

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JANUARY 13, 2016**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
Julie M. Strandlie, Mason District
Earl L. Flanagan, Mount Vernon District
Kenneth A. Lawrence, Providence District
Karen Keys-Gamarra, Sully District
Janyce N. Hedetniemi, Commissioner At Large
Timothy J. Sargeant, Commission At-Large

ABSENT: James T. Migliaccio, Lee District

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The meeting was called to order at 8:19 p.m. by Chairman Peter F. Murphy in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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SWEARING IN CEREMONY

The Honorable John T. Frey, Clerk of the Circuit Court, performed the swearing-in ceremony for the following Commissioners appointed and/or reappointed by the Board of Supervisors for four-year terms ending December 2018:

- James R. Hart, At-Large
- Ellen J. Hurley, Braddock District
- Karen Keys-Gamarra, Sully District

Chairman Murphy noted that Commissioner James T. Migliaccio, Lee District, was also reappointed and was sworn in at John Frey's office earlier this week.

Chairman Murphy thanked Mr. Frey for presiding over the swearing-in ceremony.

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COMMISSION MATTERS

On behalf of the Planning Commission, Chairman Murphy expressed condolences to the family of Elaine McConnell, who served as Supervisor of the Springfield District for 24 years. He said that Ms. McConnell passed away on January 10, 2016, and a memorial service would be held at the Messiah United Methodist Church in West Springfield on Saturday, January 16, 2016. A moment of silence was held in Ms. McConnell's memory.

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Chairman Murphy thanked Mr. John Litzenberger, who served as Commissioner of the Sully District from 2008 to 2015, for his service noting the numerous committees on which he served. He was succeeded by Commissioner Karen Keys-Gamarra.

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Commissioner Sargeant announced there would be public workshop session for the proposed Zoning Ordinance Amendment regarding the Planned Residential Mixed Use District, Planned Development Commercial District, Commercial Revitalization Districts and other changes on Wednesday, January 20, 2016, at 7:30 p.m. in the Board Auditorium. He noted that while this was not a formal public hearing it was open to the public for input and discussion.

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Commissioner Lawrence announced a reminder that the Commission's Tysons Committee would meet at 7 p.m. in the Board Conference Room of the Fairfax County Government Center on Thursday, January 14, 2016.

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Commissioner Hart stated that pursuant to the Commission's Bylaws, the officers for 2016 would be elected at the third Planning Commission meeting on Thursday, January 21, 2016. He noted that Commissioner Ulfelder would be following up with members if needed.

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Commissioner Hart announced that the Environment Committee would meet at 7 p.m. in the Board Conference Room of the Fairfax County Government Center on Thursday, January 21, 2016.

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Commissioner Hart announced that the Commission would not approve minutes during John W. Cooper's, Clerk, Planning Commission, absence. He said approval of minutes would resume when Mr. Cooper returns.

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. SE 2015-HM-024/PRC 86-C-121-05/2232-H15-10 – METROPOLITAN WASHINGTON AIRPORTS AUTHORITY AND THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION ON BEHALF OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY AND THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY
2. RZ 2015-PR-016/SE 2014-PR-018 – BEYER I LIMITED LIABILITY COMPANY
3. PCA 75-7-004-03/SE 2015-PR-021 – MERIDIAN SCIENCE 7980, LP

This agenda was accepted without objection.

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SE 2015-HM-024 – METROPOLITAN WASHINGTON AIRPORTS AUTHORITY AND THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION ON BEHALF OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY AND THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY – Appl. under Sect. 6-304 of the Zoning Ordinance to permit electrically-powered regional rail transit facilities. Located on the S. side of Sunset Hills Road, approx. 1,200 ft. W. of its intersection with Reston Pkwy., on approx. 1.69 ac. of land zoned PRC. Proposed Tax Map 17-3 ((1)) 35C, formerly part of 17-3 ((1)) 35B. (Concurrent with PRC 86-C-121-05 and 2232-H15-10.) HUNTER MILL DISTRICT. PUBLIC HEARING.

