

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JANUARY 18, 2018**

PRESENT: Peter F. Murphy, Springfield District
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commission At-Large
John A. Carter, Hunter Mill District
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Julie M. Strandlie, Mason District
Earl L. Flanagan, Mount Vernon District
Phillip A. Niedzielski-Eichner, Providence District
Vacant, Sully District
Mary D. Cortina, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 7:34 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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COMMISSION MATTERS

Election of Officers

(Start Verbatim Transcript)

Commissioner Hurley: Thank you, Mr. Chairman. I have surveyed all Commission members and have received no objections to the proposed slate. Therefore, Mr. Chairman, I am pleased to MOVE THE FOLLOWING SLATE OF OFFICERS. FOR CHAIR, COMMISSIONER MURPHY WHO'S SPRINGFIELD DISTRICT. FOR VICE CHAIR, COMMISSIONER HART, AT-LARGE COMMISSIONER. FOR SECRETARY, COMMISSIONER MIGLIACCIO FROM THE LEE DISTRICT. AND FOR PARLIAMENTARIAN, AT-LARGE COMMISSIONER SARGEANT.

Commissioner Ulfelder: Second.

Chairman Murphy: Seconded by Mr. Ulfelder. Is there a discussion of the motion? All those in favor of the motion to ratify and elect the slate of officers as proposed by Ms. Hurley, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you for your vote of confidence. We have made some shifts in the leadership and I appreciate Mr. Hart assuming the duties of Vice Chairman.

(End Verbatim Transcript)

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Chairman Murphy announced the future plans for the Planning Commission. Chairman Murphy stated this was the first year in the history of the Planning Commission where there were four new Commissioners. He announced the retirement of four members of the Commission and one new Commissioner who would be nominated and voted upon at the Board of Supervisors January 23, 2018 hearing. The new member would also be sworn in by the Planning Commission on January 24, 2018. Effective January 24, 2018, the Planning Commission would be at full capacity. Chairman Murphy circulated a 2018 Preference Form for Planning Commission Committees memorandum, with a submission deadline of Wednesday, January 24, 2018. The memorandum provided a list of committees, special committees and standing committees, with a capacity designation of five and three members. He stated due to the retirement of four members there would be an opportunity for newer members to serve as Chairman. Chairman Murphy stated the custom of the Planning Commission was that the Vice Chairman would oversee the committees. Commissioner Hart would assume those responsibilities. Chairman Murphy also stated he would like every committee to meet at least once a year. This could be accomplished with the new Planning Commission schedule. There were requests made from the Fairfax County Redevelopment and Housing Authority to schedule Housing Committee meetings. Chairman Murphy also stated both he and Commissioner Hart would meet to make final committee member selections. He also reminded the Commission that the first of two disclosure forms should be submitted to the Clerk of the Planning Commission on or before February 1, 2018.

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2232-D17-39 – Riverbend Park - Fairfax County Park Authority, Planning and Development Division, 8700 Potomac Hills Street, Great Falls, VA 22066

(Start Verbatim Transcript)

Commissioner Ulfelder: Thank you Mr. – Thank you – Thank you, Mr. Chairman. I have several items that – Commission business. I think I'll start with a – the "features shown" application. Fairfax County Park Authority recently completed and approved an extensive review and revision of the Master Plan, of the four hundred and six acre Riverbend Park along the Potomac River in Great Falls. There was extensive community involvement during the revision process and the community's vision for the park is reflected in the final version of the Master Plan. Riverbend Park is classified as a resource-based park, for both its natural and cultural features. It is more popular every year as reflected in its annual increases and patronage. The revised Master Plan's designed to enhance the stewardship of those natural and cultural resources, as well as providing recreational and educational opportunities for county residents and visitors. Therefore, Mr. Chairman, I concur with staff's conclusion that the proposed Riverbend Park Master Plan revision improvements satisfies the criteria of location, character and extent as specified in *Virginia Code* 15.2-2232, as amended. And, I MOVE THAT THE PLANNING COMMISSION FIND THE SUBJECT APPLICATION 2232-D17-39 SUBSTANTIALLY IN ACCORD WITH PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of the motion? All those in favor of the motion to concur with the feature shown determination in 2232-D17-39, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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SE 2015-DR-027 – MAHLON A. BURNETTE, III AND MARY H. BURNETTE
(Decision Only) (Original public hearing on this application was held on October 19, 2016;
Second Public Hearing was held on December 6, 2017)

(Start Verbatim Transcript)

Commissioner Ulfelder: I had a deferred decision only in the Burnette special exception case for a lot width waiver in Great Falls. And the Commission held a supplemental hearing on this application on October 19th. At the end of the hearing, members of the Planning Commission asked the applicant and representatives of the neighboring Deerfield Pond Homeowners Association, to meet and see if there is a path to resolve the issues and concerns raised at the hearing and in written comments submitted to the Commission. Representatives of the applicants and the HOA met recently at the Dranesville Supervisor's office. Based on those discussions, the parties plan on further meetings, to focus on specific steps needed to address their concerns and arrive at an approach acceptable to the parties. In the meantime, the HOA engaged counsel to assist it with the procedural steps that would be required under its by-laws and covenants, as well as any documents needed to implement an agreement with the applicants. At the same time the parties understand the importance of finally determining, as soon as possible, whether or not there is a path forward to resolve the remaining issues and concerns. They both agreed it is important at this point to keep the heat on. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY FOR SE 2015-DR-027, TO A DATE CERTAIN OF FEBRUARY 8, 2018, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion? All those in favor of the motion to defer again for decision only, SE 2015-DR-027 to a date certain of February 8th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motions carries.

Commissioner Hart: Mr. Chairman.

Chairman Murphy: Mr. Hart.

Commissioner Hart: I can be recorded as not voting on that. I had recused myself on that – on that case. I'm not participating in the decision.

Chairman Murphy: Without objection.

The motion carried by a vote of 10-0. Commission Hart recused himself from the vote.

(End Verbatim Transcript)

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PCA 2002-HM-043-03/CDPA 2002-HM-043-02/FDPA 2002-HM-043-05/
FDPA 2002-HM-043-04 – ARROWBROOK CENTRE, LLC (Decision Only) (The public
hearing on this application was held on January 11, 2018)

(Start Verbatim Transcript)

Commissioner Ulfelder: Thank you, Mr. Chairman. Before we proceed – there was another matter that we differed which was the – the several applications involving the Arrowbrook Centre out near the Innovation Station at Route 28. But there are a couple of points that were raised at the public hearing and I would like to ask staff to address them briefly. I realize we are on verbatim but I would like to pose those questions. We don't have the right staff here. Okay. We're all set? First, one of the issues that was raised at the hearing involved the extension of the trail that the applicant has proffered to build either along the Airport Road or within their property and I was – we – I would like to have a brief update on the status of the County's efforts in connection with the extension of that trail to Sunrise Valley Drive from the ending point on the Arrowbrook property.

Sharon Williams, Zoning Evaluation Division, Department of Planning and Zoning: Good evening and thank you so much, Commissioner Ulfelder. I've got Ariel Yang with me from FCDOT and she can answer that question.

Ariel Yang, Transportation Planning Division, Department of Transportation: This is Ariel Yang with FCDOT. The County portion of the trail is – has just done conceptual design and in August this year will go through the right-of-way acquisition process to obtain rights to construct a portion of our trail on two separate properties off-site. And the trail will begin construction in September 2019. And the goal is to finish construction on our portion of the trail by the time Innovation Center is open.

Commissioner Ulfelder: Also, my understanding is there has also been some sort of preliminary approval from VDOT for the crossing Sunrise Valley where the trail meets Sunrise Valley.

Ms. Yang: That's correct. That's correct. We have proposed ad hoc possession crossing which is the high-intensity activated crosswalk. And VDOT has preliminary – has approved our preliminary design.

Commissioner Ulfelder: Okay. Thank you. One of the other issues that was raised involved the adequacy of the reduced number of loading spaces for the site. Could you speak to that briefly?

Ms. Williams: Yeah, absolutely. I think - it's my understanding that this site was designed – and the entirety of the Arrowbrook development was designed so that some of the buildings could share their loading spaces between each other. So not every building has its own loading space, but they're situated as such where they can share those loading spaces. But in a larger sense, I think, the Department understands that there is – there should be a new larger conversation on this point but it's adequate.

Commissioner Ulfelder: Thank you. And third, there was testimony during the hearing that the proposed twelve percent parking reduction is actually pretty much in line with the proposed Zoning Ordinance parking reductions that are to be heard by the Planning Commission next week. And I just want to confirm from staff that is correct.

Ms. Williams: Yes, that's correct.

Commissioner Ulfelder: Okay, thank you. Thank you. I think that at this point it would be helpful if the representative of the applicant came forward before I go into the motion.

John McGranahan, Applicant's Representative, Hunton & Williams LLP: Commissioner Ulfelder, Mr. Chairman, members of the Commission. My name is John McGranahan. I am the attorney for the applicant.

Commissioner Ulfelder: Would you confirm that the applicant – for the applicant their - on the record their agreement to the final development plan conditions dated December 28, 2017 and the proffers now dated January 12, 2018?

Mr. McGranahan: I confirm the applicant's agreement with the proffers and the development conditions as you articulated.

Commissioner Ulfelder: Thank you. I have a lengthy motion and I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2002-HM-043-03 AND CDPA 2002-HM-043-02, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED JANUARY 12, 2018.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion? All those in favor of the motion to approve PCA 2002-D-043-03 [sic] and CDPA 2002-HM-043-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU THIS EVENING DATED JANUARY 11, 2018, WHICH WILL BE MADE PART OF THE RECORD.

