

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, APRIL 26, 2018**

PRESENT: Peter F. Murphy, Chairman, Springfield District  
James R. Hart, Commissioner At-Large  
James T. Migliaccio, Lee District  
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: Timothy J. Sargeant, Commission At-Large

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The meeting was called to order at 7:33 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

Commissioner Clarke announced that Mount Vernon District Supervisor Storck would conduct an open house on Tuesday, May 1, 2018 at 6:00 p.m. to 8:00 p.m. at the Mount Vernon Government Center to recognize the service of former Planning Commissioner Earl Flanagan. He then encouraged everyone to attend.

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RZ/FDP 2017-SP-029 – CHRISTOPHER LAND, LLC

*(Start Verbatim Transcript)*

The public hearing was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman Hart

Commissioner Murphy: Last week, we had a public hearing on RZ/FDP 2017-SP-029. The applicant is Christopher Land, LLC. We deferred decision initially to tonight, but during the course of my deliberations and talking with the applicants, who wish to have a citizen meetings on the property, I suggested on an email that we may think about doing this on – a week later on May 3<sup>rd</sup>. Unfortunately, I didn't actually say it in that tone and I hit the "reply to all" and it went to the citizens and they thought that tonight was the meeting where we were going to do the decision only, which was incorrect and it was my fault. So that being the case, I am now going to

defer this application to May 3<sup>rd</sup>, with the record remaining open for comments. So in case they had copied or sent to the Commission, they'll have time to do it before next week, which is the date they thought the case was going to be deferred to and we will defer the public hearing on the Board to May 15<sup>th</sup>, and I'll make a motion to that effect. So therefore, Mr. Chairman, I MOVE THAT WE DEFER DECISION ONLY AGAIN ON RZ/FDP 2017-SP-029, CHRISTOPHER LAND, LLC, IT'S AN APPLICATION ON MARITIME LANE, TO A DATE CERTAIN OF MAY 3<sup>RD</sup>, WITH THE RECORD REMAINING OPEN FOR COMMENT.

Commissioner Migliaccio: Second.

Vice Chairman Hart: Seconded by Commissioner Migliaccio. Any discussion on the motion? Seeing none, we'll move to a vote. All in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries.

Commissioner Murphy: Mr. Chairman, I ALSO MOVE THAT THE BOARD OF SUPERVISORS DEFER OR HOLD ITS PUBLIC HEARING ON THIS APPLICATION ON A DATE CERTAIN OF MAY 15<sup>TH</sup>.

Commissioner Migliaccio: Second.

Vice Chairman Hart: Seconded by Commissioner Migliaccio. Any discussion on that motion? Seeing none, we'll move to a vote. All in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries.

Each motion carried by a vote of 11-0. Commissioner Sargeant was absent from the meeting.

*(End Verbatim Transcript)*

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#### MINUTES APPROVAL: JANUARY 2018

*(Start Verbatim Transcript)*

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION APPROVE MINUTES FOR JANUARY 10<sup>TH</sup>, 11<sup>TH</sup>, 18<sup>TH</sup>, 24<sup>TH</sup>, AND 25<sup>TH</sup>.

Commissioner Niedzielski-Eichner: Second.

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

Commissioner: Aye.

Chairman Murphy: Mr. Clarke abstains, motion carries. Mr. Tanner? Do...

Commissioner Tanner: Abstain for the – it was before my appointment.

Chairman Murphy: Okay. Thank you, all right. Two abstentions.

The motion carried by a vote of 9-0-2. Commissioners Clarke and Tanner abstained from the vote. Commissioner Sargeant was absent from the meeting.

*(End Verbatim Transcript)*

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FS-L18-1 – AT&T, 6551 Loisdale Court, Springfield, VA 22150

*(Start Verbatim Transcript)*

Commissioner Strandlie: It's a "feature shown" this evening, FS-L18-1, on behalf of AT&T. I MOVE THAT THE PLANNING COMMISSION FIND THAT FS-L18-1, LOCATED AT 6551 LOISDALE COURT, BE CONSIDERED A "FEATURE SHOWN," PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to concur with the "feature shown" determination in FS-L18-1, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Thank you, Mr. Chairman.

The motion carried by a vote of 11-0. Commissioner Sargeant was absent from the meeting.

*(End Verbatim Transcript)*

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PA 2013-III-DS1 – COMPREHENSIVE PLAN AMENDMENT (DULLES SUBURBAN STUDY) (Decision Only)

(The public hearing on this item was held on April 18, 2018.)

*(Start Verbatim Transcript)*



Commissioner Tanner: Thank you, Mr. Chairman. I have a decision only on PA 2013-III-DS1, the Dulles Comprehensive Plan Amendment for the Dulles Suburban Study. Last week, we held the public hearing and it went very well, had great speakers. And there were a few current concerns we had afterwards that I wanted to spend a week addressing with other Commissioners and staff. So, in just a little bit of background, on July 9<sup>th</sup>, 2013, through the approval of the 2013 Comprehensive Plan Work Program, the Fairfax County Board of Supervisors authorized the Plan Amendment 2013-III-DS1 for consideration of a Comprehensive Plan Amendment for the Dulles Suburban Center. Now, in addition to that, I proposed adding an option for mixed used – a mix of uses at the Long and Foster and Albemarle sites in Land Unit I to include residential uses, as you can see in the attachment passed out earlier today. My alternative language proposes for this option, as well as conditions for this option, located on page 2 of the handout. I'm also proposing a sequence of editorial changes that will remove prescriptive language where applicable, simplify references, restructure certain sections for a more logical flow, and introduce additional text that will clearly differentiate policy references and/or standards. Also, I was talking with Commissioner Cortina. We wanted to make sure to include some additional language, as related to the environmental study. That is also located in your handout. The changes I proposed are in bold italics. The additional ones from last week – the new language is proposed in the highlighted sections as well – highlighted yellow. So with that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE PLANNING COMMISSION ALTERNATIVE TO THE STAFF RECOMMENDATION FOR THE PLAN AMENDMENT 2013-III-DS1, AS SHOWN IN THE HANDOUT DATED APRIL 18<sup>TH</sup>, 2018, AS REVISED THROUGH APRIL 26<sup>TH</sup>, 2018. THE PROPOSED CHANGES IN ADDITION TO THE STAFF RECOMMENDATIONS ARE IN BOLD ITALICS.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt the alternative to PA 2016-III-DS1 [sic], as articulated by Mr. Tanner this evening, say aye.

Commissioners: Aye.

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

The motion carried by a vote of 11-0. Commissioner Sargeant was absent from the meeting.

*(End Verbatim Transcript)*

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PCA 1996-LE-047/FDPA 1996-LE-047 – HD DEVELOPMENT OF MARYLAND, INC  
(Decisions Only) (The public hearing on these applications was held on April 19, 2018.)

*(Start Verbatim Transcript)*



Commissioner Migliaccio: Last week, we had a public hearing on an FDPA/RZ – or a PCA, I'm sorry – in the Lee District for HD Development of Maryland, Inc. Can I have the applicant please come down – the agent for the applicant.

Andrew Painter, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C.: Mr. Chairman, Andrew Painter with Walsh, Colucci, on behalf of the applicant.

Commissioner Migliaccio: Thank you, Mr. Painter. Do you confirm, on the record, the agreement to the proposed development conditions dated April 26, 2018?

Mr. Painter: On behalf of the applicant, I can confirm that we have read, understand, and agree to the conditions dated April 26, 2018.

Commissioner Migliaccio: Thank you. Mr. Chairman, this application is a fairly straightforward one that took a round-about way to get here – a Notice of Violation and some lost communication between the applicant and the community. But I think we're re-establishing that now with what we're doing with the FDPA and the PCA. This application will simply allow an existing successful business to provide better service to its customers and, hopefully, to re-establish the trust and open communication with its neighbors that somehow got lost over the years. The FDPA provides strict and easy-to-follow procedures for outdoor storage, noise mitigation, and the screening of neighboring homes with a 50-foot landscape buffer. This application has the recommendation of support from both our professional planning staff and the Lee District Land Use Committee. Therefore, Mr. Chairman – let me find my motion – I have a few motions to make. I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 1996-LE-047, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED APRIL 26<sup>TH</sup>, 2018, AND SUBJECT TO THE BOARD'S APPROVAL OF PCA 1996-LE-047.

Commissioners Hart and Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner and Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to approve FDPA 1996-LE-047, subject to the Board's approval of PCA 1996-LE-047, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Thank you, Mr. Chairman. I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 1996-LE-047, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED APRIL 3<sup>RD</sup>, 2018.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 1996-LE-047, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: And I have a modification request, which applies to the FDPA. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS REAFFIRM A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENT ALONG THE WESTERN PROPERTY BOUNDARY, IN FAVOR OF THAT SHOWN ON THE PROFFERED CDP/FDP, AS APPROVED ON DECEMBER 8<sup>TH</sup>, 1997 AND AS REFLECTED ON THE PROPOSED FDPA.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE THE 15-PERCENT MINIMUM REQUIRED OPEN SPACE IN THE PDC DISTRICT, IN FAVOR OF THE OPEN SPACE SHOWN THE FDPA.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Sargeant was absent from the meeting.

*(End Verbatim Transcript)*

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#### ORDER OF THE AGENDA

Secretary Migliaccio established the following order of the agenda:

1. CSPA 2011-HM-032-02 – TYSONS WEST RESIDENTIAL, LLC
2. PA 2018-I-A1 – COMPREHENSIVE PLAN AMENDMENT (OAKWOOD SERVICES INTERNATIONAL) (Mason District) AND RZ 2017-MA-016/SEA 96-M-037 – OAKWOOD SERVICES INTERNATIONAL
3. SE 2017-MA-032/2232-M17-43 – SHIRLEY INVESTORS, LLC AND COUNTY BOARD OF ARTLINGTON COUNTY, VIRGINIA
4. RZ/FDP 2017-MD-027 – HORSEPEN RUN, LLC



## 5. PCA 82-L-030-13/PCA 87-L-031-03/SE 2015-LE-031 – WHITE HORSE FOUR, LLC

This order was accepted without objection.

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CSPA 2011-HM-032-02 – TYSONS WEST RESIDENTIAL, LLC  
– Appl. under Sect. 12-210 of the Zoning Ordinance to amend the previously approved Comprehensive Sign Plan associated with RZ 2011-HM-032 to permit sign modifications. Located in the N.W. quadrant of the intersection of Leesburg Pike and Westwood Center Dr. on approx. 2.06 ac. of land zoned PTC, SC and HC. Tax Map 29-3 ((34)) 5 and 6. HUNTER MILL DISTRICT. PUBLIC HEARING.

Daniel Creed, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of application CSPA 2011-HM-032-02.

Elizabeth Baker, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., indicated that she did not have a presentation for the subject application and offered to respond to questions from the Commission. She also aligned herself with the recommendations articulated by staff.

A discussion ensued between Commissioner Ulfelder and Ms. Baker regarding the timeframe for the interim use on the subject property, the planned development for the site, the phases of the development, and the current phase of development wherein Ms. Baker said the following:

- The duration of the interim uses was not formally defined;
- The site had been subject to previously-approved plans for high-rise buildings on the site and interim uses had been permitted by a previously-approved rezoning;
- The planned development for the site would occur in phases; and
- The second phase of development was at the stage of site plan review.

Ms. Baker said that she did not object to the development conditions dated April 12, 2018 in Appendix 1 of the staff report, but suggested the following modification;

- Revise the last sentence of Development Condition Number 6 to read, "Uplighting will not be permitted on any sign."

Chairman Murphy called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary. He called for closing remarks from Mr. Creed, who declined.

When Commissioner Hurley asked whether the modification suggested by Ms. Baker would be incorporated into the motion for approval, Commissioner Carter indicated that he intended to incorporate that revision into his motion.

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

*(Start Verbatim Transcript)*

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Commissioner Carter: Okay, I request the applicant confirm, for the record, their agreement to the proposed development conditions with the one change to Condition 6.

Elizabeth Baker, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C.: Yes, on behalf of the applicant, we confirm that we accept those development conditions.

Commissioner Carter: Okay, I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 2011-HM-032-02, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS, AS AMENDED, DATED APRIL 12<sup>TH</sup>, 2018.

Commissioner Tanner: Second.

Chairman Murphy: Seconded by Mr. Tanner. Is there a discussion? All those in favor...

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Hart: What's the amendment?

Chairman Murphy: Did you...

Commissioner Carter: As read, it was to...

