

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, SEPTEMBER 13, 2018**

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

ABSENT: None

//

The meeting was called to order at 7:30 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

//

COMMISSION MATTERS

Chairman Murphy announced Barbara Lippa, former Executive Director to the Planning Commission's mother passed away in August of 2018. The Planning Commission extended condolences to Ms. Lippa and her family.

//

Chairman Murphy announced the completion of the Planning Commission's Annual Report of Activities for Fiscal Year 2018.

//

Commissioner Clarke announced a new public hearing was required for Plan Amendment 2018-IV-MV2, 8800 Richmond Highway, because the July 19, 2018 meeting announcement had not included the proposed plan text. The new public hearing was scheduled for Wednesday, October 24, 2018, at 7:30 p.m., in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. He noted there would be a transcript of the July 19, 2018 Planning Commission meeting produced in the interim, which would be and posted to the Plan Amendment web page for the public to view. In addition, speakers at that meeting who would prefer it to be considered as testimony, or as supplemental testimony, at the October 24, 2018, meeting would need to notify the Planning Commission office and identify the portion of the transcript they want submitted.

//

Commissioner Migliaccio announced the Land Use Process Review Committee met on Wednesday, September 12, 2018, at 7:30 p.m., in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. The topics of discussion were the Zoning Modernization Project, E-Plans update, Sign Ordinance Amendment and the Public Facilities Manual Flexibility Project. The Land Use Process Review Committee will meet on Tuesday, October 9, 2018. The topic of discussion will be the Zoning Modernization Project.

//

MINUTES APPROVAL – FEBRUARY 2018

(Start Verbatim Transcript)

Commissioner Migliaccio: I MOVE APPROVAL OF THE APRIL AND MAY 2018 PLANNING COMMISSION MINUTES.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. 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.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

//

RZ 2017-DR-023 – TRADITION HOMES, LLC

(Public Hearing held on June 28, 2018; Decision Only from July 25, 2018)

(Start Verbatim Transcript)

Commissioner Ulfelder: Thank you, Mr. Chairman. We were scheduled for a decision only this evening in an application by Tradition Homes for a 13-lot subdivision on Centerville Road in the Dranesville District. However, some further revision were made by the applicant to the proffers in connection with that rezoning just this week and staff is still reviewing them. And, in order to give staff time to do that and for them to get back to the Planning Commission in connection with those revisions, I'm going to make a motion to defer that application for the decision only until next week. So, with that Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER RZ 2017-DR-023, TRADITION HOMES, LLC, UNTIL THURSDAY, SEPTEMBER

20TH, WITH – FOR DECISION ONLY, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor of the motion to defer the decision only in RZ 2017-DR-023, to a date certain of September 20th with record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

//

RZ/FDP 2016-HM-017 – JBG/RESTON EXECUTIVE CENTER, LLC
(Public Hearing held on July 26, 2018)

(Start Verbatim Transcript)

Commissioner Carter: Okay. This is for decision only...

Chairman Murphy: Mic.

Commissioner Carter: So, we're going to have several Reston cases here. We heard this on July – the last meeting of Planning Commission in July. This is also known as RTC West. RTC West is located at the intersection of Sunset Hills Road and Town Center Parkway, adjacent to the improved Reston Gateway project and one block from the Reston Town Center Metro Station. As a result of the comments at the public hearing, the applicant has tried to address the issues.

1. The tiers for the WDUs. The applicant is proposing to provide lot - WDUs at the 80, 100, and 120 percent of that annual medium income, in accordance with the WDU policy;
2. Reserved parking for the WDUs. The applicant proposes to unbundle the parking spaces from the market rate units and WDUs, which means there won't be assigned spaces. This approach encouraged by staff is intended to discourage excess parking and encourage alternatives to the use of the automobile, as we want in transit station areas. To address the concerns of the Planning Commission about providing parking for WDU residents, the applicant has revised the proffers to provide parking for WDU residents or rental units at 70 percent of the market rate. If you remember, before we had a somewhat complicated formula for the different tiers. And so, I think this is a simpler approach. It would be the same approach regardless of what your tier would be. So it's 70 percent;