Commissioner Migliaccio: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 2002-HM-043-05, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 28, 2017 AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF THE CONCURRENT PCA APPLICATION.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. All those if favor of the motion to approve FDPA 2002-HM-043-05, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I MOVE THE PLANNING COMMISSION APPROVE FDPA 2002-HM-043-04, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 28, 2017.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion? All those in favor of the motion to approve FDPA 2002-HM-043 [sic], say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: And one more. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVAL OF THE PARKING REDUCTION REQUEST OF UP TO 101 PARKING SPACES FOR ARROWBROOK CENTRE, LAND BAY 2 [SIC] ((1504-PKS-001-1)) PURSUANT TO PARAGRAPH 5A, SECTION 11-102 OF THE ZONING ORDINANCE BASED ON PROXIMITY OF A MASS

TRANSIT STATION AND SUBJECT TO THE CONDITIONS DATED DECEMBER 4, 2017, CONTAINED IN THE APPENDIX 9 OF THE ARROWBROOK CENTRE, LLC STAFF REPORT WITH THE REVISION TO CONDITION 5 TO ELIMINATE THE TEXT "D1" AND A REVISION TO CONDITION 9 TO ELIMINATE THE WORD "RESIDENCE."

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. All those in favor of that motion – and please don't ask me to restate it - say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: Thank you.

Chairman Murphy: Thank you.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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SE 2017-BR-023 – DANIEL AND MATTHEW INVESTMENTS LP

(Start Verbatim Transcript)

Commissioner Hurley: Thank you, Mr. Chairman. The Daniel and Matthew Investments case also known as the Goddard School, was originally scheduled for this evening, but they had an affidavit issue which is being resolved. Therefore, I MOVE THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR SE 2017-BR-023 TO A DATE CERTAIN OF JANUARY 25, 2018.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? All those in favor of the motion to defer SE 2017-BR-023, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hart: Mr. Chairman.

Chairman Murphy: Mr. Hart.

Commissioner Hart: On that case if I could be recorded as not voting. I'm gonna recuse myself when we get to the appropriate time. Thank you.

Chairman Murphy: Without objection. Okay.

The motion carried by a vote of 10-0. Commission Hart recused himself from the vote.

(End Verbatim Transcript)

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RZ/FDP 2016-MV-028 – L&F WORKHOUSE, LLC (Decision Only) (The public hearing on this application was held on January 10, 2018)

(Start Verbatim Transcript)

Commissioner Flanagan: Thank you, Mr. Chairman. I have a two decision onlys on the agenda for this evening. And the first of which is the rezoning of the L&F Workhouse, LLC. Last week, you recall we deferred the decision on RZ 2016-MV-028 to tonight. And the rezoning will permit the construction of thirty-seven single family homes, where there are now eleven lots on Workhouse Road in the Lorton community. The deferral was approved to permit time to consider twenty-five requests from me and Commissioners Hart, Commissioner Sargeant, Commissioner Ulfelder, and Commissioner Strandlie, and Commissioner Hurley. Many of which were overlapping. During the deferral time the applicant worked with me and staff daily on each of the Commissioners' requests. The results which are now reflected in the revised proffers, in – dated January 18 in the memo that was – that you received today by laptop. In addition, the applicant has promised a research the Hollymeade Homeowners Association easement, that appeared to provide the Hollymeade Homeowners Association with a direct pedestrian access to Workhouse Road. After a title search, the applicant and I concluded a pedestrian natural path is possible, should the Hollymeade Homeowners Association choose to pursue that. And that of course would not be reflected the proffers because that's an independent action. Now these additions, clarifications to the drawings, which have little red clouds around them where there have been additions, and the proffers were also reviewed by the South County Federation last Tuesday night. And along with staff - and both of which continue to support the rezoning. So, with this affirmation and changes to the proffers and response to the Commissioners' requests, I now ready to move approval. Therefore, Mr. Chairman, I request that the applicant confirm for the record agreement to the proposed development conditions now dated January 18, 2018.

Lori R. Greenlief, Applicant's Agent, McGuireWoods LLP: Good evening my name is Lori Greenlief with McGuireWoods, and I confirm agreement with the development conditions that you've stated.

Commissioner Flanagan: Thank you, Lori. Therefore, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING: APPROVAL OF RZ 2016-MV-028 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFER – PROFFERED CONDITIONS

CONSISTENT WITH THOSE NOW DATED JANUARY 16, 2018, AND APPROVAL OF MODIFICATION OF PARAGRAPH TWO OF SECTION 11-320 OF THE ZONING ORDINANCE TO PERMIT A PRIVATE STREET TO EXCEED A MAXIMUM OF SIX HUNDRED FEET.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of motion to recommend to the Board of Supervisors that it approve SE 2016-MV-025 [sic], say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Finally, I MOVE THAT THAT PLANNING COMMISSION APPROVE THE FINAL DEVELOPMENT PLAN 2016-MOUNT VERNON – I WOULD SAY MV BUT IT'S MOUNT VERNON – 028, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 18, 2018, AND THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2016-MV-028 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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SE 2017-MV-025 – MY LITTLE ANGELS DAYCARE CENTER, LLC (Decision Only) (The public hearing on this application was held on January 11, 2018)

(Start Verbatim Transcript)

Commissioner Flanagan: Thank you. And the second one that we had on the agenda for tonight was the special exception for My Little Angels Daycare. Last week we deferred a decision on Special Exception 2017-MV-025 to tonight. And, that special exception will permit a daycare center for up to ninety-nine children in the Pear Tree Village commercial complex, at the intersection of Richmond Highway and Cooper Road. Just to refresh your memories. And, during

the deferral, changes to the conditions and attachments were developed in response to Commissioners comments. Particularly use of a parking lot location as the fenced outdoor playground, with the current paving now being replaced with a soft ground cover that's acceptable to the state. Therefore, I request that the applicant confirm for the record their agreement to the proposed development conditions dated January 16, 2018.

Karla Y. Cova Leon, Applicant: Yes, good evening. My name is Karla Cova. I'm the co-owner My Little Daycare Center, LLC. And I – we are agree – we all development condition.

Commissioner Flanagan: Thank you.

Chairman Murphy: Thank you very much.

Commissioner Flanagan: Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING: APPROVAL SE 2017-MV-025, FOR A CHILDCARE CENTER FOR UP TO NINETY-NINE CHILDREN, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JANUARY 16, 2018.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? Ms. Hurley.

Commissioner Hurley: I have a simple question. With the movement of the playground, how many of the children can be outside at the same time, on the playground?

Ms. Cova: Only twenty childrens.

Commissioner Hurley: Twenty children? Two zero?

Ms. Cova: Yes, twenty childrens.

Commissioner Hurley: Okay, fine.

Ms. Cova: Yes.

Commissioner Hurley: Alright, thank you.

Ms. Cova: You welcome.

Chairman Murphy: Okay. All those in favor of the motion as articulated . . .

Commissioner Flanagan: I'd like to also comment. There was a question about the drainage, you know, a culvert of some sort, and I just want all the Commissioners to know that I personally visited the site and there is no culvert. There is just strictly a spill way where the water, the drainage from the parking lot spills downhill, you know, to a stream that's further downhill. And so I just – the water just travels over ground. There is no – any kind of a way for that. And then

in addition this parking lot will be fenced. Or this – the parking lot will be – the area that's gonna serve as the playground will be fenced.

Chairman Murphy: Further discussion? All those in favor of the motion as articulated by Mr. Flanagan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Strandlie: I just want to make a housekeeping error – comment. On the development conditions, there is eight, nine, and then it skips to eleven. It looks as though the nine that is inserted intended to be ten, actually has a strike through it. Am I reading that correctly? It should say ten but it has – it's nine and then the line is drawn through.

Jay Rodenbeck, Zoning Evaluation Division, Department of Planning and Zoning: I will fix that error before Board.

Commissioner Strandlie: Thank you.

Chairman Murphy: Thank you. Okay.

Commissioner Flanagan: That's it.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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RZ 2017-SU-025/SE 2017-SU-022 – JSF MANAGEMENT, LLC (Decision Only) (The public hearing on this application was held on January 11, 2018)

(Start Verbatim Transcript)

Commissioner Hart: Thank you, Mr. Chairman. We were scheduled to vote tonight on the decision only on the JSF Management, LLC case. We're still discussing the wording of the archeological proffer. Therefore, Mr. Chairman, I MOVE THAT PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY FOR BOTH RZ 2017-SU-025 AND SE 2017-SU-022, TO A DATE CERTAIN OF JANUARY 24, 2018 WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? All those in favor of motion to defer decision only on RZ 2017-SU-025 and SE 2017-SU-022, to a date certain of January 24th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hart: Thank you.

Chairman Murphy: Thank you.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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Commissioner Sargeant stated the Planning Commission's Schools Committee met on January 17, 2018, at 7:30 p.m. in the Board Conference Room of the Fairfax County Government Center to continue the discussion regarding future planning and school development. He stated the next Schools Committee meeting was scheduled for 7:30 p.m. on February 21, 2018 in the Board Conference Room of the Fairfax County Government Center.

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Commissioner Migliaccio stated the Planning Commission's Land Use Process Review Committee met on January 17, 2018, at 8:30 p.m. to discuss the proposed amendment regarding short-term lodging. The next Land Use Process Review Committee meeting would be held on February 7, 2018 at 7:30 p.m. in the Board Conference Room of the Fairfax County Government Center.

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Chairman Murphy stated he requested a chart constructed for each member of the Commission with a list of all committee meetings, to include dates and times. The information would provide a record of all upcoming committee meetings.

