. It's not that huge of a thing and we're happy to participate in it.

Commissioner de la Fe: You're willing to commit to that.

Mr. Sekas: I'm doing it on the record.

Commissioner de la Fe: Putting it on the record right now.

Mr. Sekas: I think that that was the question, "Would we participate?" That was the question that was asked and we said "Yes."

Commissioner de la Fe: Okay. And the...

Mr. Sekas: The only other issue was that changed the Development Condition for the – for the – for the maintenance. And Reston Association has already committed for the maintenance on 11690 and they want the maintenance on this as well. That's part of us joining RA. So, I don't see any issue there either. Just trying to save a little time to the Board. I know you'll be very busy when you get back.

Chairman Murphy: Oh, you're very kind.

Commissioner de la Fe: Oh, you're very kind. I – I – I – I realize what you're trying to do but I would like to get these things, you know, on the record and I, you know, and – and to be – for us to be able to look at them.

Mr. Sekas: Okay.

Commissioner de la Fe: Before we make a recommendation.

Mr. Sekas: But I am committed to them now.

Commissioner de la Fe: I – I – I know the concern that you have, unless the building that you are planning to demolish was made by a world-famous architect.

Mr. Sekas: Please don't go there.

Commissioner de la Fe: I don't think we will have the problems that we had where the Board of Supervisors had to overturn our recommendation which they very seldom do. So – so, you know, if we – if we could address those things.

Mr. Sekas: Okay. We'd be happy to.

Commissioner de la Fe: Would the – the first time we meet after our recess is September...

Chairman Murphy: September 13<sup>th</sup> is Wednesday and 14<sup>th</sup> is Thursday.

Commissioner de la Fe: The 14<sup>th</sup>. I thought it was 14<sup>th</sup> and 15<sup>th</sup>.

Commissioner Hart: It was 14<sup>th</sup> or 15<sup>th</sup>.

Chairman Murphy: Is it 14<sup>th</sup>?

Commissioner de la Fe: Which would you prefer: 14<sup>th</sup> or the 15<sup>th</sup>?

Chairman Murphy: I said 13 and 14 before. Correction.

Commissioner de la Fe: No, you cannot count on the 13<sup>th</sup>.

Chairman Murphy: I'm not a math guy.

Commissioner de la Fe: I mean, you – you already wanted to have Tim Sargeant meet on Friday one day.

Laura Arsenau, Planner III, Zoning Evaluation Division, Department of Planning and Zoning: The 14<sup>th</sup> is fine with staff and the applicant as well.

Commissioner de la Fe: The 14<sup>th</sup>. And if we could have, you know, those distributed ahead of time.

Ms. Arsenau: Of course.

Commissioner de la Fe: Mr. Chairman, I, therefore, MOVE THAT THE PLANNING COMMISSION DEFER ITS DECISION ONLY WITH THE RECORD REMAINING OPEN FOR DPA-HM-117-02/PCA-B-846-03 AND PRC-D-846-04 TO A DATE CERTAIN OF SEPTEMBER 14<sup>TH</sup>, 2016.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the motion to defer decisions only on these application to a date certain of September 14th with the record remaining open for written comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 9-0. Commissioners Keys-Gamarra, Lawrence, and Migliaccio were absent from the meeting.)

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