3. Number of parking spaces. There was a large discussion about the number of parking spaces. There are 57 on street parking spaces at this time. The entire project will have over 2,900 parking spaces to serve the residents and employees. Now if this worked like the Reston Town Center does, which has free parking for one hour during the day, free parking after five and on the weekends – there would be plenty of parking for everybody, whether you're a resident or employee. So, I think this probably works;
4. Screening of the parking garage. The applicant has revised the proffers to specify the architectural treatment of the above-grade parking garage will be further reviewed as required by the Reston Town Center Review Board that ultimately has to approve the design of these;
5. And then the last comment was an environmental issue, bird friendly design. The applicant has revised the proffers to add a commitment to a variety of bird design features. This is not intended to reduce the number trees onsite. It simply deals with threats and glass or other ways to deal with this issue, especially for building of this height;
6. The variety of – the applicant – the variety of open spaces. The applicant has proposed a variety of open spaces for all ages now. As an example, a linear open space along the W&OD trail will provide a variety of active and passive open spaces for trail for the public, trail users, and others. A minimum of one dog walking area, which was an issue at the last hearing, will be provided for each residential building.

Okay. So, that's what they have done in their month to get to this point. So, if you remember, the development represents a significant challenge to transfer an existing retail and office project into a mixed-use neighborhood. It already has retail and has some office. This is a – addition to it and that's pretty large. The mixed of uses includes existing and proposed retail and office development with new residential development. The proposal is consistent with applications in the Comp Plan. If you remember, the notion is to try to get 50 – this 50/50 relationship approximately. We don't get exactly that number, but it's very close on this, which is pretty unusual in development to be able to get both at the same time.

- Contributions – always an issue – full commitment to the road fund, full commitment to the housing fund, full commitment to fund public facilities and athletic fields, full commitment to the school payment and full commitment to fund the on-site open space as required, the dollars for that.
- Recreational facilities and place making – I think you saw the presentation so I won't go through all of that, but they have a common green, lawn areas, amphitheater, linear park along the W&OD trail, residential parks, retail pocket park, enhanced the park located on Reston Town Centre Parkway, rooftop court, public park will be provided in coordination with the Public Art Reston. Private recreation facilities will also be provided, including dog park area, swimming pools, and fitness areas.

- Transportation – public and private streets will be provided and the road system will operate within the Fairfax County for level of service and time delay. There's really only one of these intersections that is an E intersection, which still meets the criteria, but the rest are C and Ds. Streetscaping. One of my favorite topics – so they've added in 30 feet on center for the street trees and maybe we'll get some street lights to go along with that. In addition, the required loading – there'll be required loading docks for each building and two short-term spaces within the buildings.
- Environment and Energy – provides bio retention areas and underground facilities to meet stormwater management requirements. Again, this is difficult to produce given this is an infill development. Meets the tree canopy requirement, meets the green building standards, provides vehicle charging stations.
- Coordination – this is another proffer we've added since these – the gateway project is right next door. We've added Proffer 56 that requires coordination with the Reston Gateway and existing Town Center for the location of entrances on Town Center Parkway and the street scape requirements.

At this point, I'd like to, and she deserves more than a little bit of credit, Mary Ann Tsai for working on this. The development team, including JBG, F, Collaborative Architect, Land Collective Landscape Architects, Urban Limited Civil Engineers, Well Associates Traffic Consultants, and Cooley LLP. Finally, the Reston Planning and Zoning Committee – we need thanks for conducting numerous meetings we had with the Planning and Zoning Committee to work out several other issues which I won't – we needn't go through at this point. There was a lively exchange of constructive comments and the recommendations were incorporated in the development, resulting in an – a recommended approval of eight to four – never unanimous. So do you have discussion? I will move – or I'll move right to the motion.

Chairman Murphy: Please.

Commissioner Carter: Okay. Mr. Chairman, I request the applicant confirm, for the record, agreement to the proposed development conditions dated July 12th, 2018.

Brian J. Winterhalter, Applicant's Agent, Cooley LLP: Good evening. Brian Winterhalter on behalf of the applicant, we agree with the conditions. Thank you.

Commissioner Carter: I MOVE THAT THAT PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS – SUPERVISORS, APPROVAL OF RZ 2016-HM-017 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLANS, SUBJECT TO EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED AUGUST 30TH, 2018.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is the date 2016 or 2017?

Commissioner Carter: 2018, I have.

Chairman Murphy: No, no I mean of the application.

Commissioner Carter: Application.

Chairman Murphy: Oh, I'm sorry. I'm reading wrong. All those in favor of the motion to approve – recommend to the Board of Supervisor to approve RZ 2016-HM-017, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: Number two, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2016-HM-017, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITION CONTAINED IN APPENDIX 2 OF THE STAFF REPORT AND DATED JULY 12TH, 2018, SUBJECT TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2016-HM-017.

