



# County of Fairfax, Virginia

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September 30, 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, Esquire  
Cooley LLP  
11951 Freedom Drive, Ste. 1500  
Reston, Virginia 20190

**Re: RZ/FDP 2015-HM-013/SEA 94-H-049-02 – WIEHLE STATION VENTURES,  
LLC  
Hunter Mill District**

Dear Mr. Looney:

At its September 29, 2016 meeting, the Planning Commission voted 8-0-2 (Commissioners Keys-Gamarra and Sargeant abstained; Commissioners Hedetniemi and Lawrence were absent from the meeting) to **RECOMMEND APPROVAL** of the above referenced rezoning application, subject to the proffers dated September 28, 2016, and the above referenced special exception amendment, subject to the development conditions dated September 21, 2016, as attached. 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.

Concurrently, the Planning Commission voted 8-0-2 (Commissioners Keys-Gamarra and Sargeant abstained; Commissioners Hedetniemi and Lawrence were absent from the meeting) to **APPROVE** the above referenced Final Development Plan application, subject to the development conditions dated September 21, 2016.

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,

John W. Cooper, Clerk  
Fairfax County Planning Commission

 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)



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  
Laura Arseneau, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
September 29, 2016 date file

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## **Proposed Final Development Plan Conditions**

**FDP 2015-HM-013**

**Wiehle Station Ventures, LLC**

**September 21, 2016**

If it is the intent of the Planning Commission to approve FDP 2015-HM-013 located at Tax Map Parcels 17-4 ((12)) 11 B, 11D9 pt. and 17-4 ((33)) C, 17-4 ((33)) 100, 110, 120, 140, 200, 220, 230, 300, 340A, 410, 420, 430, 510, 520, 530, 535 staff recommends conditioning the approval by requiring conformance with the following development conditions.

1. Development of the property shall be in substantial conformance with the CDP/FDP Plan entitled "Lincoln at Commerce Park," as submitted by Land Design Inc., consisting of 41 sheets, dated August 10, 2015, and as revised through August 24, 2016.
2. Prior to site plan approval the applicant shall provide an outfall analysis that extends the review to the existing culvert system under Sunset Hills Road and the Washington and Old Dominion Trail and demonstrate that the development will not exacerbate the flooding situation downstream. Onsite detention shall be provided in accordance with Article 4 of Stormwater Management Ordinance and that the onsite detention is provided so that there is no increase in the 100-year Water Surface Elevation upstream of the culvert under Sunset Hills Road.
3. Prior to site plan submission, the applicant shall provide a sewer capacity analysis study to the Wastewater Planning and Monitoring Division of Department of Public Works and Environmental Services of all the lines within the area to which its site contributes flow. If it is determined that any of the lines are inadequate, the applicant will be required to perform necessary upgrades prior to or concurrent with site plan submission.

The above proposed development condition is a staff recommendation and does not reflect the position of the Planning Commission unless and until adopted by the Planning Commission.

Planning Commission Meeting  
September 29, 2016  
Verbatim Excerpt

RZ/FDP 2015-HM-013/SEA 94-H-049-02 – WIEHLE STATION VENTURES, LLC

Decision Only During Commission Matters  
(Public Hearing held on September 21, 2016)

Commissioner de la Fe: Thank you, Mr. Chairman. We had a decision only tonight for RZ/FDP 2015-HM-013 and SEA 94-H-049-02. The public hearing was held on 9/21 and we deferred decision until tonight to address some issues that have been raised and I was wondering if the applicant's representative could come forward. We have – we have received the revised proffers that addressed all of, you know, the issues that have been raised and – which is in a memo that you found in your desk today. But there was one issue that was still outstanding from staff and that is the construction of the northern portion of a sidewalk along Association Drive and I know that that has not been resolved and I wanted to ask the applicant whether you would, you know, you would continue to work on that to make sure that that gets done, if at all possible.

Molly Novotny, Cooley LLP, Applicant's Agent: Sure. For the record, Molly Novotny with Cooley on behalf of the applicant. Yes, we'll continue to work with staff on extending the sidewalk along the property boundary of the application parcel.