PRC 86-C-121-05 – METROPOLITAN WASHINGTON AIRPORTS AUTHORITY AND THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION ON BEHALF OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY AND THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY – Appl. to approve the PRC plan associated with RZ 86-C-121 to permit electrically-powered regional rail transit facilities. Located on the S. side of Sunset Hills Road, approx. 1,200 ft. W. of its intersection with Reston Pkwy., on approx. 1.69 ac. of land zoned PRC. Comp. Plan Rec: Residential Planned Community. Proposed Tax Map 17-3

((1)) 35C, formerly part of 17-3 ((1)) 35B. (Concurrent with SE 2015-HM-024 and 2232-H15-10.) HUNTER MILL DISTRICT. PUBLIC HEARING.

2232-H15-10 – METROPOLITAN WASHINGTON AIRPORTS
AUTHORITY AND THE VIRGINIA DEPARTMENT OF RAIL
AND PUBLIC TRANSPORTATION ON BEHALF OF THE
WASHINGTON METROPOLITAN AREA TRANSIT
AUTHORITY AND THE BOARD OF SUPERVISORS OF
FAIRFAX COUNTY – Appl. under Sects. 15.2-2204 and 15.2-
2232 of the Code of Virginia to permit electrically-powered
regional rail transit facilities. Located on the S. side of Sunset Hills
Road., approx. 1,200 ft. W. of its intersection with Reston
Pkwy., on approx. 1.69 ac. of land zoned PRC. Proposed Tax Map
17-3 ((1)) 35C, formerly part of 17-3 ((1)) 35B. (Concurrent with
SE 2015-HM-024 and PRC 86-C-121-05.) HUNTER MILL
DISTRICT. PUBLIC HEARING.

John McBride, Esquire, Applicant's Agent, Odin, Feldman & Pittleman, P.C., reaffirmed the affidavit dated December 7, 2015.

Commissioner Hart disclosed that his law firm, Hart and Horan, PC, had one pending case and another recently concluded case with Mr. McBride's firm in which there were attorneys representing an adverse party, but indicated that it would not affect his ability to participate in this case.

Commissioner Hart also disclosed that Peter Forster, listed on the affidavit as a shareholder owning more than 10 percent of any class of stock of Clark Construction Group, LLC, which was listed on the affidavit as a joint venture partner in Capital Rail Constructors, which was listed as the engineer/agent for the applicant. He stated that while his firm had no attorney client relationship with Mr. Forster or any of those entities he disclosed that his firm did have an attorney client relationship with two LLC's which were unrelated with this application; however, Peter Forster had a minority interest in one of those LLC's and a limited partnership, not listed on the affidavit but controlled by Peter Forster, with a minority interest in both of the LLC's. Commissioner Hart said his legal work for both of those LLCs was unrelated to this application and the parties on the affidavit. He indicated that it would not affect his ability to participate in this case.

Commissioner de la Fe asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be

waived, and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on this case.

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(Start Verbatim Transcript)

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

Commissioner de la Fe: Thank you very much, Mr. Chairman. This - these multiple applications are primarily to clear the way legally for the Reston Towne Center north entrance up to the Silver Line, which is under construction already, and we need take these actions in order to, you know, for that to proceed. Could - Mr. Chairman, could I have the applicant's representative please step forward?

Chairman Murphy: Mr. McBride?

Commissioner de la Fe: Mr. McBride, do you - could you confirm for the record agreement to the proposed SE and PRC development conditions that are both dated December 30th, 2015?

John McBride, Applicant's Agent, Odin, Feldman & Pittleman P.C.: Yes, we do agree.

