

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, APRIL 18, 2018**

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

ABSENT: None

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The meeting was called to order at 7:35 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

Chairman Murphy announced that Clara Johnson had been appointed chief of the Quantification, Forecasting, and Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning. He noted that Ms. Johnson had worked for the department for 19 years and, on behalf of the Planning Commission, applauded her appointment.

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Commissioner Sargeant announced that the Planning Commission's Schools Committee would meet on Wednesday, April 25, 2018 at 8:30 p.m. in the Board Conference Room of the Fairfax County Government Center. He noted that the meeting was open to the public.

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Commissioner Hart announced that the Planning Commission's Housing Committee would be constituted and subsequently meet on Wednesday, April 25, 2018 at 7:30 p.m. in the Board Conference Room of the Fairfax County Government Center. He noted that the meeting was open to the public.

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Commissioner Hart announced that the Planning Commission would go into closed session at the conclusion of the public hearings.

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Commissioner Migliaccio stated that John W. Cooper, Clerk to the Planning Commission, had distributed the minutes for the Planning Commission meetings in January 2018 to the Commissioners. He requested that final revisions be submitted by Wednesday, April 25, 2018 and announced his intent to move approval of those minutes at the Commission’s meeting on Thursday, April 26, 2018.

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SE 2017-MA-032/2232-M17-43 – SHIRLEY INVESTORS, LLC AND COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA

(Start Verbatim Transcript)

Commissioner Strandlie: Thank you, Mr. Chairman. I have a deferral of a hearing. I MOVE THAT WE DEFER THE HEARING ON SE 2017-MA-032/2232-M17-43, SHIRLEY INVESTORS, LLC AND THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA, TO A DATE CERTAIN OF APRIL 26, 2018.

Commissioner Ulfelder: Second.

Chairman Murphy: Seconded by Mr. Ulfelder. Is there a discussion of the motion? All those in favor to defer the application, as stated by Ms. Strandlie, say aye.

Commissioners: Aye.

Chairman Murphy: Oppose? Motion carries.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Secretary Migliaccio established the following order of the agenda:

1. ZONING ORDINANCE AMENDMENT (REAR YARD COVERAGE)
2. RZ 2017-PR-031/SEA 86-P-101-06 – SUNRISE DEVELOPMENT, INC. AND J127 EDUCATION FOUNDATION D/B/A MERRITT ACADEMY
3. PA 2018-IV-MV1 – COMPREHENSIVE PLAN AMENDMENT (WOODLAWN FIRE STATION)

4. PA 2013-III-DS1 – COMPREHENSIVE PLAN AMENDMENT (DULLES SUBURBAN STUDY)

This order was accepted without objection.

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ZONING ORDINANCE AMENDMENT (REAR YARD COVERAGE) – An amendment to Chapter 112 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows:

(1) Amend Sect. 10-102, Permitted Accessory Uses, to remove the 100-square-foot size limitation on a child’s playhouse.

(2) Amend Par. 3 of Section 10-103 as follows:

- a. To increase, from 30% up to 50%, the maximum coverage allowed by right for accessory uses and structures within the minimum required rear yard of any lot containing a single-family detached dwelling in an R-District.
- b. To increase, from 30% up to 60%, the maximum coverage allowed by right for accessory uses and structures within the minimum required rear yard of any lot containing a single-family detached dwelling in the P-Districts and to exempt from the maximum rear yard coverage restriction any such P District lot that does not exceed 5,000 square feet of land area.
- c. To clarify which structures and uses are included in the rear yard coverage calculations, specifically freestanding accessory structures, projections from the principal dwelling that touch the ground, and driveways, parking spaces, sidewalks, and walkways that are greater than 5 feet in width.
- d. To specify that any portion of the principal dwelling that receives approval to encroach into the minimum required rear yard is not included in the rear yard coverage calculation.
- e. To specify that, for the purposes of this provision, for a lot within a P-District that is not subject to proffered rear yards, the required minimum rear yard is governed by the regulations of that conventional residential zoning district which most closely characterizes the given development.
- f. To specify that an increase in the percentage of minimum rear yard coverage may be permitted with the approval of a special permit or, for lots located in a P District, an amendment to the development plan.

(3) Revise Article 8, Sect. 8-901 to add a new special permit use to increase the percentage coverage of the minimum required rear yard for single-family detached dwellings, and add a new Section 8-926, entitled “Provisions for Increase in the Percentage of

Minimum Required Rear Yard Coverage,” to allow for the BZA to approve a special permit to increase the maximum coverage of minimum required rear yards. This section sets out additional standards and submission requirements that would have to be met for the approval of such a special permit, including that the approval will allow no more than 60 percent of the minimum required rear yard to be covered by any accessory structure and use and allows the BZA to impose conditions it deems necessary to satisfy these standards.

(4) Amend Sect. 8-914 and 8-922 to revise the submission requirements to add a requirement to include the percentage that the minimum required rear yard is covered with accessory structures and uses.

(5) Pursuant to authority granted by § 15.2-107 and §15.2-2286 (A) (6) of the Code of Virginia, amend Article 18, Par. 1, Sect. 106 to establish a \$910 fee for a Group 9, Special Permit to increase rear yard coverage on a lot with a single-family detached dwelling in an R-District. In addition, Par. 2 of Section 106 will be amended to establish a \$910 fee for a development plan amendment to increase rear yard coverage on a lot with a single-family detached dwelling in a P-District.

(6) Amend Appendix 2, Illustrations, to add four plates clarifying coverage calculations as “Illustration 6.” COUNTYWIDE.
PUBLIC HEARING.

Casey Judge, Zoning Administration Division (ZAD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of proposed zoning ordinance amendment regarding rear yard coverage.

In reply to questions from Commissioner Hart, Ms. Judge confirmed the following:

- The existing Zoning Ordinance standards for rear yard coverage in R-Districts prescribed a 30-percent maximum coverage limit and approval of a variance was required to exceed that maximum;
- The proposed amendment would retain the 30-percent maximum, but require the approval of a special permit application for rear yard coverage with the range articulated in the advertising; and
- The case-by-case review of special permit applications for such coverage would provide subsequent opportunities to utilize development conditions to address potential impacts, such as those pertaining to stormwater management.

Commissioner Hart pointed out that staff had evaluated the possibility of utilizing a sliding scale to determine appropriate coverage standards for a rear yard for single-family detached dwelling units in P-Districts, but noted that consideration of such a scale was beyond the scope of the advertising. He then asked for additional information regarding the feasibility and challenges associated with a sliding scale. Ms. Judge explained the following:

- The Board of Supervisors had requested that staff evaluate the possibility of utilizing a sliding scale during the authorization of the proposed amendment;
- The sliding scale would be utilized for lots that ranged between 5,000 and 5,500 square feet in size and were located within a P-District;
- The lots that were within that range would be exempt from certain rear coverage standards under the sliding to ensure equity with neighboring lots;
- The sliding scale evaluated by staff would permit separate rear yard coverage standards for lots located within a P-District that were within a prescribed size range, but such a scale could not be considered with the proposed amendment because it was beyond the scope of the advertising; and
- The additional evaluation of a sliding scale could be considered if it were included within a re-advertisement prior to the Board's public hearing for the proposed amendment.

When Commissioner Hart asked for additional information regarding the challenges associated with utilizing a sliding scale for rear yard coverage standards, Ms. Judge acknowledged the difficulty associated with such a scale due to the potential complications for applying the appropriate standards to a particular lot. A discussion ensued between Commissioner Hart and Ms. Judge regarding the extent to which the size of lots located within a P-District varied, the amount of uses permitted for larger lot sizes that exceeded 36,000 square feet, and the rationale for utilizing 5,000 square feet as a standard rear yard criterion for rear yard coverage requirements in a P-District wherein Ms. Judge explained that the 5,000 square-foot standard for a lot size had been selected because it was consistent with that of an R-5 District and lot sizes below that threshold would not utilize single-family detached dwelling units.

Commissioner Hart inquired as to whether there were other areas within the Zoning Ordinance that utilized a sliding scale similar to the one staff evaluated in conjunction with the proposed amendment. Ms. Judge indicated that there were no such scales utilized within the Zoning Ordinance, adding that the existing standards for rear yard coverage requirements were dependent on precedents to determine the lot sizes on which to apply appropriate standards.

Responding to questions from Commissioner Hart, Ms. Judge explained the following:

- The revised rear yard coverage standards proposed by staff would permit a property owner of a lot within a P-District that was greater than 5,000 square feet to utilize a larger portion of the yard, but approval of a final development plan amendment was required in the event the owner sought to exceed those standards.