Kristen Abrahamson, Zoning Evaluation Division, Department of Planning and Zoning: WE'LL CHANGE THAT CONDITION TO READ "WILL NOT" INSTEAD OF "MUST."

Ms. Baker: UPLIGHTING WILL NOT BE PERMITTED ON ANY SIGN.

Ms. Abrahamson: Okay.

Commissioner Hart: No, that doesn't make sense either. No uplighting will not be permitted?

Ms. Abrahamson: Uplighting will not...

Commissioner Hart: Uplighting will not be...Okay. All right, thank you.



Chairman Murphy: Okay?

Ms. Abrahamson: We can be redundant.

Commissioner Carter: That's the third try.

Commissioner Hart: We have to vote on some specific...

Chairman Murphy: I thought the car wash was going to be the longest public hearing tonight. I don't know. Maybe I'm wrong. All those in favor of the motion to approve CSPA 2011-HM-032-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you.

The motion carried by a vote of 11-0. Commissioner Sargeant was absent from the meeting.

*(End Verbatim Transcript)*

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PA 2018-I-A1 – COMPREHENSIVE PLAN AMENDMENT (OAKWOOD SERVICES INTERNATIONAL) – 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 2017-II-M1 concerns approx. 4.56 ac. generally located at 7210 Braddock Road (Tax Map #s 71-3((8))12, 13 and 14) in the Mason Supervisor District. The area is planned for a combination of public facilities, governmental, and institutional, and residential use at .5-1 dwelling units per acre (DU/AC) on the Comprehensive Plan Map. The amendment will consider a Plan Map change to public facilities, governmental, and institutional uses for the subject property. PA 2018-I-A1 is concurrently under review with Rezoning application RZ 2017-MA-016 and companion Special Exception Amendment Application SEA 96-M-037. MASON DISTRICT. JOINT PUBLIC HEARING.

RZ 2017-MA-016 – OAKWOOD SERVICES INTERNATIONAL – Appl. to rezone from R-1 and R-3 to R-3 to permit a private school of general education with an overall Floor Area Ratio (FAR) of 0.241. Located on the N. side of Braddock Rd. approx. 1,600 ft. W. of its intersection with Backlick Rd. on approx. 4.56 ac. of land. Comp. Plan Rec: Public Facilities, Governmental, Industrial and Residential 0.5-1.0 du/ac subject to Comp. Plan Amendment 2018-I-A1 to Public Facilities, Governmental and

Industrial. Tax Map 71-3 ((8)) 12, 13 and 14. (Concurrent with SEA 96-M-037). MASON DISTRICT. JOINT PUBLIC HEARING.

SEA 96-M-037 – OAKWOOD SERVICES INTERNATIONAL – Appl. under Sects. 3-304 and 9-301 of the Zoning Ordinance to amend SE 96-M-037 previously approved for a private school of general education to permit and the addition of land area and associated modifications to site design and development conditions. Located at 7200, 7210 and 7218 Braddock Rd., Annandale, 22003 on approx. 4.56 ac. of land zoned R-3. Map 71-3 ((8)) 12, 13 and 14. (Concurrent with RZ 2017-MA-016). MASON DISTRICT. JOINT PUBLIC HEARING.

Robert Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit for RZ 2017-MA-016 and SEA 96-M-037 dated April 17, 2018.

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

Anna Bentley, Planning Division, Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of proposed amendment PA 2018-I-A1.

Harold Ellis, Zoning Evaluation Division (ZED), DPZ, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of applications RZ 2017-MA-016 and SEA 96-M-037.

A discussion ensued between Commissioner Strandlie and Mr. Ellis regarding the condition of the existing residential dwelling unit on the western portion of the site, the status of the buffering around that unit, and the extent to which the owner of the unit supported the subject applications wherein Mr. Ellis deferred to the applicant for more information on those issues.

Commissioner Strandlie indicated that the subject applications had the support of the Mason District Land Use Committee.

Commissioner Hart pointed out that a previous issue had been raised regarding a right-turn lane near the site that required a waiver. He then asked whether the issue had been resolved and inquired as to whether that resolution affected the development conditions prescribed by staff. Mr. Ellis stated that, since the publication of the staff report, the Virginia Department of Transportation had granted the applicant's request and the issue had been resolved.



Commissioner Ulfelder said that the maximum enrollment permitted at the existing school facility on the site was approximately 100, which generated approximately 300 vehicular trips per day. He also indicated that the facility had been approved for a maximum enrollment of 225 students, which could be pursued by-right. A discussion ensued between Commissioner Ulfelder and Kristen Abrahamson, ZED, DPZ, regarding the impact the subject applications would incur on the occupancy of the school on the site, the impact that occupancy would incur on the surrounding neighborhood, the traffic impact on the surrounding road network, and the applicant's reasons for pursuing the applications wherein Ms. Abrahamson stated that the impact of the trips generated by the facility had been addressed during the previously-approved application for the site.

Commissioner Ulfelder said that the applicant had requested modifications to the hours of operation for the school facility on the site, noting that the existing hours were 7:00 a.m. to 5:30 p.m. and the applicant had requested hours from 7:00 a.m. to 10:00 p.m. Ms. Abrahamson acknowledged that the applicant had requested such a modification, but stated that such hours were intended to accommodate the special events that occurred on the site. A discussion ensued between Commissioner Ulfelder and Ms. Abrahamson regarding the instances in which the proposed school facility would operate during evening hours wherein Ms. Abrahamson confirmed that such events were occasional and included events like parents' night.

A discussion ensued between Commissioner Hurley and Ms. Abrahamson regarding the number of students attending the existing school facility on the site, the maximum enrollment permitted for that facility, the impact the proposal would incur on that enrollment capacity, and the trip-generation impact of the facility wherein Ms. Abrahamson explained the following:

- The proposal would not increase the maximum enrollment at the facility;
- The facility had been previously approved for a maximum enrollment of 225 students, but such enrollment figures had not been achieved;
- The proposal would improve the facility on the site in a manner that would accommodate a greater number of students, but that number would not exceed the previously-approved enrollment capacity; and
- The previously-approved facility on the site had been planned to accommodate the impact of the maximum enrollment capacity of 225 students and the proposal would not intensify that impact.

A discussion ensued between Commissioner Niedzielski-Eichner and Ms. Abrahamson regarding the extent to which the surrounding community supported the proposal and the outreach the applicant had conducted for those homeowners wherein Ms. Abrahamson deferred to the applicant for more information on that issue.

Commissioner Cortina pointed out that there was a stream on the subject property, but that stream had not been identified as a perennial stream. She then asked for additional information regarding that stream. Ms. Abrahamson said that the stream had not been identified as a perennial stream at the time the resource protection areas (RPA) for the Chesapeake Bay were mapped and the stream on the site was not identified as RPA. A discussion ensued between Commissioner Cortina and Ms. Abrahamson regarding the process staff utilized to evaluate the stream and the procedure for determining appropriate preservation measures wherein Ms. Abrahamson stated that such streams were evaluated on a case-by-case basis and indicated that since the applicant had purchased the site with the understanding that the stream was not identified as RPA, staff favored permitting the applicant to pursue alternatives to improve water quality of the stream in lieu of a daylighting effort, which would hinder the feasibility of developing the site.

Commissioner Cortina noted that the applicant's water quality mitigation provisions had not been met on site and requested more information on that issue. Ms. Abrahamson deferred to the applicant for more information on the issue of water quality.

Mr. Brant commended staff for their coordination with the applicant on the proposal. He then gave a presentation wherein he explained the following:

- The applicant had been operating school facilities within the County since the 1960s and the facilities specialized in accommodating students with various disabilities;
- The existing school facility on the site had been in operation since 1981 and had been renovated from a previously-developed church;
- The applicant had acquired adjacent parcels that had been developed with single-family homes with the intent of expanding the existing facility to improve the service and operation of the facility;
- The proposal would permit site modifications, improved facilities, and enhanced recreation areas;
- The maximum enrollment of the proposed facility would not increase from the existing 225 student enrollment that had been previously approved;
- The current enrollment at the existing school facility on the site was approximately 100 students and the school did not intend to accommodate students significantly greater than that amount;
- The policies of the school favored small classroom sizes, personalized attention, and individual care of the students and such policies would continue under the proposal;



- The existing school facility on the site had insufficient space to accommodate the necessary activities for the school and the proposal would provide additional space for those activities, such as a dedicated indoor recreation area;
- The existing modular classroom building on the site would be removed under the first phase of the proposal and the indoor recreation area would be constructed in the subsequent phase to off-set the impact of that removal;
- The proposal would also expand the facility on the site to include an area for fine arts and a therapy space to more adequately meet the needs of the students;
- The proposal included on-site stormwater detention facilities that would be consistent with the standards prescribed by the County;
- The existing stream on the subject property would be redirected into an underground box culvert that would traverse the northern boundary of the site;
- The stormwater management provisions included in the subject application would improve the efficacy of stormwater drainage on the site and would mitigate the impact of stormwater drainage on neighboring residential development to the north;
- The applicant conducted significant outreach to the neighboring residential development, which included an open house event that was conducted in early 2017 prior to the submission of the subject applications;
- The residents of the surrounding development voiced no objections to the proposal and had expressed support of the school's past operations;
- The applicant would continue coordinating with the neighboring community and the resident of the existing dwelling unit located on the western portion of the site to address concerns;
- The resident of the existing dwelling unit located on the western portion of the site had not expressed opposition to the proposal or the existing operation of the facility;
- The applicant's stormwater management provisions provided mitigation at a level beyond the minimum standards prescribed by the County;
- The applicant's stormwater management provisions included the utilization of permeable pavers and compost amended soils, which supplemented the landscaping features proposed for the site;

- The applicant had coordinated with staff and the Department of Public Works and Environmental Services, Urban Forestry Division to ensure there was sufficient landscaping around the perimeter of the property;
- The proposal would retain the existing playground located along Braddock Road and that playground would remain open to the public;
- The applicant had met with the Mason District Supervisor's Office, representatives of the surrounding community, and associated civic organizations to address concerns regarding the proposal and no objections were expressed;
- The applicant had solicited the services of ECS Mid-Atlantic, LLC to evaluate the existing stream on the site, which subsequently concluded that the stream was not located within an RPA; and
- The applicant had met with the Mason District Land Use Committee on May 24, 2018, which recommended approval of the subject applications.

In addition, Mr. Brant indicated that current students from the existing school facility on the site were in attendance.

Commissioner Strandlie acknowledged the students from the existing school on the site in the audience and welcomed their attendance for the joint public hearing.

When Commissioner Ulfelder requested additional information on the amount of square-footage that would be added to the existing school facility under the proposal, Mr. Brant indicated that total square-footage of the facility under the proposed expansion was approximately 42,275 square feet. He also indicated that the total area for the facility reflected the removal of the existing modular classroom on the site. A discussion ensued between Commissioner Ulfelder and Mr. Brant regarding the portion of additional space that would be utilized for classrooms, the impact of that additional space on the operation of the school, and the impact the space would incur on the overall enrollment of the school wherein Mr. Brant said the following:

- The operational policies of the school facility on the site favored small classroom sizes that emphasized individualized attention to the students;
- The additional space would provide flexible areas that permitted specialized instruction of students in small groups, which was consistent with the school's policies;
- The existing facility on the site provided limited opportunities for such specialized instruction; and
- The existing school on the site had been approved to accommodate a maximum enrollment of 225 students;



- The school did not intend to increase enrollment to that level because it was not feasible to operate with such an enrollment in a manner consistent with the current operational policies.

Commissioner Cortina pointed out that the applicant had addressed the majority of the necessary stormwater management requirements on the site by utilizing permeable pavement, but noted that such a provision would not meet the entirety of those requirements. She then requested additional information on the method the applicant would utilize to meet those requirements. Aaron Vinson, Applicant's Engineer, Walter L. Phillips, Incorporated, said that the applicant's stormwater management features included two underground facilities, which would contain the majority of the stormwater runoff on the site. He also stated that the proposal included the utilization of compost amended soils over a half-acre area, which increased the ability of the soil to absorb stormwater. Mr. Vinson then indicated that those provisions, in conjunction with the usage of permeable pavement, would meet approximately 90 percent of the requirements prescribed by the County. He explained that those provisions would be subsequently modified at the time of site plan review to ensure that 100 percent of the requirements were met. He added that the applicant could potentially utilize provisions, such as off-site nutrient credits, to meet those requirements. Commissioner Cortina commended the applicant's efforts in operating the existing school on the site and maintaining favorable relations with the surrounding community. She then suggested that the applicant utilize student programs that emphasized stewardship of the land as another mechanism for complying with the stormwater management requirements. Mr. Vinson said that he did not object to such a program, adding that the applicant would evaluate other potential stormwater management provisions.

