

**MINUTES OF
AIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JUNE 29, 2016**

PRESENT: Frank A. de la Fe, Hunter Mill District
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Julie Strandlie, Mason District
Earl L. Flanagan, Mount Vernon District
Janyce N. Hedetniemi, Commissioner At-Large

ABSENT: Peter F. Murphy, Springfield District
Ellen J. Hurley, Braddock District
Kenneth A. Lawrence, Providence District
Karen Keys-Gamarra, Sully District

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The meeting was called to order at 8:20 p.m., by Vice Chairman Frank A. de la Fe, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Sargeant announced that the Planning Commission's Schools Committee had met earlier this evening to consider revised language in the Public Facilities Manual for school facilities utilizing urban design standards. He then stated that the Schools Committee would meet again on Wednesday, July 13, 2016, at 7:00 p.m. in the Board Conference Room of the Fairfax County Government Center. He added that the meeting was open to the public.

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Commissioner Hedetniemi announced that the Planning Commission's Tysons Committee would meet tomorrow, Thursday, June 30, 2016, at 6:30 p.m. in the Board Conference Room of the Fairfax County Government Center. She added that the meeting was open to the public.

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FDP 2014-PR-021/FDP 2014-PR-021-02/RZ 2014-PR-021/PCA 92-P-001-12 – BIT
INVESTMENTS FIFTY-TWO, LLC (Decisions Only)
(The public hearing on these applications was held on June 16, 2016.)

(Start Verbatim Transcript)

Commissioner Hart: Thank you, Mr. Chairman. I'm pinch-hitting again for Commissioner Lawrence. I want to thank staff, particularly Cathy Lewis and Suzanne Wright, for their assistance. This is the BIT case we're – we're going to be doing. And let me just say, I think tonight is Ms. Wright's swan song. This is her last appearance on her last case and she's moving onto bigger and better interpretation things, as I understand. And she's been a terrific help on this case and did excellent work on this and many others. I think the Commission appreciates that. I want to thank, also, the citizens that sent in so many comments and letters – and have given us some interesting issues to consider on this case. This is a solid application with a substantial proffer package. It has staff's support and I agree with their endorsement and rationale. One issue was unresolved at the time of the public hearing – how the public facilities contribution would be calculated – whether – bless you – to calculate that based upon the conceivable maximum allowable square-footage on the site or what they actually decide to build with the different options with the buildings. And I have concluded that it would be fairer and more appropriate do it the applicant's way – to base the contribution on what they actually build. I would note, however, that it is indexed to inflation so that if the contribution is delayed – and it is going to be going up over time – I think it's appropriate and fair to ask an applicant to contribute based on what they're actually building. The citizens also raised some issues at the public hearing and, subsequently, in a petition, which are somewhat more difficult to resolve. Unfortunately, the four principle issues have little or no specific nexus to this particular application. The Tysons grid of streets is expected to occur as development progresses and not necessarily be constructed in advance of development. There may be some gaps in the grid of streets for a while as Tysons continues to redevelop. The County also is unlikely to do condemnations of streets in advance of the development to facilitate earlier phases of development. In this particular instance, I think the citizens have correctly pointed out that Old Meadow Road is a single-ended access road at this time with a lot of people heading in one direction. That particular problem, I think, was precipitated by the closure of the private road through the apartments at the southern end, rather than something in particular this applicant is doing. In my judgment, it's not appropriate to burden this applicant with the resolution of the four issues in the petition, as opposed to some other methodology of resolving those. I think that approach also is consistent with how we have evaluated these types of issues, either elsewhere in Tysons or elsewhere throughout the County. Never-the-less, I believe some additional flexibility could be incorporated with respect to the expenditure of the public facilities contribution to allow the Board of Supervisors flexibility to potentially direct money to potential transportation issues – for example, design funds for missing grid segments – if that's deemed timely and appropriate – if and when this development goes forward. We have to go forward tonight with our recommendation to the Board because this case has a Board date and this is our last opportunity – other than tomorrow night – to deal with this to keep their Board date. And so I'm – I'm planning on making the motion, but I'm going to ask the applicant a couple questions. If Mr. Pritchard was – oh, he was down here, I was going to say. If you could come back to the podium and just introduce yourself.

G. Evan Pritchard, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC: Good evening. Evan Pritchard here, on behalf of the applicant.

Commissioner Hart: Mr. Pritchard, let me ask first – can the applicant commit to continuing – to discuss, before this goes to the Board – and after tonight, but before it goes to the Board – the issue of flexibility with respect to the proffer for the public facilities contribution, such that the

Board of Supervisors might direct those funds applied to some transportation improvement or other appropriate thing at the time?

Mr. Pritchard: Absolutely. We've had a lot of discussion. We expect that to continue in the next couple of days to figure out ways to do that.

Commissioner Hart: Thank you and let me – let me also ask, while you're down here, the – does the applicant understand and agree with the development conditions associated with the Final Development Plans in this application?

Mr. Pritchard: Yes.

Commissioner Hart: Thank you.

Mr. Pritchard: Thank you.

Commissioner Hart: The – Mr. Chairman, I'm going to have several motions. First, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY APPROVE PCA 92-P-001-012.

Commissioner Ulfelder: Second.

Vice Chairman de la Fe: Seconded by Mr. Ulfelder. Any discussion?

Commissioner Hedetniemi: Abstain. I wasn't here.

Commissioner Strandlie: Abstain.

Vice Chairman de la Fe: Okay. Well, when we vote-

Commissioner Hart: We're not voting yet.

Vice Chairman de la Fe: We're not voting yet. Okay. Any discussion? None. Call for the vote – all those in favor, please signify by saying, aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed?

Commissioner Strandlie: Abstain.

Vice Chairman de la Fe: Abstain. Okay, there are – the vote is approved with two abstentions. You were not present for the public hearing, Commissioner-

Commissioner Strandlie: I left earlier that evening at 11:30.

Vice Chairman de la Fe: Okay. Well, you were excused and Commissioner Hedetniemi was not here so neither one was here for the public hearing so – okay, motion carries. Seconded by Mr. Ulfelder, so the motion passes.

Commissioner Hart: Secondly, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY APPROVE RZ 2014-PR-021, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED JUNE 8, 2016 AND SUBJECT TO THE COMMITMENT MR. PRITCHARD MADE TONIGHT TO KEEP TALKING ABOUT THE FLEXIBILITY ISSUE.

Commissioner Ulfelder: Seconded.

Vice Chairman de la Fe: Seconded by Mr. Ulfelder. Discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries with the same abstentions.

Commissioner Hart: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2014-PR-021, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 15, 2016.

Commissioner Ulfelder: Seconded.

Vice Chairman de la Fe: Seconded by Mr. Ulfelder. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries with the same abstentions.

Commissioner Hart: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2014-PR-021-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 15, 2016.