Commissioner de la Fe: Thank you very much. Thank you very much. Mr. Chairman, I CONCUR WITH THE STAFF'S CONCLUSION THAT THE PROPOSED ELECTRICALLY POWERED REGIONAL RAIL TRANSIT FACILITY SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT AS SPECIFIED IN SECTION 15-2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED, AND THAT IT IS IN SUBSTANTIAL ACCORD WITH THE COMPREHENSIVE PLAN, AND I MOVE THE PLANNING COMMISSION APPROVE THIS 2232.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion of the motion? All those in favor of the motion to approve 2232-H15-10, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. de la Fe.

Commissioner de la Fe: Mr. Chairman, I move that the planning Commission - oh right there - I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2015-HM-024 AND PRC 86-C-121-05,

SUBJECT THE PROPOSED SE AND PRC DEVELOPMENT CONDITIONS, DATED
DECEMBER 30TH, 2015.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion of the motion? All those in favor of the motion to approve SE 2015-HM-024 and PRC 86-C-121-05, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Gamarra, did you want to abstain on them?

Commissioner Keys-Gamarra: Yes.

Chairman Murphy: All right, please note that Ms. Gamarra's abstaining on all these motions, okay? All those in favor, say aye. Opposed? Motion carries.

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(The motion carried by a vote of 9-0-1. Commissioner Keys-Gamarra abstained. Commissioner Hurley was not present for the vote. Commissioner Migliaccio was absent from the meeting.)

(End Verbatim Transcript)

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RZ 2015-PR-016 – BEYER 1 LIMITED LIABILITY COMPANY

– Appl. to rezone from I-5, HC to C-8, HC to permit vehicle storage with an overall Floor Area Ratio (FAR) of 0.01. Located S.E. of the intersection of Shreve Road and Leesburg Pike, on Gordons Road, on approx. 4,154 sq. ft. of land. Comp. Plan Rec: Retail and Other Commercial Uses. Tax Map 40-3 ((12)) 8A. (Concurrent with SE 2014-PR-018.) PROVIDENCE DISTRICT. PUBLIC HEARING.

SE 2014-PR-018 – BEYER 1 LIMITED LIABILITY COMPANY

– Appl. under Sects. 4-804 and 9-612 of the Zoning Ordinance to permit vehicle storage associated with vehicle sales, rental, and ancillary establishment, and a waiver of the minimum open space requirements. Located at 7113 and 7117 Shreve Road, and 118 Gordons Road, Falls Church, 22043, on approx. 1.25 ac. of land zoned C-8 and I-5, HC. Tax Map 40-3 ((12)) 8A, 11, and 13.

(Concurrent with RZ 2015-PR-016.) PROVIDENCE DISTRICT.
PUBLIC HEARING.

Andrew Painter, Esquire, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated December 7, 2015.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a pending case with Mr. Painter's law firm in which there were attorneys representing an adverse party, but indicated that it would not affect his ability to participate in this case.

Casey Gresham, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report dated December 29, 2015, a copy of which is in the date file. She noted that staff recommended approval of applications RZ 2015-PR-016 and SE 2014-PR-018.

In response to a question from Commissioner Lawrence, Cathy Lewis, ZED, DPZ, said that the City of Falls Church had not submitted any concerns over these applications.

Commissioner Lawrence asked staff whether the facilities proposed by the applicant for the disposal of stormwater were required and to explain the purpose of them. Ms. Gresham said they were not a requirement, but that they were being utilized to further address the issue of the amount and quality of stormwater accumulated on the site.

Commissioner Hedetniemi asked if there was any lighting proposed for security purposes and whether it might disturb the community. Ms. Lewis said there were existing lights located on the site and there had not been any complaints from the surrounding neighborhoods. She noted that directly across from the subject property was a Veterans of Foreign Wars building with the townhouses being located further down Shreve Road.

Commissioner Hart confirmed with Ms. Gresham that the issue regarding the zoning adjacent to the applicant's property had been resolved.