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ORDER OF THE AGENDA

Commissioner Hart established the following order of the agenda:

1. AR 84-V-007-04 – EDH ASSOCIATES, LLC
2. AR 91-D-004-03 – TARRY A. FARIES
3. CSPA 87-S-039-04 – FAIRFAX CORNER RETAIL, LC
4. SEA 96-L-034-05 – GREENSPRING VILLAGE, INC.
5. PCA 87-C-060-14/FDPA 87-C-060-09-03/PCA/FDPA 93-H-045 – FAIRFAX COUNTY SCHOOL BOARD
6. PA 2017-II-M1 – COMPREHENSIVE PLAN AMENDMENT (MCLEAN COMMUNITY BUSINESS CENTER, SUB-AREA 12)

This order was accepted without objection.

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Chairman Murphy called the first case on the agenda.

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AR 84-V-007-04 – EDH ASSOCIATES, LLC – A&F District Renewal Appl. authorized by Chapter 115 (County Code), effective June 30, 1983 to permit renewal of a previously- approved local agricultural and forestal district. Located on the W. side of Belmont Blvd. at the terminus of Gunston Dr. on approx. 114.99 ac. of land zoned R E. Please call the Zoning Evaluation Division at 703-324-1290 after January 18, 2018 to obtain the A&F District Advisory Committee and Planning Commission recommendations. Tax Map 113-4 ((1)) 27Z. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Commissioner Flanagan 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 Flanagan for action on this application.

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(Start Verbatim Transcript)

Commissioner Flanagan: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE AR 84-V-007-04 AND AMEND APPENDIX F OF THE FAIRFAX COUNTY CODE, TO RENEW THE BELMONT BAY II LOCAL AGRICULTURAL AND FORESTAL DISTRICT, SUBJECT TO ORDINANCE PROVISIONS CONSISTENT WITH THOSE DATED JANUARY 11, 2018.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve AR 84-V-007-04, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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AR 91-D-004-03 – TARRY A. FARIES – A&F District Renewal Appl. authorized by Chapter 115 (County Code), effective June 30, 1983 to permit renewal of a previously approved agricultural and forestal district. Located on the S. side of George Town Pike and N. side of Old Dominion Dr., W. of Bellview Rd. on approx. 33.74 ac. of land zoned R E. Tax Map 20-1 ((1)) 33Z, 34Z, 35Z, 36Z, 58Z and 77Z. DRANESVILLE DISTRICT. PUBLIC HEARING.

Commissioner Ulfelder 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 Ulfelder for action on this application.

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(Start Verbatim Transcript)

Commissioner Ulfelder: Thank you, Mr. Chairman. This is a request to renew the Orchard Spring Nursery Local Agricultural and Forestal or A&F District. The original A&F District was established in 1992 and the property was sold in 1999. The new owner has renewed the district twice since then, and is back for a third renewal. This is a beautiful thirty-four-acre property that stretches from Old Dominion Drive to Georgetown Pike. The first Virginia scenic byway so designated by the legislature, and now listed on the National Register of Historic Places. It is across from the open fields of the Madeira School and Drover's Rest, a historic property that dates back to the days when Georgetown Pike was a turn pike and a major route for bringing goods to market in Georgetown. The property includes the historically significant Spout Spring and continues preservation is welcomed by local residents and historians. The owner has also agreed to abide by the recommendations of the Northern Virginia Soil and Water Conservation District and the Virginia Department of Forestry. Therefore, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE AR 91-D-004-03 AND AMEND APPENDIX F OF THE COUNTY CODE TO RENEW THE ORCHID SPRING NURSERY LOCAL AGRICULTURAL AND FORESTAL DISTRICT FOR AN ADDITIONAL EIGHT-YEAR TERM, SUBJECT TO ORDINANCE PROVISIONS DATED DECEMBER 11, 2017.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve AR 91-D-004-03, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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CSPA 87-S-039-04 – FAIRFAX CORNER RETAIL, LC – Appl. under Sect. 12-210 of the Zoning Ordinance to amend the previously approved Comprehensive Sign Plan associated with RZ 87-S-039 to permit sign modifications. Located on the S. side of Random Hills Rd., E. side of the Government Center Parkway and N. side of Monument Dr. on approx. 35 ac. of land zoned PDC. Tax Map 56-1 ((1)) 47E (pt.), 47G3, 47H, 47J, 47K, 47L, 47P, 47Q, 47R, 47S1, 47T and 47U. BRADDOCK DISTRICT. PUBLIC HEARING.

Commissioner Hurley noted one change to Development Condition Number 7, which had been distributed to the Commission in advance of the public hearing. That change grandfathered in the current signs.

Commissioner Hurley 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 Hurley for action on this application.

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(Start Verbatim Transcript)

Commissioner Hurley: I request the applicant confirm for the record their agreement to the development conditions now dated 18 January, 2018.

Elaine Cox, Applicant's Agent, Hunton & Williams, LLP: My name is Elaine Cox and I'm with Hunton Williams. We represent the applicant, and the applicant agrees to the conditions dated January 18th, 2018. Thank you.

Chairman Murphy: Please.

Commissioner Hurley: A very simple sign plan change for our friends right around the corner at Fairfax Corner. And, I MOVE THAT THAT THE PLANNING COMMISSION APPROVE CSPA 87-S-039-04, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS NOW DATED JANUARY 18, 2018.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion? All those in favor of the motion to approve CSPA 87-S-039-04, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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SEA 96-L-034-05 – GREENSPRING VILLAGE, INC. – Appl. under Sect. 3-304 of the Zoning Ordinance to amend SE 96-L-034 previously approved for elderly housing with nursing facilities and telecommunications facility to permit associated modifications to site design and development conditions. Located at 7470 Spring Village Dr., Springfield, 22150 on approx. 4.68 ac. of land zoned R-3. Tax Map 90-1 ((1)) 63G and 64. LEE DISTRICT. PUBLIC HEARING.

Lynne J. Strobel, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated January 3, 2018.

Commissioner Hart disclosed the law firm of Hart & Horan, P.C. had two cases where the attorneys in Ms. Strobel's firm represented an adverse party or adverse parties. He stated that matter and those parties were unrelated to application. Commissioner Hart stated the law firm of Hart & Horan, P.C. had no business or financial relationship and to his knowledge, did not believe this matter before the Planning Commission would affect his ability to participate in the case.

Commissioner Migliaccio stated he would have the staff report read, however, the applicant has not met with the Lee District Land Use Committee for a recommending vote. Therefore, he announced his intent to defer the decision only on the subject application at the conclusion of the public hearing.

Katelyn Antonucci, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of SEA 96-L-034-05.

Commissioner Migliaccio inquired about the total number of new parking spaces. He also asked for the number of spaces required with the new additions of the pool and cafeteria. In response, Ms. Antonucci stated the new additions would not increase the parking requirements. Commissioner Migliaccio asked whether the additional parking spaces would alleviate any parking concerns from the neighboring communities. Ms. Antonucci stated that would be the case.

Ms. Strobel gave a presentation wherein she stated the following:

- Greenspring Village was a continuing care retirement community which was originally approved in 1996. Over the past 20 years, Greenspring provided an opportunity for Fairfax County residents to stay in Fairfax County as they aged;

- The proposed application would have an impact on a very small portion of a campus that's over 64 acres;
- The proposed building's square footage would be increased from what was constructed in the town center for recreational opportunities. The expansion would provide better amenities for the residents. The proposed building would have an approved aquatic center, an indoor recreational court, expanded gym facility, and improvements would be made to the dining area;
- The wellness center would be elevated and would be of a very high quality. The architect incorporated terraces which would allow for some outdoor dining opportunities and to allow for the enjoyment of the surrounding environment; and
- The proposal would add a parking deck on top of an existing parking lot. The new parking deck would allow for forty-two new parking spaces. Many of the residents of Greenspring Village don't use their cars, however, the residents would rather retain their cars. Additional park would be required for employees and guests. These new parking spaces would also mitigate the previous employee parking concerns on Spring Village Drive.

Commissioner Niedzielski-Eichner inquired about the parking deck and its positioning in relation to the residents of Hampton Place. He asked whether consideration was given to impact a parking deck would have on the residents with the creation of barrier. In response, Ms. Strobel stated there was a buffer that surrounded the Greenspring Village. The original rezoning was over 100 acres, and a large portion of the property was dedicated to the Fairfax County Park Authority. There was also a significant setback with existing vegetation. She stated given the distance, adjacent neighbors would not be disruptive visually to the surrounding community. The proposed building would be constructed using a brick material and would blend in with Greenspring Village. Commissioner Niedzielski-Eichner expressed his appreciation for the level of effort that went into tree preservation and replacement.

Commissioner Flanagan asked whether there was any relationship between the three improvements proposed. In response, Ms. Strobel stated the improvements to the town center, aquatic center and other improvements, would not generate a parking requirement. The number of residents would not increase.

Commissioner Cortina stated with the close proximity of the parking deck to the line of the Resource Protection Area (RPA), the amount of land donated to the Park Authority to preserve the corridor, and the efforts made with the tree save, she appreciated the efforts made with the quality of preservation of the steam corridor. She also stated her appreciation for the purchase of mitigation credits. The mitigation credits, however, were disbursed to other parts of the Potomac River and not in the Fairfax County area. However, all other considerations the applicant made to the property outweighed the credits to the Potomac River.

Commissioner Hart requested two changes be made to the development conditions. He stated on Development Condition Number 10, first line, "notwithstanding" should be one word. For Development Condition Number 11 C, first line, a comma should be placed after "adhesives."

Ms. Strobel and Ms. Antonucci stated Commissioner Hart's recommended changes to the above-referenced development conditions would be made.

There being no listed speakers, further comments or questions from the Commission, Chairman Murphy closed the public hearing and recognized Commissioner Migliaccio for actions on this application.