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 2016-HM-017, subject to the Board's approval of the rezoning, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE REQUESTED WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU AND DATED SEPTEMBER 13TH, 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.

Commissioner Carter: Now, there's a parking reduction motion below which should be read after the motions above. Do I have that? Can I get that? Oh, it's just the one paragraph. Okay, I MOVE THAT THAT PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PARKING REDUCTION NUMBER 4417-PKS-001-1, SUBJECT TO THE CONDITIONS CONSISTENT WITH THOSE DATED JUNE 13TH, 2018 AND APPENDIX 15 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, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed motion carries.
Each motion carried by a vote of 12-0.

(End Verbatim Transcript)

//

ORDER OF THE AGENDA

Commissioner Migliaccio established the following order of the agenda:

1. PA 2018-III-BR1 – COMPREHENSIVE PLAN AMENDMENT (DULLES SUBURBAN BOUNDARY CHANGE; SULLY SHOPPING CENTER)
2. SE 2018-MA-006 – CALVARY CHURCH OF THE NAZARENE
3. FDP 2011-HM-013/FDP 2011-HM-027 – VIRGINIA ELECTRIC AND POWER COMPANY D/B/A DOMINION VIRGINIA POWER
4. RZ/FDP 2016-HM-024 – JBG/1831 WIEHLE, LLC & EYA DEVELOPMENT, LLC
5. RZ/FDP 2016-HM-031/PCA 80-C-086-02/PCA 83-C-069-02 – PULTE HOME COMPANY, LLC
6. SE 2017-DR-027 – PETER J. FITZGERALD JR.

The order was accepted without objection.

//

PA 2018-III-BR1 – COMPREHENSIVE PLAN AMENDMENT (DULLES SUBURBAN BOUNDARY CHANGE; SULLY SHOPPING CENTER) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the Code of Virginia, Title 15.2, Chapter 22. Plan Amendment 2018-IV-MV2 concerns approx. 17.43 ac. generally located at 5001 and 5035 Westfields Boulevard (Tax Map Parcels 44-3 ((7)) B2 and B3), located at the southeast corner of the Westfields Boulevard and Stonecroft Boulevard intersection, and bordered to the south by Sequoia Farms Drive in the Sully Supervisor District. The area is planned for retail use up to 0.25 Floor Area Ratio (FAR). The amendment will consider extending the boundary of the Dulles Suburban Center to create a new land unit that includes the Sully Station shopping center. No proposed changes to planned land use. SULLY DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

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

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

(Start Verbatim Transcript)

//

Commissioner Tanner: Thank you, Mr. Chairman. This amendment incorporates the subject area into the into the Dulles Suburban Center. No other changes to the Plan, such as land use recommendations, densities, or substantive revisions to the text are proposed. The language distributed this evening with my motion dated September 13, 2018 includes a minor editorial change to the staff recommendations to correct an error in the existing plan text related to the location of the adjacent tax map parcel. The words include, instead of being “land at the south east”, it is instead the “south west”. In the second line, it says “planned and developed.” We have changed that language to “is planned” as the area in question has not developed yet. Also, we’d had one comment come in during the period with relation to the traffic. I wanna that individual that while we move forward in this process, we will make sure that we address the traffic issues as it relates to the surrounding communities. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A PLANNING COMMISSION ALTERNATIVE TO THE STAFF RECOMMENDATION FOR PLAN AMENDMENT 2018-III-BR1, AS SHOWN ON TONIGHT’S HANDOUT DATED SEPTEMBER 13TH, 2018.

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 accept the alternate to PA 2018-III-BR1, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

//

SE 2018-MA-006 – CALVARY CHURCH OF THE NAZARENE – Appl. under Sect. 3-204 of the Zoning Ordinance to permit a Church with a child care center (adult day care). Located at 8220 Little River Turnpike, Annandale, 22003 on approx. 18.24 ac. of land zoned R-2. Tax Map 59-3 ((1)) 32B. MASON DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Michelle G. Littlefield, Applicant's Agent, Friends Health Care Team, Inc., reaffirmed the affidavit dated May 24, 2018.

Commissioner Strandlie asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Strandlie for action on this application.

(Start Verbatim Transcript)

//

Commissioner Strandlie: Thank you, Mr. Chairman. This is a special exception for a – a new use, that being an adult day care. This is not a case that requires any new construction. We have heard this case several times in the Mason District Land Use Committee. The land use committee recommends approval. There are – strong support for this in the community and with that Mr. Chairman, I move that the Planning...