Commissioner de la Fe: Okay. Thank you very much. And given the – thank you – but don't go away back up because I'm going to ask you something else. The, you know, the proffers address a number of the issues that have been addressed, including an additional contribution to the Park Authority if Park One is truncated because of easements that cannot be obtained. And we have also added language on the Reston Road Fund, which commits to what is now considered the upper limit of the per-residential unit that will be recommended to the Board of Supervisors. The Board of Supervisors will not make a decision on this until, you know, I don't know – December maybe – or maybe even January, so – but I don't think we should keep, you know, waiting on that – all these cases – waiting on that. So what applicants are being asked to do is to commit to – to the highest number that is currently under consideration. If it's less, they would pay less, but, you know, with more we will have to revise the proffers, but as of now I don't believe that the number would go higher than they – what is currently being, you know, the upper limit of what is \$2,288 per residential unit. So given that, I don't have anything else except to – I – Ms. Novotny, if you could confirm, for the record, agreement to the proposed FDP Development Conditions dated September 21<sup>st</sup>, 2016?

Ms. Novotny: Yes, we confirm acceptance.

Commissioner de la Fe: Okay. Thank you very much. Mr. Chairman, I move that the Planning...

Chairman Murphy: Hold on a minute.

Commissioner de la Fe: Yes.

Chairman Murphy: Ms. Hurley?

Commissioner Hurley: I'm sorry. I'm trying to read through all this, I'm still not clear. What's the resolution of the issue of the easement with the property owner to the east? When we – when last we met, we talked about the pizza delivery guy that was parking on the next door neighbor's lot to – I mean, there was one place. What was the final resolution about the use of the easement and access to this property?

Ms. Novotny: That we will continue to work with them as well and that there is – our proffer is written in such a way that requires us to get their permission to do that. And if we are unsuccessful in doing that, the – the project can still be built.

Commissioner Hurley: All right. Thank you.

Commissioner de la Fe: Okay.

Chairman Murphy: Mr. de la Fe, go ahead.

Commissioner de la Fe: Thank you. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 94-H-049-02, TO DELETE 3.14 ACRES FROM SE 94-H-049; APPROVAL OF RZ 2015-HM-013 AND ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE NOW DATED SEPTEMBER 28<sup>TH</sup>, 2016 AND APPROVAL OF THE WAIVERS OF MODIFICATIONS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU THIS EVENING DATED SEPTEMBER 29<sup>TH</sup>, 2016, WHICH WILL BE MADE A PART OF THE RECORD.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to support Mr. de la Fe's motion to approve these applications, as articulated, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman...

Commissioner Keys-Gamarra: Mr. Chair, abstain.

Chairman Murphy: Okay. Ms. Keys-Gamarra abstains.

Commissioner Keys-Gamarra: I was absent.

Chairman Murphy: Not present for the public hearing.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2015-HM-013, SUBJECT TO THE PROPOSED FINAL DEVELOPMENT

PLAN CONDITIONS DATED SEPTEMBER 21<sup>ST</sup>, 2016, AND THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2015-HM-013 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Sargeant: Mr. Chairman, just for the record – I missed the first time – I was not present for the public hearing.

Chairman Murphy: Mr. Sargeant and Ms. Hurley abstain and – oh, I'm sorry, Ms. Gamarra – Keys-Gamarra and Mr. Sargeant abstain.

Commissioner Hart: Nell voted.

Chairman Murphy: Nell voted. Yes, I'm sorry. She asked the question. Okay.

Commissioner de la Fe: Okay. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF 2615-BKS-005-1, A PARKING REDUCTION OF UP TO AN 18.8 PERCENT, 78 FEWER SPACES, FOR THE PROPOSED RESIDENTIAL USE, PURSUANT TO PARAGRAPH 5.A OF SECTION 11-102 OF THE ZONING ORDINANCE, SUBJECT TO THE CONDITIONS RECOMMENDED BY STAFF, AS OUTLINED IN THE MEMORANDUM FROM LAND DEVELOPMENT SERVICES DATED AUGUST 19<sup>TH</sup>, 2016 AND CONTAINED IN APPENDIX 17 OF THE STAFF REPORT.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstentions.

Commissioner de la Fe: Okay. That's it, Mr. Chairman. Thank you very much.

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(Each motion carried by a vote of 8-0-2. Commissioners Keys-Gamarra and Sargeant abstained. Commissioners Hedetniemi and Lawrence were absent from the meeting.)