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(Start Verbatim Transcript)

Commissioner Migliaccio: Thank you, Mr. Chairman. As I mentioned earlier, I will be deferring the decision only. I have no issues with this application, it's just has yet to see the Lee District Land Use Committee and they may nitpick it but. I wanna have them – I want them to have a chance to do that. So, I am going to move this to a date – okay. I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR APPLICATION SEA 96-L-034-05, TO A DATE CERTAIN OF JANUARY 24TH, 2018 WITH THE RECORD REMAINING OPEN.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the notion to defer decision on SEA 96-L-034-05, to a date certain of January 24th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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PCA 87-C-060-14/FDPA 87-C-060-09-03 – FAIRFAX COUNTY SCHOOL BOARD – Appls.to amend the proffers, conceptual, and final development plan (FDPA 87-C-060-09-03) for a portion of RZ 87-C-060 previously approved for a public school with ballfields to allow an expansion of the public school use and other associated modifications to proffers and site design with a Floor Area Ratio (FAR) of 0.341 on the subject property and an overall 0.345 FAR on the entire school site. Located on the E. side of Thomas Jefferson Dr. approx. 300 ft. N. of Coppermine Rd. on approx. 13.87 ac. of land zoned PDH-16. Comp. Plan Rec: Mixed use. Tax Map 16-3 ((1)) 41. (Concurrent with PCA/FDPA 93-H-045). HUNTER MILL DISTRICT. PUBLIC HEARING.

PCA/FDPA 93-H-045 – FAIRFAX COUNTY SCHOOL BOARD – Appls.to amend the proffers, conceptual, and final development plan (FDPA 93-H-045) for RZ 93-H-045 previously approved for ballfields associated with a public school to allow an expansion of the public school use and

associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.381 on the subject property and an overall 0.345 on the entire school site. Located on approx. 1.36 ac. portion of the school site on the S. side of Fox Mill Rd. (Route 665), approx. 1200 ft. W. of its intersection with Frying Pan Rd. (Rt. 665) on land zoned PDH-8. Comp. Plan Rec: Mixed use. Tax Map 16-3 ((7)) C. (Concurrent with PCA 87-C-060-14 and FDPA 87-C-060-09-03). HUNTER MILL DISTRICT. PUBLIC HEARING.

John C. McGranahan, Applicant's Agent, Hunton & Williams, LLP, reaffirmed the affidavit dated January 5, 2018.

Commissioners Hart, Ulfelder, Niedzielski-Eichner and Sargeant disclosed they made a contribution in excess of \$100.00 to the former Planning Commissioner Karen Keys-Gamarra's Special Election Campaign fund. Ms. Keys-Gamarra was an At-Large member of the Fairfax County School Board. Commissioners Hart and Ulfelder stated they did not believe these contributions would affect their ability to participate in the case.

William O'Donnell, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He stated that staff recommended approval of PCA 87-C-060-14/FDPA 87-C-060-09-03 and PCA/FDPA 93-H-045.

Mr. McGranahan gave a presentation wherein he stated the following:

- The McNair Elementary School was a walkable school for its surrounding community. With the addition of the proposed second building, walkability to the school would be maintained for the community to the elementary school it served;
- The site would house an upper and lower school, a model pursued by the Fairfax County School Board in other locations throughout Fairfax County;
- Since the deferral, the applicant spent time interacting with the neighboring Copper Mill Community. The applicant met with the community on January 2, 2018, and visited the school site. The applicant agreed to memorialize the discussion based on concerns raised by the community. A letter was sent to Commissioner Carter, which summarized agreements made by the applicant and would be made part of the record;
- The exhibit to the letter sent to Commissioner Carter showed landscaping along the area to the east end of the building. The community raised two issues. The existing dead ash trees and vegetation that were planted as part of the original transitional screening. Those trees would be removed. The community provided the applicant with visuals of the rear of their homes and decks. There were gaps in the current screening; Upon receipt of the site plan, the gaps would be filled with landscaping and provide the maximum screening; and
- There was a stormwater management pipe between the school building and the plantings. The community had issues with stormwater management on their side of the property line

and wanted to make certain stormwater from the proposed improvement would not flow onto their site. The stormwater would be captured by the pipe, would go south and would turn west, away from the community to a new underground retention facility located on the property.

Commissioner Strandlie asked whether there would be any delineated responsibility for the maintenance of the new trees. Mr. McGranahan stated the Zoning Ordinance required tree maintenance with either a proffered plan or an approved development condition. The area where the buffer was shown would not be a manicured area that would be mowed on a regular basis. That area was intended to become a natural buffer where the trees grew over time. Under the Zoning Ordinance there would be an ongoing obligation that if one of the trees died, they would be replaced so they buffer would be maintained.

Commissioner Hart inquired about the underground pipe and whether the roots from the new tree plantings would be damaging to the pipe. In response Mr. O'Donnell stated the applicant would have to work with Urban Forest Management (UFM) at the time of site plan for species selection which would assure the roots would not impact the stormwater pipe. There should be five feet minimum from the pipe easement. The bigger trees were buffered with smaller shrubs which would provide additional space. Mr. O'Donnell also stated that from a conceptual view, this was acceptable. Commissioner Hart made reference to emerald ash borer insect treatment in a prior case. He inquired whether there were any other ash trees that would die within the next six months. Mr. McGranahan stated he was not aware of any diminishing additional ash trees. He stated the applicant would agree to and provide the required screening. If trees that were part of the transitional screening died, they would be replaced. Commissioner Hart asked staff to confirm. In response, Mr. O'Donnell confirmed. He stated at site plan, the applicant would submit their landscape plan, and that plan would be scrutinized. If there were dead or dying ash trees throughout the transitional screening requirement, the applicant would have to replace those trees. Mr. McGranahan stated the emerald ash borer was discussed at the community meeting and he did not believe the ash trees would be used as part of the transitional screening.

Commissioner Niedzielski-Eichner asked whether the schools were separate. Mr. McGranahan stated the school buildings were separate, but would be consolidated in one building. However, was not certain whether the school would have two names, one being McNair Upper Elementary School and the other being McNair Lower Elementary School. He stated the population in the current building with grades kindergarten through 6th grade, would be split. The lower grades would remain in the existing building and the upper grades would be moved to the proposed building. Commissioner Niedzielski-Eichner asked whether there would be one administrative staff and one principal. Mr. McGranahan stated there would be two principals, one for the upper and one for the lower school. Commissioner Niedzielski-Eichner stated the site was very constrained and was not certain why the design did not allow for an addition to the existing building. One of the outcomes of adding the second building would be the loss of the open space area, in particular the playing fields. He inquired about the rationale for a separate building. In response, Mr. McGranahan stated the current school operations could be maintained in the existing elementary school building and the modular building adjacent to it. The temporary modular would be removed. There would be no interruption or delays with the attachment of a new building to the existing structure. The layout of the site would allow for the creation of new

recreational facilities that would be shared with the two schools and the community. The two buildings would separate the bus traffic from the kiss-and-ride traffic.

Commissioner Flanagan inquired about the distance of the townhomes from the proposed building. Mr. McGranahan stated the townhomes were located to the east of the proposed building. There would be approximately 94 feet of separation distance. Commissioner Flanagan asked whether the location of the underground drain line was the space between the building and the lot lines of the townhomes. Mr. McGranahan confirmed the proposed location. Commissioner Flanagan asked whether the current vegetation would be impacted by the underground drain line, once installed. Mr. McGranahan stated there was some vegetation on the side of the property line of the townhomes and would not be removed. Commissioner Flanagan stated the drip line of the existing trees were beyond the proposed planning areas. Mr. McGranahan stated the drip line of the existing vegetation would remain. One of the concerns raised by the community was that the existing vegetation did not provide adequate screening. Commissioner Flanagan stated the existing drip line of the existing vegetation would put the drain line under the drip line of the existing trees. Mr. McGranahan stated all of the existing vegetation was on the side of the townhomes. The storm sewer line would not go through the existing vegetation. Mr. McGranahan stated Mr. O'Donnell addressed the vegetation concerns. Upon site plan, a landscaping plan would be required. Commissioner Flanagan stated the concern was that with the approval of the new sewer line at the proposed location would damage the existing trees. Mr. McGranahan disagreed. He stated the applicant's landscape architect created the proposed buffering based on input from the community and the architect's expertise. F. Thomas Lee, Samaha Associates PC, made reference to the language that addressed the "previously proposed trees." He stated those trees would be provided in the future. Throughout the course of the applicant's meetings with the community, the buffer was increased and more trees were added to the transitional screening. Mr. McGranahan stated Proffer Number 14, which was the Fairfax County's standard proffer for landscape plan, was very extensive. The landscape plan would be completed per the Public Facilities Manual (PFM). The applicant would be fully committed to adhering to the PFM, and would commit to adding as part of the development condition.

Commissioner Hurley asked how many students would be at the new facility. Mr. McGranahan stated the upper and lower school's capacity would be approximately 750 students per facility, a student total of approximately 1,500 students. Commissioner Hurley asked for the new facility's operational date. Mr. McGranahan stated the school would be operational in the fall of 2020. Commissioner Hurley asked for the percentage of students that would be allowed outside at the same time and if it was comparable to the other schools in Fairfax County. Mr. McGranahan stated it was comparable and that every school was different. He stated the paved, unpaved play areas and athletic fields would support both schools and would meet the County standards.