Commissioner Ulfelder: Seconded.

Vice Chairman de la Fe: Seconded by Mr. Ulfelder. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries with the same abstentions.

Commissioner Hart: Mr. Chairman, I FURTHER MOVE that the Board of Supervisors – THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS

THAT THEY APPROVE THE WAIVERS AND MODIFICATIONS, AS LISTED IN THE STAFF REPORT ADDENDUM DATED JUNE 10, 2016.

Commissioner Ulfelder: Seconded.

Vice Chairman de la Fe: Seconded by Mr. Ulfelder. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries.

Commissioner Hart: Mr. Chairman, I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT THE FAIRFAX COUNTY PARK AUTHORITY TO ISSUE ANY EASEMENTS OR RIGHT-OF-WAY AS NECESSARY FOR THE CONSTRUCTION OF GRANT STREET AND ASSOCIATED PARK IMPROVEMENTS.

Commissioner Ulfelder: Seconded.

Vice Chairman de la Fe: Seconded by Mr. Ulfelder. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries with the same abstentions. Is that it?

Commissioner Hart: Yes.

(Each motion carried by a vote of 6-0-2. Commissioners Hedetniemi and Strandlie abstained. Commissioners Hurley, Keys-Gamarra, Murphy, and Lawrence were absent from the meeting.)

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. SEA 88-S-077-07 – GOLDEN BROOK, LLC
2. SEA 88-S-077-08 – WILLARD ROAD MART, INC.
3. 2232-M15-24 – DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES/CAPITAL FACILITIES
4. RZ 2015-MA-018/2232-M15-23 – BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA
5. RZ 2015-DR-009 – GULICK GROUP, INC.

This order was accepted without objection.

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SEA 88-S-077-07 – GOLDEN BROOK, LLC – Appl. under Sect. 4-604 of the Zoning Ordinance to amend a portion of SE 88-S-077, previously approved for a service station/quick-service food store, car wash, drive-in financial institution, fast-food restaurants, hotel, vehicle rental establishment, and increase in building height, to permit an additional fast food restaurant with drive-thru window, and associated modifications to site design and development conditions. Located at Chantilly Shopping Center, Chantilly, 20151, on approx. 1.41 ac. of land zoned C-6, WS. Tax Map 44-1 ((9)) 6. SULLY DISTRICT. PUBLIC HEARING.

Francis A. McDermott, Applicant's Agent, Hunton & Williams, LLC, reaffirmed the affidavit dated June 13, 2016.

There were no disclosures by Commission members.

In the absence of Commissioner Keys-Gamarra, Commissioner Hart announced he would handle this application.

Commissioner Hart asked that Vice Chairman de la Fe 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, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Hart for action on this case.

(Start Verbatim Transcript)

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Vice Chairman de la Fe: And we will close the public hearing. Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. Let me ask Mr. McDermott – if you come back to the podium – would you please confirm that you have – you and your client have read and understood and agree with the development conditions contained in the staff report dated June 15, 2016?

Francis A. McDermott, Applicant's Agent, Hunton & Williams, LLC: We do.

Commissioner Hart: Thank you. Mr. Chairman, this is a straightforward case to allow a fast food restaurant in the shopping center where the Expo Center is, which has many other fast food uses already. This would allow – it's actually to allow a drive-through with this particular new fast food. It has staff's favorable recommendation, with which I concur. And Commissioner Keys-Gamarra wasn't able to be here tonight, but she's in support of this as well. The West Fairfax

County Citizens Association supports it. The Sully District Council had no opposition to it and I believe it's ready to move forward. Therefore, Mr. Chairman, I move that the Planning Commission – first, I MOVE THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SEA 88-S-077-07 BY GOLDEN BROOK, LLC, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN THE STAFF REPORT DATED JUNE 15, 2016.

Commissioner Sargeant: Second.

Vice Chairman de la Fe: Seconded by Mr. Sargeant. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries. Mr. Hart.

Commissioner Hart: Secondly, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO APPROVE A DEVIATION OF TREE PRESERVATION TARGET, PER PUBLIC FACILITIES MANUAL SECTION 12-0508.3A, IN FAVOR OF A CONDITIONED COMMITMENT TO MAINTAIN AND/OR REPLACE EXISTING STREETSCAPE TREES LOCATED WITHIN UTILITY EASEMENTS.

Commissioner Sargeant: Second.

Vice Chairman de la Fe: Seconded by Mr. Sargeant. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

Commissioner Hart: Thank you, Mr. Chairman.

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

(End Verbatim Transcript)

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SEA 88-S-077-08 – WILLARD ROAD MART, INC. – Appl.
under Sect. 4-604 of the Zoning Ordinance to amend SE 88-S-077, previously approved for a service station/quick-service food store, car wash, drive-in financial institutions, fast-food restaurants with drive-thru windows, hotels, vehicle rental establishments, increase in building height, and a waiver of sign regulations, to permit

modification to development conditions associated with the service station. Located at 4475 Daly Dr., Chantilly, 20151, on approx. 1.45 ac. of land zoned C-6, WS. Tax Map 44-1 ((9)) 9 (part) and 10. SULLY DISTRICT. PUBLIC HEARING.

Sara Mariska, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC, reaffirmed the affidavit dated June 1, 2016.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had multiple cases where attorneys in Ms. Mariska's firm were representing adverse parties. However, he noted that this matter and those parties were not related to this case and there was no business or financial relationship; therefore, it would not affect his ability to participate in this case.

In the absence of Commissioner Keys-Gamarra, Commissioner Hart asked that Vice Chairman de la Fe 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, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Hart action on this case.

(Start Verbatim Transcript)

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Vice Chairman de la Fe: Close the public hearing. Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. This is – let me ask Ms. Mariska, if you could come back to the podium. Can you confirm that you have – you and your client have reviewed and understand and agree to the development – the proposed development conditions dated June 15, 2016?

Sara Mariska, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC: Yes. And we do.

Commissioner Hart: Thank you. Mr. Chairman, this is another straightforward application. It's another in a series where an existing filling station that had a development condition with a quick service food store that they would not sell alcohol. The condition is being modified so as to allow the sales. We've approved several of these already and I think this is consistent with that and consistent, also, with my understanding of where the citizens associations are on this issue at this point. Therefore, Mr. Chairman, first I – no, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA 88-S-077-08, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 15, 2016.

Commissioners Hedetniemi and Sargeant: Second.

Vice Chairman de la Fe: Seconded by Commissioner Sargeant and Hedetniemi. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

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

(End Verbatim Transcript)

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2232-M15-24 – DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES/CAPITAL FACILITIES – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. This Amendment concerns a proposal by the Department of Public Works and Environmental Services to construct a temporary fire and rescue station facility located at 6637 South Street, Falls Church. Tax Map: 50-4 ((21)) 1 & 2, and 50-4 ((1)) 5A. Area I. MASON DISTRICT. PUBLIC HEARING.