Commissioner Hart indicated that the Commission had received public correspondence that expressed concern regarding the impact of providing exemptions for rear yard coverage standards on lots located within a P-District that were less than 5,000 square feet. He then described the constraints of such lots, noting the shape of the lot and the size of the dwelling unit it accommodated. When Commissioner Hart asked whether the revised standards for such lots would permit the installation of decks and patios, Ms. Judge indicated that such features could be accommodated under those standards. A discussion ensued between Commissioner Hart and Ms. Judge regarding the impact on stormwater runoff that would be incurred by permitting such lots to implement features that covered a greater percentage of the rear yard wherein Ms. Judge said that staff had evaluated the issue and concluded that the impact was minimal.

When Commissioner Hart asked whether it would be necessary to re-advertise the proposed amendment to lower the cap for rear yard coverage requirements on P-District lots that were less than 5,000 square feet, Ms. Judge confirmed that a re-advertisement would be necessary. A discussion ensued between Commissioner Hart and Ms. Judge regarding the revised rear yard standards articulated within the advertising wherein Ms. Judge indicated that staff did not object to re-advertising the proposed amendment if the standards were modified.

When Commissioner Hart asked for additional information on how the coverage of a rear yard swing set would be determined under the proposed amendment, Ms. Judge stated that the perimeter of the swing set would be utilized in calculating the amount of coverage it incurred.

Commissioner Hart pointed out that the stormwater management standards for P-Districts were different compared to those utilized for R-Districts. He then asked for additional information on those standards and how such standards for P-Districts were determined. Ellie Coddling, Division Director, Department of Land Development Services, explained that different stormwater management standards were utilized for P-Districts because lots within such districts were typically smaller than those of R-Districts. She then stated that smaller lot sizes incurred less impacts associated with stormwater runoff. She also pointed out that residential developments located within P-District utilized other features, such as open spaces, to further mitigate the impact of stormwater.

Commissioner Hart announced his intent to defer the decision only for the proposed amendment at the conclusion of the public hearing.

Commissioner Hart explained that there were outstanding issues in existing residential developments within P-Districts located in the Kingstown area where the standards for such districts required the approval of a final development plan amendment to permit a deck or patio. He then expressed concern with utilizing a 100-percent coverage standards for certain lots within a P-District to ensure adequate flexibility for residents attempting to install such features in a rear yard and favored revised standards to accommodate property owners affected by such circumstances. Commissioner Hart also pointed out that concerns had been expressed within citizens correspondence and by the Environmental Quality Advisory Council (EQAC) that the standards prescribed by the proposed amendment would permit increased amounts of impervious surfaces, which was not consistent with the County's efforts to mitigate the environmental impact of stormwater runoff. He recommended that appropriate standards for such lots be evaluated during the deferral period.

Referring to the memorandum from EQAC dated April 16, 2018, Commissioner Ulfelder stated that EQAC had expressed concern that infill developments within existing residential developments located within R-Districts had generated significant impacts pertaining to stormwater runoff. Randy Bartlett, Deputy Director, Department of Public Works and Environmental Services, said that staff concurred with the concerns expressed in that memorandum. Commissioner Ulfelder then noted the scale and impact of such infill developments, adding that those developments frequently included the installation of impervious surface. A discussion ensued between Commissioner Ulfelder and Ms. Codding regarding the extent to which by-right infill developments addressed the impact that such developments incurred on stormwater runoff and the impact of the revised rear yard coverage standards on infill developments compared to that incurred on lots within P-Districts wherein Ms. Codding indicated that staff could require applicants to implement stormwater mitigation provisions to offset the expected impact on the surrounding area. (A copy of the memorandum is in the date file.)

When Commissioner Ulfelder asked for additional information regarding the level of review on stormwater impact for an infill development on site that was less than an acre, Ms. Codding indicated that developments on sites of that size were not subject to a significant level of review unless there was an outstanding drainage issue in the area. She added that in the event of such an issue, staff would require an applicant to address the stormwater management impact for that infill development with appropriate mitigation measures. A discussion ensued between Commissioner Ulfelder and Ms. Codding regarding the instances in which infill developments generated stormwater runoff concerns, the evaluation process for determining the stormwater impact within such developments, and the provisions for addressing such impacts wherein Ms. Codding cited the Pimmit Hills subdivision as an area of concern and indicated that such areas would be subject to a surcharge.

Commissioner Ulfelder asked for additional information on the review process that staff would utilize for a special permit application from a property owner attempting to implement a feature in a rear yard that would exceed the rear yard coverage standards articulated in the proposed amendment and potentially increase the amount of impervious surface on the site. Ms. Codding indicated that the review process would evaluate the proposal to determine whether such a feature utilized impervious surfaces and if such surfaces were included, then the applicant would be required to retain the additional stormwater runoff generated by the feature on-site. A discussion ensued between Commissioner Ulfelder and Ms. Codding regarding the potential stormwater mitigation features an applicant could utilize to off-set the impact of a feature that utilized an impervious surface.

Commissioner Ulfelder said the Commission had also received correspondence from citizens that expressed concern that the proposed amendment would permit the installation of features in rear yards that incurred a negative visual impact for surrounding neighborhoods, such as storage sheds. He then requested additional information regarding the existing height limitations for such structures. Ms. Judge stated that the maximum permitted height for those structures was eight feet and any larger structure was required to comply with the distance, location, and setback standards prescribed by the Zoning Ordinance. She then indicated that the proposed amendment would not impact the setback requirements for those accessory structures. A discussion ensued between Commissioner Ulfelder and Ms. Judge regarding the number of structures a property

owner was permitted to install in a rear yard, the types of structures permitted, and the impact that the proposed amendment would incur on the ability of property owners to install such structures wherein Ms. Judge confirmed that the amendment permitted multiple structures on a rear yard, provided they complied with the appropriate standards and obtained the necessary permits.

When Commissioner Strandlie asked for additional information regarding the ability for lots of less than 5,000 square feet in older residential developments located within P-Districts to construct a deck, Andrew Hushour, ZAD, DPZ, stated that the ability for a property owner to construct a deck varied among developments. He then described the existing standards for permitting a deck on older developments, noting that the size of the lots in such developments was difficult to determine in certain instances. A discussion ensued between Commissioner Strandlie and Ms. Johnson regarding the possibility that future residential developments within P-Districts would be designed to accommodate a deck or patio and the process a property owner would utilize for approving such a feature wherein Ms. Johnson said that staff supported efforts to informing applicants of the standards for permitting such structures on a lot during the review process for a residential development in a P-District.

Commissioner Migliaccio described previous instances in which property owners in a residential lot within a P-District had been required to obtain approval of a final development plan amendment to permit the installation of a deck. He then stated that he favored modifying the process for permitting decks to ensure property owners were not required to seek such approvals, noting the cost and difficulty of that process.

Referring to the third paragraph page 7 of the staff report, Commissioner Migliaccio pointed out that staff had evaluated the feasibility of creating a process for administrative approval of an exception for lots that exceeded the 5,000 square-foot exemption by no more than 10 percent. He then requested additional information on which such a process was not supported by staff. He also asked whether staff had evaluated utilizing different standards for residential developments within P-Districts located in Kingstown that would reduce the number of final development plan amendments necessary to approve a deck or patio. Ms. Johnson indicated that the 10 percent exemption had been evaluated, but said that staff concluded that such a process was not appropriate due to concerns about the uniformity of the lots within a residential development. She added that staff had reviewed previously-approved cases of final development plan amendment applications for lots located within P-District residential developments in the Kingstown area, but noted that additional time was necessary to provide the Commission with an appropriate analysis on the circumstances of those applications.

A discussion ensued between Commissioner Hurley and Mr. Hushour regarding the manner in which the rear yard standards were applied and the method staff utilized for measuring the amount of coverage that a rear yard feature utilized wherein Mr. Hushour indicated that size of the lot would be a fixed value in determining the amount of coverage in a rear yard.

Commissioner Niedzielski-Eichner stated that the proposed amendment did not prescribe stormwater mitigation provisions for infill developments within an R-District in the event that the amount of rear yard coverage generated stormwater outflow concerns. He then said that the special permit process would be utilized to articulate such provisions through development

conditions. Ms. Johnson concurred with that statement, adding that the language for stormwater management mitigation provisions would be determined by the Board of Zoning Appeals (BZA) during the review of a special permit. In addition, she pointed out that the proposed amendment would add a list of standards to the Zoning Ordinance, which would be identified as Section 8-962, that the BZA would utilize to determine appropriate development conditions that ensured a development was harmonious with the surrounding area. A discussion ensued between Commissioner Niedzielski-Eichner and Ms. Johnson regarding the instances in which a review by the BZA on the stormwater impact of a rear yard coverage exemption wherein Ms. Johnson explained that the special exception applications for permitting such an exemption was subject to review by appropriate staff from LDS and that analysis would be utilized to determine appropriate development conditions.

Commissioner Ulfelder noted that there were numerous lots within R-Districts located throughout the Dranesville District that had irregular shapes, which created difficulties in determining the lot lines and the dimensions of a rear yard area. He also pointed out that property owners frequently located accessory structures away from the dwelling unit and near the lot line, which had resulted in issues between property owners. Commissioner Ulfelder said that the proposed amendment would not impact how the County addressed such instances and expressed concern that the issue would remain unresolved.