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

Howard Carlin, 13158 Diamond Mill Drive, Herndon, addressed the history of McNair Elementary School. He also stated the following:

- The plan to construct McNair Elementary School was approved on October 25, 1999. The school opened in September of 2001. Two years later, a modular classroom was placed on the site. That modular classroom replaced an existing baseball field. Over the succeeding years many additional modulares were installed. Currently there were approximately five modulares housed on the existing site;
- All data was available to the School Board, which would allow for an estimate of the school's population;
- In 1988, it was known that exactly 3,521 units, later reduced to 2,515 new housing units, had been approved. There were other approved applications in the years 1993 and 1994 regarding the exact use of the rezoned land;
- Out of 1,354 students, the existing school was at an overcapacity by 374 students. A deficiency of 28%;
- Quoted the Fairfax County School Board member who informed the residents that the Board "failed to understand the culture of the type of people who moved in. We did not think that people would raise families in rental units, condos and townhomes. We thought people who raised families would live in single family homes;"
- The community was forced to accept the building of a new school with the loss of a playing field. Throughout the years, students and the members of the community utilized that field to play soccer, cricket and other sports. The Herndon League also utilized that field;
- The input from various government agencies was very valuable. The Fairfax County Park Authority stated the proposed school building would directly impact two existing soccer fields and make them unavailable for public use. With the development location of the two soccer fields, the proposal would displace current users and decrease field inventory if demand continued to grow. The development plan for the proposed site included playing field that would be designed to serve the elementary school students. That field would be smaller than the two existing fields and would limit the availability and use for the community. Many of those concerns have not been adequately addressed;
- The current play area should be removed and placed in a more central location. The area between the playing field and the school should be used as an extension of proposed playing fields;
- There was no language in the proposal which stated access to the playing field would not be available for two years;
-
- Future estimates should be carefully questioned as to the methodology and backup statistics be provided; and

- Was appointed to a design review committee and attended several meetings. Those meetings were not effective in providing means to address concerns, as the design of the school's landscaping building had been completed. At the December 2017 Planning Commission meeting, the discussions of the Commission shed further light on the project and relevant questions asked. Since the last Planning Commission public hearing on the subject application deferred on December 7, 2017, Mr. McGranahan and the design construction services team met with the community, listened to all concerns and addressed them and the applicant provided a written agreement. The meeting was productive and very informative.

Commissioner Hart asked Mr. Carlin to elaborate on his quoted statement regarding the culture of families, housing preferences and population. Mr. Carlin stated this was a statement made by a member of the Fairfax County School Board and the quote was part of a letter he sent to the Board. Mr. Carlin stated the comment made was verbal.

Mr. McGranahan in his rebuttal testimony stated the applicant was committed to enforcing the screening requirements. The applicant also made a commitment with the community that screening would be enforced. The application was supported by the surrounding community. There were several meetings that were hosted by the Parent Teachers Association (PTA). Mr. McGranahan stated the projections were difficult to predict, however, things evolved over time. Over the five-year period of the CIP, the Fairfax County School Board did a good job in terms of estimating or projecting capacity. In terms of affordability, he stated a spike of home prices could have a ripple effect over where people could live, or chose to live. With the number of schools in the Fairfax County, and with a total of 188,000 students, there were some areas where projections would not be applicable. The Hunter Mill District Land Use Committee met at the school, received the presentation and recommended the support of the application. Mr. McGranahan stated he appreciated the support of all the community members.

Commissioner Niedzielski-Eichner stated projections have improved significantly since his former membership with the School Board. He stated this was a continuous quality of improvement and the school system have evolved and should continue to do better. Regarding the tree save area, Commissioner Niedzielski-Eichner informed Mr. Carlin that the issue would be incumbent upon the community's homeowners association to monitor the vegetated area and the quality of maintenance from the school. He stated the maintenance group was stretched too thin, in particular during the summer months, the most vulnerable time for the tree save area. The school staff would also be at a minimum level. Commissioner Niedzielski-Eichner stated should the application be approved, there would be strong legal basis for demanding from the school system for the tree save area be maintained. He recommended that the community be very proactive.

Commissioner Hurley echoed Commissioner Niedzielski-Eichner's comments regarding the tree save area, and encouraged the community to be proactive. She stated the schools recognized and appreciated the assistance from the community. Regarding the play areas, Commissioner Hurley said the Mr. Carlin indicated during his presentation the playground would not be available to the community for two years. She asked whether there would be outdoor access for the students. Mr. McGranahan stated the students would have limited outdoor access during the period of

construction. He stated there was a proffer condition where use of the alternate field would be coordinated and use be provided to the larger community.

Mr. O'Donnell stated the Dulles Suburban Center Area was in the process of constructing a Metro station. This station would convert an old office park into a mixed-use area, as a result, there would be a need for additional schools in that land unit. There were four major rezoning projects in that area. Addressing the school's need would become a priority.

There being no additional speakers, further comments or questions from the Commission, Chairman Murphy closed the public hearing and recognized Commissioner Carter for actions on this application.

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(Start Verbatim Transcript)

Commissioner Carter: I'm ready to support this application. I also attended the Hunter Mill District Land Use Committee meeting where it was approved unanimously by all the members there. There were basically two comments. One that I made, which was about the buffer and I'm glad to see that addressed. The other one was what's taking so long folks, we want the school yesterday. So, I understand the layout issues and a little bit loss of the one field. But I think – given the size of this school, fifteen hundred students is an awfully large school for one building. Whether it's on this site or another site. I thought it was a fairly creative solution to have two separate buildings and two smaller schools run by the principals separately. I thought that was a good solution. And, it's very efficient and the way the community gets to the school, the way you access the gymnasium and cafeteria, and some of those other – the drop-offs. I supported that. The fields, I understand that, but the field of a loss – but the field is rectangular and suitable for multi-use. And what happens in soccer games is one team waits for the next on to play. There is space for that, not on the field but adjacent. And so, each school has its own outdoor creative play area I think they call it. Plus, a very efficient interior field that's designed for a whole lot of different uses. So, I prepared to support this. I think keeping this school in the neighborhood is a great thing, rather than building a second school somewhere else. And allowing the school to in operation on site is also a great thing. So, with all that, Mr. Chairman I request that the applicant confirm for the record the proposed final development plan amendment, development conditions, now dated January 17th, 2018.

John C. McGranahan, Applicant's Agent, Hunton & Williams, LLP: I confirm for the record the applicant's agreement to those development conditions.

Commissioner Carter: And with all the signatures that are necessary. Okay. Motion to approve. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL FOR PCA 93-H-045 AND THE CONCURRENT CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED NOVEMBER 16TH, 2017.

Commissioner Niedzielski-Eichner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: Okay, next. I MOVE THAT THE PLANNING COMMISSION
RECOMMEND APPROVAL OF PCA 87-C-060-14 AND THE CONCURRENT
CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, SUBJECT TO PROFFERS
CONSISTENT WITH THOSE DATED NOVEMBER 16TH, 2017.

Commissioner Niedzielski-Eichner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: Thirdly, I MOVE THAT THE PLANNING COMMISSION APPROVE
FDPA 93-H-045 AND FDPA 87-C-060-09-03, SUBJECT TO THE DEVELOPMENT
CONDITIONS DATED JANUARY 17TH, 2018 AND TO THE BOARD'S APPROVAL OF
THE ASSOCIATED PCA APPLICATIONS.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of that motion?
All those in favor of the motion to approve the two FDPAs, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: And finally, I further MOVE THAT THE PLANNING COMMISSION
RECOMMEND APPROVAL – APPROVE A MODIFICATION OF TRANSITIONAL
SCREENING AND BARRIER REQUIREMENTS ALONG ALL PROPERTY BOUNDARIES,
IN FAVOR OF EXISTING AND PROPOSED LANDSCAPING AND THE BARRIERS
SHOWN ON THE CDPA-FDPA, AND AS PROFFERED AND CONDITIONED.

Commissioner Niedzielski-Eichner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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PA 2017-II-M1 – COMPREHENSIVE PLAN AMENDMENT (MCLEAN COMMUNITY BUSINESS CENTER, SUB-AREA 12) – 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 approx. 1.4 acres generally located at 6707 Old Dominion Drive (Tax map 30-2((9)) 73)) in the Dranesville Supervisor District. The area is planned for office with ground floor retail uses at an intensity up to 0.7 FAR. The amendment will consider adding an option for mixed-use to include residential use (approximately 50 units) at an intensity up to 2.0 FAR. Recommendations relating to the transportation network may also be modified. PA 2017-II-M1 is concurrently under review with Rezoning application RZ 2017-DR-026. DRANESVILLE DISTRICT. PUBLIC HEARING.

Katrina Newton, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She stated that staff recommended adoption of PA 2017-II-M1.

Commissioner Ulfelder asked for the comparison in height between the proposed building and the Palladium at McLean Condo. Ms. Newton stated the Palladium at McLean Condo was approximately 90 feet. Commissioner Ulfelder stated the proposed site was lower. He asked how a 100-foot building on the proposed site be compared to the palladium. Ms. Newton stated the 100-foot would make the building a little taller than the palladium. Commissioner Ulfelder stated should the existing ground floor retail office which faces Old Dominion Drive remain, a residential building would be on the rearmost side of the property. He asked how the property would be viewed from Old Dominion Drive. Ms. Newton stated the existing building was approximately 40 feet and would be visible from across the street. Commissioner Ulfelder stated the proposed plan called for the entrances to the underground parking be internal to the site. He asked for the ingress and egress points from the site to the local street. Ms. Newton stated ingress and egress points would be the existing entrances off of Old Dominion Drive and Lowell Avenue. The entrance would be closer to Lowell Avenue and there would be one entrance. Commissioner Ulfelder asked whether the point on Old Dominion Drive would be a right-in right-out and would a left turn be possible. Ms. Newton stated a left turn into the site would be possible. Commissioner Ulfelder asked whether the school's yield numbers were provided by the Fairfax County Public Schools. Ms. Newton confirmed. Commissioner Ulfelder stated in the traffic generation numbers, there were fewer daily trips, with some slight increases in the morning and evening. He stated he assumed those numbers were based on residents leaving for and returning from work. Ms. Newton agreed. Commissioner Ulfelder asked for additional information regarding the traffic generation numbers. Ms. Newton stated the numbers were based on the Institution of Transportation Engineers (ITE) Trip Generation

Manual. In a currently adopted Comprehensive Plan amendment, the max potential would be compared to what was proposed. Based on the current use on the site, Commissioner Ulfelder asked whether the numbers were based on a comparison of actual numbers to date and would also be lower because the site was not developed to its full potential. Ms. Newton agreed. She also stated the existing trips would be lower. Commissioner Ulfelder asked what additional development would be allowed under the current plan. Ms. Newton stated residential uses were not allowed. She stated office with ground floor retail up to .70 Floor Area Ratio (FAR) would be allowed. Commissioner Ulfelder asked whether this would be done by-right. Ms. Newton stated a Comprehensive Plan amendment would not be required.