Natalie Knight, Zoning Evaluation Division, 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 2232-M15-24.

Aaron Koch, Applicant's Agent, Building Design Branch, Department of Public Works and Environmental Services, gave a presentation wherein he explained the following:

- The purpose of the proposed temporary fire and rescue facility was to ensure sufficient emergency response times during the demolition and reconstruction of Jefferson Fire Station Number 18;
- The applicant reviewed 16 sites for this temporary facility and the subject property was determined to be most feasible due its size and availability;
- The temporary facility would utilize a modular building system, which had been utilized in other portions of the County and could be reused at other sites if necessary;
- The applicant had coordinated with the Mason District Supervisor's Office and the Mason District Land Use Committee, both of which supported of the proposal;
- The applicant had conducted a meeting with residents of the surrounding community and the Sleepy Hollow Community Association to inform them of the proposal;
- The primary concern expressed by the surrounding community pertained to the traffic impact of the proposal;

- The applicant had hired a traffic consultant to study the transportation impact of the proposed temporary facility and this consultant concluded that the facility would generate approximately 12 additional emergency calls and 10 personal vehicles, which would not significantly impact existing traffic patterns;
- The applicant would utilize a pre-emption traffic signal at South Street and Annandale Road to control the flow of traffic for emergency vehicles exiting the site; and
- The proposal was consistent with the standards of location, character, and extent, as prescribed by Section 15.2-2232 of the *Code of Virginia*.

Commissioner Strandlie commended the applicant's outreach efforts with the surrounding community, noting the extent to which the community had been involved with the proposal. She then expressed concern about the existing traffic patterns along Holmes Run, South Street, and Annandale Road, stating that these roads would be monitored to ensure that emergency vehicles could efficiently exit the site. She then asked for additional information on these efforts. Mr. Koch explained that the applicant had coordinated with the Fairfax County Fire and Rescue Department on this issue, stating that a pre-emption traffic signal would be installed at the intersection of Annandale Road and South Street to ensure that emergency vehicles could make left turns when exiting the site. In addition, he said that the applicant would utilize markings on the pavement to discourage parking that would block areas around the frontage of the site. Mr. Koch added that Fairfax County Fire and Rescue Department (FCFRD) had reviewed the transportation provisions of the proposal and voiced no objections.

Commissioner Ulfelder stated that the Staff Report had indicated that 4 of the 16 potential locations for this facility were considered, but it was concluded that only the subject property could accommodate the necessary requirements. He then asked for additional information on the process for reviewing other potential locations and the reasons that the subject property was selected. Mr. Koch explained that the applicant had evaluated these sites with an emphasis on their availability, size, and access to necessary streets. He indicated that the owner of the subject property was the only owner willing to provide a short-term lease for the proposed temporary facility. A discussion ensued between Commissioner Ulfelder and Mr. Koch regarding the location of the subject property compared to Jefferson Fire Station Number 18 and the ability of the temporary facility to provide sufficient coverage wherein Mr. Koch indicated that FCFRD had determined that the proposed temporary fire and rescue facility would provide sufficient coverage for the duration of its use.

A discussion ensued between Commissioner Migliaccio and Mr. Koch regarding the effect that denial of the subject application would incur on emergency response times in the area wherein Mr. Koch indicated that other fire and rescue facilities would be required to serve this area in the event this situation occurred, but noted that FCFRD favored utilizing a temporary facility instead of utilizing the services of other facilities to cover this area while Jefferson Fire Station Number 18 was demolished and rebuilt.

Commissioner Hart stated that the applicant did not own the subject property and would utilize a short-term lease to operate the temporary fire and rescue facility, adding that this lease could be extended. A discussion ensued between Commissioner Hart and Mr. Koch, with input from Chris Caperton, Planning Division, DPZ, regarding the possibility that the lease could expire prior to the completion of Jefferson Fire Station Number 18 and the impact that such a situation would incur wherein Mr. Koch and Mr. Caperton indicated the following:

- The applicant would negotiate with the owner of the subject property to extend the lease if necessary;
- The applicant would submit another 2232 application to continue the operation of the temporary fire and rescue facility on the site, if necessary;
- The terms of the lease were flexible in a manner to permit additional time for the operation of the facility if necessary; and
- The applicant would be required to utilize another site if an extension to the lease on the subject property was not obtained.

When Vice Chairman de la Fe asked for additional information about the period of time under which the temporary fire and rescue facility would operate, Mr. Caperton stated that this period would be determined based on the need of the applicant and extra time would be incorporated into this timeframe to ensure there was sufficient time for the completion of the renovations at Jefferson Fire Station Number 18.

A discussion ensued between Commissioner Migliaccio and Mr. Caperton regarding the standards for reviewing a 2232 application that required a longer timeframe than the one proposed in the subject application and the standards for a 2232 application that included a permanent facility wherein Mr. Caperton indicated that longer timeframes necessitated further study of the impact of a facility and a subsequent 2232 application would be required if the applicant sought to make the facility on the site permanent.

Commissioner Flanagan indicated that a site near the Monticello Garden Apartments had been one of the alternative sites that had been considered for the proposed temporary fire and rescue facility, but this site had been rejected because it did not contain sufficient open space. A discussion ensued between Commissioner Flanagan and Mr. Koch, with input from Vice Chairman de la Fe, regarding the amount of open space that would be required for this facility wherein Mr. Koch indicated that the alternative site was not large enough to accommodate the necessary features for such a facility and Vice Chairman de la Fe concurred with this conclusion.

A discussion ensued between Commissioner Strandlie and Mr. Koch regarding the reason that the site located near the Monticello Garden Apartments had been considered as a possible location for the proposed temporary fire and rescue facility wherein Mr. Koch noted the difficulty of identifying suitable sites for this facility.

A discussion ensued between Commissioner Sargeant and Mr. Koch regarding the memorandum in the staff report dated April 8, 2016, that indicated the proposed facility on the site would be permanent and the possibility that the facility could become permanent wherein Mr. Koch clarified that the language in this memorandum was an error and reiterated that the facility on the site was intended to be temporary.

Vice Chairman de la Fe called the first listed speaker and recited the rules for public testimony.

Kenneth Wang, 3031 Dashiell Road, Falls Church, spoke in opposition to the proposal due to concerns about the impact that a temporary fire and rescue facility would incur on the surrounding residential community. He cited noise generated by the sirens of emergency vehicles, the flashing lights on such vehicles, and lower property values as negatively impacting the quality of life for residents within these communities. In addition, Mr. Wang noted the applicant had stated that Jefferson Fire Station Number 18 reported an average of 19 emergency incidents a day in 2015. He then said that while he supported the applicant's intent to utilize a temporary facility while Jefferson Fire Station Number 18 was renovated, he favored placing this facility at another location that was not in close proximity to residential areas. Mr. Wang also expressed concern about the possibility that the lease for the temporary facility on the site could be extended, which would further impact property values in the area. He then suggested that the Commission defer the decision of the subject application to permit additional time to review alternative sites. (A copy of Mr. Wang's statement is in the date file.)