Commissioner Ulfelder explained that residential developments located within P-District utilized different standards for provisions, such as tree preservation. He then asked whether the rear yard standards prescribed in the proposed amendment for P-Districts were appropriate to apply on clustered developments within R-Districts. Ms. Johnson indicated that such standards were not appropriate because clustered developments utilized larger minimum lot sizes.

Commissioner Cortina indicated that older developments within P-Districts throughout the County utilized different stormwater management practices that were not at the level of existing standards. A discussion ensued between Commissioner Cortina and Ms. Codding regarding the stormwater management standards for P-Districts compared to R-Districts, the adequacy of those standards when evaluating the stormwater impact of rear yard coverage exemptions for lots located within P-Districts, and the cumulative stormwater impact of residential development located within P-Districts wherein Ms. Codding acknowledged that older developments located within P-Districts utilized lower stormwater standards than those of newer developments, but noted that staff had concluded that the updated standards and the smaller lot sizes utilized by residential developments in P-Districts incurred a limited stormwater impact compared to an infill development in an R-District.

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

Ronald Bleeker, P.O. Box 273, McLean, representing the McLean Citizens Association (MCA), spoke in opposition to the proposed amendment because of the following concerns:

- The revised standards for rear yard coverage would increase the impact of stormwater runoff on neighboring properties by permitting the installation of additional impervious surfaces;

- The revised standards would generate a greater visual and noise impact on neighboring properties by permitting the installation of additional structures in a rear yard, such as swimming pools, patios, children's play areas, and sports courts;
- The revised standards would hinder efforts to preserve tree canopy on a residential lot;

Mr. Bleeker noted that staff had acknowledged the potential impact that the proposed amendment would incur on neighboring properties due to stormwater runoff. He also pointed out that in the majority of residential lots within a development, the tree preservation areas were located in the rear yards. He then stated that the proposed amendment would negatively impact those areas by permitting additional coverage on those lots and increase the amount of requests to deviate from existing tree preservation standards. Mr. Bleeker then said that while staff supported utilizing the special permit process to address those issues, the MCA concluded that such a procedure was not sufficient to address the associated impacts. In addition, he expressed concern that the case-by-case review process for infill developments in R-Districts would efficiently address the potential impacts of those developments. In conclusion, Mr. Bleeker said that the proposed amendment would result in greater amounts of rear yard coverage within residential lots and did not contain sufficient provisions to mitigate the impact of that added coverage on neighboring property owners. (A copy of the MCA's resolution is in the date file.)

Commissioner Ulfelder indicated that there were developments within the County that did not include tree preservation requirements. He then asked whether such requirements could be included within a special permit application. Ms. Johnson said that those requirements could be incorporated into a special permit through development conditions that would provide screening or barrier features to mitigate an impact. A discussion ensued between Commissioner Ulfelder and Ms. Johnson regarding the lack of tree preservation commitments on certain lots, the extent to which staff could require tree preservation commitments within a special permit application, and the cost of pursuing a special permit.

Commissioner Ulfelder commended Mr. Bleeker's testimony and the MCA's statement on the proposed amendment.

Sara Mariska, 2200 Clarendon Boulevard, Suite 1300, Arlington, representing Walsh, Colucci, Lubeley & Walsh, P.C., spoke in support for the proposed amendment because it would facilitate the process for requesting additional rear yard coverage. She added that that the special permit process articulated in the proposed amendment was adequate to evaluate the impact of additional coverage on a lot and the use of development conditions would mitigate potential impacts on a case-by-case basis.

A discussion ensued between Commissioner Ulfelder and Ms. Mariska regarding the frequency with which property owners requested additional rear yard coverage on their lot, the frequency with which such requests came after the issuance of a Notice of Violation by the County, and the deficiencies of the existing rear yard coverage standards that utilized variances to permit additional coverage wherein Ms. Mariska indicated that the proposed amendment would provide greater flexibility for property owners requesting additional rear yard coverage.

A discussion ensued between Commissioner Hart and Ms. Mariska regarding the instances in which a property owner of a residential lot would request additional rear yard coverage, the difficulty associated with obtaining a variance, and the recourse of the property owner if such a variance could not be obtained wherein Ms. Mariska stated that the standards for a variance were high and property owners often encountered difficulty in complying with the necessary criteria.

There being no more speakers, Chairman Murphy called for closing remarks from Ms. Johnson, who declined. There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hart for action on this item.

(Start Verbatim Transcript)

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Commissioner Hart: Thank you, Mr. Chairman. First, let me thank the speakers for coming out and the folks that submitted written comments, as well. I think we have some issues to consider from that. And I want to thank that – the staff that were here tonight as well – Ms. Judge, Mr. Hushour, Mr. Bartlett, Ms. Coddling. I would like to reflect on the stormwater issues and some of these other options. And therefore, Mr. Chairman, I MOVE TO DEFER THE DECISION ONLY FOR THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING THE MINIMUM REAR – MINIMUM REQUIRED REAR YARD COVERAGE LIMITATIONS FOR SINGLE-FAMILY DETACHED DWELLINGS TO A DATE CERTAIN OF MAY 3, 2018, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to defer decision on the Zoning Ordinance Amendment regarding rear yard coverage to a date certain of May 3rd, 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 12-0.

(End Verbatim Transcript)

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RZ 2017-PR-031 – SUNRISE DEVELOPMENT, INC. AND J127 EDUCATION FOUNDATION D/B/A MERRITT ACADEMY –
Appl. to rezone from R-2 to R-4 to permit a private school of general education, child care center and a medical care facility with an overall Floor Area Ratio (FAR) of 0.30. Located on the S.

side of Arlington Blvd. at its intersection with Nutley St. on approx. 6.86 ac. of land. Comp. Plan Rec: 3-4 du/ac and Public Parks. Tax Map 48-4 ((1)) 49A and 49B. (Concurrent with SEA 86-P-101-06). PROVIDENCE DISTRICT. PUBLIC HEARING.

SEA 86-P-101-06 – SUNRISE DEVELOPMENT, INC. AND J127 EDUCATION FOUNDATION D/B/A MERRITT ACADEMY – Appl. under Sec. 3-404 and 9-301 of the Zoning Ordinance to amend SE 86-P-101 previously approved for a private school of general education, child care facility and medical care facility to permit modifications to site design and development conditions. Located at 9207 and 9211 Arlington Blvd., Fairfax, 22031 on approx. 6.86 ac. of land zoned R-4. Tax Map 48-4 ((1)) 49A and 49B. (Concurrent with RZ 2017-PR-031). PROVIDENCE DISTRICT. PUBLIC HEARING.

Gregory Riegler, Applicant's Agent, McGuireWoods, LLP, reaffirmed the affidavit dated April 17, 2018.

There were no disclosures by Commission members.

Daniel Creed, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of applications RZ 2017-PR-031 and SEA 86-P-101-06.

Commissioner Niedzielski-Eichner stated that the subject applications would increase the intensity of the existing uses on the site. He then asked whether the proposed parking provisions were sufficient to accommodate such intensity. Mr. Creed indicated that the parking provisions for the uses on the site were sufficient at the proposed density. He then explained that the majority of the parking for the assisted living facility would be separate from that of the private school, pointing out that the assisted living facility would utilize a garage with a secondary entrance and the school would primarily utilize surface parking. Catherine Lewis, ZED, DPZ, added that the private school and the assisted living facility on the site utilized different patterns of operation, noting that visitors of the assisted living facility primarily accessed the area when the school was not in use.

Commissioner Niedzielski-Eichner pointed out that there was a service drive located along Arlington Boulevard on the northern portion of the site and Development Condition Number 5 in the revised set dated April 12, 2018 prohibited vehicles from parking on that service drive. Mr. Creed concurred with that statement. (A copy of the revised development conditions is in the date file.)

Commissioner Sargeant requested additional information on staff's analysis of the impact on stormwater outfall from the proposal. Mr. Creed explained that staff from the Site Development and Inspection Division (SDID) within the Department of Land Development Services (LDS) had reviewed the subject applications and concluded that additional on-site detention of runoff

might be necessary and such features could be incorporated at the time of site plan review. When Commissioner Sargeant asked whether that recourse was adequate, Mr. Creed indicated that staff had concluded that such recourse was sufficient.

Commissioner Sargeant pointed out that the proposal utilized shared loading spaces and inquired as to whether staff had outstanding concerns regarding the operation of those spaces. Mr. Creed noted the location of the loading spaces, which were in close proximity to both the assisted living facility and the private school on the site. He added that the shared loading spaces were required because the two facilities were located on separate lots and staff did not object to the location of those spaces. Ms. Lewis added that the two facilities shared kitchen facilities and deliveries associated with those loading spaces would serve both facilities.