Chairman Murphy: Hold on.

Commissioner Strandlie: Sorry. I request that the applicant state, on the record, their acceptance of the Development Conditions dated September 12th, 2018.

Michelle G. Littlefield, Applicant's Agent, Friends Health Care Team, Inc.: Yes.

Commissioner Strandlie: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2018-MA-006, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 12TH, 2018

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. – Mr. Sargeant. I'm sorry. Is there a – all those in favor of the motion to approve SE 2018 – the Board of Supervisors approve SE 2018-MA-MA-006 [sic], say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

//

FDP 2011-HM-013 – VIRGINIA ELECTRIC AND POWER COMPANY D/B/A DOMINION VIRGINIA POWER – Appl. to approve the final development plan for RZ 2011-HM-013 to permit electric substation. Located on the W. side of Leesburg Pike, approx. 700 ft. southwest of its intersection with Spring Hill Rd. on approx. 28,151 sq. ft. of land zoned PTC, SC and HC. Tax Map 29-3 ((1)) 3B (pt.) and 5 (pt.). (Concurrent with FDP 2011-HM-027). HUNTER MILL DISTRICT. PUBLIC HEARING.

FDP 2011-HM-027 – VIRGINIA ELECTRIC AND POWER COMPANY D/B/A DOMINION VIRGINIA POWER – Appl. to approve the final development plan for RZ 2011-HM-027 to permit electric substation. Located on the S.W. side of Leesburg Pike, approx. 700 ft. southwest of its intersection with Spring Hill Rd. on approx. 13,264 sq. ft. of land zoned PTC, SC and HC. Tax Map 29-3 ((1)) 2G (pt.). (Concurrent with FDP 2011-HM-013). HUNTER MILL DISTRICT. PUBLIC HEARING.

Commissioner Sargeant disclosed he was employed by Dominion Energy and recused himself from the vote.

Commissioner Cortina disclosed she had a stock interest in Dominion Energy, but noted that it would not preclude her from participating in the public hearing. She also stated this disclosure may not be legally required and was made out of an abundance of caution.

Sheri L. Akin, Applicant's Agent, McGuire Woods LLP, reaffirmed the affidavits dated August 30, 2018 and August 13, 2018.

Commissioner Hart disclosed the law firm of Hart & Horan, P.C. had one case in the past year where the Applicant's Transactional Agent of the Law Firm of Hirschler Fleischer, a Professional Corporation, represented an adverse party or adverse parties, but noted that matter and those parties were unrelated to these applications. He then indicated that there were no business or financial relationship to his knowledge and did not believe this matter before the Planning Commission would affect his ability to participate in the case.

Bob Katai, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He stated that staff recommended approval of FDP 2011-HM-013 and FDP 2011-HM-027.

Ms. Akin gave a presentation on the subject applications.

There was a discussion between Ms. Akin and Commissioners Niedzielski-Eichner and Hart regarding the location and structural design of power lines from the Idylwood substation to the proposed substation.

The discussions resulted to no changes to the proposed applications.

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

(Start Verbatim Transcript)

//

Commissioner Carter: Okay. I think you can see that the project's in conformance with the Comprehensive Plan and the Zoning Ordinance. There has been coordination with adjacent properties. The last-minute conditions on the Vesper – Vesper Trail and the maintenance of it had been worked out. And you can see the building and site design changes. I think those concerns about the lines as they come in – those are inside the building. It's not that they're not there. They're inside the building. And then – some of the complications the environment and stormwater. And it's been worked out. With that, I'd like to thank the Hunter Mill Land Use Committee for their constructive comments and also recommend approval of this project. I would also like to thank the staff and the applicant for working out these last-minute changes on that Condition Number 4. And finally, I'd like to thank Virginia Electric Power and the design team, including Coulter Toatley, for the sensitive approach to the building and site design and the coordination with FCDOT and adjacent owners. So, with that Mr. Chairman, I move that the Planning Commission approve...

Chairman Murphy: I think we have to call up the development conditions.

Commissioner Carter: Ah.

Sheri L. Akin, Applicant's Agent, McGuire Woods LLP: The applicant agrees to the Development Conditions dated today.

Commissioner Carter: Particularly the Condition 4 we talked about....

Ms. Akin: Condition Number 4. Correct.

Commissioner Carter: Okay.

Chairman Murphy: Thank you very much.