Chairman Murphy called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary. He then asked for closing remarks from Mr. Ellis and Ms. Bentley, who declined.

Commissioner Strandlie pointed out that a resident from the surrounding neighborhood near the subject property had contacted staff prior to the public hearing and requested additional information regarding the nature of that call. Mr. Ellis confirmed that the call had occurred, but the resident voiced support of the subject applications.

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

*(Start Verbatim Transcript)*

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Commissioner Strandlie: Thank you, Mr. Chairman. I have a set of motions to go through. First of all, the – as I mentioned before – the Mason District Land Use Committee gave their recommendation for approval on this and we're appreciative of the extensive outreach that the

applicant did to the – to the community over a long period of time to bring this all together. So the first motions I will do is on the Plan Amendment, followed by the Rezoning and Special Exception. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF PLAN AMENDMENT 2018-I-A1, FOUND ON PAGE 4 OF THE STAFF REPORT, DATED APRIL 12<sup>TH</sup>, 2018.

Commissioner Ulfelder: Second.

Chairman Murphy: Seconded...

Commissioner Strandlie: PLAN AMENDMENT 2018-I-A1 WOULD REVISE THE COMPREHENSIVE PLAN MAP DESIGNATION FOR PARCELS 12, 13, AND 14.

Chairman Murphy: Seconded by Mr. Ulfelder. 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-I-A1, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Strandlie.

Commissioner Strandlie: Thank you. Mr. Chairman, I request that the applicant confirm, for the record, their agreement to the proposed development conditions dated April 12<sup>th</sup>, 2018, for SEA 96-M-037.

Robert Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C.: On behalf of the applicant, I can concur with those development conditions.

Commissioner Strandlie: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2017-MA-016, SUBJECT TO THE PROFFERS DATED APRIL 9<sup>TH</sup>, 2018.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2017-MA-016, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Strandlie: I ALSO MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 96-M-037,



SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 12<sup>TH</sup>, 2018, WHICH REFLECT THE – REFLECTS THE REVISED GDP/SEA DATED MARCH 26, 2018, AS DISTRIBUTED THIS EVENING AS WELL AS THE FOLLOWING MODIFICATION AND WAIVER:

- ONE, MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS ALONG THE NORTH AND SOUTH PROPERTY LINE, PURSUANT TO SECTION 13-303 (3) OF THE ZONING ORDINANCE, IN FAVOR OF TRANSITIONAL SCREENING, AS SHOWN ON THE GDP/SE PLAT; AND
- WAIVER OF THE BARRIER REQUIREMENTS ALONG SOUTH PROPERTY BOUNDARY, PURSUANT TO SECTION 13-304 OF THE ZONING ORDINANCE, IN FAVOR OF THE BARRIER SHOWN ON THE GDP/SE PLAT.

Commissioner Ulfelder: Second.

Chairman Murphy: Seconded by Mr. Ulfelder. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 96-M-037, say aye.

Commissioners: Aye.

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

Each motion carried by a vote of 11-0. Commissioner Sargeant was absent from the meeting.

*(End Verbatim Transcript)*

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SE 2017-MA-032 – SHIRLEY INVESTORS, LLC – Appl. under Sects. 9-612 and 9-625 of the Zoning Ordinance to permit provisions for waiving open space requirements and provisions for modification of minimum yard requirements for certain existing structures and uses. Located at 6701 Electronic Dr., Springfield, 22151 on approx. 8.81 ac. of land zoned I-6. Tax Map 80-2 ((1)) 34. (Concurrent with 2232-M17-43). MASON DISTRICT. PUBLIC HEARING.

2232-M17-43 – COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA – Appl. under Sects. 15.2-2204 and 15.2-2232 of the *Code of Virginia* to permit bus maintenance and repair facility. Located at 6701 Electronic Dr., Springfield, 22151 on approx. 2.15 ac. of land zoned I-6. Tax Map 80-2 ((1)) 34 (pt.). (Concurrent

with SE 2017-MA-032). MASON DISTRICT. PUBLIC  
HEARING.

Mark Viani, Applicant's Agent, Bean, Kinney & Korman, P.C., reaffirmed the affidavit for SE 2017-MA-032 dated April 17, 2018

There were no disclosures by Commission members.

Kelly Atkinson, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of application SE 2017-MA-032. She also said that staff recommended that the Commission find that the facility proposed under 2232-M17-43 satisfied the criteria of location, character, and extent, as specified in Section 15.2-2232 of the *Code of Virginia* and, therefore, was substantially in accord with the provisions of the Comprehensive Plan.

A discussion ensued between Commissioner Strandlie and Ms. Atkinson regarding the scope of the staff report and the method staff had used to evaluate the two concurrent applications wherein Ms. Atkinson indicated that the staff report covered both the special exception and the 2232 portion of the proposal, but deferred to the two applicants for information on how the presentations would be conducted.

Mr. Viani explained that there would be two presentations because approval of SE 2017-MA-032 was not contingent on the approval of 2232-M17-43. He then gave a presentation on the SE 2017-MA-032 portion of the proposal wherein he explained the following:

- The subject property for SE 2017-MA-032 had been developed by-right as an industrial park and had operated as such since the 1960s;
- The existing industrial development on the site was operating at a high capacity, but remained under the intensity recommended by the Comprehensive Plan;
- The operation of the site was divided among three parcels;
- The parcels pertaining to SE 2017-MA-032 were identified as Parcel 34H and Parcel 34I;
- The proposal would not permit additional development or intensity on the site, but would divide the existing industrial operations on Parcels 34H and 34I into three independent parcels;
- The existing industrial development on the site was subject to a non-conformity issue involving a 40-foot setback requirement;
- The building located on Parcel 34 could not meet that 40-foot setback requirement and the applicant had requested that the existing condition for that building be retained;



- The existing industrial development did not meet the 10-percent open space requirement and currently operated with between 2 and 4 percent open space;
- The 10-percent open space requirement predated the by-right development on the site;
- The applicant favored maintaining the existing open space provisions on the site, but did not object to complying with the 10-percent requirement in the event that the subject property were to be redeveloped;
- The provisions articulated in SE 2017-MA-032 included multiple waivers and modifications that pertained to internal parking and landscaping requirements, which reflected requirements that had not been implemented during the initial development of the site;
- The applicant supported the waivers and modifications listed in the staff report and staff had voiced no objections to them; and
- The proposal had the support of the Mason District Land Use Committee.

Commissioner Ulfelder indicated that he had questions regarding 2232-M17-43, but after subsequent discussion with Commissioner Strandlie and Kristen Abrahamson, ZED, DPZ, he agreed to defer his questions until the conclusion of the applicant's presentation for that application.

When Commissioner Carter asked whether there was an existing fence located along the railroad tracks, Mr. Viani confirmed that there was such a fence and that fence was required for security reasons.

When Commissioner Niedzielski-Eichner requested additional information regarding the ownership status of the property, Mr. Viani indicated that Shirley Investors, LLC was the applicant for SE 2017-MA-032. He added that the applicant for 2232-M17-43, the County Board of Arlington County, Virginia, had been included because the existing development operated as a single 8.8-acre site and the portion of the site that the applicant for 2232-M17-43 intended to utilize was currently owned by Shirley Investors, LLC. Commissioner Niedzielski-Eichner then requested additional information regarding the relationship Shirley Investors, LLC had with the County Board of Arlington County, Virginia. Mr. Viani explained that the County Board of Arlington County, Virginia was a prospective contract purchaser of a portion of the subject property and if SE 2017-MA-032 were approved, then the County Board of Arlington County, Virginia would purchase Parcel 34J from Shirley Investors, LLC. A discussion ensued between Commissioner Niedzielski-Eichner and Mr. Viani regarding the role of a contract purchaser in such a development and the process for selling the portion of the subject property to the County Board of Arlington County, Virginia.

When Commissioner Hurley asked whether the County Board of Arlington County, Virginia would continue to pay taxes on the portion of the subject property that would be purchased under

the proposal, Ms. Atkinson indicated that the portion would be removed from the County's tax records.

J. Patrick Taves, Applicant's Agent, Greehan, Taves & Pandak, PLLC, gave a presentation for the 2232-M17-43 portion of the proposal wherein he explained the following:

- The proposal would permit the construction of a bus repair and maintenance facility on Parcel 34J of the site;
- The County of Arlington had established a need for such a facility due to the growing usage of bus services throughout the Arlington area;
- The County of Arlington had previously operated similar facilities within County, but such facilities had been owned by contractors and those facilities could not accommodate additional capacity;
- The proposed bus repair and maintenance facility would utilize 10 bus bays and would incur approximately \$125 million of investment costs;
- The repair and maintenance facility would secure and service buses that utilized natural gas, which had been identified as an environmentally-friendly feature;
- The facility would operate within an existing industrial development and would be consistent with the character of the surrounding area;
- The facility would not be located near existing residential development;
- The existing development on the site consisted of brick buildings that were utilized for industrial purposes and those buildings would be demolished under the proposal;
- The maintenance of the buses at the proposed facility would be conducted indoors;
- The County of Arlington operated a similar, smaller facility within the Arlington area, but that facility was unable to conduct the heavy maintenance that would be permitted within the proposed facility;
- The approval of 2232-M17-43 was part of an ongoing effort to improve the mass transportation infrastructure within the County of Arlington; and
- The Mason District Land Use Committee had reviewed the proposal and voiced no objections.

(A copy of Mr. Taves' presentation is in the date file.)



A discussion ensued between Commissioner Strandlie and Mr. Taves regarding the routes the buses served by the proposed facility would utilize and the reason why the County of Arlington had utilized a 2232 application to approve the facility wherein Mr. Taves described the bus routes for vehicles accessing the facility and stated that approval of 2232 application was required by the State of Virginia because the facility was identified as a public facility.

A discussion ensued between Commissioner Ulfelder and Mr. Taves regarding the size of the County of Arlington, the process that the County of Arlington utilized to determine a site for the proposed bus facility, the inability of the County of Arlington to construct the facility within its borders, and the potential alternative sites within the County of Arlington that were considered for the facility wherein Mr. Taves explained the following:

- The County of Arlington was approximately 26 square miles and a real estate broker had been utilized to identify potential sites for locating the facility;
- The County of Arlington had not received positive responses from sites located within the borders of Arlington for locating the facility;
- The staff for the County of Arlington had determined that there was no site that had the necessary size or zoning to accommodate the proposed facility within the borders of Arlington; and
- The County of Arlington acknowledged the issues associated with locating the site outside the borders of Arlington, but determined that securing a site within its borders was not feasible.

Commissioner Ulfelder noted the importance of conducting a thorough evaluation of alternative sites prior to pursuing one located beyond the borders of a County and said that he favored utilizing sites within those borders. Mr. Taves reiterated that the County of Arlington had conducted an appropriate evaluation of alternative sites for the proposed bus maintenance facility, noting the limited availability of land within the County. A discussion ensued between Commissioner Ulfelder and Mr. Taves regarding the extent of the development within Arlington County, the limited availability of industrial zones within Arlington, and the history of development throughout Arlington wherein Mr. Taves indicated that the availability of industrial areas within Arlington was limited.

Uri Arkin, Real Estate Bureau Chief, County Board of Arlington County, Virginia, addressed Commissioner Ulfelder's concerns regarding the evaluation process for alternative sites for the proposed bus facility wherein he echoed the remarks from Mr. Taves on the limited availability of space to accommodate such a facility and added the following;

- The staff from Arlington County had conducted a significant effort to secure a site within the County, but such efforts were not successful;



- The staff from Arlington County had evaluated potential sites within Fairfax County and the City of Alexandria for locating the proposed facility; and
- The evaluation conducted by staff had concluded that the subject property was the most feasible site because it was within an existing industrial development and would incur a minimal impact on existing residential development in the area.

Commissioner Ulfelder pointed out that the County of Arlington had articulated plans to expand mass transit operations, which included the utilization of a new fleet of buses. He then inquired as to whether the proposed facility could accommodate such an expansion. Mr. Arkin confirmed that the facility could accommodate both the expansion and the fleet, adding that the proposed facility would utilize more bays than the existing facilities. A discussion ensued between Commissioner Ulfelder and Mr. Arkin regarding the possibility that the proposed facility would require an expansion wherein Mr. Arkin stated that the County of Arlington did not intend to expand the proposed facility, adding that there was limited space within the subject property to accommodate such an expansion.