Commissioner Hart stated that he had expressed concern about the adequacy of loading spaces with previous cases and potential impact of permitting waivers to the loading space requirements prescribed by the Zoning Ordinance, citing the increased use of online retail services as incurring a significant impact on the usage of those spaces. He then said that he did not object to the loading space provisions for the proposal because significant usage of online retail services was not associated with assisted living facilities. Ms. Lewis acknowledged the possibility that online retail services would increase the usage of loading spaces, but pointed out that there were other areas on the subject property that could accommodate deliveries. A discussion ensued between Commissioner Hart and Ms. Lewis regarding the areas on the site where deliveries could occur and the primary usage patterns of the loading spaces wherein Ms. Lewis indicated that the loading spaces would primarily be utilized for the delivery of food and basic supplies.

Commissioner Ulfelder expressed concern the issues associated with stormwater outfall on the site articulated by staff had not been sufficiently addressed. Referring to the memorandum in Appendix 9 of the staff report from William Veon, SDID, LDS, that articulated staff's concerns, Commissioner Ulfelder indicated that the recourse for addressing those concerns had not been finalized, noting the possibility that the applicant would be required to conduct stream restoration efforts to mitigate the stormwater impact. Mr. Creed indicated that there were stream restoration efforts included in the County's work plan that were unrelated to the subject application. He then said that extent of staff's concerns regarding the stormwater outfall generated by the site was limited to the amount of runoff the applicant would be required to detain on-site. A discussion ensued between Commissioner Ulfelder and Ms. Lewis regarding the process for determining how much stormwater runoff would be detained on the subject property and the ability of the applicant's stormwater management facilities to accommodate such demand wherein Ms. Lewis said that staff had concluded that the applicant's provisions were sufficient to address stormwater outfall concerns at the time of site plan review.

Commissioner Ulfelder pointed out that the assisted living facility on the site would utilize the Auxiliary Grant Program (AGP) provided by Virginia Department of Social Services, which gave monthly cash assistance to individuals requiring assisted living care that met the necessary criteria prescribed by the State of Virginia. He then asked whether the administration of the program had been delegated to the County or was operated by the State of Virginia. Ms. Lewis deferred to the applicant for more information on that program.

Referring to Proffer Number 3, Affordable Housing, in Appendix 1 of the staff report, which indicated that the applicant would maintain four percent of the assisted units for residents that utilized AGP, Commissioner Ulfelder asked for clarification on whether that commitment referred to individual residents or rooms within the assisted living facility. A discussion ensued between Commissioner Ulfelder and Ms. Lewis regarding the method by which the number of residents utilizing AGP at the assisted living facility would be calculated wherein Ms. Lewis deferred to the applicant for more information, adding that AGP had been utilized at similar facilities.

Mr. Riegler addressed the concerns raised by Commissioners regarding parking, loading spaces, stormwater management, and the utilization of AGP at the assisted living facility on the site wherein he indicated the following:

- The proposal would increase the number of parking spaces on the site;
- The proposed parking provisions for the site would be organized in a manner that would segregate the parking for the assisted living facility from that of the private school;
- The applicant would increase the capacity of the on-site stormwater management facilities to mitigate the impact of increased stormwater outfall and such an increase would not significantly modify the site design;
- The stormwater management facility that would be utilized on the site was located underground and could be modified at the time of site plan review;
- The existing shared loading spaces on the site had been utilized by the private school and the assisted living facility without incident and such operation would continue under the proposal;
- The deliveries to the site would be organized in a manner to limit the impact on both facilities;
- The operation of AGP was administered by the State of Virginia and the applicant's commitment to maintain four percent of the assisted living facility's capacity for that program was consistent with the applicant's existing policies; and
- The applicant intended to utilize the AGP program at the assisted living facility on the site in a manner consistent with applicable standards.

Mr. Riegler then gave a presentation on the subject application wherein he explained the following:

- The existing private school and assisted living facility on the subject property had been in operation since the late 1980s;

- The proposal was intended to improve the operational efficiency of the facilities on the site;
- The subject applications would permit modifications to the assisted living facility that would allow it to accommodate residents with significant physical and mental impairments;
- The existing condition of the assisting living facility on the site was inadequate to accommodate residents with physical and mental impairments;
- The subject application would permit modifications to the existing private school that would improve operations by enhancing various facilities and utilizing more efficient parking provisions;
- The assisted living facility on the site would primarily utilize underground garage parking while the private school would utilize the surface parking;
- The applicant would also utilize provisions such as staggered hours of operation and shuttles to nearby Metrorail stations to improve the efficiency of the parking provisions;
- The operation of the two facilities on the site complemented one another and provided significant benefits to the students utilizing the private school and the residents utilizing the assisted living facility;
- The proposal included commitments for tree preservation, environmental protection provisions, improved visual impact of the buildings, and green building practices; and
- The applicant had not received any letters of opposition from the surrounding neighborhood.

Mr. Riegler commended staff for coordinating with the applicant on the subject application.

Commissioner Cortina pointed out the existing vegetation on the site and asked how much of that vegetation would be preserved under the proposal. Mr. Riegler indicated that the entirety of that vegetation would be retained.

Commissioner Cortina noted the location of the existing trash pick-up area on the site and expressed concern regarding the environmental impact that the area incurred on the nearby stream valley. She then asked for information on how that impact would be mitigated, Mr. Riegler stated that the applicant would install additional screening around the trash areas which would be enclosed in a masonry structure. Commissioner Cortina expressed support for such an improvement.

A discussion ensued between Commissioner Ulfelder and Mr. Riegler regarding the administration of AGP, the process for determining whether an individual met the necessary

criteria for the program, the extent to which the applicant coordinated with the State of Virginia in the operation of the program, and the limited capacity of the assisted living facility for individuals utilizing AGP wherein Mr. Riegle said that individuals pursuing residence at the assisted living facility on the site were pre-qualified for AGP and the applicant was not involved in the process for determining whether an individual was qualified.

Chairman Murphy called for speakers from the audience.

Bill Keech Jr., 9735 Hidden Valley Road, Vienna, spoke in support of the subject application. He said that his children attended the existing private school on the site and favored permitting the improvements to the facility proposed by the applicant. He also commended the applicant coordination efforts with the surrounding community. Mr. Keech described the existing parking provisions on the site and noted the need for additional parking.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Riegle, who declined. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Niedzielski-Eichner for action on these cases.

(Start Verbatim Transcript)

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Commissioner Niedzielski-Eichner: I would say that it's been nothing but a pleasure to work with Ms. Lewis over with this application and a number of others. Mr. Chairman, let me ask that the applicant confirm for the record, agreement to the development conditions dated April 12th, 2018.

Gregory Riegle, Applicant's Agent, McGuireWoods, LLP: Yes sir, we do.

Commissioner Niedzielski-Eichner: Thank you, Mr. Riegle. Mr. Chairman, the applicant requests approval of rezoning of a 6.86-acre parcel located on Arlington Boulevard, just south of Nutley Street. As we've heard, the parcel currently hosts the Sunrise Senior Living facility and the Merritt Academy, a private school that provides general education and child care. This rather unique geographic arrangement, as has been described, allows the elder community and the school-age children to connect on a regular basis. The applicant wishes to change its parcel designation from an R-2 District to an R-4 District to permit the construction of a larger assisted living facility to replace the existing Sunrise Senior Living structure and to construct additions to the Merritt Academy. The proposed assisted living facility will increase the number of beds and increase the number of employees. Merritt Academy proposes to increase its staff at any one time while maintaining the same total number of students. Both will maintain the same hours of operation, as currently exist. With the addition of new below-grade parking, the Sunrise Senior Living Facility – below the Sunrise Senior Facility, on-site parking spaces will double. Additionally, development conditions specify that vehicles associated with these facilities will not use the adjacent Arlington Boulevard service drive for parking. The applicant has worked closely with staff and the Providence Supervisor and Planning Commissioner to address

significant concerns associated with the intensification of the site. Staff recommends approval, as does the Health Care Advisory Board. The neighborhood across Arlington Boulevard from the site have also written a letter of support. And I, as always, value the questions raised by my colleagues and I believe staff and the applicant's answers to be responsive to those questions. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2017-PR-031, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS DATED MARCH 29, 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 recommend to the Board of Supervisors that it approve RZ 2017-PR-031, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman. I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 86-P-101-06, SUBJECT TO DEVELOPMENT CONDITIONS DATED APRIL 12, 2018.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 86-P-101-06, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Niedzielski-Eichner: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATIONS AS LISTED IN THE HANDOUT DATED AND DISTRIBUTED APRIL 16, 2018.

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.

Each motion carried by a vote of 11-0. Commissioner Strandlie was not present for the vote.