Commissioner Carter: Mr. Chairman I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2011-HM-013 AND FDP 2011-HM-027, SUBJECT TO THE CONDITIONS DATED SEPTEMBER 13TH, 2018 AND THE CONDITION NUMBER 4 THAT WAS ADDED TODAY, AS PROVIDED IN THE ATTACHMENT OF THE MEMO HANDED OUT TONIGHT AND DATED SEPTEMBER 13TH, 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 approve FDP 2011-HM-03 and FDP 2011-HM-027, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Sargeant recused himself from the vote.

(End Verbatim Transcript)

//

RZ/FDP 2016-HM-024 – JBG/1831 WIEHLE, LLC & EYA DEVELOPMENT, LLC – Appls. to rezone from I-4 to PRM to permit mixed use development with an overall Floor Area Ratio (FAR) of 2.5 and approval of the conceptual and final development plan. Located in the N. side of Dulles Toll Rd., E. side of Wiehle Ave., S. side of Sunset Hills Rd. and W. side of Michael Faraday Dr. on approx. 17.50 ac. of land. Comp. Plan Rec: Transit Station mixed use and Residential mixed use. Tax Map 17-4 ((18)) 1A, 1B, 2B and 3. HUNTER MILL DISTRICT. PUBLIC HEARING.

Brian J. Winterhalter, Applicant's Agent, Cooley LLP, reaffirmed the affidavit dated August 31, 2018.

There were no disclosures by Commission members.

Mary Ann Tsai, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of RZ 2016-HM-024 and FDP 2016-HM-024.

There was a discussion between Ms. Tsai and Commissioners Hart and Carter on the following issues:

- Language for Proffer Number 45, which articulated the applicant's commitments to transition from affordable housing to multi-family and disbursement of units throughout the building versus one central location; and
- Provisions for the proposed workforce dwelling units (WDUs) for independent living and affordable dwelling units (ADUs) for proposed townhomes.

The discussions resulted in no changes. However, Commission Carter stated he did not concur with staff's recommendation to remove the assisted and independent living use in lieu of utilizing multi-family units.

Mr. Winterhalter gave a presentation on the subject applications.

There was a discussion between Mr. Winterhalter and multiple Commissioners on the following issues:

- ADUs, WDUs, independent living facilities, and assisted living facilities;
- Possible consolidation of ADUs or WDUs in a central location;
- Projects with both a rental and for-sale component and transfer from the for-sale component to rental for ADUs and WDUs;
- Fairfax County's WDU policy for income qualifications and age restrictions;
- Associated costs for care provided to individuals in independent and assisted living facilities;
- The size of rental units and accommodations provided for families;
- Progress on the applicant's coordinated efforts for a dog park area with a neighboring property;
- Private and public access on the podiums of the proposed townhomes;
- The Health Care Advisory Board's 4 percent allotment for the assisted living component of a medical care facility;
- Segregation of lower income units;
- Retail activity surrounding the proposed development;
- Proposed design accommodations for families and adolescents yielding from family to independence, space allotted in residential units, and the number of bedrooms for multi-families; and
- Sidewalk networks, street trees, and public access to parks and play areas.

The discussion resulted in no changes to the applications. However, Commissioner Carter outlined the following issues:

- Approved projects for 2017 included multiple high-rises;
- The proposed development was an added benefit to the Reston transit corridor;
- ADUs were part of the townhomes and WDUs were part of the multi-family homes;

- Challenges to the design for the streets, width, furnishings, and retail;
- Designated areas for dog parks;
- Assisted versus independent living and future demand for those types of facilities; and
- Cumulative effect of schools and roads required subsequent analysis.

There being no listed speakers, further comments, or questions from the Commission, Chairman Murphy closed the public hearing and recognized Commissioner Carter for action on these applications.

(Start Verbatim Transcript)

//

Commissioner Carter: I MOVE THE PLANNING COMMISSION DEFER FOR DECISION ONLY, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS, FOR RZ/FDP 2016-HM-024 AND PARK REDUCTION – PARKING REDUCTION NUMBER 3729PKS-007-03, TO A DATE CERTAIN – IT SAYS SEPTEMBER 20TH. I think you're gonna need a little time with that. Is there a Board of Supervisors hearing for this scheduled yet? Okay. Why don't we – why don't give it two weeks. SO, THAT WOULD BE DECEMBER – DECEMBER – SEPTEMBER 27TH.

Commissioners Hart and Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Niedzielski-Eichner. Is there a discussion of the motion? All those in favor of the motion to defer decision only on RZ/FDP 2016-HM-024, to a date certain of September 27th, with the record remaining open for written comments, say aye.