A discussion ensued between Commissioner Strandlie and Mr. Wang, with input from Ms. Knight, regarding the extent to which emergency vehicles operating at the proposed temporary facility would utilize sirens, the community meetings conducted by FCFRD prior to the public hearing for the subject application, and the community's support of the FCFRD's provisions for operating emergency vehicles on the site wherein Ms. Knight confirmed that sirens would not be activated until an emergency vehicle had left the residential neighborhood, but the siren could be utilized during peak-hour traffic periods to ensure that emergency vehicles could exit onto the necessary roads.

A discussion ensued between Commissioner Migliaccio and Mr. Wang regarding the impact that insufficient coverage by emergency services, such as fire and rescue, would incur on surrounding property values compared to the impact that sirens from emergency vehicles would incur.

Commissioner Flanagan concurred with remarks from Commissioner Strandlie and Ms. Knight on the applicant's intent to not activate the sirens on emergency vehicles until it was sufficiently distant from a residential neighborhood. When he asked Mr. Wang whether this policy would sufficiently alleviate his concerns regarding the sirens, he indicated that he supported such a policy and would be satisfied if such a policy were implemented for the proposed temporary facility. A discussion ensued between Commissioner Flanagan and Mr. Wang, with input from Commissioner Strandlie and Ms. Knight, regarding the applicant's commitment to avoid utilizing the siren in a manner that would negatively impact the surrounding residential neighborhoods, the instances when a siren would be utilized by emergency vehicles operating on the site, and the extent to which the noise generated by the siren was buffered by the existing trees on the site wherein Commissioner Strandlie indicated that a majority of the existing trees

on the site would be preserved under the proposal and noted the importance of ensuring sufficient response time for emergency services within the County.

Vice Chairman de la Fe called for speakers from the audience.

John Birch, 3108 Dashiell Road, Falls Church, addressed the concerns raised by Mr. Wang, stating that the proposal's impact on surrounding property values would be limited because the operation of the proposed facility on the site would be temporary. However, he expressed concern about the proposal's impact on South Street and the ability for emergency vehicles to efficiently access Annandale Road from the subject property, noting the existing traffic congestion on this road.

There being no more speakers, Vice Chairman de la Fe called for a rebuttal statement from Mr. Koch, who explained that the applicant had coordinated with FCFRD and it was determined that the ability for emergency vehicles to efficiently exit the site and access nearby roads, such as Annandale Road and Route 50, was sufficient.

When Commissioner Ulfelder asked for additional information about the construction schedule for the renovations to Jefferson Fire Station Number 18, Mr. Koch indicated that the applicant was finalizing the designs for these renovations and the documentation for these designs was being finalized. He then stated construction of the renovations was projected to begin in the fall of 2017 with an estimated construction period of 18 months. A discussion ensued between Commissioner Ulfelder and Mr. Koch regarding the schedule for operating the temporary facility on the subject property, the construction schedule for this facility, the expected construction period for Jefferson Fire Station Number 18, and the terms of the lease on the subject property for the temporary facility wherein Mr. Koch stated that the lease on the site was scheduled to commence at the end of 2016.

Referring to the photographs of the site in Exhibit 2 of the Staff Report, Commissioner Flanagan noted the site's proximity to Route 50 and Annandale Road. When he asked about the location of the proposed temporary facility on the site, Ms. Knight indicated that this facility would front on Annandale Road. Commissioner Flanagan then noted the size and extent of the areas on the site that would remain wooded under the proposal. Ms. Knight concurred with this statement, adding that two of the three lots on the site would remain wooded. Commissioner Flanagan explained that due to the presence of these wooded areas, the visibility of the proposed temporary facility by the nearby residential community would be limited. He also added that this area would also mitigate the noise impact of the facility. A discussion ensued between Commissioner Flanagan and Ms. Knight regarding the route that emergency vehicles operating on the site would utilize and the extent to which these routes affected residential communities wherein Ms. Knight indicated that a traffic study had been conducted on the routes of these vehicles and this study concluded that the majority of the routes would utilize Route 50.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Strandlie for action on these cases.

(Start Verbatim Transcript)

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Vice Chairman de la Fe: Public hearing is closed. Ms. Strandlie.

Commissioner Strandlie: Thank you, Mr. Chairman. I'd like to thank staff for a considerable amount of work on this. I know you've been working on this for a very long time. We've had many, many meetings, both in the – with the Land Use Committee and with the community. Friends of mine who live in the community have told me that you all have been very good about sending emails and keeping in touch and doing a lot of really good advance and outreach with the community. This is the first of two hearings tonight. We will next hear the application for the – from the Board of Supervisors to actually construct the new permanent site. This is definitely not going to be a permanent site. The permanent site is going to be rebuilt on the current location of the fire station, which is where Loehmann's Plaza. Therefore, Mr. Chairman, I would like to make a motion. I concur with the staff's conclusion that the proposal by the Department of Public Works and Environmental Services to replace Jefferson Fire and Rescue Station Number 18 at 3101 Hodge Place, Falls Church, Virginia, satisfies the criteria of location, character, and extent, as specified in Virginia Code Section 15.2-2232, as amended. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FIND THE SUBJECT APPLICATION 2232-M15-23 [sic] SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners Flanagan and Migliaccio: Second.

Vice Chairman de la Fe: Seconded by Mr. Migliaccio and Mr. Flanagan. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries. Thank you very much.

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Vice Chairman de la Fe: Before we leave, I am told that Ms. Strandlie has something to say regarding the previous cases.

Commissioner Strandlie: Thank you, Mr. Chairman. Before we close the public hearings, we need to clarify a number transposing on the temporary fire station. So the number of the 2232 that I gave for that one is one off. So we're going to have a quick redo and if you will bear with me, this is something that we already voted on – that we're going to get the number straight. Here we go. Thank you, Mr. Chairman. I concur with the staff's conclusion that the proposal by the Department of Public Works and Environmental Services to replace Jefferson Fire Station Number 18 at 3101 Hodge Place, Falls Church, Virginia, satisfies the criteria of location, character, and extent, as specified in *Virginia Code* Section 15.2-2232, as amended. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FIND THE SUBJECT

June 29, 2016

APPLICATION 2232-M15-24, SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS
OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners Flanagan and Hedetniemi: Second.

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

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries.

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

(End Verbatim Transcript)

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RZ 2015-MA-018/2232-M15-23 – BOARD OF SUPERVISORS
OF FAIRFAX COUNTY VIRGINIA – Appl. to rezone from C-5
to R-4 to permit public uses (fire station) with an overall Floor
Area Ratio (FAR) of 0.34. Located on the S. side of Arlington
Blvd., at the intersection of Hodge Pl. and Woodley Ln., on
approx. 1.20 ac. of land. Comp: Plan Rec: Public Facilities. Tax
Map 50-3 ((4)) B. MASON DISTRICT. PUBLIC HEARING.