(End Verbatim Transcript)

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PA 2018-IV-MV1 – COMPREHENSIVE PLAN AMENDMENT
(WOODLAWN FIRE STATION) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. Plan Amendment 2018-IV-MV1 concerns approximately 0.5 acres generally located at 8707 Lukens Lane, Alexandria, VA 22309 (Tax map # 110-1 ((1)) 29) in the Mount Vernon Supervisor District. The area is planned for residential uses at a density of 2-3 dwelling units per acre. The amendment will consider public facilities uses. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Jonathan Buono, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended adoption of proposed amendment PA 2018-IV-MV1.

Answering questions from Commissioner Ulfelder, Mr. Buono stated that there were no existing County services that were co-located or shared at the existing site of the Woodlawn Fire Station. In addition, Michael Dreher, Building Design and Construction Division, Department of Public Works and Environmental Services, said that staff had evaluated the potential for incorporating such services on the subject property, but noted the difficulty of installing such uses due to the size of the site. A discussion ensued between Commissioner Ulfelder and Mr. Dreher regarding the constraints of the subject property and the features that would be included with the updated facility fire station.

Commissioner Clarke noted the ongoing efforts to improve and revitalize the Richmond Highway Corridor. He then stated that improvements to public facilities was a component of that effort. In addition, he commended staff for their work on the proposed amendment.

Chairman Murphy called for speakers from the audience, but received no response; therefore, he noted that closing remarks from staff were not necessary. There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Clarke for action on this item.

(Start Verbatim Transcript)

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Commissioner Clarke: Thank you very much, Mr. Chairman. So as staff has provided the recommendation of approval to change the Plan use baseline recommendation of the property

from two the three dwelling units per acre for public facility use – therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS – ADOPTION OF PLAN AMENDMENT 2018-IV-MV1, PER THE RECOMMENDATIONS OF THE STAFF DATED – IN THEIR REPORT DATED APRIL 4TH, 2018.

Commissioners Migliaccio and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Migliaccio and Mr. Sargeant, your fellow supporters of Embark. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt PA 2018-IV-MV1, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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PA 2013-III-DS1 – COMPREHENSIVE PLAN AMENDMENT (DULLES SUBURBAN STUDY) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. Plan Amendment 2018-IV-MV1 proposes revisions to Dulles Suburban Center Area-wide and Land Unit guidance. The Dulles Suburban Center comprises approx. 6,644 ac. adjacent to the eastern and southern boundary of the Washington Dulles International Airport for an area that generally extends just north of the Dulles Airport Access and Toll Road and south to I-66 in the Sully and Dranesville Supervisor Districts. The area is predominantly planned for office, industrial and industrial/flex uses with some areas planned for residential and retail uses. Land Units A and L are planned as a higher intensity mixed-use node. The amendment will consider revisions to ensure consistency with current policy and practice, reflect existing development, and make editorial and organizational changes.

In addition, a number of site-specific land use and intensity recommendations are proposed for Land Units D, E, F, H, I and J as follows: DSC-D3-1 (Wall Road): Tax Map parcel 24-4((1))6C1 is currently planned for office uses in the range of 0.50 to 1.0 FAR with options for training facility, hotel/conference center and another option for mixed use up to 0.70 FAR with conditions

including at least 5-10% retail and office use. The amendment considers revising the mixed-use option to remove the 5-10% retail and office use and replace it with 100 single-family attached units. DSC-E3-1(Sullyfield Park): Tax Map parcels: 34-3((5))G1, H2, H3; 34-3((7))5A; 34- 4((11))H1; 34-4((13))3, 4 are currently planned for office, retail and industrial uses up to .35 FAR. The amendment considers adding hotel use. DSC-F2-1(Avion): Tax Map parcels 34-1((3)) 1, B4, B5 are currently planned for office and industrial/flex uses up to 0.50 FAR, ancillary retail uses should not to exceed 20%, conventional strip or freestanding commercial development is not planned along Rt. 50 and Willard Rd. The amendment proposes to increase planned intensity to .75 FAR for mixed-use development that could include office, hotel, retail personal service, medical care facilities, entertainments uses and assisted living. DSC-H-1 (Euro Motorcars): Tax Map parcel 34-1((1)) 2A is currently planned for industrial, research and development and industrial/flex up to 0.35 FAR. The amendment considers adding an option for auto dealership use on the western portion of the parcel. DSC-I-1 (Long and Foster) and the Albemarle subdivision: Tax Map parcels 44-1((17)) 1, 5,C, A; 34-3((14)) B, 2, 3, 4, 6 and 34-3((1)) 34 are planned for light industrial an industrial/flex up to 0.35 FAR with an option for hotel, office and industrial/flex up to 0.35 FAR and another option for hotel and office up to 0.70 FAR. The amendment considers adding an option for residential use with support retail use up to 1.0 FAR. DSC-J-3 (Westfields) & DSC-J-2(Conference Center Drive) address the area east and west of Route 28, between Willard Rd and Ellanor Lawrence Park which is planned for a mix of uses that includes office, conference center/hotel, industrial flex and industrial use at an average .50 FAR. The plan amendment considers adding a mixed-use area that includes a residential and retail component on the east side of Route 28. Land Unit E-2 (Sully Place/Sully Plaza): Tax Map parcels 34-4((1))16B, 16C, 16D, 16E, 16F, 24A, 26A, 62A1, 62A2, 62B, 62C are currently planned for retail with ancillary office use not to exceed 20%, up to 0.25 FAR. The plan amendment considers adding an option for mixed-use with a residential component up to 0.50 FAR. Recommendations relating to the transportation network may also be modified. DRANESVILLE, HUNTER MILL, AND SULLY DISTRICTS. PUBLIC HEARING.

Clara Johnson, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of proposed amendment PA 2013-III-DS1.

Replying to questions from Commissioner Tanner, Ms. Johnson acknowledged that the proposed amendment had been modified to address potential modifications to the noise contours associated with Dulles International Airport. She then confirmed that the proposed amendment also reflected staff's existing policy that discouraged the development of noise-sensitive uses within those contours.

Referring to the Traffic Analysis Section on pages 16 through 17 of the staff report, Mr. Tanner asked whether the implementation of the transportation improvement projects listed in that section had been confirmed. Leonard Wolfenstein, Fairfax County Department of Transportation, explained that those projects had been listed in the Comprehensive Plan and were taken into consideration when evaluating the proposed amendment. He then indicated that the status of those projects varied, but noted that staff evaluated the proposed amendment under the assumption that those improvements would be implemented.

When Commissioner Tanner asked for additional information about the usage of the portion of the subject property owned by Long and Foster, which was identified in the staff report as Land Unit I, Mr. Johnson said those areas of the site consisted primarily of office development with structured parking, but pointed out that a significant portion of that development was vacant. She added that the existing Comprehensive Plan recommendations for that site was for a mix of non-residential uses at a maximum floor area ratio of 0.7.

Commissioner Hurley noted that the Commission had received correspondence from citizens that expressed concern regarding the possibility of permitting mixed-use development on certain portions of the subject property, stating that certain types of such development were not compatible with the character of the area. She then requested additional information about the kinds of mixed-uses that the proposed amendment recommended for the site. Ms. Johnson indicated that such uses included the inclusion of residential development within certain retail areas and permitting limited office uses. She added that proposed amendment also recommended a mixed-use development that adequately integrated the uses and supported pedestrian-friendly. A discussion ensued between Commissioner Hurley and Ms. Johnson regarding the potential designs for mixed use development on certain portions of the site and the flexibility in determining those designs wherein Ms. Johnson confirmed that the proposed amendment provided sufficient flexibility in considering potential designs for such development.

Commissioner Cortina pointed out that the Board of Supervisors had passed a revised environmental policy in June 2017. She then asked whether staff had evaluated the proposed amendment to determine whether the provisions were consistent with that revised policy, noting that the amendment had removed significant portions of text, as depicted in Attachment 2 of the staff report. Ms. Johnson explained that staff had made an effort to remove internal redundancies from the text of the proposed amendment, noting that policies reflecting the Board's updates to environmental guidance were articulated in the Policy Plan. She added that the proposed amendment included significant revisions to the stormwater management provisions for the subject property, stating that such revisions were intended to encourage on-site stormwater management features. In addition, Ms. Johnson said that the revised recommendations articulated in the proposed amendment would reflect the planned maximum intensity for the Dulles Suburban Center Area at a floor area ratio of 1.0. Commissioner Cortina reiterated her concerns

regarding the removal of text articulating the Board's revised environmental policies and stated that she would submit an email to staff and the Commission that specify the provisions that she favored retaining. She cited provisions, such as those relating to stream valley restoration, increasing tree canopy, improving buffering, and improving efficiencies with energy and water, as policies she favored retaining. She also pointed out that the revised language for Land Banks E4, F1, and G, as shown in pages 161 through 175 of the staff report, had removed significant amounts of texts relating to environmental preservation features. Commissioner Cortina then noted the importance of preserving environmental standards for those areas. Leanna O'Donnell, PD, DPZ, indicated that staff would review Commissioner Cortina's comments, but reiterated that the Board's environmental policies were reflected in the Policy Plan and those policies applied countywide. A discussion ensued between Commissioner Cortina and Ms. O'Donnell regarding the impact of removing text relating to the County's environmental policies and the possibility of removing other portions of text that were also articulated in the Policy Plan.