Commissioner Ulfelder asked staff if the application included improvements to fix the downward slope of the access entrance from Shreve Road. Ms. Lewis explained that access was part of another property and the applicant was allowed the use of it due to an access easement between the properties.

Mr. Painter remarked that Don Beyer Volvo was a long-standing corporate citizen of Fairfax County with a dealership showroom located in the City of Falls Church and three vehicle storage lots located in Fairfax County. He noted that all the properties were within walking distance of each other. Mr. Painter said the applicant had not been aware that official approval for this use was not granted when originally applied for in the 1970s and they had been working with staff to come into compliance for the past year.

Addressing Commissioner Lawrence's earlier question regarding the proposed stormwater facilities, Mr. Painter explained that large quantities of stormwater would flow off the subject property because it was entirely paved. As a result of Supervisor Smyth's request to address this issue, he said the applicant was proposing to replace portions of the pavement with landscaping and permeable pavement to reduce the amount of water runoff. In addition, Mr. Painter said they would install a hydro-dynamic water separator to address the quality of the water runoff. In closing, Mr. Painter said the application meets the Comprehensive Plan recommendations and all staff issues had been resolved. He agreed to the development conditions dated December 29, 2015.

Chairman Murphy called for speakers from the audience, but received no response. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lawrence for action on this item.

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(Start Verbatim Transcript)

Chairman Murphy: Public hearing is closed, Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. I have a couple motions to make and then I would like a moment off of verbatim after I finish with that for compliments, as a matter of fact. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2015-PR-016, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED DECEMBER 29TH, 2015.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded Ms. Hedetniemi. 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 2015-PR-016, say aye.

Commissioners: Aye.

Commissioner Keys-Gamarra: Abstain.

Chairman Murphy: Opposed? Motion carries. Ms. Keys-Gamarra abstains. I'm going to get this.

Commissioner Lawrence: Secondly, Mr. Chairman, I move – I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE

2014-PR-016 (sic), SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED DECEMBER 29TH, 2015.

Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning: I'm sorry, Mr. Lawrence, it's -018.

Commissioner Lawrence: -018, sorry.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-PR-018, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Same abstention, motion carries.

Commissioner Lawrence: Finally, 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 DECEMBER 29TH, 2015, AND AS NOTED IN THE STAFF REPORT.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve the waivers articulated by Mr. Lawrence, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same abstention.

The motion carried by a vote of 9-0-1. Commissioner Keys-Gamarra abstained. Commissioner Hurley was not present for the vote. Commissioner Migliaccio was absent from the meeting.

(End Verbatim Transcript)

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Commissioner Lawrence commended staff regarding their work on this application and the applicant's willingness to address stormwater issues with solutions that they were not required to do.

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PCA 75-7-004-03 – MERIDIAN SCIENCE 7980, LP – Appl. to amend the proffers for RZ 75-7-004 previously approved for industrial development to permit office and public field, and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.46 with an option to increase to 0.50. Located approx. 600 ft. E. of the intersection of Science Application Ct. and Kidwell Dr., on approx. 14.40 ac. of land zoned I-3,HC. Comp. Plan Rec: Residential/Mixed-Use. Providence District. Tax Map 39-2 ((1)) 13D and 13E. (Concurrent with SE 2015-PR-021.) PROVIDENCE DISTRICT. PUBLIC HEARING.

SE 2015-PR-021 – MERIDIAN SCIENCE 7980, LP – Appl. under Sect. 9-624 of the Zoning Ordinance to permit a containment structure associated with outdoor recreation/sports facility playing fields/courts. Located at 7910 and 7980 Science Application Ct., Vienna, 22182, on approx. 5.75 ac. of land zoned I-3, HC. Tax Map 39-2 ((1)) 13D pt. and 13E pt. (Concurrent with PCA 75-7-004-03.) PROVIDENCE DISTRICT. PUBLIC HEARING.