Aaron Koch, Applicant's Agent, Building Design Branch, Department of Public Works and Environmental Services, reaffirmed the affidavit dated December 8, 2015.

There were no disclosures by Commission members.

Sharon Williams, 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 RZ 2015-MA-018 and the concurrent "feature shown" application, 2232-M15-23.

Referring to Proffer Number 5, Green Building, which articulated the applicant's commitment to achieving LEED Certification for the proposed fire and rescue facility, Commissioner Migliaccio asked for additional information about the minimum LEED Certification required for government buildings. Ms. Williams indicated that government buildings were required to achieve the standards of LEED Silver Certification or greater. A discussion ensued between Commissioner Migliaccio and William O'Donnell, ZED, DPZ, regarding the flexibility of the language in Proffer Number 5, the extent to which that language required LEED Silver Certification for the proposal, and the standards for LEED Certification when applied to private development wherein Mr. O'Donnell explained that staff had determined that the flexibility

within the language for this proffer was appropriate because there were few guidelines for achieving LEED certification on a fire and rescue facility.

Mr. Koch described the history of Jefferson Fire Station Number 18, explaining that this station had been constructed in 1953 and required significant upgrades to remain consistent with the standards prescribed by the Fairfax County Fire and Rescue (FCFRD). Consequently, he said that this facility required additional space and updated equipment to achieve these standards. Mr. Koch stated that the proposal would permit a renovation to the existing facility on the site that would increase the size of the structure, expand the number of services provided to the community, and provide additional accommodations for FCFRD personnel. In addition, he addressed Commissioner Migliaccio's concerns regarding LEED Certification for the facility, stating that the applicant intended to achieve LEED Silver Certification. He also indicated that other facilities within the County had achieved this certification. Mr. Koch pointed out that the applicant had coordinated with the Mason District Supervisor's Office and the Mason District Land Use Committee, stating that both had expressed support for the proposal. In addition, he said that the applicant had conducted multiple meetings with neighboring property owners to inform them of this proposal and address outstanding concerns. He also indicated that the proposal had been part of the 2012 Public Safety Bond Referendum, which was approved by the citizens of the County.

Commissioner Migliaccio supported the applicant's intention to achieve LEED Silver Certification for the proposed renovation to the facility and echoed his previous remarks regarding the language utilized for Proffer Number 5.

Vice Chairman de la Fe called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary. He then asked for closing remarks from Ms. Williams, who declined.

Referring to Figure 1 on Page 2 of the Staff Report, Commissioner Flanagan pointed out the subject property's proximity to Route 50 and a nearby residential development. A discussion ensued between Commissioner Flanagan and Ms. Williams regarding the amount of buffering between the subject property and this residential community, the effect the operation of this facility incurred on this community, and the extent to which the community supported this facility wherein Ms. Williams indicated that the residents of the community did not object to the proposal or the operation of this facility.

There were no further comments or questions from the Commission; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Strandlie for action on these cases.

(Start Verbatim Transcript)

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Vice Chairman de la Fe: Public hearing is closed. Ms. Strandlie.

Commissioner Strandlie: Thank you. Again, I'd like to thank staff for their diligent and very effective work, both on the project and in reaching out to the community on multiple occasions – and also coming to the Mason District Land Use Committee. And again, it was recommended for approval by the Land Use Committee. Therefore, Mr. Chairman, I move that the – I have a series of motions. I'll make them all to save time. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL TO BOARD OF SUPERVISORS OF RZ 2015-MA-018 AND THE ASSOCIATED GENERALIZED DEVELOPMENT PLAN, SUBJECT TO THE PROFFERS NOW DATED MAY 20TH, 2016.

Commissioners Flanagan and Hedetniemi: Second.

Vice Chairman de la Fe: It's been moved and seconded by Commissioners Flanagan and Hedetniemi. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

Commissioner Strandlie: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING YARD REQUIREMENTS ALONG THE NORTHERN, EASTERN, AND SOUTHERN PROPERTY LINES IN FAVOR OF THAT SHOWN ON THE GDP.

Commissioners Flanagan: Second.

Vice Chairman de la Fe: Seconded by Commissioners Flanagan. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

Commissioner Strandlie: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE BARRIER REQUIREMENTS ALONG THE EASTERN PROPERTY LINE IN FAVOR OF THAT SHOWN ON THE GDP.

Commissioners Flanagan and Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioners Hedetniemi and Flanagan. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

Commissioner Strandlie: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A DEVIATION OF THE TREE PRESERVATION TARGET IN FAVOR OF THAT SHOWN ON THE GDP.

Commissioners Flanagan and Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioners Hedetniemi and Flanagan. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

Commissioner Strandlie: And finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TREE CANOPY COVERAGE IN FAVOR OF THAT SHOWN ON THE GDP.

Commissioners Flanagan and Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioners Hedetniemi and Flanagan. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

Commissioner Strandlie: Thank you. Thank you.

Vice Chairman de la Fe: Okay, our next hearing is in the Dranesville District. It is RZ-

William O'Donnell, Zoning Evaluation Division, Department of Planning and Zoning: Chairman de la Fe?

Vice Chairman de la Fe: Yes?

Mr. O'Donnell: There is one more motion that needs to be made. It's the 2232 that's concurrent with it.

Commissioner Strandlie: Okay. He did point that out. Hold on a second.

Vice Chairman de la Fe: It's listed in the agenda.

Commissioner Strandlie: Let's see.

Vice Chairman de la Fe: She was going to do that tomorrow night.

Commissioner Strandlie: Does that matter?

Vice Chairman de la Fe: Because we-

Commissioner Strandlie: I just – I want to make sure I have the specific language and I don't have that in front of me. Can we come back to that?

Mr. O'Donnell: We need to actually make the motion today.

Commissioner Strandlie: Okay. Can we go back to it after we do this hearing, just to make sure I have the correct language?

Vice Chairman de la Fe: Well-

Mr. O'Donnell: I wouldn't call the next hearing until we get the language. So can we just hold, one sec?

Vice Chairman de la Fe: Okay. In the agenda tonight, there is 2232-M15-23, Board of Supervisors, Fairfax County, Virginia, which is tied to this case in this rezoning. Could-

Commissioner Migliaccio: No. It's a "feature shown" up top.

Vice Chairman de la Fe: No, that was the-

Commissioner Hart: It's the – it's the last "feature shown."

Vice Chairman de la Fe: It's the last "feature shown."

Commissioner Strandlie: Okay.

Mr. O'Donnell: Okay. So is it a "feature shown?"

Vice Chairman de la Fe: It is shown as a "feature shown."