Commissioner Niedzielski-Eichner stated staff recommended that the subject area be redefined as redevelopment area from a stabilization and enhancement area. Ms. Newton confirmed. Commissioner Niedzielski-Eichner asked what was the purpose of creating a Community Business Center (CBC). Ms. Newton stated for any place within Fairfax County, creating a CBC was to encourage redevelopment, revitalization in older commercial communities. Commissioner Niedzielski-Eichner asked whether the Comprehensive Plan concept was to create additional incentives and opportunities for redevelopment of an older area. Ms. Newton confirmed. Commissioner Niedzielski-Eichner asked for the difference between a stabilization and enhancement area verses a redevelopment area, and why the parcel was identified as stabilization and enhancement verses redevelopment. Ms. Newton stated she was not certain of the rationale based on the 1998 plan and why it was reverted back to a stabilization and enhancement area. The difference between the two was the redevelopment areas were meant to focus on the higher intensity redevelopment to allow FARs at a high-level, verses that of a stabilization enhancement area. The stabilization and enhancement areas were often those with smaller parcels and redevelopment may not be allowed. This did not preclude redevelopment within those areas. Some of the shopping centers where the lots were not deep, would undergo a facelift verses a higher intensity redevelopment.

Commissioner Hart asked whether Block 12 was part of the redevelopment area. He stated there was a plan amendment to remove it from the redevelopment area. He asked whether the proposed amendment would place it back into the redevelopment area and the reasoning behind the removal. Ms. Newton stated additional criteria was being used that were in the redevelopment areas. Those conditions were the undergrounding of utilities or contributions to that effort within the McLean area, a high level of architectural treatment, landscaping, open space and additional public amenities. Ms. Newton stated she reviewed the prior staff report and could not find an explanation for the reclassification. Leanna O'Donnell, Planning Division, Department of Planning and Zoning, stated the reclassification was part of a larger update and included more areas than the McLean CBC, Subarea 12. Commissioner Hart asked whether there were any other ongoing studies or pending plan amendments for the proposed area. Ms. Newton stated there were no current plan amendments in the McLean CBC. The McLean community expressed interest in a comprehensive look at the CBC, however was not part of a work program. Commissioner Hart asked whether this was an out of turn for the subject parcel. Ms. Newton confirmed and stated this was a concurrent rezoning.

Commissioner Sargeant stated there was a number of different terms being used for areas within the CBC, and the proposal was a change from a stabilization and enhancement area to a

redevelopment area. He stated the stabilization and enhancement areas served additional purpose in relationship to the larger retail centers, and the focus was to enhance, grow and revitalize. Ms. O'Donnell confirmed this was the case. She added the redevelopment areas were also defined as the areas most likely to change to reflect the commercial areas. Commissioner Sargeant stated the envisioned original relationship to the larger retail centers, its influence, how it took away from the original vision, and if the original vision could be enhanced for those larger retail centers. Those larger retail centers were an important core of CBC. Ms. Newton stated there was an existing commercial building and the proposal was for residential. As a result, the proposal would not take away from core commercial area. The proposal would add residential that could potentially support the core commercial area. Commissioner Sargeant stated there was a design of relationship within the CBC between stabilization and enhancement areas and redevelopment areas, and they all served a particular purpose to maintain the stability and health of the CBC. He asked whether the anticipated new residents to the area had walkability to the retail and other centers. Ms. Newton stated the proposed new development was in close proximity and within several blocks of a major commercial area. Upgrades would be done to the sidewalks that surrounded the proposed development. Commissioner Sargeant stated the McLean CBC had great places to shop and the more walkability would be an added benefit to the area.

Commissioner Cortina inquired about parking issues in the CBC area. She stated the area was not walkable. She stated placing a building with a high FAR on the site and allow for residential mixed-use would not allow it to be livable beyond adding a sidewalk. Ms. O'Donnell stated staff structured the plan recommendation where the proposed option could be implemented. It was stated in the development conditions that any proposed new application would need to show adequate open space on the site. That new application would have to provide spaces for outdoor recreation.

Commissioner Carter asked whether staff was familiar with the term "spot zoning." He stated the concern was it was unusual to have one parcel be the subject of a Comprehensive Plan amendment. Ms. O'Donnell stated she was familiar with the term. She stated the Board of Supervisors directed staff to evaluate the site for the proposed plan amendment. There were authorized plan amendments of a larger and smaller scale. Commissioner Carter asked whether there was a better way to address the proposal in the context of the surrounding areas. He stated while there may be a single parcel, there would be a way of dealing with the surrounding issues and how they impact the site. Ms. O'Donnell stated staff looked at the property included within the authorization, and was somewhat limited in terms of expansion of recommendations of the site.

Commissioner Niedzielski-Eichner stated the site established a CBC in the Comprehensive Plan and, was in an area where revitalization was needed. He stated the current state of revitalization existed because economic forces did not promote a continual rejuvenation of an area. Commissioner Niedzielski-Eichner asked whether more housing in the area would actually promote revitalization. Ms. Newton stated the goal within the CBC was to create a more vibrant environment. The introduction of a residential use would create such environment. The residents of the McLean area were community serving, and would support the businesses with the community. Commissioner Niedzielski-Eichner asked what was preventing of a more vibrant revitalization of the retail area in the CBC. Ms. Newton stated new residents and additional

traffic flow, could act as an additional catalyst for a more vibrant retail area. Discussions continued regarding the revitalization of the retail area in the CBC.

Commissioner Ulfelder stated it would be beneficial to have additional residents that lived within and closer to the CBC. He stated residents who lived further out in McLean would have to drive and park. These additional residents would meet some part of the community's vision which was first achieved in the late 1990s and again in 2008. The plan would allow for the attraction of more restaurants and businesses which would allow for a more vibrant community.

Commissioner Ulfelder stated there were also a few other individual projects within the CBC for additional residents. There were some concerns from the community where under the current CBC plan, other opportunities were not promoted. There was an opportunity for some additional mixed-use office, retail and residential development in Subareas 5 and 6, however, the owner of the site decided not to proceed.

Commissioner Sargeant stated the staff report recommended modification of the Comprehensive Plan. The language within the Comprehensive Plan noted CBCs were appropriate areas for redevelopment and would advance the goal of sustaining economic vitality. Introduction of a new residential building could benefit the community if it was designed with high quality building open space and street design. Commissioner Sargeant stated he understood the concerns regarding spot zoning, however, this was integrated within the CBC. Ms. Newton stated whether it's a redevelopment area or stabilization enhancement area, those were all terms within the Comprehensive Plan. The revitalization areas provided for additional requests based on that intensity. With the site being in close proximity to some areas considered the core areas, in particular the South Village, the proposed Comprehensive Plan would fit well within the fabric of the CBC. Commissioner Sargeant asked whether the CBC provided the flexibility needed to proffer those types of improvements. Ms. Newton stated both the rezoning and Comprehensive Plan would be referenced. This was one of the reasons this was reclassified as a redevelopment area. She stated there were additional criteria on top of the conditions within the option. Commissioner Sargeant echoed Commissioner Cortina's comments regarding open space, walkability and connectivity with other sites.

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

James O'Looney, 6346 Munhall Court, McLean, expressed his opposition to the proposed amendment. Mr. O'Looney further stated the following:

- The rezoning provided no significant benefit to the McLean community;
- The real value of the Comprehensive Plan would be in the maintenance of the plan until a benefit that would trigger a rezoning;
- The proposal would not offer any benefit to the community besides a catalyst for additional development;

- The staff report did not reflect problems with additional housing needs in the area, or problems with larger buildings;
- The McLean area currently had a vibrant community and the additional use would not add any more vibrancy to the community; and
- The Commission should enforce the current Comprehensive Plan and reject the proposed amendment based on the absence of any compelling benefit to the community of McLean.

Paul E. Levine, 6707 Old Dominion Drive, McLean, stated his opposition to the proposed amendment and said the following:

- During the office relocation in 1991, the two most important things were location and parking;
- The current office building had three stories and approximately 30,000 square feet of space. There were two restaurants, Hair Cuttery Salon, five dental offices, an obstetrics and gynecology medical practice, McLean Face and Body Spa, Presidential Bank, and numerous other small businesses in the building. The area was crowded from 11:30 a.m. to 2:00 p.m. There would be limited parking spaces during construction;
- There were 110 spaces in the parking lot directly behind the building of the proposed site. The size of the current parking lot was inadequate for tenants, employees, patrons, patients, and clients of the above-mentioned businesses;
- During the proposed building of the condominium and underground parking garage, there would be very limited spaces available to park. This would cause a financial burden to the tenants and would possibly decrease or terminate the revenue of the businesses;
- Limited parking would lead to increased traffic safety issues in downtown McLean;
- Many of the current dental and medical practices have been in existence for decades. Many elderly patients have been with those practices for years and were dependent on those services;
- The current leases had no language that addressed the legality of disruption of parking lot spaces due to construction of a new structure that would take years to complete;
- Two Planning Commission signs were recently posted. Neither of these signs were visible from the parking lot of the building. Many of the tenants were unaware of the proposed development;

- The items addressed in the amendment had to do with the architecture, parking, height, open spaces, retail space, transportation, street access and schools. The negative impact to the community during construction was never addressed; and
- The Planning Commission should consider the concerns of the McLean business community, in particular those who lease and those who utilize the services of businesses in the Bassing Office Building.