Commissioners: Aye.

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

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

//

The Commission went into recess at 9:43 p.m. and reconvened in the Board Auditorium at 10:04 p.m.

//

RZ/FDP 2016-HM-031 – PULTE HOME COMPANY, LLC – Appls. to rezone from I-4 and I-5 to PDC to permit office and residential development with an overall Floor

Area Ratio (FAR) of 0.88 and approval of the conceptual and final development plan. Located at 12700 Sunrise Valley Dr., Reston, 20191. on approx. 5.29 ac. of land. Comp. Plan Rec: Residential Mixed Use. Tax Map 16-4 ((1)) 16B and 16-4 ((26)) 1 and 2. (Concurrent with PCA 80-C-086-02 and PCA 83-C-069-02). HUNTER MILL DISTRICT. PUBLIC HEARING.

PCA 80-C-086-02 – PULTE HOME COMPANY, LLC – Appl. to amend the proffers for RZ 80-C-086 to permit deletion of land area. Located at 12700 Sunrise Valley Dr., Reston, 20191 on approx. 0.94 ac. of land zoned 1-5. Comp. Plan Rec: Residential Mixed Use. Tax Map 16-4 ((1)) 16 B (pt.) and 16-4 ((26)) 2 (pt.). (Concurrent with RZ/FDP 2016-HM-031 and PCA 83-C-069-02). HUNTER MILL DISTRICT. PUBLIC HEARING.

PCA 83-C-069-02 – PULTE HOME COMPANY, LLC – Appl. to amend the proffers for RZ 83-C-069 to permit deletion of land area. Located at 12700 Sunrise Valley Dr., Reston, 20191 on approx. 4.35 ac. of land zoned 1-4. Comp. Plan Rec: Residential Mixed Use. Tax Map 16-4 ((1)) 16B (pt.) and 16-4 ((26)) 1 and 2 (pt.). (Concurrent with RZ/FDP 2016-HM-031 and PCA 80-C-086-02). HUNTER MILL DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Robert D. Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated August 6, 2018.

Commissioner Hart disclosed the law firm of Hart & Horan, P.C. had two cases where attorneys in Mr. Brant's firm represented an adverse party or adverse parties. However, he stated that matter and those parties were unrelated to these applications and there was no business or financial relationship; therefore, he did not believe this matter before the Planning Commission would affect his ability to participate in the case.

William Mayland, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He stated that staff recommended approval of RZ 2016-HM-031, FDP 2016-HM-031, PCA 80-C-086-02, and PCA 83-C-069-02.

Mr. Brant gave a presentation on the subject applications.

There was a discussion between Mr. Brant, Mr. Mayland, and multiple Commissioners on the following issues:

- Connectivity from the Metro station to the proposed site, existing trail connections, and location of the area's wetlands;
- Aggressive use of the site for high-intensity development;

- The parcel's unique shape and constraints, which allowed for a less conventional multi-family type building;
- Wetlands preservation efforts to the southwest of the proposed development and the conservation easements associated with the parcel;
- Two-car garage dimensions in WDUs;
- Results from the turning and moving studies conducted for cars entering and exiting the garages and language prohibiting conversation;
- Language prohibiting payday lenders as a use;
- Language addressing short-term rentals and the usage of common area amenities;
- Provisions for shared surface and dedicated residential use parking spaces;
- Impacts from salt and chemical usage for snow and ice removal in areas adjacent to wetlands in conjunction with proffer language in homeowners statements addressing those concerns;
- Impacts of short-term lodging in residential communities;
- Low Impact Developments (LID) and stormwater management requirements;
- Location of amenities and seating areas;
- Urban Forester's comments regarding limits of disturbance, tree canopy threats, improvements to tree preservation proffers, and stormwater management controls; and
- Development conditions for child care centers established in existing office buildings that delineated safety issues, designated outdoor play areas, ingress/egress for pedestrian, and car access.

The discussion resulted in no changes to the proposed applications.

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

Rick Hamilton, 12629 Thunder Chase Drive, Reston, representing the Polo Fields Citizens Association, spoke in support of the subject applications, citing the proposed improvements to the existing streetscape, improved access to adjoining wetlands, and low traffic impact. (A copy of Mr. Hamilton's statement is in the date file.)

Lynn Brown, 12604 Bridoon Lane, Reston, spoke in support of the subject applications, echoing the comments made by Mr. Hamilton.

There being no further speakers, Chairman Murphy called for a rebuttal statement Mr. Brant, who declined.