David R. Gill, Esquire, Applicant's Agent, McGuireWoods LLP, reaffirmed the affidavit dated December 29, 2015.

There were no disclosures by the Commission.

Kelly Atkinson, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications PCA 75-7-004-03 and SE 2015-PR-021.

Commissioner Hart asked staff if the maintenance of the portable toilets needed to be addressed in the development conditions. Ms. Atkinson explained that the Fairfax County Park Authority (FCPA) would have a contract with the applicant which would include the maintenance of the portable toilets; however, further details would be worked out later in the process and deferred to Andrea Dorlester, Senior Planner, FCPA, on this issue. Ms. Dorlester explained that the agreement stated that the FCPA would be the operator of the athletic field which included all operation and maintenance issues. Cathy Lewis, ZED, DPZ, noted that this agreement was in the proffers that were approved as part of The Boro rezoning application.

Mr. Gill said that the applicant had found a creative solution to design a suitable place for a full-sized athletic field in the Tysons area. He noted that originally the application included a modest

level of redevelopment; however, based on the district supervisor and community feedback the applicant removed it to focus solely on the athletic field.

Chairman Murphy called the first listed speaker and recited the rules for testimony.

Charlene Jefferson, 8015 Reserve Way, Vienna, Vice President of the Townhouses at The Reserve HOA, stated the following:

- The community requested that the developer install a permanent structure in lieu of the proposed portable toilets due to cleaning and odor issues that could be associated with them;
- Noting the current traffic congestion when exiting the community at Gallows Road and Science Applications Court, Ms. Jefferson requested a traffic study be conducted on the traffic signal's short cycle time stating that the addition of the athletic field could exacerbate this issue;
- The community requested that the FCPA define what the hours of operation would be due to a concern over possible noise from the athletic field;
- Ms. Jefferson was concerned over the amount of people that might utilize the athletic field possibly coming from out of state and voiced a concern about people wandering onto the community's private property along with the possibility of alcohol consumption. She asked who would be responsible for monitoring the field and requested some type of security or increased police patrols in the area;
- She requested the removal of the Leidos company sign and relocated to the correct building in the development where the office was now located and replace it with reserved signage; and
- Ms. Jefferson asked the county to consider using an organic compound instead of the crumb rubber currently proposed due to recent reports in the news media questioning its link to health issues.

Chairman Murphy recommended that Ms. Jefferson contact her local police station to request a check of the traffic light timing along with recommendations to be provided to the Virginia Department of Transportation (VDOT).

Commissioner Lawrence asked Ms. Jefferson whether the applicant had met with the community over her concerns. She replied yes, noting that the applicant and the FCPA staff met with the homeowners association and its legal representation in September. Ms. Jefferson said in November the association board members were invited to listen to a presentation which included

updates from the developer. In addition, she said their community held a town hall meeting for the residents to be involved in. Ms. Jefferson noted that her intent was to voice the community's concerns before the Commission and to have it on the record.

After a discussion with Commissioner Lawrence regarding Ms. Jefferson's comments, Ms. Dorlester explained the following:

- The athletic field would be open until 11 p.m. and the lights were scheduled remotely through a computer system; however, in order for the lights to be activated the field users must hit a button located on the athletic field. If a field was not scheduled for use then the lighting system could not be activated and the lights would not be on. She did not know if the facility could be secured when it was not in use;
- All Fairfax County parks were posted with "no alcohol allowed" signs and it was enforced by the Fairfax County Police Department when a complaint was called in;
- All field users must sign an agreement to follow the rules and any infraction could result in the discontinued use of the field;
- The Fairfax County Neighborhood and Community Services Agency, who schedules the athletic fields, had staff who could be called out to patrol a field where the users might be in violation of their agreement;
- The Fairfax County Health Department, along with the FCPA, were currently studying the effects of crumb rubber which was used in the parks athletic fields. The FCPA had created a website with information from this study and it mentions that, "...the United States Environmental Protection Agency and the Centers For Disease Control Prevention, numerous state agencies generally conclude that health effects are unlikely from exposure to the levels of chemicals found in synthetic turf and that these fields do not pose a serious public health concern."; and
- The portable toilets were regularly maintained to help control appearance and odor issues and the FCPA found it preferable to have them as opposed to not having any.