JLC



# County of Fairfax, Virginia

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September 22, 2016

**2016 Planning  
Commission**

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

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

**James R. Hart**  
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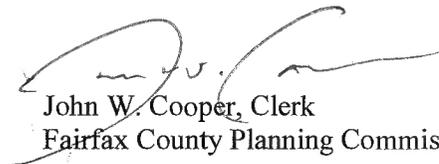
Mark C. Looney, Esquire  
Cooley LLP  
11951 Freedom Drive, Ste. 1500  
Reston, Virginia 20190

**Re: RZ/FDP 2015-HM-013/SEA 94-H-049-02 – WIEHLE STATION VENTURES,  
LLC  
Hunter Mill District**

Dear Mr. Looney:

At its September 21, 2016 meeting, the Planning Commission voted 8-0 (Commissioner Keys-Gamarra was not present for the vote. Commissioners Hedetniemi, Lawrence and Sargeant were absent from the meeting.) to **DEFER THE DECISION ONLY** on the above referenced application to a date certain of September 29, 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  
Laura Arseneau, Staff Coordinator, ZED, DPZ  
✓ Robert Harrison, ZED, DPZ  
September 21, 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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Planning Commission Meeting  
September 21, 2016  
Verbatim Excerpt

RZ/FDP 2015-HM-013/SEA 94-H-049-02 – WIEHLE STATION VENTURES, LLC

After close of the public hearing.

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

Commissioner de la Fe: Thank you, Mr. Chairman. Mr. Chairman, as – there are a couple of questions that have been raised that I think maybe we need to address before a decision is made and then there – there is one that has not been raised, but which I will mention now, which is my – was going to be my main reason for a deferral of the decision until next week, which is the Reston Road Fund contribution. If you read that proffer right now it is, it's a blank – blank, because nobody knows what it's going to be. Hopefully, according to the information I have, by late this week or early next week, certainly by the time we have to make a decision on this, there will be the final recommendations to the Board of Supervisors. Now, the Board of Supervisors probably will not make its decision until December or maybe early, like next year, so I don't think we can hold up all of these applications until then. But I think we can, at least, know a little bit better what the parameters of that road fund contribution would be. And it is my understanding that we should have that by next week with - sort of appropriate language, which isn't just blank – blank, in some way. So, given that Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER DECISION ONLY ON THESE APPLICATIONS, WITH THE RECORD REMAINING OPEN, UNTIL SEPTEMBER 29<sup>TH</sup>, 2016.

Commissioners Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer decision only on SEA 94-H-049-02, concurrent with RZ/FDP 2015-HM-013, to a date certain of September 29<sup>th</sup>, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 8-0. Commissioner Keys-Gamarra was not present for the vote. Commissioners Hedetniemi, Lawrence and Sargeant were absent from the meeting.)

TMW



# County of Fairfax, Virginia

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July 1, 2016

RECEIVED  
Department of Planning & Zoning

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Zoning Evaluation Division

**2016 Planning  
Commission**

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

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

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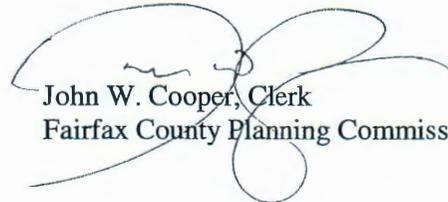
Mark C. Looney, Esquire  
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11951 Freedom Dr., Ste. 1500  
Reston, VA 20190

**Re: RZ/FDP 2015-HM-013/SEA 94-H-049-02 – Wiehle Station Ventures, LLC  
Hunter Mill District**

Dear Mr. Looney:

At its June 30, 2016 meeting, the Planning Commission voted 8-0 (Commissioners Hurley, Lawrence, Murphy and Strandlie were absent from the meeting) to **DEFER THE PUBLIC HEARING** of the above-referenced applications to a date certain of July 20, 2016. A copy of the verbatim transcript is attached.

Sincerely,

  
John W. Cooper, Clerk  
Fairfax County Planning Commission

Attachments (a/s)

cc: Catherine M. 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  
June 30, 2016 date file

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\* Planning Commission Meeting  
June 30, 2016  
Verbatim Excerpt

RZ/FDP 2015-HM-013/SEA 94-H-049-02 - WIEHLE STATION VENTURES LLC

During Commission Matters

Commissioner de la Fe: And I would like to MOVE THAT WE DEFER THE PUBLIC HEARING FOR RZ/FDP 2015-HM-13/SEA 94-H-49-02, WIEHLE STATION VENTURES, LLC, TO A DATE CERTAIN OF 7/20.

Commissioner Flanagan and Hedetniemi: Second.

Chairman de la Fe: Seconded by Commissioners Flanagan and Hedetniemi. Any discussion? All those in favor, please signify by saying aye.

Commissioners: Aye.

Chairman de la Fe: Opposed? The motion carries.

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(The motion carried by a vote of 8-0. Commissioners Hurley, Lawrence, Murphy and Strandlie were absent from the meeting.)

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