Referring to pages 192 through 194 of the staff report, which articulated the Plan text for Land Unit K on the site, Commissioner Cortina cited a reference to a trail that connected E. C. Lawrence Park to Popular Tree Road, which was not supported by the Parks and Natural Resource Management Plan. She added that the area referenced contained sensitive environmental resources and recommended that staff consider revising that text to ensure it remained consistent with the preferences of the Fairfax County Park Authority.

Referring to the second bullet under the Parks and Recreations recommendations on page 192 of the staff report, which recommended that sensitive ecological and heritage resource areas of the park were buffered by compatible adjacent land uses, Commissioner Cortina noted that such text was the only reference to buffering sensitive resources with compatible adjacent uses. She also noted the differences between the developments depicted in proposed amendment compared to those included in the Embark Richmond Highway effort.

Commissioner Sargeant pointed out that the proposed amendment contained recommendations that encouraged connectivity along the Route 28 corridor and high-quality transit services. He then requested additional information regarding the types of transit services that would be supported under the amendment. Mr. Wolfenstein explained that the intent of such transit services was to provide connections from the planned Silver Line Metrorail Station at Innovation Station down to a potential extension to the Orange Line Metrorail, adding that a previously-conducted transit network study had affirmed the need for such connections. He also indicated that the alignments of those connections had not been finalized and the language included in the proposed amendment was intended to provide flexibility in implementing that connection through methods that could include bus services or a light rail service. Commissioner Sargeant indicated that a possible extension of the Orange Line and the additional connections referenced in the proposed amendment could accommodate higher-density development throughout the corridor. A discussion ensued between Commissioner Sargeant and Mr. Wolfenstein, with input from Ms. Johnson, regarding the possibility of depicting the high-quality transit services that connected the two, the types of transit services that could be included with those connections Metrorail lines, and the possibility of conducting subsequent studies on the traffic impact of such connections on the Route 28 corridor wherein Mr. Wolfenstein and Ms. Johnson stated the following:

- The depictions of transit connections between the planned Silver Line Metrorail Stations and the possible extension of the Orange Line were beyond the scope of the proposed amendment;
- The transit connections between the two Metrorail lines could include express bus services; and
- The proposed amendment included an updated map depicting potential routes for a high-quality transit system from the Innovation Center Metrorail Station to areas near a potential extension to the Orange Line.

Commissioner Ulfelder expressed support for precluding certain development within the noise contours generated by Dulles International Airport. He also noted that the Metropolitan Washington Airports Authority (MWAA) had planned to conduct another study of the existing contours and asked for additional information regarding the timeline for the conclusion of that study. Ms. Johnson indicated that meetings with the work group that had been established for that study were ongoing. Michael Cooper, Government Affairs Manager, MWAA, then said that the study of the noise contours would be concluded by February 2019. Commissioner Ulfelder asked whether the recommended development for areas around the existing noise contours would be modified in the event that the study resulted in modifications to those contours. Ms. Johnson stated that such modifications would be evaluated after the results of the noise contour study were published, adding that modifying the recommendations for those areas would be subject to a separate plan amendment.

Commissioner Ulfelder pointed out the portions the subject property identified as Land Bays A and L were located within the Dranesville District. He then noted that the proposed amendment contained minor editorial changes for those areas, but no other substantive modifications. Ms. Johnson concurred with that statement.

Commissioner Ulfelder expressed concern that the increased residential development on the subject property that would be permitted under the proposed amendment would incur a significant impact on the local school systems in the area, noting the difficulty in expanding school capacity in the area. He cited existing school facilities that were located on small sites that limited possible expansions. He then recommended that the proposed amendment encourage applicants to include commitments that addressed the impact of such development on the school system. Ms. Johnson indicated that the impact on local schools facilities had been articulated in residential development options for various land units. She also noted that references to schools had been included in the proposed amendment to ensure that the issue would be considered during an application review process.

Commissioner Carter expressed concern regarding the number of intersections in the subject property that operated at a low level of service, as depicted on Figure 8 on page 18 of the staff report. He added that the effective operation of such intersections was necessary for efficient access to Dulles International Airport. A discussion ensued between Commissioner Carter and

Mr. Wolfenstein regarding the specific intersections operating at a low level of service throughout the subject property, the projected delays incurred for those intersections, the potential methods for improving the level of service for those intersections, and the extent to which transportation demand management provisions would improve the level of service wherein Mr. Wolfenstein indicated that there were multiple methods for improving the level of service at the various intersections located near the airport and the proposed amendment would provide additional opportunities for improving traffic flow at those intersections compared to the existing Plan text, but the mechanisms for finalizing such provisions were beyond the scope of the proposed amendment and would be addressed during the review process for a rezoning application.

Referring to Capital Improvement Projects for addressing school capacity issues listed on page 23 of the staff report, Commissioner Carter expressed concern regarding the limited mention of new school construction in the proposed amendment. He then suggested the inclusion of language articulating the possibility of shared uses, co-locations, and joint infrastructure improvements to address the potential impact on the local school system. Ms. Johnson pointed out that page 87 in Attachment 2 of the staff report contained revised text that contained strategies for addressing the impact of increased residential development on the local school system. When Commissioner Carter asked whether that text included references to shared uses and co-locations as potential methods for increasing capacity, Ms. Johnson indicated that such reference was included.

Referring to the Transfer of Development Rights Section on page 52 of the staff report, Commissioner Carter inquired as to whether the text in that section was applicable and requested additional information regarding the intensity of development in relation to the proximity of Metrorail stations. Ms. Johnson explained that the language had been included with previously-approved plan amendments and staff favored retaining that language because it permitted greater flexibility in reorganizing the higher-density developments in the area without increasing the overall intensity.

A discussion ensued between Commissioner Carter and Ms. Johnson regarding the possibility of including maps depicting the recreation and environmental corridors throughout the area with the proposed amendment wherein Ms. Johnson indicated that she did not object to such a modification.

Commissioner Carter noted that the transportation demand management goals articulated on pages 109 through 111 of the staff report depicted transportation management goals that recommended 35 to 45 percent trip reduction for Land Unit A on the site.

A discussion ensued between Commissioner Carter and Ms. Johnson regarding the feasibility of the recommended zoning options for certain areas of the subject property and the issues associated with zoning options in other areas of the County wherein Ms. Johnson indicated that staff had determined that the recommended development articulated in the proposed amendment was feasible, adding that the majority of outstanding proposals to redevelop the area would utilize P-Districts.

Addressing Commissioner Cortina's concern regarding the removal of text in the proposed amendment that referenced the Board of Supervisors' revised environmental preservation policies, Commissioner Tanner reiterated that the provisions articulated in that text were included in the Policy Plan and removal of that text was intended to remove redundancies. Ms. Johnson concurred with that statement, citing that references to environmental quality control corridors were also mentioned in certain objectives of the Policy Plan.

Commissioner Niedzielski-Eichner stated that staff had not evaluated the potential usage of nodes as a mechanism for implementing transportation connections along the Route 28 corridor and requested additional information as to why such features had not been considered. Ms. Johnson noted the challenges associated with utilizing nodes, stating that an alignment for the nodes within that corridor had not been determined. A discussion ensued between Commissioner Niedzielski-Eichner and Mr. Wolfenstein regarding the alignment options for transportation nodes along the Route 28 corridor, the extent to which the design of those nodes could be finalized within the proposed amendment, and the need for ensuring sufficient transportation connections along that corridor wherein Mr. Wolfenstein and Ms. Johnson stated the following:

- The proposed amendment included a previously-approved depiction of potential transportation connections between the planned Silver Line Metrorail Station at Innovation Station and the possible extension to the Orange Line to the south, as shown on Figure 4 on page 71 of the staff report;
- The depictions of potential and optional routes for a high quality transit system connecting the two Metrorail lines depicted on Figure 4 were conceptual and required further study to determine the feasibility of those connections;
- The results of a countywide study on the potential alignment of transportation nodes along the Route 28 corridor did not result in significant modifications to the existing depictions for those connections; and
- The specific alignment and features of the transportation nodes for the Route 28 corridor had not been finalized and required subsequent study that was beyond the scope of the proposed amendment.