Robert Moll, 1584 Forest Villa Lane, McLean, expressed his opposition to the proposed amendment. Mr. Moll further stated the following:

- The increased development in the close-in suburb was inevitable, and should take place only after full comprehensive planning;
- The Comprehensive Plan had been in effect for about 20 years in order to set into motion a zoning process to authorize construction of a 100-foot-tall condominium building. This amendment would cause a cascading effect that would permit the construction of other similar structures. This approach should not be permitted at this time;
- Supervisor John W. Foust called for the preparation of a new Comprehensive Plan. The Commission should not take steps that could be inconsistent with that to-be-developed plan. It should be a new plan rather than a last-minute amendment to the old plan that controlled the future of density in the McLean CBC;
- Noted the adverse impact that this piecemeal planning approach can have on the overall traffic situation in the CBC;
- In 1979 Old Dominion Drive was and continued to be, along its entire length from Lee Highway (U.S. Route 29) to VA Route 193 at Great Falls Park, a two-lane road. Exceptions to the two-lane character of the road where Old Dominion Drive crossing Glebe Road at Marymount University (Arlington County), around the Chesterbrook Shopping Center across the road from Vinson Hall retirement center, and in the CBC, as far as nearly to Balls Hill Road;
- Old Dominion Drive was a two-lane road because it sat on the road bed of the old Great Falls and Old Dominion Railroad, a trolley line that ran in the early 20th century from Georgetown to Great Falls Park. The community was named "McLean" because that was the name of the stop at Chain Bridge Road (named for John Roll McLean, the then owner of the Washington Post). The trolley line went bankrupt in the 1930's, its right of way was acquired by Fairfax and Arlington Counties. After which, Old Dominion Drive was constructed; and

- Old Dominion Drive have been subjected to ever-increasing use, in both directions. Every weekday evening traffic backs up in the east-bound direction as far back as Whittier Street and beyond. Traffic congestion can also have an impact on the Emergency Management System (EMS) and Fire Department's access to the neighborhood.

Maya Huber, 6655 Chilton Court, McLean, said she supported the amendment. Ms. Huber further stated the following:

- The proposed project allowed for the revitalization of the McLean community business district. Improvements were made to the street scape, landscaping and widening of the sidewalks. Approving the amendment would facilitate a project with more public open space and more parking than required by the Zoning Ordinance;
- The proposed project would place residential uses across the street from existing residential condos, of similar height and density. It would allow more people to live where they could walk to shops, restaurants and utilize the postal services;
- The proposed site which contained an office building and retail would transform into a true mixed-use, a preferred type of development for the CBC;
- Concurred with staff's proposed language and commend staff for having worked with the community;
- Traffic conditions in the surrounding area would need to be examined before the plan was amended. The area was served by a grid of streets which would allow future occupants of the proposed building access major thoroughfares, Old Dominion and Chain Bridge Road at intersections served by traffic signals. The site was also served by buses, mainly the shuttle to the McLean Metro Station on the Silver Line and also by a bus shelter;
- Parking concerns were brought forward by neighbors and tenants during construction. These concerns were valid and should be addressed and resolved through the proffers; and
- The McLean Planning Committee voted unanimously in favor of the project.

Commissioner Ulfelder asked why the decision was made in 1998 to consider this a stabilization area. In response, Ms. Huber stated she worked with the consultant hired in 1998. The consultant's idea was not to start additional construction where structures already occupied the space. The proposed plat housed an office building and with the current FAR, there was ground parking. The consultant concentrated the enhancement and growth areas on parking lots where there were vacant parcels. She stated the consultant's philosophy was that growth concentration should be where there was room parallel to Old Dominion Drive. Part of the consultant's vision has improved and materialized. There was also a mechanism in the plan where stabilization areas could have additional density and would become a growth areas. The designed standards would

have to be followed and a contribution for undergrounding out right would have to be in place. Ms. Huber stated the boundaries between enhancement and stabilization were not as solid as intended.

Commissioner Flanagan inquired about the total walkable distance in each direction from the center of the McLean CBC. Ms. Huber did not know the total distance in miles. She stated the location of her home was one block from the CBC and could walk to the center of town, the intersection of Old Dominion Drive and Chain Bridge Road, in a total of fifteen minutes.

Commissioner Flanagan stated there were five CBCs along the Richmond Highway which would be brought before the Planning Commission. He stated all of the commercial business were compressed into those CBC areas in order for them to be walkable. Ms. Huber stated she calculated the proposed project by blocks. The proposed project was one block from a hardware store, two blocks from the nearest shopping center, one block from the park at the Palladium, within two blocks from a previous bookstore, within walking distance of Total Wine and More store, Giant grocery store and CVS Pharmacy.

Commissioner Hart stated based on the communications received by members of the community to the Planning Commission, this project was rushed through and the community was unaware. He asked what form of outreach was made to the community and level of engagement. Ms. Huber stated there would be a high level of engagement in terms of rezoning. The McLean Planning Committee was made of four groups which represented the Chamber of Commerce, land owners and businesses, the community that surrounded the business district, and McLean Citizens Association. The Brookhaven Drive Community who forcefully opposed the project, was not adjacent to the business district. The McLean Land Use Committee spoke with David Fisk, President of Brookhaven-Forest Villa Civic Association, and addressed the community's concerns. Ms. Huber stated there would be more publicity during the submission of the rezoning application.

Commissioner Strandlie asked whether the County sent out an announcement through Nextdoor networking service, regarding the proposed redevelopment. Ms. Huber acknowledged the private publication. She stated there have been a lot of misinformation provided to the community. One of the groups within the McLean Planning Committee tried to address the misinformation. Commissioner Strandlie stated she did not recommend debating on Nextdoor. She stated the County asked whether the county sent out an announcement regarding the proposed Comprehensive Plan amendment. Ms. Huber stated Supervisor John W. Foust in the newsletter for the Dranesville District covered most of the zoning issues. She stated she was not certain whether the proposed Comprehensive Plan amendment was advertised in the newsletter. Ms. Newton stated she would research whether the County sent out a notification through Nextdoor. She further said the County made announcements on Facebook and Listserv. In November 2017, a draft copy of the Plan Techs to the McLean Planning Committee (MPC) and the McLean Citizens Association (MCA) for their review. Commissioner Strandlie stated multiple measures for announcements should be utilized by the County in order to communicate effectively with the community.

Commissioner Ulfelder stated the MCA Planning and Zoning Committee considered the proposed amendment. A resolution was prepared for the Board of the MCA to be considered at its meeting in early February of 2018. He stated his intent to defer the decision of the amendment in order to obtain the information from MCA's review.

Scott Treibitz, 1588 Forest Villa Lane, McLean, expressed his opposition to the amendment. Mr. Treibitz also stated the following:

- Development in any area should be smart development. Defined smart development would enhance and increase the lifestyle of the citizens of McLean. Smart development would also be following a plan already in place;
- Forty years ago, McLean instituted a Comprehensive Plan for the downtown area. That plan did not work. As a result, spot zoning was introduced in a small parcel of land, with the hope that a plan that had not borne fruit, would generate the much-needed growth. The same argument was made during the construction of the Palladium at McLean Condo;
- The reason the plan had not worked was because there was no demand for it. Old Dominion could not handle the capacity;
- Traffic on Old Dominion was a major concern. Additional traffic would not enhance the quality of life for the community;
- The Master Plan should be revisited in order to build a smarter McLean. This proposed amendment should be tabled, and the district should reevaluate its Master Plan. Due to the changes in the most recent years, the Master Plan did not consider the traffic from the Tysons and the Arlington areas;
- The proposed project with 100 units would generate an average of fifty cars. The individuals in those multi-million dollar units would not feel the need to utilize mass transit and would utilize their own method of transportation; and
- These projects should not be looked at with isolation. They should be looked at as a package. The amendment of one part of the package, to jumpstart a plan that had not worked, would not be beneficial to the community.

Jonathan P. Sullivan, 1536 Forest Villa Lane, McLean, said that he opposed the amendment. Mr. Sullivan further stated the following:

- The value of a Comprehensive Plan was designed to take into the needs of all of the community, and create a balance to those needs. Nothing in the proposed revision was in harmony with comprehensive planning;

- The proposed revision benefited the property developer and the incoming residents. There was no compelling new value for the existing residence, the adjacent residents and would make new demands upon them;
- The proposed project would introduce additional cars to an already congested area, harming the quality of life for its existing residents;
- The population would be increased without the provision of additional services, and removed real estate available for services;
- High density and high altitude development would be introduced to an area dominated by low-rise buildings and narrow roads;
- Constructing a high-rise on a parking lot would not increase the open space and would be of a disadvantage to the fabric of the CBC;
- The propose amendment would set a precedent for further one-off developments and further plan revisions to build high-rises on other parking lots in McLean. This would result in more traffic congestion and a higher strain on public services; and
- The proposed amendment had been shielded from public scrutiny. Such significant changes deserved community engagement.