There was further discussion between Mr. Brant and multiple Commissioners on the following issues:

- Dedicated and identifiable amenity spaces;
- Treatment of stormwater runoff from the proposed site;
- Possible salt management strategy for future private developments;
- Appendix 11, Stormwater Analysis, Comprehensive Plan management goals and the addition of LID requirements for stormwater management designs; and
- Locations for bus stops in and around the proposed site.

The discussion resulted in no changes to the applications. However, a recommendation was made to add graphics to the plan that identified various outdoor areas.

There being additional speakers, further comments or questions from the Commission, Chairman Murphy closed the public hearing and recognized Commissioner Carter for actions on this application.

(Start Verbatim Transcript)

//

Commissioner Carter: I request the applicant confirm for the record their agreement to the proposed FDP conditions.

Robert D. Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C.: The applicant is in agreement with the FDP conditions.

Commissioner Carter: Okay. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR PCA 80-C-086-02, PCA 83-C-069-2 [sic] AND RZ 2016-HM-031 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED AUGUST 23RD, 2018, AND CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Sargeant: Mr. Chairman, just a question. I thought we were deferring.

Commissioner Carter: I wasn't recommending deferral.

Chairman Murphy: Okay. Seconded by Mr. Niedzielski-Eichner. Is there a discussion of the motion? Alright all those in favor of the motion to recommend to the Board of Supervisors – well we did it all at once here – to approve PCA 80-C-086-02, PCA 83-C-069-02, RZ 2016-HM-031. And I think you should make a separate motion on the Final Development Plan because that's a Planning Commission approval.

Commissioner Carter: Okay.

Chairman Murphy: So you got the second. So it's time to vote right? On...

Commissioner Sargeant: Mr. Chairman?

Chairman Murphy: Yes, Mr. Sargeant.

Commissioner Sargeant: I think we had a couple of things we were planning to address in between from garages to, perhaps, language related to outdoor space for nursery or day care and some other things. If I'm wrong, I apologize, but I thought we had a couple of things just to tweak on this particular application.

Mr. Brant: Perhaps I can help clarify. The garage issue – I believe it was a question of whether or not there was already language in the proffers that would prohibit the conversion of these garages. That actually already is in the proffers so we've – I believe we've adequately addressed that. With respect to the outdoor area, I think if Mr. Carter's suggestion is perhaps identify something on the plan locate the potential area...

Commissioner Carter: Another motion...

Mr. Brant: We're certainly willing to entertain that. I – I simply said when I was discussing that as part of our discussions with staff, the owner of the office building did look into whether it would be feasible to put other area on the site for – that dedicates the outer play area and it certainly is. There's ample – ample opportunities for that to happen.

Commissioner Sargeant: Okay. Thank you.

Mr. Brant: Thank you.

Chairman Murphy: Okay, we're voting now on the recommended approval to the Board of Supervisors are the two PCAs and the rezoning. All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Now, we'll do a separate motion.

Commissioner Strandlie: I'd like to abstain. I have some many questions that I still wanted resolved. I would vote in favor if it were deferred, but...

Chairman Murphy: Okay, Ms. Strandlie abstains.

Commissioner Carter: Okay. Next motion. I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2016-HM-031, SUBJECT TO THE PROPOSED FINAL DEVELOPMENT PLAN CONDITIONS DATED AUGUST 28TH, 2018 AND CONTAINED IN APPENDIX 2 OF THE STAFF REPORT AND, INCLUDING A NOTE ON THE PLAN ABOUT THE AMENITIES SPACE ADJACENT TO THE OFFICE BUILDING.

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 approve FDP 2016-HM-031, subject to the Board's approval of the rezoning, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Strandlie: Abstain.

Chairman Murphy: With one abstention. Same abstention. Okay?

Commissioner Carter: Okay. Three. I remove – I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING WAIVERS AND MODIFICATIONS. And if you have those I won't read them.

Chairman Murphy: As noted there...

Commissioner Carter: As noted on the...

William Mayland, Zoning Evaluation Division, Department of Planning and Zoning: There's no separate handout the waivers and modifications.

Commissioner Carter: What's that?

Mr. Mayland: There's no separate handout of waivers and modifications.

Chairman Murphy: There's a staff report...

Mr. Mayland: This just the three.

Commissioner Sargeant: They are listed in the staff report.

Chairman Murphy: As listed in the staff report.

Mr. Mayland: They are listed in the staff report. Correct.
Commissioner Carter: AS LISTED IN THE STAFF REPORT.