Commissioner Niedzielski-Eichner stated that he favored a more detailed transportation study of the subject property to determine appropriate transportation node alignments for the Route 28 corridor, citing the extent of the study conducted for Embark Richmond Highway as an appropriate standard. Ms. Johnson supported a study at such a standard, but noted the differences between the study for the Route 28 corridor and the Richmond Highway corridor, stating that the intent of staff's review was to determine appropriate revisions to reflect the modified recommendations for development. Mr. Wolfenstein added that the Embark Richmond Highway studies focused primarily on the impact of expanded bus rapid transit from the Huntington Metrorail Station to Fort Belvoir. Commissioner Sargeant concurred with staff's comments regarding the differences between the transportation studies for Embark Richmond Highway and the Route 28 corridor, noting that the studies for the Route 28 corridor involved various

circumstances that did not apply to the Richmond Highway corridor. A discussion ensued between Commissioner Niedzielski-Eichner and Commissioner Sargeant regarding the need for further transportation studies throughout the subject property, the impact of development along the Route 28 corridor on transportation demand in the area, and the possibility of referencing such studies within the proposed amendment wherein Commissioner Niedzielski-Eichner reiterated that he favored further study of the corridor to determine appropriate transportation measures for the overall corridor and Commissioner Sargeant expressed support for referencing such a study in the proposed amendment.

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The Commission went into recess at 10:08 p.m. and reconvened in the Board Auditorium at 10:24 p.m.

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Chairman Murphy called the first listed speaker.

Michael Frey, 14613 Olde Kent Road, Centreville, representing the Dulles Suburban Center Task Force, gave a presentation on the task force's review process for the proposed amendment wherein he explained the following:

- The planning history of the subject application had emphasized precluding residential development around the noise contours generated by Dulles International Airport, which facilitated the economic growth around the airport;
- The existing development around the noise contours generated by Dulles International Airport consisted of commercial and industrial development;
- The nature of industrial development within the subject property had been the subject of significant changes since the early 1980s, which had been modified to accommodate greater levels of commercial development, such as the Westfields Commercial Campus;
- The office development on the subject property had incurred a significant traffic impact, which generated significant congestion on the surrounding road network and necessitated various transportation improvements;
- The Comprehensive Plan recommendations for the subject property were subsequently modified during the early-to-mid 1990s to diversify the options of uses in the area with the intent of favoring options that reduced the amount of peak-hour traffic;
- The task force had been organized to evaluate additional development options in the areas of the subject property located near the noise contours in the event that those contours were modified after a subsequent study by MWAA;

- The subject property contained an excess of office development and emerging economic trends had reduced demand for such development;
- The task force received input from multiple stakeholders to evaluate the possibility of incorporating additional development options for the subject property;
- The task force concluded that permitting residential development near the existing noise contours around Dulles International Airport was not warranted because of the expected growth of the airport, but those contours were subject to change due to the impact of noise-reducing technologies in the aviation industry;
- The task force had also concluded that the inclusion of residential development options in areas outside the noise contours from the airport was warranted;
- The development options the task force supported were primarily mixed-use in a manner similar to existing developments like Fairfax Corner and the Mosaic;
- The task force coordinated with staff to determine an appropriate density and scope for mixed-use development on certain portions of the subject property;
- The input provided by staff to the task force included development modeling to determine the transportation impact of mixed-use development throughout the subject property;
- The task force discussed the potential traffic impact associated with high-density development on the subject property, but specific features and locations of transportation nodes throughout the Route 28 corridor had not been finalized;
- The task force supported additional studies of the Route 28 corridor to determine appropriate transportation improvements for that corridor prior to incorporating them into the Comprehensive Plan and including such improvements was beyond the scope of the proposed amendment;
- The Comprehensive Plan included language that accommodated a potential extension to the Orange Line Metrorail, but the timeframe for such an extension and the various transportation connections associated with it had not been finalized;
- The task force supported including information in the amendment that depicted potential transportation connections between the planned Silver Line Metrorail Stations and the possible extension to the Orange Line, but did not favor incorporating language that specified the location and design of those connections; and
- The task force evaluated the potential improvements to the road network throughout the subject property and supported improvements that reduced the expected traffic impact.

Commissioner Hart commended Mr. Frey's testimony. He then inquired as to whether the task force had evaluated the concerns expressed by Commissioner Cortina regarding the removal of environmental policy text for the purpose of reducing redundancy with the Policy Plan. Mr. Frey indicated that the task force supported the removal of that text in favor of utilizing the standards articulated in the Policy Plan. He added that there had been other instances where text from the Comprehensive Plan had been removed after the associated issues were incorporated into the Policy Plan, citing issues involving water protection and noise mitigation provisions in which redundant text from the Plan had been removed. In addition, Mr. Frey said that the environmental protection provisions in the Policy Plan were more stringent than the existing text in the Plan.

Commissioner Hart stated that the task force had not achieved a unanimous consensus on recommendations for the land units associated with the existing Long and Foster development on the site. He then asked for additional information on the task force's evaluation of that portion of the site. Mr. Frey explained the following:

- The task force's primary concern with the Long and Foster development on the site pertained to the amount of industrial development that would be reduced under the revised recommendations;
- The existing industrial development in that portion of the subject property had not been adequately evaluated for potential redevelopment options;
- The task force had been unable to determine an appropriate method for integrating a mix of uses on that portion of the site due to the limited availability of open space; and
- The task force favored retaining the existing recommendations for that area of the site, but did not object to subsequent evaluations of the area to determine possible revisions to the Plan.

When Commissioner Migliaccio asked for additional information regarding the task force's evaluation of other portions of the subject property, Mr. Frey indicated that the task force reviewed each land unit of the site individually. He added that the task force had received input from potential applicants and conducted a workshop to review potential transportation improvements. A discussion ensued between Commissioner Migliaccio and Mr. Frey regarding the possibility of a subsequent evaluation for additional development options on the Long and Foster portion of the site wherein Mr. Frey said that the task force supported subsequent studies of that area, reiterating that the primary concern for revising the existing recommendations was the process for integrating residential uses with the surrounding industrial development.

Commissioner Tanner also commended Mr. Frey's testimony and concurs with the task force's conclusions regarding the difficulty of integration residential uses with existing industrial uses on the Long and Foster portion of the site. He also indicated that he favored further study of that area.

John Kershenstein, 3830 Lightfoot Street, Unit 226, Chantilly, representing the Chantilly Park Condominiums (CPC), commended staff and the Commission for their work on the proposed amendment. He pointed out the location of his development and noted the proximity of the development to Land Unit E-2 on the subject property. Mr. Kershenstein then stated that he concurred with staff's recommendations for the subject property, as articulated on page 27 of the staff report. He added that the CPC also favored that a redevelopment on Land Unit E-2 be incorporated into a consolidated plan that included sufficient buffering between commercial and residential properties. Mr. Kershenstein pointed out that there were multiple property owners of the development in Land Unit E-2 and indicated that he did not support redeveloping individual portions of that area. In addition, he stated that a consolidated development plan for that area would facilitate integration with existing development in the area. Mr. Kershenstein also said that he supported free-standing residential development and opposed development that would integrate residential use with commercial structures. He then recommended that redevelopment on Land Unit E-2 be conducted in a manner that minimized the traffic impact on Lightfoot Street, noting that the road was not a public street and had been subject to cut-through traffic. In addition, Mr. Kershenstein noted that there was an existing school bus stop along Lightfoot Street and the traffic impact of a redevelopment of Land Unit E-2 could incur potential safety concerns. He also suggested that a redevelopment in that area include senior housing and assisted living development, noting the increasing need for such housing in the County. (A copy of Mr. Kershenstein's statement is in the date file.)

A discussion ensued between Commissioner Tanner and Mr. Kershenstein regarding the ownership status of Lightfoot Street, the portions of the street that were maintained by the State of Virginia, and the possibility of integrating other parts of the street into the state road system wherein Mr. Kershenstein confirmed that portions of the site were maintained by the state.

Bill Keech Jr., P.O. Box 222005, Chantilly, representing Westfields Business Owners Association, voiced support for the proposed amendment. He also stated that he had participated in the Dulles Suburban Center Advisory Group. Mr. Keech explained that the proposed amendment accommodated additional mixed uses throughout the subject property, which would generate greater economic development throughout the area and improve the County's tax base. In addition, he supported the efforts of the property owners of the Long and Foster portion of the site to evaluate the possibility of implementing mixed-use development in the area. Mr. Keech described the existing development in the Westfields portion of the site, stating that the proposed amendment would facilitate development that would provide a greater mix of uses to ensure the economic viability of the area. He commended staff, the task force, and the Sully District Supervisor's Office for their effort on the proposed amendment.