Mr. O'Donnell: So perfect, you can do it afterwards.

Vice Chairman de la Fe: We already acted on the 2232-M15-24. That's what we did before.

Mr. O'Donnell: For the temporary.

Vice Chairman de la Fe: For the temporary. And now this one is the 2232 for the – you know, for the permanent-

Mr. O'Donnell: The permanent. Right.

Vice Chairman de la Fe: However, that is shown as a "feature shown."

June 29, 2016

Mr. O'Donnell: Okay. So that can be separate. I thought it was concurrent with this rezoning.

Vice Chairman de la Fe: No.

Mr. O'Donnell: Okay. Sorry, my apologies.

Vice Chairman de la Fe: So you can do it tomorrow night.

Commissioner Hart: Well no. It does say, "Concurrent with the rezoning."

Vice Chairman de la Fe: No, it does say, "Concurrent with the rezoning."

Mr. O'Donnell: So we do need to make the motion.

Vice Chairman de la Fe: So you do have to make the motion.

Commissioner Migliaccio: Mr. Chairman, I have the-

Vice Chairman de la Fe: Yes?

Commissioner Migliaccio: In previous cases, I've had 2232 as a "feature shown" and then the rezoning and I've done the 2232 up front in the beginning and was told that that was okay.

Vice Chairman de la Fe: Yeah.

Commissioner Migliaccio: And then we went through public hearings and then got to the rezoning so-

Vice Chairman de la Fe: Yeah, well the thing is we have to do it.

Mr. O'Donnell: The difference, though, is a "feature shown" – this is actually a public hearing if I'm getting that correct.

Vice Chairman de la Fe: It's not a public hearing. This is not a public hearing.

Commissioner Migliaccio: Mr. O'Donnell, I had a "feature shown" attached a concurrent with a rezoning and I was told by staff that doing the "feature shown" up front-

Mr. O'Donnell: Okay.

Commissioner Migliaccio: Hopefully, this is buying you enough time, Ms. Strandlie, to get what you need – and then the rezoning was okay later having the public hearing.

Vice Chairman de la Fe: Ms. Strandlie, it's just a "feature shown." So all you have to do is say that you concur with the determination. As you can see, we are very well organized – which you get when you have four cases related to the same thing.

Commissioner Strandlie: Okay. Thank you for your patience.

Vice Chairman de la Fe: Ms. Strandlie.

Commissioner Strandlie: So many motions. Here we go. I concur with the staff's conclusion that the proposal by the Department of Public Works and Environmental Services to expand the existing fire station satisfies the criteria of location, character, and extent, as specified in Virginia Code 15.2-2232, as amended. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FIND THE SUBJECT APPLICATION 2232-M15-23, SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners Flanagan and Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioners Hedetniemi and Flanagan. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

(Each motion carried by a vote of 8-0. Commissioner Hurley, Keys-Gamarra, Lawrence, and Murphy were absent from the meeting.)

(End Verbatim Transcript)

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RZ 2015-DR-009 – GULICK GROUP, INC. – Appl. to rezone from R-A to R-1 to permit residential cluster development with a total density of 0.91 dwelling units per acre (du/ac). Located S. of the terminus of Challedon Rd., on approx. 11.00 ac. of land. Comp. Plan Rec: Residential, 0.5-1 du/ac. Tax Map 12-4 ((30)) Z. DRANESVILLE DISTRICT. PUBLIC HEARING.

Greg Riegle, Applicant's Agent, McGuireWoods, LLP, reaffirmed the affidavit dated March 15, 2016.

There were no disclosures by Commission members.

Bob Katai, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of RZ 2015-DR-009.

Commissioner Ulfelder noted the challenges for developing the subject property due to the presence of a Resource Protection Area (RPA) and an Environmental Quality Corridor (EQC), adding that the southern portion of the site included significant slopes near Piney Run Stream.

He also stated that the site was subject to significant stormwater runoff from existing residential properties to the north. He then asked for additional information on the applicant's stormwater provisions for the site. Camylyn Lewis, Site Development and Inspection Division, Department of Public Works and Environmental Services, described the flow of stormwater runoff on the subject property, noting the location of infiltration trenches, and indicated that the site was designed to capture the runoff generated by a 10-year storm event. She also pointed out the location of the areas on the site that would be undisturbed under the proposal, adding that some of these areas were part of the RPA and EQC, and retaining these areas would minimize the impact of the proposed development. In addition, Ms. Lewis she described the system of ditches that operated on the site and how stormwater runoff flowed through these ditches. She also pointed out where this system of ditches terminated and indicated that runoff accumulating in this area would be subsequently pumped into a pipe system, which would then direct the runoff out of the site through an outfall structure into the flood plain. A discussion ensued between Commissioner Ulfelder and Ms. Lewis regarding the function of the dissipater that would be incorporated into the outfall structure and the impact that the slope on certain portions of the subject property would incur on stormwater runoff wherein Ms. Lewis said that the purpose of the outfall structure was to minimize the erosion caused by stormwater runoff on the site.

When Commissioner Ulfelder asked whether the applicant's provisions for stormwater management and phosphorous reduction were consistent with the standards prescribed by the County and the State of Virginia, Ms. Lewis stated that the applicant's provisions met and exceeded these standards.

Commissioner Ulfelder indicated that the Commission had received letters from the Great Falls Citizens Association (GFCA) and neighboring residents expressing concern about the lot layout of the proposed development. He then explained the difference between a cluster development and a conventional development, stating that the cluster development permitted more lots. He asked for additional information about the lot layout of a conventional R-1 development. Mr. Katai described the design of the lot layout for a conventional R-1 development, which had been provided by the applicant. A discussion ensued between Commissioner Ulfelder and Mr. Katai regarding the features of a potential conventional R-1 development on the site, the additional provisions that would be necessary for such a development, and the location of the RPA and EQC areas relative to the lot layout of this development wherein Mr. Katai explained the following:

- The lot layout in a conventional R-1 development on the site would extend farther into the RPA and EQC areas;
- The RPA and EQC areas could be included within a lot, but construction within these areas was prohibited;
- The lots in a conventional R-1 development on the subject property would also extend to areas that included steep slopes, but these areas were not part of the EQC; and
- The proposed cluster development for the site would utilize a greater portion of the EQC as open space.

Referring to Proffer Number 28, Maintenance Fund, in the proffers listed in Appendix 1 of the staff report, which included a \$10,000 contribution to the Lexington Estates Homeowners Association, Commissioner Hart indicated that there had been enforcement issues with similar proffers in other applications. When he asked whether this proffer would be removed, Mr. Katai indicated that staff did not object to removing this proffer.

Commissioner Hart expressed concern about the configuration of Lots 6 and 7. He acknowledged the issues associated with the topography of the site, but pointed out that the proposed configuration was not consistent with designs utilized in similar districts. He then asked whether this configuration could be adjusted to incorporate a more appropriate design. Mr. Katai explained that staff had reviewed the design of the configurations for Lots 6 and 7 and indicated that the lot lines could be reconfigured by the applicant.