David Fiske, 1537 Forest Villa Lane, McLean, expressed his opposition to the amendment. Mr. Fiske also stated the following:

- Submitted a PowerPoint presentation to the Planning Commission regarding the Brookhaven-Forest Villa Civic Association (BFCA) and community's concerns regarding the proposed amendment;
- BFCA was located to southeast of the CBC and bordered one of the subareas, and was adjoining to the CBC;
- BFCA was not allowed to be a part of the McLean Planning Committee because BFCA was not in the prescribed groups. The groups were intended for the surrounding civic associations and the adjoining civic associations should be allowed entry. Ms. Huber was one of the responsive individuals. Before the BFCA was able to speak with Ms. Huber, two Freedom of Information Act (FOIA) requests were filed with Fairfax County and another with the State of Virginia. The McLean Planning Committee meetings were scheduled at the McLean Community Center. This center was closed for renovation. There were no other means of contact, with the exception of a post office box number on the County's website, which was difficult to locate;

- No announcement was made on Nextdoor networking service, the BFCA did not have a Facebook account and the yellow plat cards did not extent to Chain Bridge Road. They were limited to the nonexistent Subarea 12A;
- The community's concerns were not regarding development, but rather the processed being used;
- There was a Comprehensive Plan level balance of resources against needs;
- There were two key dividers as to where the community fell regarding this issue. One being geographic and the other generational; and
- The Comprehensive Plan should be revised and allow for a framework for stability. The proposed amendment provided a two-stage zoning process rather than planning.

Peggy Forbes, 6707 Old Dominion Drive, McLean, said she opposed the amendment. Ms. Forbes further stated the following:

- The McLean and Tysons Corner area had grown and had become more congested;
-
- Expressed concerns regarding transportation safety and noted inadequate initial utility support for new buildings and lack of comprehensive planning in Tysons and McLean area;
- The safety of the elderly community was of grave concern and needed to be a priority. Parking regulations needed to be reevaluated;
- The yellow Planning and Zoning signs were posted a couple of weeks prior to the Planning Commission hearing. The public process of information, dissemination, education and participation needed to be revised to allow for a higher level of public involvement. Two weeks was not adequate time for the tenants in the surrounding businesses to become knowledgeable of this proposed change. A bright yellow paper, duplicating the information on the yellow signs should be placed on the entrance doors of the building of the proposed changes; and
- In order for communities to grow and thrive there should be a more balanced approach. Emphasized the needs of existing tenants.

Susan Zehnder, 1617 Carlin Lane, McLean, said she opposed the amendment. Ms. Zehnder further stated the following:

- The Comprehensive Plan was created with consideration for the needs of the McLean community and called for “Community Serving Retail & Business” and not for the development of condos on the proposed site. This would only benefit the developer;
- There was not an urgent need for the development of additional condos that would justify the amendment;
- The Signet building was nearing completion and would offer 123 units on six levels a top 5,000 square feet of street level retail. The street level retail would be an added benefit to the community;
- Rather than granting the amendment, there should be a careful review of the Comprehensive Plan; and
- The practice of issuing such amendments sets a precedent that would make it difficult to deny the same usage on future developments.

Lorie Greenlief, 1750 Tysons Boulevard, McLean, expressed support of the proposed the amendment. Ms. Greenlief also stated the following:

- The current recommendations in the Comprehensive Plan were adopted by the Board of Supervisors in 1998, with one of many goals being the encouragement of revitalization of certain areas. The language and concept for future development stated an effort was needed to foster revitalization and encourage property owners to redevelop or improve their properties in conformance with the McLean CBC Design Standards;
- Little revitalization had occurred part of which was due to ownership issues, limited FAR to incentivize revitalization, and the locations where additional density was recommended;
- Any type of development on the proposed site would have to accommodate a design for underground parking. The service parking lot would have to remain. The remaining by-right FAR would not be economically viable to build an office building;
- The major objection to the McLean CBC was to stabilize the CBC’s intended function as a community serving retail and business center, while upgrading the existing image. The revitalization that occurred in the CBC had been reviewed and approved as a result of specific subarea plan amendments;
- The stabilization of the CBC’s function as a community serving retail and business center did not imply residential uses were not appropriate;

- The twenty-year-old plan where residential use was a concentration in specific areas, no longer aligned with current planning concepts. Site specific amendments had been reviewed and approved by a public hearing, followed by rezoning reviews and hearings. One informed the other of how a proposed plan amendment should be implemented;
- The treatment of the proposed property as a potential mixed-use development as a whole, required and allowed the upgrading of the entire site and would be a benefit to the community. The proposed language would result in upgrading landscaping, the creation of public open space, the provision of the recommended McLean streetscape throughout the proposed site, the compatibility of architecture between the two buildings and the addressing of undergrounding of utilities. The mix of uses was appropriate;
- The scale of residential development envisioned in the proposed language was a total of 50 units and not 100 units. The rezoning filed was 44 units; and
- The applicant has been working with the Office of Community Revitalization to create an articulated façade, architectural and material elements that would blend with the existing structure and the Palladium condominium development. The concept of creating a mixed-use environment on the proposed site began around the time the McLean Planning Committee and the Board of Supervisors considered the addition of a 3.0 FAR in the McLean CBC in response to the proffer legislation issue.

Commissioner Migliaccio inquired about the outreach done within the community. Ms. Greenlief stated there were several meetings with the McLean Planning Committee. Presentations were done at MCA, the applicant reached out the Palladium condominium association, Hamptons of McLean townhouse community association and met with the President of Greenmark Subdivision. Commissioner Migliaccio asked should the application be approved and there was a rezoning, would there be a higher level of outreach. Ms. Greenlief stated there would be.

Commissioner Flanagan asked whether the proposed site was designated as a revitalization site. Ms. Greenlief stated the current Comprehensive Plan designated the site as stabilization and enhancement and not redevelopment. The proposed language would change the site to a redevelopment. In reference to the proposed site, Commissioner Flanagan asked for the definition of enhancement. Ms. Greenlief stated enhancement was defined in the McLean CBC and not in the glossary of the Comprehensive Plan. Commissioner Flanagan stated the proposed building would be much larger and asked whether there were other buildings that would be appropriate for Parcel 11. Ms. Greenlief stated the Palladium development was a much larger than the proposed structure. She stated an elevation comparison was conducted, and the elevation differences of the tops of the buildings were 1½ feet.

Commissioner Hurley asked how the current parking situation would be addressed during construction. Ms. Greenlief stated the property owner was sensitive to the needs of the

community. The proposed structure had 3½ stories of underground parking. There would also be dedicated commercial parking and residential parking would be on different levels. The applicant would develop a plan for parking during construction. There would be a possible separate lot, share a lot, or possibly the use of a shuttle. This plan would not necessarily be a part of the rezoning package.

Commissioner Niedzielski-Eichner asked for an explanation of the Board of Supervisors proffer legislation, and the nexus of that statement. Ms. Greenlief stated after the proffer legislation one of the efforts in McLean was to create a 3.0 FAR on a given property. Commissioner Ulfelder added the plan for McLean did not include any site with a 3.0 FAR. Under the proffer legislation, CBC areas were exempt if they had a site where 3.0 FAR was allowed under the Comprehensive Plan.

Commissioner Sargeant asked whether the future rezoning plan envisioned saving street parking for commercial businesses. Ms. Greenlief stated that would be essential. Commissioner Sargeant stated it was hard to envision street parking in order to support existing retail. Making the proposed structure a type of facility that would fit into the site with a higher density would difficult to envision. Ms. Greenlief acknowledged the challenges involved with an existing building and stated the applicant continued to work with staff to find a balance with adequate parking, public and private open space and pedestrian circulation.

Stephen Titus, 1538 Forest Villa Lane, McLean, expressed his opposition to the proposed amendment. Mr. Titus echoed Mr. Fiske's concerns and further stated the following:

- Mr. Titus reverberated the other speaker's comments regarding little outreach to inform the community of the proposed amendment;

With the capital program management experience, it was known that stakeholder management and planning was critical for the success of any project. Neither applied to the proposed amendment;

- The staff report was flawed and with lots of ambiguity; and
- McLean needs a better strategy.

Katherine Lewis, 1524 Brooklane Drive, McLean, was in opposition to the proposed amendment. Ms. Lewis also stated she was in support of the previous speakers' testimonies and was thankful for the diligent work. Ms. Lewis thanked the Planning Commission for the time and consideration of the application.

Winnie Pizzano, 1540 Burton Court, McLean, supported the amendment. Ms. Pizzano further stated the following:

- The MPC and subcommittee met with the developer on several occasions. The MPC expressed its concerns with the project and also had more community involvement than usual, to include some the speakers;
- The civic associations through the MCA effort, allowed for community input. There was strong opposition in some cases;
- The MPC moved to have the individuals who would be housed near the Palladium condominium development, included in the subcommittee meetings;
- Parking issues should be addressed within the zoning efforts;
- Fifty percent of businesses and fifty percent of citizens have unanimously supported the project. In the past ten years, there had been three projects, one was being developed, the other two withdrew their application;
- The proposed project had great potential. There were eight restaurants within walking distance. The proposed project would be an added benefit to the community; and
- The County should also consider revising the plan. Research should be conducted as to why the original plan did not work with the larger community.

There being no additional speakers, further comments or questions from the Commission, Chairman Murphy closed the public hearing and recognized Commissioner Ulfelder for actions on this application.

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(Start Verbatim Transcript)

Commissioner Ulfelder: As I announced earlier, I do plan to defer decision on this proposed plan amendment. And, I think there are a number of questions and issues we chew on and have to deal with as we try – as we think about moving forward. So, with that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PLAN AMENDMENT 2017-II-M1 TO A DATE CERTAIN OF FEBRUARY 1ST, WITH THE RECORD REMAINING OPEN FOR FURTHER COMMENTS.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer decision on item PA 2017-II-M1, Comprehensive Plan Amendment, McLean Community Business Center, to a date certain of February 1st, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Motion carries. Thank you very much for coming. We appreciate your testimony. Please drive carefully.

Commissioner Ulfelder: Yes. I would like to add – just to thank everybody for coming out and speaking this evening. And we are going to have to take a lot of this into consideration. Thank you.

The motion carried by a vote of 11-0.

(End Verbatim Transcript)

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The meeting was adjourned at 11:20 p.m.

Peter F. Murphy, Chairman Murphy

James T. Migliaccio, 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: Samantha Lawrence

Approved on: April 26, 2018



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