Gregory Riegler, 1750 Tysons Boulevard, Tysons, representing McGuireWoods, LLP, stated that he represented the property owners of the Long and Foster portion of the subject property. He then gave a presentation of the issues surrounding that area wherein he explained the following:

- The Long and Foster portion of the site was approximately 60 acres and represented one of the largest developments of the Dulles Suburban Center area;

- The existing property owners of Long and Foster site did not support retaining the existing language in the Comprehensive Plan for the site and favored incorporating language into the proposed amendment that accommodated a greater mix of uses for the area;
- The emerging changes in economic trends and commercial development made the existing recommendations for the site less feasible;
- The existing commercial development on the Long and Foster portion of the site had not achieved full occupancy and the market for office space in the area had been stagnant;
- The Long and Foster portion of the site also contained approximately 18 acres of vacant land and developing that land with commercial development, as prescribed by the Comprehensive Plan, was not feasible;
- The recent development trends within and around the Long and Foster portion of the site had favored non-commercial uses, such as churches, day care facilities, and schools;
- The property owners of the Long and Foster portion of the site did not concur with staff's conclusion that permitting a greater flexibility of uses in the area would displace industrial development because economic trends did not support such development;
- The amenities provided by a greater mix of uses on the Long and Foster portion of the site would improve the character of the overall area;
- The traffic impact under the existing recommendations of the Comprehensive Plan for commercial and industrial use would be greater than the impact associated with mixed-use development;
- The implementation of a greater mix of uses on the Long and Foster portion of the site would facilitate the installation of amenities, such as recreational development, affordable housing, and traffic mitigation provisions;
- The size of the Long and Foster portion of the site was sufficient to accommodate development that included a significant mix of uses, similar to that of the Mosaic development in Merrifield; and
- The concerns voiced by staff regarding the inclusion of mixed-use features on the Long and Foster portion of the site could be addressed with subsequent modifications to the Plan text.

Answering questions from Commissioner Hart, Mr. Riegle confirmed that he had reviewed the draft of the Plan text modifications pertaining to the Long and Foster portion of the site that Commissioner Tanner intended to incorporate into his motion and he supported those modifications. He added that those modifications accurately reflected the sentiment of the

advisory group and the existing property owners of the Long and Foster development. A discussion ensued between Commissioner Hart and Ms. Johnson regarding the text modifications that provided for affordable housing as part of a mixed-use development within the Long and Foster site and the ability for such a development to accommodate emerging economic trends for that area wherein Ms. Johnson noted the availability of other affordable housing options near the site.

Commissioner Niedzielski-Eichner requested additional information regarding the portions of the Long and Foster development on the site that would retain industrial uses and the amount of the site that the property owners preferred to utilize for mixed use. Mr. Riegler said that the property owners preferred to utilize the entirety of the site for mixed use, adding that there were ongoing trends in the area that favored non-commercial uses, such as recreation areas and day care facilities. He then stated that modifying the recommendations of the Comprehensive Plan for the area would facilitate redevelopment in accord with those trends by accommodating a greater amount of residential uses. In addition, Mr. Riegler noted the growing demand for affordable housing in the area and the revised Plan text that Commissioner Tanner intended to incorporate into his motion reflected the need to address that demand. Mr. Riegler pointed out the limited availability of retail uses around the existing office development on the site, which contributed to the traffic impact on the surrounding area. He also indicated that there was no existing industrial use on the Long and Foster development. When Commissioner Niedzielski-Eichner asked why there was no industrial use on that portion of the site, Mr. Riegler indicated that there was limited demand for such use and industrial use was not economically feasible for that area. He added that the industrial uses that were permitted under the existing Plan text for the area was not consistent with the intended character for the area.

Sara Mariska, 2200 Clarendon Boulevard, Suite 1300, Arlington, representing Walsh, Colucci, Lubeley & Walsh, P.C., said that she represented Long and Foster Family Holdings. She then echoed remarks from Mr. Riegler regarding the limited economic viability of office development on the Long and Foster portion of the subject property. In addition, Ms. Mariska aligned herself with remarks from Mr. Riegler regarding the need to accommodate mixed-use development in the area, stating that she supported revising the Plan text changes articulated proposed amendment to accommodate such a mix of uses. She then indicated that the concerns voiced by the advisory group regarding the implementation of residential uses in areas such as the Long and Foster portion of the site could be adequately addressed through the rezoning process.

Chairman Murphy called for speakers from the audience.

Michael Cooper, Government Affairs Manager, MWAA, commended staff, the Sully District Supervisors Office, and the task force for their work on the proposed amendment. He supported the recommendations articulated in the staff report that discouraged the construction of residential development within noise-sensitive areas located near Dulles International Airport. Mr. Cooper described the growth of the airport the significant economic impact it generated, adding that the surrounding area could potentially support another runway to accommodate increased operations. He stated that development within noise-sensitive areas would negatively impact the operation of the airport. Mr. Cooper indicated that MWAA had an ongoing study of the noise counters generated by the airport, which was scheduled for completion in February

2019, and the results of that study could potentially modify those contours. He stated that staff would coordinate with MWAA to determine appropriate development options for those noise-sensitive areas. In addition, he indicated that air traffic to and from Dulles International Airport was expected to increase. Mr. Cooper acknowledged that emerging technologies in aviation could potentially mitigate the noise impact of aircraft, but reiterated the importance of encouraging appropriate development within noise-sensitive areas and facilitating the growth of the airport.

There being no more speakers, Chairman Murphy called for closing remarks from Ms. Johnson, who declined.

Commissioner Niedzielski-Eichner stated that staff had expressed concern regarding the removal of industrial development throughout the subject property and asked for additional information regarding the types of industrial development that portions of the site utilized. Ms. Johnson indicated that there were portions of the site, such as Land Unit I, that were developed with industrial flex uses. A discussion ensued between Commissioner Niedzielski-Eichner and Ms. Johnson regarding the types of uses permitted in industrial flex uses, the areas of the site that utilized heavier industrial development, and the recommendations preferred by staff for those areas wherein Ms. Johnson said the following;

- The uses accommodated by industrial flex uses included indoor sports facilities and child care facilities; and
- The retention of the existing Plan text for the area, which recommended non-residential development at an FAR of 0.7, was favored by staff because it accommodated uses that were compatible with the character of the surrounding area.

Commissioner Tanner commended staff and the task force for their work on the proposed amendment, noting the challenges associated with modifying the recommendations for certain portions of the site. He added that he had coordinated with the task force to finalize revised Plan text that addressed the concerns of existing property owners and staff. Commissioner Tanner then indicated that he intended to incorporate modifications to the Plan text within the proposed amendment to accommodate greater flexibility for development in certain areas of the site. He also said that the modifications would also include minor editorial changes to improve the clarity of the proposed Plan text. He stated that he would defer the decision to permit additional time for staff and the Commission to review those changes.

There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Tanner for action on this item.

(Start Verbatim Transcript)

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Commissioner Tanner: Thank you, Mr. Chairman. First, I also wanted to start by thanking Amber Lee Leslie and Alex Timbleton from the Sully District Office for helping us craft this language

and being an integral part of this process. Based on a lot of comments and questions that came up tonight, we talked with staff and we believe that it's best to defer the decision a week to actually be able to address all the concerns and issues that were brought up tonight and come back with a more comprehensive plan that we can agree upon to present to the Board of Supervisors. So with that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PA 2013-III-DS1 TO A DATE CERTAIN OF APRIL 26, WITH THE RECORD REMAINING OPEN FOR WRITTEN TESTIMONY.

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 PA 2013-III-DS1 to a date certain of April 26, with the record remaining open for comment, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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CLOSED SESSION MOTION

(Start Verbatim Transcript)

Commissioner Hart: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION GO INTO CLOSED SESSION WITH ATTORNEYS FROM THE COUNTY ATTORNEY'S OFFICE TO DISCUSS SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE AND SPECIFICALLY RELATING TO CONDITIONAL REZONING PROFFERS UNDER *VIRGINIA CODE* SECTION 15.2-2303.4, ALL AS PERMITTED BY *VIRGINIA CODE* SECTION 2.2-3711(7).

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion – or cleansing motions set for a – a motion to go into closed session, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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CLOSED SESSION CLEANSING MOTION

(Start Verbatim Transcript)

Commissioner Hart: Thank you, Mr. Chairman. IN ACCORDANCE WITH *VIRGINIA CODE* SECTION 2.2-3712, I MOVE THAT THE PLANNING COMMISSION MEMBERS CERTIFY THAT, TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS UNDER THE VIRGINIA FREEDOM OF INFORMATION ACT AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION BY WHICH THE CLOSED SESSION WAS CONVENED WERE HEARD, DISCUSSED, OR CONSIDERED IN CLOSED SESSION.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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CLOSING

April 18, 2018

The meeting was adjourned at 12:08 a.m.

Peter F. Murphy, Chairman

James R. Hart, Secretary

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

Toni Michele Denson
NOTARY PUBLIC
Howard County, Maryland
My Commission Expires 6/14/2022

Minutes by: Jacob Caporaletti

Approved on: September 13, 2018



Jacob L. Caporaletti, Clerk to the
Fairfax County Planning Commission

Toni Michele Denson
NOTARY PUBLIC
Howard County, Maryland
My Commission Expires 6/14/2025