In response to a question from Commissioner Lawrence, Ms. Atkinson said she was not aware of the community's issue with the Leidos sign and deferred further explanation to Mr. Gill.

Commissioner Sargeant questioned staff about the type of lighting that would be installed to reduce spillover to the surrounding community. Ms. Lewis referred to a photograph, a copy of which is in the date file, of Glyndon Park located in Vienna which provided an example of the proposed field lighting at night.

In response to questions from Commissioner Sargeant and Chairman Murphy, Ms. Dorlester explained that the FCPA Field Allocation Policy would give priority to youth groups. She added that prior to each season, leagues or sports group would apply for the use of a field by requesting certain hours per week. Ms. Dorlester said a local community could apply to reserve the field but would be subject to the per player fee. She noted that during the weekdays, prior to 5 p.m., all athletic fields were open to the public to use at no cost.

Commissioner Flanagan questioned staff about the location of the portable toilets and if permanent restroom facilities could be placed in the parking garage. Ms. Atkinson explained that after discussions with FCPA staff, it was decided that portable toilets would be more consistent with current park standards. In addition, Ms. Atkinson noted that since the portable toilets were intended to be used by the athletic field users only and to make them less obtrusive to the community they had the applicant move them further back on the property and closer to the Beltway than originally proposed. Commissioner Flanagan asked if the parking garage would be available for use by the athletic field users. Ms. Lewis explained that while the parking garage would be available, it was envisioned that the surface parking lot would be primarily utilized due to the close proximity to the entrances and fields.

Commissioner Strandlie asked about the crumb rubber synthetic turf field proposed and referred to recent news media reports stating that Montgomery County, Maryland no longer allowed the use of crumb rubber and the possibility that some Fairfax County high schools had private donations to pay for other materials to be used instead. She suggested that it might be helpful to research to see if these reports were true.

Commissioner Hart commented that generally the Commission would defer to the schools or FCPA regarding these types of issues; however, due to the growing concern over the possibility of toxic chemicals leaching out of these crumb rubber synthetic fields he asked Ms. Dorlester if a committee had been created to study and report to the FCPA their findings. Ms. Dorlester confirmed, reiterating that the Fairfax County Health Department had studied this issue and determined it was safe to continue to use these fields at this time. She noted that the research was ongoing and would continue to be reported to them. Commissioner Hart asked if this was an issue for the Commission and Ms. Lewis indicated it was not.

Following up on the previous comments regarding crumb rubber, Commissioner Ulfelder stated it was also an environmental concern due to the runoff resulting from the field that could end up in Pimmit Run. He stated the need to capture some of that runoff before it impacted streams because some chemicals could kill certain types of aquatic life. Commissioner Ulfelder asked about the expected life span and cost to replace a synthetic turf field. Ms. Dorlester explained that they last approximately 10 years and the county would be responsible for replacing or upgrading the field. She did not know what the anticipated cost would be.

Commissioner Hedetniemi commented that the county should look at the Environmental Protection Agency research and the National Institutes of Health to identify if there were any

proven, reputable studies conducted that determine any degree of risk from crumb rubber. She cautioned at arriving at conclusions that were not based on any kind of science.

Chairman Murphy called for speakers from the audience and recited the rules for testimony.

Khaled Masri, 8034 Kidwell Hill Court, Vienna, echoed the concerns raised by Ms. Jefferson. He added that his community was located nearby and their main concern regarded the lighting impact from the athletic field to their streets.

