



County of Fairfax, Virginia

September 16, 2016

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Department of Planning & Zoning

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Zoning Evaluation Division

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John W. Cooper
Clerk to the Commission

David R. Gill, Esquire
McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, Virginia 22102

**Re: RZ 2011-MV-033 – LORTON VALLEY III, LLC
Mount Vernon District**

Dear Mr. Gill:

At its September 14, 2016 meeting, the Planning Commission voted 9-0 (Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.) to **RECOMMEND APPROVAL** of the above referenced application, subject to the execution of proffers dated August 18, 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 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: Daniel G. Storck, Supervisor, Mount Vernon District
Earl L. Flanagan, Planning Commissioner, Mount Vernon District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Carmen Bishop, Staff Coordinator, ZED, DPZ
✓ Robert Harrison, ZED, DPZ
September 14, 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.

Fairfax County Planning Commission
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Planning Commission Meeting
September 14, 2016
Verbatim Excerpt

RZ 2011-MV-033 – LORTON VALLEY III, LLC

After close of the public hearing.

Chairman Murphy: Without objection, the public hearing is closed. Mr. Flanagan.

Commissioner Flanagan: Yes, thank you Mr. Chairman. On tonight's agenda, item RZ 2011-MV-033, has been through many iterations since 2011, but David Gill, the agent, kept doggedly improving until I am pleased to report that the South County Federation and its land use committee unanimously recommended adoption. A copy of that resolution, by the way, has been passed out to everybody here and I'd like to ask that it be a part of the record. I am therefore, Mr. Chairman, happy to MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2011-MV-033, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED AUGUST 18, 2016.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2011-MV-033, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: And I'd like to have the applicant come up to the - the lectern and confirm the - their approval of the proffers dated August 18, 2016.

Chairman Murphy: We just do the development conditions.

Commissioner Hart: Yeah, it doesn't have to do it on proffers.

Chairman Murphy: It doesn't have development conditions.

Commissioner Flanagan: The development conditions, I'm sorry, okay, yeah.

Commissioner Hart: There aren't any.

Chairman Murphy: There aren't any.

Commissioner Hart: There aren't any.

Chairman Murphy: It's a rezoning.

Commissioner Flanagan: There aren't any?

Commissioner Hart: No.

Commissioner Flanagan: I thought they were the proffers they had to be in concurrent.

Commissioner Hart: No.

Commissioner Flanagan: Okay.

Chairman Murphy: Okay?

Commissioner Flanagan: You can remain seated.

Chairman Murphy: There are a couple more motions on modifications and waiver.

Commissioner Flanagan: Right, yes. I have two motions, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE 200-FOOT MINIMUM DISTANCE REQUIRED BETWEEN RESIDENTIAL BUILDINGS AND INTERSTATE RIGHT-OF-WAY PURSUANT TO PARAGRAPH 1 OF SECTION 2-414 OF THE ZONING ORDINANCE, TO PERMIT A MINIMUM DISTANCE OF APPROXIMATELY 60 FEET AS SHOWN ON THE GENERALIZED DEVELOPMENT PLAN.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: I finally MOVE THAT THE PLANNING COMMISSION...

Chairman Murphy: Not a very enthusiastic vote here, go ahead.

Commissioner Sargeant: Let's do that again.

Chairman Murphy: We'll do that again, go ahead.

Commissioner Flanagan: I finally MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF AN INCREASE IN HEIGHT FOR A NOISE BARRIER PURSUANT TO PARAGRAPH 3F OF SECTION 10-104 OF THE ZONING ORDINANCE.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Much better. Opposed? Motion carries.

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(The motions carried by a vote of 9-0. Commissioners Hedetniemi, Lawrence and Strandlie were absent from the meeting.)

TMW