Referring to Sheet 6 of 20 of the Generalized Development Plan in the staff report, which depicted the Tree Preservation and Protection Plan, Commissioner Hart expressed concern that some of the proposed septic drainfield locations were under the drip line of existing trees, stating that the presence of this drainfield or the installation of the septic system could negatively impact these trees. Mr. Katai deferred to the Fairfax County Health Department (FCHD) for additional information on this issue, but pointed out that the drainfield areas depicted on Sheet 6 included both reserve and primary fields. He then indicated the area that would be impacted by the installation of the septic system would be minimized to an extent that the existing trees would not be significantly affected. A discussion ensued between Commissioner Hart and Mr. Katai regarding the extent to which Sheet 6 depicted the impact of the proposed septic system, the impact of the installation and operation of the proposed septic system on the health of the existing trees on the site, the method for assessing this impact, and the feasibility of this septic system wherein Mr. Katai stated that the applicant had included provisions for root pruning to ensure the preservation of the existing trees and concerns regarding these impacts would be reviewed by the Urban Forester.

When Commissioner Hart requested that a representative from FCHD address his concerns regarding the impact of the proposed septic system on the existing trees located on the site, Adrian Joye, FCHD, explained that the County Code required that the distance between the base of a tree and a drainfield be 10 feet or greater for tree species identified as hydrophilic, but this provision did not apply to non-hydrophilic species. A discussion ensued between Commissioner Hart and Mr. Joye regarding the species of the existing trees on the site that would be affected by the proposed septic system, the extent to which the Code applied to these trees, and the extent to which the species of the trees shown on the GDP had been reviewed by staff.

When Commissioner Hart expressed concern regarding the possibility that the limits of clearing and grading for Lot 2 would encroach onto the drainfield, Mr. Katai explained that only the primary portion of this drainfield would be cleared and the reserve portion would remain unaffected. A discussion ensued between Commissioner Hart and Mr. Katai, with input from Mr. O'Donnell, regarding the possibility that the applicant would need to clear the reserve portion of the drainfield and the procedure for permitting such a clearing wherein Mr. O'Donnell stated that Proffer Number 18, Limits of Clearing and Grading, restricted the applicant's ability to clear this area and an amendment to this proffer would be required to permit such a clearing.

Commissioner Hart pointed out that the disclosures provided to prospective purchasers of the dwelling units in the proposed development did not include information about the drainfields on the subject property. He then suggested that the applicant include such information in these disclosures to ensure that subsequent purchasers of the units were informed on this issue.

When Commissioner Hart asked whether the slope on Lot 10 of the subject property was excessively steep, Mr. Joye said that the slope on this lot was within an appropriate range prescribed by the County Code.

Commissioner Hart requested that staff address his concerns during the deferral period, adding that such concerns could occur with future rezoning applications.

Answering questions from Commissioner Ulfelder, Mr. Joye said the following:

- The size of the drainfield for a septic system was determined by the number of bedrooms within a proposed development and the type of soil on the subject property;
- The size of the drainfield for a conventional septic system was different compared to that of an alternative septic system because certain alternative systems utilized less area;
- The majority of the lots on the subject property would utilize conventional septic systems; and
- The evaluation conducted by staff for the installation of septic systems on the subject property was limited to evaluating a conventional septic system.

In response to questions from Commissioner Sargeant, Mr. Joye confirmed that the applicant had been granted permission to conduct percolation tests on each lot on the subject property and the applicant intended to conduct these tests, which would be subject to peer review by staff. He added that these percolation tests had not been conducted by the applicant prior to the public hearing. Mr. Joye also said that the results of these tests would provide additional information in determining whether to utilize a conventional septic system or an alternative septic system, but noted that the decision on which to utilize would be made by the applicant. A discussion ensued between Commissioner Ulfelder and Mr. Joye regarding the circumstances in which an alternative septic system would be utilized and the subject property's ability to accommodate a conventional system wherein Mr. Joye indicated that the soil on the subject property could sufficiently accommodate a conventional system.

Mr. Riegle addressed Commissioner Hart's concerns regarding the \$10,000 contribution in Proffer Number 28, the configuration of Lots 6 and 7, and the disclosure to prospective purchasers about the maintenance requirements and the presence of the drainfield, stating that the applicant would resolve these issues and make the necessary modifications prior to the Board of Supervisors' public hearing for the subject application. He also indicated that the applicant had coordinated with the FCHD and Urban Forester on the proposal and the provisions articulated in the subject application were consistent with existing County policies. In addition, Mr. Riegle

concurred with remarks from Commissioner Ulfelder regarding the difference between a conventional R-1 development and a clustered development, stating that the use of a clustered development was appropriate for the site because it minimized the use of impervious surfaces and permitted a development that was more compatible with the topography of the site. He also noted the size of the EQC on the site, adding that this area would be utilized to improve the applicant's tree preservation provisions. Mr. Riegle then gave a presentation on the subject application wherein he explained the following:

- The subject property was planned to be an extension of the existing residential subdivision to the north and the proposal would rezone the site to make it consistent with the zoning of this subdivision;
- The environmental features on the southern portion of the subject property made a clustered development more feasible than a conventional R-1 development;
- The subject property had been previously zoned R-1, but was subsequently rezoned to R-A to permit agricultural uses;
- The previous agricultural use on the site had been temporary and the subject application would return the subject property to an R-1 zoning, which was consistent with the zoning of surrounding development;
- The lot sizes, density, and character of a clustered development were compatible with the topography of the site;
- The proposal included environmental improvements and stormwater management provisions that met or exceeded the requirements prescribed by the County; and
- The subject application was in conformance with the Comprehensive Plan.

In reply to questions from Commissioner Ulfelder, Mr. Riegle indicated that the hours for construction activity on the site, as articulated in Proffer Number 9, would be modified to permit such activity between 7:00 a.m. and 7:00 p.m. from Monday through Friday. He added that Proffer Number 10, Construction Management, would further mitigate the impact of construction activity on surrounding communities by restricting the instances when heavy trucks could access the roads within these communities. In addition, Mr. Riegle stated that the applicant would incorporate language in Proffer Number 10 to ensure that the parking of vehicles related to the construction of the proposed development would occur on-site after access to the site had been established by extending Challedon Road.