Addressing Commissioner Ulfelder's concerns regarding the impact of plans for expanded bus services throughout Arlington County, Mr. Taves indicated that the projections for that expansion extended to 2047 and reiterated that the proposed facility could accommodate such expanded service.

Continuing his presentation, Mr. Taves noted that the criteria for approving 2232 application was whether the location, character, and extent of a proposal was substantially in accord with the Comprehensive Plan. He then said that the proposed bus facility was consistent with the industrial character of the subject property. He also indicated that the Zoning Administrator had determined that such a facility was appropriate within an I-6 District, which was the highest density permitted for an industrial district within the County. Mr. Taves added that the Comprehensive Plan recommended that the subject property and the surrounding area remain industrial. He then stated that the proposed bus facility was consistent with the Comprehensive Plan and would not significantly modify the existing industrial character of the area.

Commissioner Cortina pointed out that the applicant for SE 2017-MA-032 had requested a waiver for the landscaping requirement to provide a 4-foot landscaping strip along the peripheral parking lot. Ms. Atkinson confirmed that such a waiver had been requested. Commissioner Cortina then requested additional information on that waiver, expressing concern regarding the loss of existing tree cover on the site. Mr. Viani said that the property line bisected the existing travel lane between Parcels 34H and 34J. He then explained that installing a landscaping strip along that area would preclude the continued operation of a travel lane. Mr. Viani stated that purpose of the waiver was to permit the existing condition of that travel lane to remain, but noted that the fulfilling landscaping requirements for that area would be necessary if the site were redeveloped. A discussion ensued between Commissioner Cortina and Mr. Viani regarding the existing condition of the travel lane that ran along the boundary line for the two neighboring parcels, the extent to which that travel lane permitted access to the site, and the possibility for the applicant to provide the landscaping on other portions of the site wherein Mr. Viani indicated that the applicant did not intent to install additional landscaping on other portions of the site and



avored retaining the existing landscaping conditions, but reiterated that such landscaping requirements would be implemented in the event that the site was redeveloped.

A discussion ensued between Commissioner Hurley and Mr. Taves regarding the ownership of Parcel 34J on the subject property, the process for selling that parcel to the County of Arlington, and the process for evaluating a 2232 application under the existing ownership status of the site wherein Mr. Taves explained that Shirley Investments, LLL represented the private owner of the subject property and the 2232 application had been filed by the Board of Arlington County, adding that the Board of Arlington County was the contract purchaser of Parcel 34J.

Commissioner Hurley expressed concern regarding the ownership status of Parcel 34J and the impact of approving a 2232 application prior to the ownership being transferred to Arlington County. Mr. Taves indicated that it was standard practice for the County to approve applications to contract purchasers of a property and the review process for such an application included the previous owner consenting to the submission of the application. A discussion ensued between Commissioner Hurley and Ms. Atkinson, with input from Ms. Abrahamson, regarding the potential impact of approving a 2232 application prior to the completion of a purchase of a parcel by a public entity wherein Commissioner Hurley said she favored deferring the decision only on 2232-M17-043 until that issue was resolved and Ms. Abrahamson noted the unique circumstances of the proposal.

Answering questions from Commissioner Carter, Mr. Viani confirmed that the proposal would comply with the 10 percent open space requirement and David Steigler, Applicant's Engineer, Pennoni Associates, Inc., indicated that the applicant had the necessary easements on the western portion of the site to preserve that open space. He added that the easements would be incorporated into the site plan review process.

Chairman Murphy called for speakers from the audience, but received no response; therefore, he noted a rebuttal statement was not necessary. 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 Strandlie for action on these cases.

*(Start Verbatim Transcript)*

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Commissioner Strandlie: Thank you, Mr. Chairman. I am going to go ahead and move for the approval of the SE and I'll go ahead and defer the decision on the 2232. It kind of came through the process in an unusual way and we do have information on that. So once we're more comfortable with what we're doing, we can discuss that. The other thing is I did have a follow-on motion relating to the processing of 2232s that I was going to offer that I will offer again when we come back on that. We had an experience that Commissioner Ulfelder is very familiar with – with the 2232 approval of another County in Fairfax and there was a motion and a change approved that did not provide the 2232 applications for any jurisdiction other than Fairfax. So we're going to work through that. But – so, first of all, on the SE, I move that the Planning Commission recommend that the Board of Supervisors approve SE...

Kelly Atkinson, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ):  
Commissioner Strandlie? Can you ask the applicant to come forward?

Commissioner Strandlie: Oh sorry – sorry.

Chairman Murphy: Mr. Viani?

Commissioner Strandlie: I had three different things there and that was at the bottom. I request that the applicant – in this case, Shirley Investors, LLC – state on the record their acceptance of the development conditions dated April 10<sup>th</sup>, 2018.

Mark Viani, Applicant's Agent, Bean, Kinney & Korman, P.C.: Thank you, Commissioner Strandlie. On behalf of the applicant, Shirley Investors, LLC, we do accept – we've read, accept, and understand the conditions dated now April 10<sup>th</sup>, 2018.

Commissioner Strandlie: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2017-MA-032, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 10<sup>TH</sup>, 2018.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors to approve SE 2017-MA-032, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Strandlie: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE WAIVERS AND/OR MODIFICATIONS SHOWN ON PAGES 1 AND 2 OF THE STAFF REPORT.

Commissioner Niedzielski-Eichner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Strandlie: And now I need to ask staff a question. When is the next date that I can defer this to?



Chairman Murphy: You could – next week, right?

Commissioner Ulfelder: Mr. Chairman? I know...

Kristen Abrahamson, ZED, DPZ: Board date will be deferred, but you could defer it whenever you want – till next week, next Thursday.

Commissioner Strandlie: Okay.

Commissioner Ulfelder: But...

Chairman Murphy: Yeah?

Commissioner Ulfelder: The – the date for the Board of Supervisors on the SE is...

Ms. Abrahamson: It's Tuesday.

Commissioner Ulfelder: It's May 1<sup>st</sup>. We want them both to go forward together to the Board of Supervisors.

Chairman Murphy: Does the Board have to hear the 2232?

Ms. Abrahamson: They don't have to hear...

Commissioner Ulfelder: They don't have to, but I mean do they want to know...

Ms. Abrahamson: They're – in this care, they're unusually independent.

Commissioner Ulfelder: Do they want to know what we've done?

Chairman Murphy: Okay.

Ms. Abrahamson: They may want to know that. I can't speak for them.

Commissioner Strandlie: Well the first part – the SE is not contingent upon the second.

Ms. Abrahamson: The SE is not dependent in this case on the 2232.

Commissioner Strandlie: So when the 2232 – if it makes it will actually...

Commissioner Ulfelder: I – no, I understand. I mean it doesn't go to the Board, but it's...

Ms. Abrahamson: But if you want...if they...if you want to give them direction of the 2232, even though that does not go to them – you know, I can't answer if they want to know the 2232 status because I...

Commissioner Ulfelder: Yeah, I know.

Ms. Abrahamson: I don't really know.

Commissioner Ulfelder: I'm just raising the question.

Ms. Abrahamson: But I think it's a legitimate question.

Commissioner Ulfelder: If...if I were a Board member and then – looking at the original Board action item, which called for both the SE and for the 2232 for this site – and it came forward with no action having been taken yet on the 2232, I – that may raise a question in my mind.

Ms. Abrahamson: It could. It could.

Chairman Murphy: So you...

Commissioner Strandlie: You're proposing...

Chairman Murphy: Why don't you defer decision on both of them to a date certain of – a date prior to May 15<sup>th</sup>, is that the next Board meeting?

Ms. Abrahamson: Well, we just approved...

Commissioner Ulfelder: I think we approved the SE.

Commissioner Strandlie: We've approved the SE.

Chairman Murphy: We approved the SE. All right.

Commissioner Ulfelder: Yeah, but maybe we could – the idea would be to request that the Board defer its hearing on the SE to...to a later date in May to give us time to act on the 2232, prior to the Board acting on the SE.

Commissioner Strandlie: So to April? Yes, okay. Will do.

Chairman Murphy: So that would be May 15<sup>th</sup>. Is that correct? For the Board date? Right. That's what I'm...

Commissioner Strandlie: Okay.

Commissioner Ulfelder: So you need to have a motion to...

Commissioner Strandlie: Yes.

Commissioner Ulfelder: Defer the 2232 decision and a motion to – and a request for the Board – for its consideration.



Commissioner Strandlie: Yes. Okay, so with that, I MOVE THAT THE PLANNING COMMISSION – THE DEFER THE DECISION ONLY FOR 2232-M17-43 TO A DATE CERTAIN OF MAY 3<sup>RD</sup>, 2018, WITH THE RECORD REMAINING OPEN FOR WRITTEN OR ELECTRONIC COMMENTS.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of that motion? All those in favor of the motion to defer 2232 – decision only on 2232-M17-43 to a date certain of May 3<sup>rd</sup>, with the record remaining open for comment, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Strandlie: Finally, I recommend – recommend that the Board – I move that the Board of Supervisors hearing day, currently scheduled for 2232-M17-43 and SE 2017-MA-032 be moved to a date certain of May 15, 2018.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion? They can't move both at the same time, I think.

Commissioner Ulfelder: Well, they're not going to move on the 2232. We are.

Chairman Murphy: Well, they're just sending it to them.

Commissioner Strandlie: Oh sorry, you're right.

Commissioner Ulfelder: Oh, okay. It...it...it – the way you worded it, it sounded like we were sending it to them for some further action. And....

Commissioner Strandlie: Yes. Let me...let me rephrase that. I MOVE THAT THE PLANNING – THAT THE BOARD OF SUPERVISORS HEARING FOR – FOR SE 2017-MA-032 BE MOVED TO A DATE CERTAIN OF MAY 15<sup>TH</sup>, 2018.

Commissioner Niedzielski-Eichner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Each motion carried by a vote of 10-0. Commissioner Hart was not present for the vote. Commissioner Sargeant was absent from the meeting.

*(End Verbatim Transcript)*

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The Commission went into recess at 9:15 p.m. and reconvened in the Board Auditorium at 9:33 p.m.

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RZ/FDP 2017-MD-027 – HORSEPEN RUN, LLC – Appls. to rezone from R-1 and AN to PDH-5 and AN to permit residential development with an overall density of 5.58 dwelling units per acre (du/ac) (includes ADU/WDU units) and approval of the conceptual and final development plan. Located on the E. side of Sully Rd. and S. side of Frying Pan Rd. on approx. 65.89 ac. of land. Comp. Plan Rec: Office and Public Park with option for Residential up to 5.0 du/ac (not including ADU/WDU units). Tax Map 24-2 ((1)) 1 and 10. DRANESVILLE AND SULLY DISTRICTS. PUBLIC HEARING.

Lori Greenlief, Applicant's Agent, McGuireWoods, LLP, reaffirmed the affidavit dated April 13, 2018.

There were no disclosures by Commission members.

Kelly Atkinson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications RZ/FDP 2017-MD-027.

Commissioner Tanner pointed out that the Commission had expressed concerns regarding the proximity of the subject property to the noise contours generated by Dulles International Airport during the Comprehensive Plan Amendment phase of the proposal. He then requested additional information on the noise study that had been conducted on the site. Ms. Atkinson explained that the Policy Plan discouraged residential development within noise contours that exceeded 60 Ldn and the applicant had demonstrated that the proposed residential development would be located outside that contour. She stated that the applicant had provided staff with a noise study. She also said that noise barriers and other noise mitigation featured had been included to ensure that the residential dwelling units within the development were consistent with the noise standard prescribed by the County. Ms. Atkinson added that the applicant would conduct a refined noise study at the time of site plan review. When Commissioner Tanner asked whether the ongoing noise contour study within the area would affect the proposed development, Ms. Atkinson stated that the study would not affect the proposal.



Commissioner Tanner requested additional information regarding the existing condition of Frying Pan Road and the proposed plan for that road. Ms. Atkinson indicated that the road had been included on the Fairfax County Department of Transportation's (FCDOT) 2015 to 2020 Transportation Priorities Plan and had been identified for funding for future projects. She added that the road had an active project manager at FCDOT, who had been coordinating with the Sully District Land Use Council. She then said that plans for the road had would not be finalized until the impact of multiple ongoing rezoning projects had been assessed.

Commissioner Tanner stated that concerns had been raised regarding the possibility of vehicles conducting U-turns on the Sunrise Valley Drive extension that would traverse the subject property and inquired as to whether that issue had been addressed. Ms. Atkinson said that the issue had been resolved, noting that U-turns would be permitted to allow vehicles to access the proposed park dedication. She added that staff had coordinated with the applicant to provide appropriate access to that park area, noting staff supported installing the access on Sunrise Valley Drive.