Commissioner Ulfelder confirmed with Ms. Atkinson that the athletic field lights would conform to the Fairfax County Zoning Ordinance Outdoor Lighting Standards. In addition, Ms. Atkinson noted that staff with the Zoning Administrator's Division reviewed the applicant's photometric plan to ensure that it met all requirements, which it did.

Jennifer No, 9104 Wood Spice Lane, Lorton, spoke on behalf of the apartment community and cited three main issues:

- Citing a concern over the possibility of sports balls interfering with traffic, she requested the height of the fence to be 30 foot around the entire athletic field, noting that currently the proposal showed the fence height on the street and apartment side at 20 foot;
- Ms. No recommended the hours of operation be reduced from 11 p.m. to 8 or 9 p.m. to limit the noise impact to the community; and
- She requested any additional fees to accommodate the increased traffic or to reset the traffic light be covered by the applicant as part of the development costs.

Chairman Murphy reiterated his suggestion to contact the local police station regarding the traffic light timing.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Gill who agreed to move the Leidos Company sign to the north side of Science Applications Court where the office was now located. In addition, he added that the applicant had no objection to changing the fence height to 30 feet around the entire field. Mr. Gill said the applicant was supportive of the community's request to pursue an adjustment to the timing of the traffic light at Gallows Road. Addressing the earlier questions regarding the athletic field lights from Commissioner Sargeant, Mr. Gill described them as being remote controlled LED lights that would be directed onto the field only to minimize spillover to the adjacent neighborhood and also suggested that the Commission visit Glyndon Park in Vienna as an example of the proposed lighting.

Commissioner Lawrence confirmed with Mr. Gill that the access road to the field was a private street and asked if there was an agreement between the applicant and the FCPA about

notification if it were to be closed due to maintenance or other unforeseen issues. Mr. Gill said it was addressed in the proffer statement.

Commissioner Ulfelder commented that the applicant was going above what the lighting ordinance currently required.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lawrence for action on this case.

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(Start Verbatim)

Chairman Murphy: Public hearing is closed, Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. I think we have some loose ends here – not very many, but some loose ends. I think we need to work with the Park Authority to get some reassurance that, whatever contingency develops from the research that the appropriate action will be taken. If the field's already in place then I would assume that any chrome rubber would be removed and some other material would be installed instead. If it – if there is any hazard from the runoff – and this is for P and Z staff – we need to get the right kind of person looking at that sort of research and we need to have those contingencies covered, either in proffers or in some other way so we don't have – have that as a loose end. I do feel that we are not quite ready to roll tonight. I think we need to get those kinds of things tied up. So therefore, Mr. Chairman, I MOVE TO DEFER THE DECISION ONLY ON, ON PCA 75-7-004-03 AND SE 2015-PR-021 TO A date certain of, let's see, is a week – I think a week is probably enough. Is a week enough, staff?

Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning: We – we can, we can try that and, then if we think we need longer.

Commissioner Lawrence: All right, we'll just move it out if we need to. So that would be a date certain of January, and we are having something on the 21st, I –.

Chairman Murphy: Yeah, not the 20, no - not on a Wednesday, Thursday would be the date.

Commissioner Lawrence: Okay, Thursday, January the, that would that be the 22nd?

Chairman Murphy: 21st - 21st, yeah, I got that right.

Commissioner Lawrence: All right, DATE CERTAIN OF JANUARY 21ST, 2016.

Commissioner Flanagan: With the record remaining open.

Commissioner Lawrence: WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to defer decision only on PCA 75-7-004-03 and SE 2015-PR-021, to a date certain of January 21st, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 9-0-1. Commissioner Keys-Gamarra abstained. Commissioner Hurley was not present for the vote. Commissioner Migliaccio was absent from the meeting.

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The meeting was adjourned at 9:51 p.m.

Peter F. Murphy, Chairman

James R. Hart, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Teresa M. Wang

Approved on: July 14, 2016



John W. Cooper, Clerk
Fairfax County Planning Commission