Referring to Proffer Number 15, Trail Easement; Commissioner Ulfelder said that this proffer included provisions for the establishment of an access easement for a public trail if a trail were constructed in the stream valley. He then asked for additional information on how the location of this easement would be determined during the time of subdivision plan review. Mr. Riegle explained that this commitment had been included to accommodate the County's preference for facilitating stream valley trails, but noted that such a trail for the subject property was not

included in the Comprehensive Plan at the time of the public hearing for the subject application. However, he indicated that the applicant intended to accommodate such a trail if it were subsequently planned. A discussion ensued between Commissioner Ulfelder and Mr. Riegle regarding the purpose for encouraging such trail commitments, the extent to which prospective residents were aware of these commitments, and the County's responsibilities in constructing trails wherein Commissioner Ulfelder suggested that information regarding future trail construction be disclosed to prospective purchasers and Mr. Riegle stated that the applicant did not object to including such a disclosure.

A discussion ensued between Commissioner Hart and Mr. Riegle regarding the extent to which the proposed development would utilize alternative or conventional septic systems, the size of the drainfields for these systems, and the impact the drainfield incurred on the existing trees on the site wherein Mr. Riegle indicated the following:

- The septic system that would be utilized on the site was dependent on the soil conditions;
- The applicant had evaluated the impact of the proposed septic systems on the existing trees on the site with an arborist; and
- The applicant had coordinated with FCHD to evaluate the impact of the septic systems on the trees and no objections were voiced.

Commissioner Hart suggested that the applicant provide additional information to prospective purchasers to ensure that property owners were informed about the portions of the site on which construction was prohibited.

Commissioner Hart expressed support for the clustered development proposed by the applicant because such a development could accommodate the slope of the site.

Vice Chairman de la Fe called the first listed speaker.

Sandra Cappiello, 10321 Eclipse Lane, Great Falls, spoke in opposition to the proposal due to concerns regarding its impact on existing trees and stormwater runoff within the surrounding community. She described the County's commitments for preserving tree canopy and noted that such tree conservation measures were intended to improve environmental conditions throughout the County, including stormwater management. Ms. Cappiello stated that the applicant's tree preservation commitments and stormwater management provisions were insufficient. In addition, she noted ongoing climate trends regarding the frequency of severe storms in the region and pointed out that areas surrounding the site were subject to flooding. She also expressed concern that flooding in this area would impact the access roads to the proposed development and create safety hazards, noting the damage that existing roads and environmental features had sustained during major storms. Ms. Cappiello added that the tree removal that would occur under the proposed development would increase the impact of flooding on the surrounding area. In addition, she expressed concern regarding the public health impact of the proposed development due to its impact on mosquito populations in the area.

Art Kington, 1122 Challedon Road, Great Falls, spoke in opposition to the subject application due to the visual impact it would incur on his property and the negative impact it would incur on the existing tree canopy of the area. He described the existing condition of the subject property noting the extent to which the proposed development would impact this condition. Mr. Kington also echoed concerns from Ms. Cappiello regarding the proposal's impact on stormwater runoff in the area, noting the extent of the slope on the site. He then acknowledged that the subject property had been planned for development, but stated that the cluster development outlined in the proposal did not sufficiently complement the site's topography, preserve existing environmental features, or minimize the visual impact on neighboring properties. Mr. Kington said he favored deferring the decision on the subject property to provide additional time to review staff's analysis and ensure that the applicant's commitments were consistent with the requirements prescribed by the County. He also expressed concern regarding the impact the installation of a septic system on the site would incur on the surrounding trees. In addition, he concurred with remarks from Ms. Cappiello regarding the existing flooding issues on the surrounding area.

Mark E. Knudsen, 808 Golden Arrow Street, Great Falls, representing the Great Falls Citizen Association, voiced opposition to the proposal because of its impact on existing stormwater runoff conditions and environmental features around the site. He said that the applicant's stormwater management provisions were insufficient and did not adequately address existing flooding issues in the surrounding area. He also echoed remarks from previous speakers regarding the prevalence of flooding in the area, noting the deficiencies of existing stormwater management facilities. In addition, Mr. Knudsen aligned himself with concerns from previous speakers regarding the proposal's impact on the existing tree canopy of the site. He also indicated that information regarding the proposed developments expected impact on stormwater runoff had not been sufficiently reviewed and favored deferring to decision on the subject application to provide additional time for further review. Mr. Knudsen also expressed concern regarding the following issues:

- The effectiveness of the applicant's proposed ditch system for the proposed development;
- The applicant's ability to meet the necessary stormwater management requirements for the number of lots that would be included in the proposed development;
- The effectiveness of the applicant's proposed septic system and the impact such a system would incur on existing trees; and
- The extent to which the applicant had secured the easement necessary for trail connections on the site.

(A copy of Mr. Knudsen's statement is in the date file.)

Zaheer Poptani, 1115 Challedon Road, Great Falls, spoke in support of the subject application. He indicated that he had been informed that the site was planned for development when he purchased his property and stated that such a development would incur a positive impact on the surrounding community.

Vice Chairman de la Fe called for speakers from the audience, but received no response; therefore, he called for a rebuttal statement from Mr. Riegle, who explained the following:

- The applicant would coordinate with staff to determine the areas of the subject property where a conventional or alternative septic system would be utilized;
- The applicant had coordinated with staff to increase the size of the EQC to improve the tree preservation provisions of the proposed development;
- The applicant intended to continue reviewing the existing tree canopy on the site and would provide the Commission with relevant information regarding the proposal's impact on these trees;
- The applicant would coordinate with staff to preserve environmental features on the site;
- The existing condition of the subject property made portions of the site prone to erosion, which negatively impacted the site's ability to channel the flow of stormwater runoff;
- The stormwater management provisions included in the subject application met and exceeded the requirements prescribed by the County Code; and
- The applicant's stormwater management provisions would detain stormwater runoff from neighboring properties.

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

(Start Verbatim Transcript)

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Vice Chairman de la Fe: The public hearing is closed. Mr. Ulfelder.

Commissioner Ulfelder: There is going to be an opportunity because I'm planning to defer the Planning Commission's decision and that will give people an opportunity, if they wish, to submit written comments during the period of deferral. So that would be that opportunity for that. So based on the fact that we have some open questions and some revisions, I think, that need to be made and some serious matters to continue to look into, I'M GOING TO MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ 2015-DR-009 TO A DATE CERTAIN OF JULY 21, 2016.

Commissioners Hart and Migliaccio: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart and Mr. Migliaccio. Any discussion? Hearing and seeing none-

Commissioner Migliaccio: Mr. Chairman, that's with the record remaining open.

Vice Chairman de la Fe: With the record remaining open?

Commissioner Ulfelder: WITH THE RECORD REMAINING OPEN FOR OPPORTUNITY FOR WRITTEN COMMENTS.

Vice Chairman de la Fe: Written comments. Okay, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries.

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

(End Verbatim Transcript)

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The meeting was adjourned at 11:03 p.m.

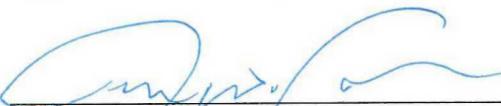
Peter F. Murphy, Chairman

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: Jacob Caporaletti

Approved on: January 12, 2017


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