Commissioner Hurley pointed out that the two athletic fields that would be included on the site under the proposed development were identified as youth-sized fields. She then requested additional information on those fields. Ms. Atkinson said that the fields would be U-11 fields, which primarily accommodated youth sports for children under the age of 11 and 5-on-5 adult soccer. A discussion ensued between Commissioner Hurley and Ryan Stewart, Planner III, Fairfax County Park Authority (FCPA), regarding the possibility of combining the two athletic fields to provide a single adult field, the greater flexibility permitted by a consolidated field, and the evaluation conducted by staff on the proposed athletic fields wherein Mr. Stewart indicated that staff had favored a single consolidated field, but it was subsequently determined that such a field was unfeasible because of the environmental conditions in the area and the limited availability of land on the site.

Commissioner Ulfelder pointed out that there was a pending Comprehensive Plan Amendment for a nearby site identified as the Jackson property, but noted that the review process for that site was ongoing. He also stated that the proposal included a 50-foot wide easement that could accommodate access to that property. He then asked for additional information regarding the impact of that easement on the intersection at Frying Pan Road and Sunrise Valley Drive. Ms. Atkinson indicated that the access to the Jackson property development had not been finalized, but noted that the location of the easement could be modified to accommodate that access. A discussion ensued between Commissioner Ulfelder and Ms. Atkinson regarding the flexibility in determining the location of the easement and the applicant's ongoing coordination efforts with the owner of the Jackson property wherein Ms. Atkinson said that the applicant would grant the necessary easement for the access after the location of that access had been finalized.

A discussion ensued between Commissioner Ulfelder and Ms. Atkinson regarding the design for the access to the Jackson property, the route vehicles would utilize for accessing that site, and the potential issues of that access wherein Ms. Atkinson indicated that the access would be a right-in/right-out and Commissioner Ulfelder expressed concerns about the feasibility of such an access.



When Commissioner Cortina asked whether the parking for the proposed development would be located within the resource protection area (RPA), Ms. Atkinson indicated that there would be no parking in the RPA.

Commissioner Niedzielski-Eichner requested additional information regarding the applicant's commitment to providing lighting for the athletic fields that would be included with the proposed development. Ms. Atkinson explained that the applicant had not committed to installing lighting fixtures for those fields, but noted that the language of Proffer Number 29, Park Authority Dedication, in the revised set dated April 20, 2018, included provisions that permitted the installation of those fixtures without a proffered condition amendment. A discussion ensued between Commissioner Niedzielski-Eichner and Ms. Atkinson regarding the cost of installing those fixtures and the parties responsible for installing such features wherein Ms. Atkinson said that such responsibilities had not been determined and the existing design for the athletic fields did not include lighting fixtures. (A copy of the revised set is in the date file.)

Referring to the last sentence of the last paragraph on page 26 of the staff report, which included a reference to a future agreement between the applicant and the FCPA on finalizing the details of the applicant's dedication, Commissioner Niedzielski-Eichner asked for additional information regarding the nature of the future agreement referenced. Mr. Stewart explained that a previous set of proffers had referenced that agreement, but the language for Proffer Number 29 had been revised to facilitate the applicant's dedication in a manner that did not require a separate agreement. Ms. Atkinson added that the details of that dedication would be finalized during the site plan review process.

Ms. Greenlief gave a presentation wherein she explained the following:

- The subject property had been a component of the Dulles Suburban Plan Amendment process, which evaluated the feasibility of permitting residential development on the site;
- The result of that study, which had been subject to significant input from the public and the Commission, determined that a residential development at a density of 5 dwelling units per acre was appropriate for the site;
- The Comprehensive Plan had been amended to permit such a residential development on the site and the applicant had coordinated with staff to finalize a development that was consistent with those revised recommendations;
- The proposed development reflected efforts by the applicant to address issues pertaining to infrastructure and environmental stewardship;
- The subject property was located near a planned Metrorail station, which presented challenges for surrounding infrastructure to accommodate the expected growth;
- The proposed development included transportation improvements that would improve the surrounding road network and enhance the capacity of that network in anticipation of increased traffic volumes generated by the planned Metrorail station;



- The proposed residential development would reduce the amount of trips generated compared to the existing Comprehensive Plan recommendations for office development on the site;
- The applicant had coordinated with VDOT and FCDOT to finalize the designs for the proposed extension to Sunrise Valley Drive to Park Center Road;
- The extension of Sunrise Valley Drive would be a four-lane divided road with pedestrian trails and bicycle lanes on both sides;
- The extension of Sunrise Valley Drive would improve the surrounding road network by decreasing the traffic volume and providing a direct route to the planned Metrorail station;
- The extension of Sunrise Valley Drive would also accommodate additional bus routes, which were planned for expansion throughout the area after the planned Metrorail station became operational;
- The proposal included improved bicycle and pedestrian connections to the planned Metrorail station and the surrounding transit station area;
- The subject applications included a dedication along Frying Pan Road, a right-turn lane from Frying Pan Road onto Sunrise Valley Drive, and a left-turn lane from the extension of Sunrise Valley Drive onto Frying Pan Road;
- The applicant had committed a \$15 million investment for road infrastructure improvements and had reserved approximately half the acreage of the site as a dedication to the FCPA;
- The applicant had coordinated with the FCPA and with representatives from the Dranesville and Sully Districts to determine the appropriate recreation facilities for the area;
- The proposal included two athletic fields with associated parking, landscaping improvements, and a trail system;
- The applicant had opted to install U-11 athletic fields due to the presence of the RPA, which limited the size of the fields;
- The proposed development included the additional trail connections to existing stream valley park areas, which was consistent with the goals of the Comprehensive Plan's environmental policy provisions;
- The portions of the site that had been identified as environmentally sensitive would be dedicated to and managed by the FCPA;

- The applicant had committed to restoring portions of the RPA prior to dedication to the FCPA and those restoration efforts included the removal of invasive species;
- The applicant had coordinated with staff to determine appropriate provisions for the layouts of the dwelling units, affordable housing units, architecture, open space, and recreation for the proposed developments;
- The layout of the proposed residential development had been designed to complement the views of the nearby stream valley park;
- The site had been subject to a phase one archeology study, a phase one environmental report, and an invasive species study;
- The subject applications would not remove the site from the Route 28 tax district;
- The proposed development included a variety of residential dwelling units to serve a diverse range of homebuyers; and
- The subject applications had been reviewed by the Sully District Council and Sully District Land Use Committee, both of which expressed no objections to the proposal.

Ms. Greenlief commended staff for their coordination with the applicant on the proposal.

A discussion ensued between Commissioner Tanner and Ms. Greenlief regarding the timeframe for the construction of the proposed development and the construction of the various improvements included with the proposal wherein Ms. Greenlief explained the following:

- The process for approving the extension to Sunrise Valley Drive had been initiated by the applicant and that improvement would be implemented prior to the residential development;
- The residential development would be implemented on the portions of the site identified in the staff report as Land Bay A and Land Bay B; and
- The dedication to the FCPA would be granted prior to bond release for the development.

Commissioner Ulfelder pointed out that the area surrounding the subject property would be subject to significant growth and that growth would incur a substantial impact on the local school system. He then stated that Proffer Number 47, Additional Schools Contribution, included a contribution to Fairfax County Public Schools for the construction of new schools that served the site. He expressed support for that proffer because it would help address the impact of such growth throughout the area.

Commissioner Niedzielski-Eichner echoed Commissioner Ulfelder's remarks regarding the applicant's commitment to addressing the impact of the proposed development on the local



school system. In addition, he commended the applicant for addressing the concerns raised by staff.

Commissioner Niedzielski-Eichner pointed out that staff had recommended that the applicant provide an Environmental Site Assessment (ESA) and while the applicant had committed to providing one, that commitment was not reflected in the proffers. He then asked for further clarification on the status of that issue. Ms. Greenlief explained that the applicant had articulated the commitment to providing an ESA in Development Condition Number 4, as shown in Appendix 2 of the staff report. She then indicated that staff did not object to that condition.

Commissioner Niedzielski-Eichner stated that the applicant had included a contribution for the installation of one traffic signal preemption device, as articulated in Proffer Number 48, Traffic Signal Preemption Device. He then said that the Commission supported the installation of such devices because it improved safety conditions and facilitated the ability of emergency vehicles to respond to situations. However, Commissioner Niedzielski-Eichner noted that staff had supported the installation of two traffic signal preemption devices and asked why the applicant favored installing one such device. Ms. Greenlief noted the significant cost that the applicant had incurred with the various commitments to park, recreation, and transportation improvements. She then said that the extent of such improvements rendered the inclusion of a second device unnecessary. Commissioner Niedzielski-Eichner stated that he favored including a commitment to a second device.

Commissioner Niedzielski-Eichner pointed out that staff had identified a potential need for a bus stop within the proposed development and requested additional information regarding the potential location of such a stop, noting the importance of encouraging the usage of mass transportation. Ms. Greenlief said that the applicant had included provisions in Proffer Number 25, Bus Stop, articulated the applicant's intent to implement a bus stop upon determining an appropriate location. She then explained that the applicant would coordinate with FCDOT prior to site plan approval to make such a determination.

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

Jonathan Jackson, 501 Coalbrook Drive, Midlothian, representing Henderson Family FPR, LLC, said he spoke on behalf of the owners of the neighboring site to the north that had been previously identified as the Jackson property. He then voiced in support of the subject applications, but expressed concern regarding the impact the proposed development would incur on the access for the neighboring site to the north. Mr. Jackson pointed out that the extension of Sunrise Valley Drive would modify the frontage of the Jackson property and impact the existing access to the site. In addition, he stated that the neighboring property was planned for redevelopment and expressed concern regarding the applicant's ability to provide sufficient access to that redevelopment. Mr. Jackson said he supported the commitment to preserving an area located along the border of the Jackson property to accommodate future access to that site, as articulated in Proffer Number 10, Area of Preservation. However, he expressed concern that such a commitment was inadequate.

A discussion ensued between Commissioner Hurley and Ms. Atkinson regarding the location of the Jackson property relative to the subject property, the location of the area that the applicant



would preserve for providing access to that property, and the planned access for the Jackson property after it was redeveloped wherein Ms. Atkinson indicated that the Jackson property would retain access to Frying Pan Road and the area adjacent to the site that the applicant would preserve as an easement would be utilized as an interparcel access.

Mr. Jackson pointed out that the two access points for a planned redevelopment on the Jackson property would be right-in/right-out only. Commissioner Ulfelder pointed out that the intent of Proffer Number 10 would not preclude a redevelopment on the Jackson property from utilizing Frying Pan Road as an access. He added that the Comprehensive Plan Amendment associated with that property had been delayed to provide additional time to address issues relating to accessing the site and the subject applications would reserve an easement to accommodate one potential access. A discussion ensued between Commissioner Ulfelder and Mr. Jackson, with input from Ms. Atkinson, regarding the potential issues associated with access to the Jackson property, the access for the park areas on the subject property, and the status of redevelopment efforts on the Jackson property wherein Ms. Atkinson and Mr. Jackson said the following:

- The access to the park areas on the site from Sunrise Valley Drive was favored by staff because such an access would not require vehicles to utilize Route 28; and
- The redevelopment of the Jackson property had not been finalized, but the property owners remained concerned with ensuring adequate access to the site.

Chairman Murphy called for speakers from the audience, but received no response; therefore, he called for a rebuttal statement from Ms. Greenlief, who declined.

Chairman Murphy called for closing remarks from Ms. Atkinson, who declined.

Commissioner Strandlie requested additional information regarding the on-site recreational amenities that would be included with the proposed development. Ms. Abrahamson and Ms. Atkinson pointed out the location of such amenities, which included trails and multiple open space areas. A discussion ensued between Commissioner Strandlie and Ms. Abrahamson regarding the possible features that would be included in the open space areas, the location of those areas throughout the site, and the applicant's commitment to installing those features wherein Ms. Abrahamson identified play equipment and public art as potential features.

When Commissioner Strandlie inquired about the possibility of including other recreational features, such as tennis courts, Ms. Abrahamson indicated that the installation of such features was not feasible due to the presence of environmentally sensitive areas. A discussion ensued between Commissioner Strandlie and Ms. Abrahamson, with input from Ms. Atkinson, regarding the potential for other recreational amenities on the site wherein Ms. Abrahamson said that staff supported the applicant's commitments to providing such amenities and Commissioner Strandlie favored the inclusion other amenities besides athletic fields.

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



*(Start Verbatim Transcript)*

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Commissioner Tanner: Thank you, Mr. Chairman. This has been a very collaborative process as we've gone through these steps. I just want to thank staff, especially Ms. Atkinson and Ms. Abrahamson, for going through this process and being very diligent and working through all the different areas of it. I want to thank the applicant for all your patience and everything that you're providing. To mimic or, at least, reiterate Mr. Ulfelder's remarks in that those are a lot of huge things to have for this community and I really appreciate that you were willing to work with us so much on that one. So with that, Mr. Chairman, I want to make three motions to move forward. The first motion is, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2017-MD-027 AND ITS ASSOCIATED CDP, SUBJECT TO PROFFERS DATED APRIL 20<sup>TH</sup>, 2018.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2017-MD-027, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Tanner: Thank you, Mr. Chairman. I ALSO MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2017-MD-027, SUBJECT TO DEVELOPMENT CONDITIONS DATED APRIL 11<sup>TH</sup>, 2018, AND SUBJECT TO THE BOARD'S APPROVAL OF THE CONCURRENT RZ AND CDP APPLICATION.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there a discussion of that motion? All those in favor of the motion to approve FDP 2017-MD-027, subject to the Board's approval of the rezoning and the CDP, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Tanner: And finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE WAIVERS AND/OR MODIFICATIONS SHOWN ON PAGES 1 AND 2 OF THE STAFF REPORT.

Commissioner Niedzielski-Eichner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Tanner: Thank you, Mr. Chairman.

Each motion carried by a vote of 10-0. Commissioner Hart was not present for the vote. Commissioner Sargeant was absent from the meeting.

*(End Verbatim Transcript)*

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PCA 82-L-030-13 – WHITE HORSE FOUR, LLC – Appl. to amend the proffers for RZ 82-L-030, previously approved for commercial development, to permit a car wash and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.23. Located on the S. side of Charles Arrington Dr., E. of its intersection with Beulah St., on approx. 16.13 ac. of land zoned C-8. Comp. Plan Rec: Retail and Other Commercial Uses. Tax Maps 91-1 ((12)) N. (Concurrent with PCA 87-L-031-03 and SE 2015-LE-031). LEE DISTRICT. PUBLIC HEARING.

PCA 87-L-031-03 – WHITE HORSE FOUR, LLC – Appl. to amend the proffers for RZ 87-L-031, previously approved for commercial development, to permit a car wash and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.23. Located on the S. side of Charles Arrington Dr., E. of its intersection with Beulah St., on approx. 17.14 ac. of land zoned C-8. Comp. Plan Rec: Retail and Other Commercial Uses. Tax Maps 91-1 ((1)) 67 and 67E; and 91-1 ((12)) N. (Concurrent with PCA 82-L-030-13 and SE 2015-LE-031). LEE DISTRICT. PUBLIC HEARING.

SE 2015-LE-031 – WHITE HORSE FOUR, LLC – Appl. under Sect(s). 4-804 and 9-501 of the Zoning Ordinance to permit a car wash. Located at 6912 Manchester Blvd., Alexandria, 22310, on approx. 17.14 ac. of land zoned C-8. Tax Map 91-1 ((1)) 67 and 67E; and 91-1 ((12)) N. (Concurrent with PCA 82-L-030-13 and PCA 87-L-031-03). LEE DISTRICT. PUBLIC HEARING.

Robert Rust, Applicant/Sub-Lessee, White Horse Four, LLC, reaffirmed the affidavit February 5, 2018.



There were no disclosures by Commission members.

Commissioner Migliaccio announced his intent to defer the decision only on the subject applications at the conclusion of the public hearing.

Casey Judge, Zoning Administration Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications PCA 82-L-030-13, PCA 87-L-031-03, and SE 2015-LE-031.

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

- The applicant owned and operated multiple car wash facilities throughout the Northern Virginia area;
- The subject applications had the support of staff and the Lee District Land Use Committee;
- The applicant acknowledged the various concerns that had been submitted by residents of the surrounding community;
- The installation of a traffic signal at the intersection of Beulah Street and Charles Arrington Drive would address some of the community's concerns regarding the traffic impact generated by the proposal;
- The applicant also had included a \$15,000 commitment towards traffic improvements in the surrounding area;
- The applicant had met with the Board of Trustees for Calvary Baptist Church, which was located to the north of the site, and had finalized an agreement to share the cost of an off-duty police officer to mitigate the traffic impact generated by Sunday church activities;
- The applicant had employed the services of an acoustic engineer to conduct a study at the site, which concluded that the noise generated by the proposed car wash would be consistent with the standards prescribed by the Zoning Ordinance;
- The applicant would utilize features within the wash tunnels of the proposed car wash facility to further mitigate the noise impact;
- The applicant had modified the architecture of the proposed car wash facility to reduce the height of the structure, which was intended to mitigate concerns about the visual impact of the facility;
- The applicant had committed to utilizing permeable pavement to address concerns about the stormwater runoff generated by the site; and

- The proposed car wash facility would capture stormwater runoff from the roof of the facility, which would be subsequently utilized for facility operations and landscaping through a reclamation system.

When Commissioner Migliaccio requested additional information regarding the noise impact of the outdoor detailing operations for the proposed car wash facility, Mr. Rust described the operations for vehicles utilizing the full-service section of the facility, noting that the process involved parking on-site to conduct the necessary cleaning procedures. He then explained that the detailed service had to be scheduled prior to the vehicle's arrival and involved a more extensive cleaning process. He added that the vacuum systems utilized on the site were muffled to mitigate the noise impact. A discussion ensued between Commissioner Migliaccio and Mr. Rust regarding the effectiveness of the noise mitigation features of the operations on the site and the primary source of the noise generated by such operations wherein Mr. Rust pointed out that the motor to the vacuum systems on the site would utilize sound-dampening features and Commissioner Migliaccio suggested that similar mitigation provisions be evaluated during the deferral period.

Commissioner Niedzielski-Eichner asked for additional information regarding the existing development on the site and the condition of that development. Mr. Rust indicated that the site was undeveloped and located behind an existing shopping center development to the site. He then said that the area was primarily utilized as a parking area by trucks conducting deliveries for the shopping center. In addition, Mr. Rust described the existing paved areas on the site, noting the presence of numerous potholes. He added that the proposal would replace and repair those paved areas

Commissioner Ulfelder pointed out that the applicant had articulated in the Statement of Justification, as included in Appendix 4 of the original staff report dated September 7, 2016, projected approximately 150 customers a day at the site, which would subsequently generate approximately 300 vehicle trips. When he requested for additional information on the source of those projections, Mr. Rust indicated that the information had been calculated by utilizing guidelines prescribed by the Institute of Transportation Engineers (ITE). A discussion ensued between Commissioner Ulfelder and Mr. Rust regarding the traffic generated by the proposed car wash compared to those of other car wash facilities and the types of washing operations that would be utilized at the facility wherein Mr. Rust stated that the traffic generated by the proposed facility was consistent with those of similar facilities and the proposed facility would not utilize hand-washing operations.

A discussion ensued between Commissioner Ulfelder and Mr. Rust regarding the hours of operation for the proposed car wash and the extent to which they had been modified since the publication of the original staff report wherein Mr. Rust said that Development Condition Number 5 in the revised set dated April 25, 2018 restricted the hours of the facility from 8:00 a.m. to 7:00 p.m. (A copy of the revised set is in the date file.)

When Commissioner Tanner requested additional information regarding the peak usage periods of the proposed car wash facility, Mr. Rust indicated that peak usage periods often occurred on



Saturday mornings and Friday afternoons, adding that the intensity of the usage was dependent on the location.

Commissioner Tanner noted the proximity of the site to an existing residential development to the north. He then asked for additional information regarding the traffic impact on those neighborhoods. Mr. Rust indicated that the impact would be minimal and restricted to residents from that neighborhood utilizing the proposed car wash facility. A discussion ensued between Commissioner Tanner and Mr. Rust regarding the impact of vehicular stacking on the site, the frequency with which vehicular stacking occurred at car wash facilities, and the methods the proposed facility would utilize to mitigate that impact wherein Mr. Rust said that the facility had been designed to accommodate the stacking on-site and minimize the impact on Charles Arrington Drive, adding that there was additional space for vehicular stacking around the existing shopping center.

Commissioner Hurley pointed out that car wash facilities were subject to heavy use after snow storms due to the impact of rock salt on the roads. A discussion ensued between Commissioner Hurley and Mr. Rust regarding the potential for backup at the proposed car wash those periods of heavy use, the methods the applicant would utilize to alleviate that impact, and the areas that would be subject to the majority of the impact wherein Mr. Rust explained that the operation of the site provided flexibility to accommodate customers pursuing various services and described the routes vehicles would utilize to access the site, adding that the impact of heavy use would occur primarily on the neighboring shopping center to the south.

When Commissioner Cortina asked for additional information regarding the barrier between the proposed car wash facility and the existing daycare facility to the east, Mr. Rust said that there was a split-rail fence between the sites along the property line. A discussion ensued between Commissioner Cortina and Mr. Rust regarding the potential safety issues associated with locating a car wash near a child care facility and the presence of other barriers around the proposed car wherein Mr. Rust indicated that the six-foot, split-rail fence would be sufficient to separate the operations of the car wash from those of the daycare center.

Commissioner Cortina pointed out that the area around the site had been subject to cut-through traffic by vehicles accessing the neighboring shopping center to the south and indicated that the surrounding roads were also subject to frequent traffic congestion during peak traffic periods.

Commissioner Cortina requested additional information regarding the applicant's stormwater reclamation provisions and the potential impact of stormwater runoff from the site on a stormwater wet pond that had been identified in the staff report as Lake A. Mr. Rust explained that the water utilized to clean vehicles on the site was channeled into a pit before being directed into underground storage tanks. He then said that the soils would settle within those tanks before the water was pumped back into a cleaning system before being re-used in the car-washing operations. Mr. Rust stated that the reclamation system would reuse approximately 85 percent of the water on the site, adding that water utilized during the waxing operations was not reutilized in that system. In addition, he indicated that the runoff on the site generated by stormwater would drain into a storm sewer before being channeled into Lake A. Mr. Rust added that the stormwater from the roof of the facility would be captured and utilized for car wash operations, which would



reduce the amount of stormwater generated by the site. He also said that the permeable pavement to further reduce the amount of runoff from the site. Commissioner Cortina asked for additional information regarding the process the applicant would utilize to treat the remaining 15 percent of the water that was not captured by the reclamation system and the water utilized for the car waxing operations. Mr. Rust stated that the water not processed by the reclamation system would be processed by the existing sanitary sewer system in the area and the runoff generated by the waxing operations would be processed by the wastewater system. He added that the waxing operations at the proposed facility would utilize a debris separator, which would be regularly cleaned.

Chairman Murphy called the first listed speaker.

Kristen Pennington, 6911A Victoria Drive, Alexandria, representing the Manchester Lakes Master Association (MLMA), voiced opposition to the subject applications because the proposed car wash facility would incur a negative impact on the surrounding residential community. She described the Manchester Lakes community, which included a mix of condominium and townhome developments. She added that the community also included various open spaces, pedestrian paths, and recreational amenities. Ms. Pennington explained that the proposed car wash would incur a negative impact on the safety, traffic, noise control, and environment features of those areas and the overall community. She cited the potential environmental impact of the proposal on nearby common areas as the primary concern for the MLMA. Ms. Pennington did not concur with the applicant's conclusion that the stormwater management provisions for the proposed car wash would mitigate that concern, adding that potential impacts on nearby common areas had not been adequately evaluated. She noted that Lake A, which the applicant had identified as part of the stormwater management feature for the proposed car wash, was a common area maintained by the MLMA. She then expressed concern regarding the impact of stormwater runoff and the associated chemicals included with that runoff that the car wash would incur on Lake A. In addition, Ms. Pennington said that Lake A would be subject to further impact in the event that the applicant's stormwater management provisions were inadequate or subject to severe weather events. She then stated that the applicant had not included sufficient contingencies to account for such circumstances. She added that the applicant had not included provisions to mitigate the environmental impact of construction activity on the site. Ms. Pennington also expressed concern that the Manchester Lakes community would incur the cost of the environmental impact of the proposed car wash. She noted that MLMA had received multiple citations from the County regarding debris built-up in the existing stormwater management system and indicated that the proposal could intensify those conditions. In addition, Ms. Pennington voiced concern that the proposed car wash would incur on the overall watershed for the area, adding that Lake A was part of a tributary that fed into the Chesapeake Bay. She then stated that the associated impact of the car wash would negatively impact the character of the nearby residential community and increase the overall cost of managing stormwater runoff in the area. She also said that the applicant's efforts to off-set those costs for addressing the environmental impacts were inadequate. Ms. Pennington requested that the applicant evaluate the potential that the proposed car wash would contribute to increased flooding in Lake A, greater amounts of contaminants flowing into the local watershed, and unexpected environmental impacts. She then asked that the applicant articulate a recourse for such scenarios. In addition, Ms. Pennington indicated that the review process for the proposal had not adequately addressed



the concerns of the Manchester Lakes community, assessed the full environmental impact of the proposal on the surrounding area, or determined appropriate mitigation measures. (A copy of the MLMA's statement is in the date file.)

A discussion ensued between Commissioner Migliaccio and Ms. Pennington regarding the applicant's efforts to address the concerns articulated by residents of the Manchester Lakes community, the community's coordination efforts with the applicant to address those concerns, and the community's coordination efforts with staff wherein Ms. Pennington indicated that the MLMA had articulated their concerns primarily to the applicant and Commissioner Migliaccio encouraged greater coordination with staff during the deferral period.

When Commissioner Migliaccio asked about the MLMA's efforts to implement traffic-calming measures along Charles Arrington rive, Ms. Pennington indicated that there had been no effort by the MLMA to install such measures.

A discussion ensued between Commissioner Niedzielski-Eichner and Ms. Pennington regarding the location of Lake A, the existing condition of Lake A, and the potential impact the proposed car wash would incur on Lake A wherein Ms. Pennington reiterated her concerns regarding the effect the car wash would incur on Lake A in the event of an emergency situation.

A discussion ensued between Commissioner Cortina and Ms. Pennington regarding the ownership status of Lake A, the maintenance responsibilities for Lake A, the current effectiveness of Lake A in containing stormwater runoff, and the MLMA's concern that the proposed car wash would incur a negative impact on that area wherein Ms. Pennington confirmed that Lake A was privately owned by the MLMA and Lake A was subject to flooding during severe weather, adding that the community had voiced concerns that the applicant's stormwater management provisions were not adequate to alleviate the potential impact on Lake A.

A discussion ensued between Commissioner Ulfelder and Ms. Pennington regarding the ownership of Lake A, the types of maintenance conducted at Lake A, and the effectiveness of such features at mitigating stormwater wherein Ms. Pennington reiterated that the MLMA owned and maintained Lake A.

Commissioner Ulfelder pointed out that the applicant had articulated the provisions for processing the water utilized during car wash and waxing operations on the site at the facility, which included measures that would prevent water from waxing operations from flowing into Lake A. He added that the applicant had committed to recycling a significant amount of water from washing operations on the site. A discussion ensued between Commissioner Ulfelder and Ms. Pennington regarding the applicant's recourse in the event that the stormwater mitigation systems prove ineffective and the extent to which the MLMA supported the applicant's operations on the site wherein Ms. Pennington stated that the MLMA opposed both the mitigation provisions and the general operation of a car wash facility on the site.

When Commissioner Ulfelder inquired as to whether the proposed car wash facility for the site would improve the stormwater impact of the site compared to the current condition, Ms.



Atkinson noted that the subject property had been planned to accommodate a building when the original site plan was approved in the 1980s. She added that such a building would have been larger than the proposed car wash facility and the existing stormwater management provisions at the site had been implemented to accommodate the possibility of such development. A discussion ensued between Commissioner Ulfelder and Ms. Atkinson regarding the applicant's stormwater management provisions for the site and the provisions the applicant had included to address the environmental concerns raised by the surrounding residential neighborhood wherein Ms. Atkinson indicated that the applicant's commitment to utilize permeable pavers had been a response to address concerns from the community and such provisions were beyond the minimum stormwater management requirements prescribed by the County.

Laura Goodman, 6913 Victoria Drive, Apt. K, Alexandria, spoke in opposition to the subject applications because the proposed car wash for the site would generate potential safety hazards for the nearby residential community. She pointed out that there were multiple school bus stops, a daycare facility, and a church located near the site. She then voiced concern that the traffic generated by the proposed car wash would create safety issues for children and pedestrians throughout the area. Ms. Goodman also said that the proposed car wash would operate during hours during school hours and peak traffic periods, which would intensify the potential safety hazards. In addition, she expressed concern that the car wash would increase crime rates in the area and negatively impact the character of the nearby residential neighborhood. Ms. Goodman said that the operation of a car wash on the site would generate noise that would negatively impact the surrounding community. She also echoed remarks from Ms. Pennington regarding the car wash facility's potential environmental impact in the area and the cost of addressing those impacts that would be incurred by the Manchester Lakes community, stating that the chemicals and air pollution generated by the facility's operations would also incur potential health hazards. In addition, Ms. Goodman noted that the traffic generated by the site would increase congestion along Charles Arrington Drive and Beulah Street, noting that the intersection for those roads was subject to frequent congestion. In conclusion, she said that a car wash was not consistent with the character of the surrounding area and approval of the subject applications was unjustified due to the potential impact on the safety and environment of the neighboring residential community. (A copy of Ms. Goodman's statement is in the date file.)

Karen Jackson, 6907 Victoria Drive, Unit C, Alexandria, stated that she supported commercial development on the site, but noted that she did not support the proposal because a car wash facility generated potential safety issues and was not consistent with the standards prescribed by the Americans with Disabilities Act (ADA). She also pointed out that the proposal had been opposed by residents of the majority of the residents within the surrounding community. Ms. Jackson described the accessibility of the car wash facility, noting that the designs for the facility did not accommodate individuals with disabilities and was not consistent with ADA requirements. She added that the existing paths utilized by individuals with disabilities would be removed under the proposal. Ms. Jackson also voiced concern regarding the impact the proposal would incur on the response times for emergency vehicles serving the residential community, noting the limited accessibility to the community. She indicated that Charles Arrington Drive was narrow, which further limited the ability of emergency vehicles to navigate the areas. Ms. Jackson also said that the operation of a car wash on the site would generate additional traffic congestion on Charles Arrington Drive due to vehicular stacking. In conclusion, she stated that



the proposal did not comply with the necessary safety and ADA regulations, adding that the applicant had not adequately responded to such concerns. (A copy of Ms. Jackson's statement is in the date file.)

Armen Hovhannisyan, 6902 Keyser Way, Unit A, Alexandria, voiced opposition to the subject applications, echoing remarks from previous speakers regarding the impact the proposed car wash would incur on nearby roads and the ability for emergency vehicles to serve the surrounding area. He described the existing traffic congestion at the intersection of Charles Arrington Drive and Beulah Street, stating that the operation of a car wash intensify that congestion. Mr. Hovhannisyan noted that Charles Arrington Drive was the primary road utilized by emergency vehicles to access the Manchester Lakes community and the nearby daycare center. He then stated that the operation of a car wash on the site would incur potential safety hazards due to the effect on emergency vehicle response times. In addition, Mr. Hovhannisyan noted the proximity of the site to an existing daycare center and the Calvary Road Church, which operated a pre-school. He then expressed concern that the additional traffic generated by the car wash would generate significant safety issues for children attending those facilities. He also noted the frequency with which school buses utilized Charles Arrington Drive as bus stops and the car wash would operate during the hours in which drop-off/pick-up would occur. Mr. Hovhannisyan indicated that the proposal would negatively impact existing pedestrian crosswalks. He added that he favored further study of the intersection at Beulah Street and Manchester Boulevard, which would also be impacted by the traffic generated by the car wash. Mr. Hovhannisyan said that he favored developing the site with commercial use, but did not support a car wash facility because the intensity and operation of such a use was not consistent with the surrounding residential community. He also echoed remarks from previous speakers regarding the opposition that had been expressed by the majority of the surrounding community for the car wash. (A copy of Mr. Hovhannisyan's statement is in the date file.)

Thomas Sachs, 6192 Manchester Park Circle, Alexandria, spoke in support of the proposal because it would improve the condition of the subject property. He described the existing condition of the site, stating that the site had been utilized as parking for vehicles. He then noted the negative visual impact incurred by that condition. Mr. Sachs acknowledged the significant community opposition to the proposal, but pointed out that the concerns associated with that opposition had been the result of misinformation. He addressed the concerns regarding vehicular stacking on the site that had been raised by previous speakers, stating that the proposed facility had sufficient space to accommodate vehicular stacking on-site. He added that the operation of a car wash was not subject to significant stacking compared to other commercial uses. Mr. Sachs said that the applicant had committed to realigning existing pedestrian paths to facilitate pedestrian traffic to the shopping center, noting that the realignment would include accommodations for disabled individuals. In addition, he addressed the concerns voiced by previous speakers regarding the proposal's impact on the stormwater management provisions for the site, pointing out that the site had been planned to accommodate commercial development and the applicant's stormwater management features would mitigate the runoff from the site more effectively than the existing condition. Mr. Sachs explained that he had contacted the Fairfax County Police Department to evaluate the impact of car wash facilities on crime and indicated that such an impact was not associated with such facilities. He then pointed out that similar car wash facilities had been located near residential communities at other portions of the



County. In addition, the usage of car wash facilities was associated with a positive environmental impact because such facilities utilized less water compared to residents washing cars at their property. Mr. Sachs also supported the applicant's efforts for utilizing a water reclamation system at the site. (A copy of Mr. Sachs' statement is in the date file.)

George Moraczewski, 6016 Curtier Drive, Unit E, Alexandria, voiced opposition to the subject applications due to concerns regarding the negative environmental impact that would be incurred by the proposed car wash facility on the site. He indicated that the impact of such a facility was not consistent with the County's environmental policy. Mr. Moraczewski described the existing environmental conditions in the area around the subject property, noting the location of stormwater management ponds and stream systems. In addition, he pointed out that those environmental features connected with the watershed throughout the area. Mr. Moraczewski provided additional information on the efforts to improve the environmental features throughout the area and outstanding projects for the area, but noted that certain improvements had not been implemented due to a lack of funding. He then said that the proposal did not comply with the necessary requirements to warrant approval of a car wash, as prescribed by the Zoning Ordinance. Mr. Moraczewski also explained that the site was located in an area that was sensitive to environmental impact due to the proximity to the Chesapeake Bay Watershed and a car wash on the site would negatively impact the quality of the groundwater. He stated that the impact of rock salt during winter months would incur further impacts from vehicles utilizing the car wash facility, adding that such impacts warranted greater scrutiny at sites located within a watershed or near a creek system. In addition, Mr. Moraczewski aligned himself with previous speakers regarding the potential impact of the proposal on Lake A, adding that an impact in that area would also impact other areas located downstream. (A copy of Mr. Moraczewski's statement is in the date file.)

Natalya Moraczewski, 6016 Curtier Drive, Unit E, Alexandria, spoke in opposition to the subject applications because of the potential impact that the proposed car wash would incur on the property values of the neighboring residential community and the potential safety hazards that such a facility would generate for the nearby child care facility. She also noted the extent of the opposition that the surrounding community had voiced regarding the subject applications, adding that the applicant had not adequately addressed the concerns raised by the community. In addition, Ms. Moraczewski expressed concern regarding the impact the car wash facility would incur on the existing daycare facility to the east, stating that the impact could affect the viability of the daycare facility due to safety and environmental issues. She added that a car wash facility on the site was not compatible with the character of the surrounding facility. Ms. Moraczewski voiced concern regarding the impact the surrounding community would incur in the event that the car wash facility on the site went out of business. She then pointed out that there were other car wash facilities located near the area. She also echoed remarks from previous speakers regarding the impact the proposed car wash would incur on traffic congestion and environmental impact on the surrounding neighborhood, noting that the roads surrounding the existing Manchester Lakes community had been subject to significant congestion. Ms. Moraczewski stated that she supported commercial development on the site, but she opposed the implementation of a car wash.



A discussion ensued between Commissioner Migliaccio and Ms. Moraczewski regarding the extent of the coordination efforts the Manchester Lakes community had conducted with the applicant and the impact the proposed car wash would incur on the neighboring daycare center wherein Ms. Moraczewski noted the difficulty the community had encountered in conducting such efforts, added that the operators of the daycare center had not taken a position on the proposal.

George Bowen, 6004E Curtier Drive, Alexandria, voiced opposition to the subject applications, aligning himself with remarks from previous speakers regarding the impact the proposed car wash would incur on traffic, crime, noise, safety, and environmental issues. He cited the location of other car wash facilities managed by the applicant, noting that those facilities were located along major, multi-lane thoroughfares that were located in close proximity to commercial development. He then pointed out that Charles Arrington Drive, which the proposed car wash would front, was not consistent with the character of those major roads. Mr. Bowen stated that a car wash facility was not consistent with the character of the surrounding area and Charles Arrington Drive could not accommodate the traffic generated by the facility.

In response to questions from Commissioner Ulfelder, Ms. Atkinson confirmed that the proposed car wash facility could be accessed from the existing shopping center to the south and Charles Arrington Drive was not the sole access point to the facility. She also concurred that the applicant expected a portion of the customers accessing the car wash would utilize the shopping center to access the facility.

Meredith McDonough, 6925 Mary Caroline Circle, Unit F, Alexandria, spoke in opposition to the subject applications, aligning herself with the concerns expressed from previous speakers regarding the impact the proposed car wash would incur. She described the development history of the area around the subject property, noting the significant traffic congestion generated by the existing development in the area. She added that such congestion would intensify as other developments in the area were implemented in nearby area, such as Kingstowne. Ms. McDonough stated that a car wash facility on the subject property was not warranted, noting the proximity of other car wash services in the area. She also noted the existing safety hazards in the surrounding areas incurred by the traffic congestion at nearby intersections. In addition, she indicated that she supported commercial development on the site, but did not favor a car wash and recommended that the applicant pursue an alternative site.

Lauren Antelo, 6182 Old Brentford Court, Alexandria, voiced opposition to the subject applications, aligning herself with the concerns expressed by previous speakers regarding the potential safety impact of the proposed car wash facility. She described the existing conditions along Charles Arrington Drive, noting that there were multiple bus stops located along that road and the road was also subject to significant pedestrian traffic. Ms. Antelo then expressed concern regarding the impact that a car wash facility would incur on the character of Charles Arrington Drive due to increased traffic and vehicular stacking. She also stated that such traffic would generate additional safety hazards for pedestrians. In addition, she indicated that Charles Arrington Drive had been the site of a previous emergency incident.



Commissioner Migliaccio encouraged the Manchester Lakes community to coordinate with VDOT and FCDOT to improve the safety conditions along Charles Arrington Drive. Ms. Antelo concurred with that statement and expressed her intent to pursue the installation of traffic-calming measures on that road.

Peter Weyrich, 6949 Mary Carline Circle, Unit H, Alexandria, spoke in opposition to the subject applications, echoing remarks from previous speakers regarding the impact the proposed car wash facility would incur on the character of the area and the traffic conditions of the surrounding roads. He also pointed out that there were multiple car wash services located near the site, adding that the applicant had not provided sufficient justification to warrant approval. In addition, Mr. Weyrich expressed concern regarding the safety hazards the proposal would incur for disabled individuals in the area due to the increased traffic generated by the car wash. (A copy of Mr. Weyrich's statement is in the date file.)

Carol Sue Carlson-Jones, 6910 Victoria Drive, Unit J, Alexandria, voiced opposition to the subject applications because of the negative impact that a car wash facility on the site would incur on the surrounding residential community. She pointed out that the majority of customers to the car wash would utilize Charles Arrington Drive, noting that the shopping center was not a feasible access because it was frequently utilized by delivery vehicles. She added that Charles Arrington Drive could not accommodate the additional traffic generated by the car wash. Ms. Carlson-Jones also aligned herself with remarks from previous speakers regarding the noise, safety, and environmental impact the car wash would incur on the surrounding community. In addition, she indicated that there were similar car wash services located near the site and the applicant had not provided adequate justification to warrant approval.

David Clayton, Old Brentford Court, Alexandria, spoke in opposition to the subject applications because of concerns regarding the traffic impact the proposed car wash on the site would incur. He echoed remarks from Ms. Carlson-Jones, stating that customers accessing the site would primarily utilize Charles Arrington Drive instead of the existing shopping center to the south. Mr. Clayton also said that the potential traffic impact of the proposal had not been sufficiently studied during peak traffic periods. He added that the traffic impact of the car wash on Charles Arrington Drive could generate cut-through traffic through the Manchester Lakes neighborhood to the north. He supported the applicant's commitment to coordinating with Calvary Road Baptist Church to mitigate the traffic impact during Sunday church services, but stated that such a commitment was not adequate to address the overall impact on the surrounding neighborhood. Mr. Clayton then recommended that staff conduct additional traffic studies to assess the impact of the proposed car wash.

Commissioner Migliaccio requested additional information regarding any traffic studies that had been conducted with the proposal. Jeffrey Hermann, Transportation Planning Division, FCDOT, explained that since the by-right uses permitted on the site would incur more trips than the existing condition of the site, a traffic study on the site was not warranted. He added that staff utilized the estimated average trip-generation figures provided by ITE for car wash facilities in evaluating the traffic impact of the proposal. A discussion ensued between Commissioner Migliaccio and Mr. Hermann regarding the potential by-right uses that were permitted on the



subject property and the traffic impact of such uses wherein Mr. Hermann indicated that such information would be compiled and distributed to the Commissioners during the deferral period.

A discussion ensued between Commissioner Ulfelder and Mr. Clayton regarding the traffic impact on the area around the site during Sunday church services at Calvary Road Baptist Church, the traffic mitigation measures that were utilized to address that impact, the number of services the church conducted, and the ability of Charles Arrington Drive to accommodate additional traffic wherein Commissioner Ulfelder pointed out that the coordination efforts between the applicant and Calvary Road Baptist Church on mitigating traffic during Sunday services was intended to improve the overall safety throughout the area.

Commissioner Cortina pointed out that there were existing commercial businesses at the neighboring shopping center that included features and pedestrian traffic that hindered vehicles from using the shopping center to access the subject property. She then asked for additional information regarding the extent to which existing traffic patterns had been evaluated. Mr. Hermann said that such patterns had been evaluated by staff during the review of the subject applications. He then stated that there were multiple routes that vehicles could utilize to access the site and staff concluded that the existing road network could accommodate the trips generated by the proposed car wash. A discussion ensued between Commissioner Cortina and Mr. Hermann regarding the extent to which staff communicated their conclusions on the traffic impact of the proposal to residents of the surrounding community wherein Commissioner Cortina suggested that staff provide the community with such information during the deferral period.

Beverly McNeal, 6122 Old Brentford Court, Alexandria, spoke in opposition to the subject applications, aligning herself with the concerns voiced by previous speakers regarding the impact the proposed car wash facility would incur on the surrounding area. She added that she supported the applicant's efforts to expand business operations throughout the County, but stated that a car wash on the site was not consistent with the character of the community or the goals for the area that had been articulated in the Comprehensive Plan. In addition, Ms. McNeal said that a car wash on the site was not economically feasible and favored developing the site with recreation amenities. She also echoed concerns from previous speakers regarding the potential safety hazards the proposal would generate for disabled individuals.

Chairman Murphy called for speakers from the audience.

John Pearson, 6101 Old Brentford Court, Alexandria, voiced opposition to the subject applications because of the negative impact the proposed car wash would incur on the surrounding community. He described the operations of similar car wash facilities, noting the frequency with which such facilities generated traffic congestion. He then said that Charles Arrington Drive could not accommodate the traffic impact of a car wash and pointed out the extent of the community opposition for the proposal.

Laura Possessky, 6046 Kestner Circle, Alexandria, spoke in opposition to the subject applications. She addressed concerns articulated by Commissioners regarding the maintenance of Lake A, stating that the MLMA was responsible for maintaining that facility and noted that the



MLMA did not object to providing additional information on those maintenance operations to the Commission during the deferral period. In addition, Ms. Possessky said that there were ongoing efforts to install traffic-calming measures along Charles Arrington Drive, but there was no timeframe for the implementation of such measures. She then echoed concerns from previous speakers regarding the traffic impact the proposed car wash would incur, stating that the road could not accommodate such an impact. Ms. Possessky indicated that utilizing the shopping center to access the subject property by vehicle was not feasible. She also stated that the applicant had not addressed the impact the proposal would incur on the ability of the shopping center to accommodate loading trucks. In addition, she said that the applicant had not adequately coordinated with residents of the surrounding community to address outstanding concerns regarding the stormwater impact of the proposal and supported subsequent study of the area to address those concerns.

A discussion ensued between Commissioner Migliaccio and Ms. Possessky regarding the efforts of the Manchester Lakes community to install traffic calming measures along Charles Arrington Drive and the number of outstanding concerns that the community had raised about proposal wherein Ms. Possessky did not object to providing staff and the Commission with a list of unresolved issues during the deferral period.

When Commissioner Carter asked whether the existing shopping center to the south of the site contributed to the maintenance of Lake A, Ms. Possessky stated that the shopping center did not contribute to the maintenance of that facility.

Doug Laupe, 6981 Victoria Drive, Alexandria, voiced opposition to the subject applications due to concerns regarding the noise impact that would be generated by the proposed car wash. He then said that such an impact had not been adequately studied.

Gruna Radhalonishnan, 6109 Old Brentford Court, Alexandria, spoke in opposition to the subject applications because of the expected traffic impact and the potential safety hazards that would be generated by the proposed car wash facility on the site. He described the existing traffic conditions of the surrounding areas, noting the extent of the congestion along Beulah Street and Charles Arrington Drive. Mr. Radhalonishnan also echoed concerns from previous speakers regarding the difficulty of accessing the site from the shopping center to the south. He added that locating a car wash on the site would incur a negative impact on the character of the surrounding community.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Rust, who stated the following:

- The County encouraged the usage of car wash services such services generated fewer environmental impacts than residents washing their cars at their property;
- The proposal included provisions that required the proposed car wash facility to dispose of wastewater and chemicals in an appropriate manner that limited environmental impacts;



- The applicant planned to install a crosswalk that connected the site with the existing shopping center to improve access for individuals with disabilities; and
- The applicant had committed to implementing provisions to ensure that the noise impact of the proposed car wash was consistent with the standards prescribed by the Zoning Ordinance.

Commissioner Tanner expressed concern regarding the amount of community opposition that the subject applications had generated. He then encouraged the applicant to coordinate with residents of the community during the deferral to address their concerns. Mr. Rust did not object to such efforts, adding that he had offered to provide tours of similar car wash facilities.

Commissioner Strandlie also encouraged residents of the existing residential community located near the site to coordinate with staff and the applicant to address their concerns regarding the proposal.

A discussion ensued between Commissioner Ulfelder and Mr. Rust regarding the amount of vehicular stacking the proposed car wash could accommodate on-site and the possibility that such stacking would impact Charles Arrington Drive wherein Mr. Rust said that the site could accommodate approximately 56 vehicles on-site.

A discussion ensued between Commissioner Ulfelder and Ms. Abrahamson regarding the stormwater impact of the neighboring shopping center on Lake A, the maintenance responsibilities for Lake A, the frequency with which Lake A was subject to inspections, and the past instances in which Lake A had been cited for violations wherein Ms. Abrahamson indicated that staff would evaluate issues relating to stormwater management, the associated impact on Lake A, and the operational status of Lake A during the deferral period.

A discussion ensued between Commissioner Carter and Mr. Rust regarding the hours of operation for the proposed car wash on the site and the pedestrian paths that connected Charles Arrington Drive to the existing shopping center wherein Mr. Rust indicated that the car wash would operate from 8 a.m. to 7 p.m.

When Commissioner Carter asked whether Mr. Rust had evaluated alternative sites for the proposed car wash, he stated that the applicant had not conducted such an effort, adding that the subject property had been selected due to the proximity to other commercial uses.

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 Migliaccio for action on these cases.

*(Start Verbatim Transcript)*

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Commissioner Migliaccio: Thank you. I want to thank all the speakers that came out tonight. As I mentioned earlier this evening, I am not making a decision one way up or down on this tonight. We're deferring. Obviously, we are some questions that remain unanswered in the eyes of the community and eyes of fellow Commissioners. So, hopefully, giving it a couple of weeks will get those answers. If not, we'll take it from there. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY PCA 82-L-030-13, PCA 87-L-031-03, AND SE 2015-LE-031 TO A DATE CERTAIN OF MAY 17<sup>TH</sup>, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Niedzielski-Eichner: Second.

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

Commissioners: Aye.

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

The motion carried by a vote of 10-0. Commissioner Hart was not present for the vote. Commissioner Sargeant was absent from the meeting.

*(End Verbatim Transcript)*

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The meeting was adjourned at 12:20 a.m.

Peter F. Murphy, Chairman

James T. Migliaccio, Secretary

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

Minutes by: Jacob Caporaletti

Approved on: September 13, 2018

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



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