Commissioner Niedzielski-Eichner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: Okay, one more.

Chairman Murphy: And one abstention.

Commissioner Carter: As a separate motion – again, this is for RZ/FDP 2016-HM-031, PCA 83-C-086-2 [sic] and PCA 83-C-069-02 – I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE PARKING REDUCTION REQUEST NUMBER 4890PTS-PKS-002-2 [SIC] FOR A THIRTEEN PERCENT, FOURTEEN FEWER SPACES, OF THE REQUIRED PARKING FOR THE RESTON ARBORETUM DEVELOPMENT, PURSUANT TO PARAGRAPH 4B OF THE SECTION 11-102 OF THE ZONING ORDINANCE, SUBJECT TO THE CONDITIONS AS RECOMMENDED BY STAFF IN THE MEMORANDUM FROM LAND DEVELOPMENT SERVICES DATED AUGUST 10TH, 2018, CONTAINED IN APPENDIX 18 OF THE STAFF REPORT.

Commissioner Niedzielski-Eichner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstention.

The motion carried by a vote of 11-0-1. Commissioner Strandlie abstained from the vote.

(End Verbatim Transcript)

//

SE 2017-DR-027 – PETER J. FITZGERALD JR. – Appl. under Sect. 3-104, 9-011, 9-601, 9-610 and 9-615 of the Zoning Ordinance to permit a cluster subdivision and a waiver of minimum district size. Located at 7327 Georgetown Pike, McLean, 22102

on approx. 5.39 ac. of land zoned R-1. Tax Map 021-3 ((1)) 23 and 23A; 021-3 ((16)) A, 1 and 2. DRANESVILLE DISTRICT. PUBLIC HEARING.

Keith C. Martin, Applicant's Agent, Tramonte, Yeonas, Roberts & Martin, PLLC, reaffirmed the affidavit dated August 7, 2018.

There were no disclosures by the Commission members.

Bob Katai, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He stated that staff recommended approval of SE 2017-DR-027.

There was a discussion between Jeffrey Hermann, Transportation Planning Division, Fairfax County Department of Transportation and multiple Commissioners on the following issues:

- A typographical error in Development Condition Number 5;
- Origination of the alignment of a proposed 6-foot wide paved trail along the frontage of Georgetown Pike to Saigon Road and its relocation as part of an effort to minimize impacts on existing trees;
- Explanation and purpose of the Trails Plan and pedestrian connectivity;
- Express lane extensions and studies conducted for the American Legion Bridge and widening of the beltway;
- Possible replacement of the Georgetown Pike bridge.

The discussion resulted in no changes to the application. However, the typographical error in Development Condition Number 5 was addressed by changing the word "trial" into "trail."

Mr. Martin gave a presentation on the subject application.

Chairman Murphy called the first listed speaker.

Susan Tenney, 987 Spencer Rd, McLean, represented Saigon Citizens Association, voiced the association's concerns with the inadequacy of the current culvert located at Saigon Road and Georgetown Pike, the impact that the proposed public walkway would incur on parking in the subdivision, and excessive removal of mature trees. (A copy of Ms. Tenney's statement is in the date file.)

Tony Rounds, 988 Saigon Road, McLean, accompanied Ms. Tenney and echoed Saigon Citizens Association's concerns regarding the subject application.

Nancy Somers, 7321 Georgetown Pike, McLean, spoke in opposition to the subject application. Ms. Somers inquired about the start and end of the proposed trail, connectivity to existing parts

of the Fairfax County Trail Plan, and safety concerns over access to the trail. She noted issues with stormwater runoff on Scotts Run, the impact to her property, and the applicant's plan to migrate downstream runoffs during heavy rain.

Chairman Murphy called for speakers in the audience.

There being no further speakers, Chairman Murphy called for a rebuttal statement from the applicant wherein Mr. Martin stated there was a condition for the removal of the existing garage and apartment units located above the garage. The applicant deferred to the Board of Supervisors and Planning Commission to determine whether trails should be installed. He said the culverts were offsite improvements made by the Virginia Department of Transportation and the application met the necessary stormwater management requirements.

There was further discussion between Mr. Katai and multiple Commissioners on the following issues:

- Reconciliation of potential discrepancies between the plat contained and the subject application and other depictions of the property owned by Ms. Somers;
- The impact of plat discrepancies on sewer and water line easements located east of the site;
- Connectivity requirement for public sewer for the proposed homes under the cluster;
- Confirmed location for the proposed trail, designated areas for stormwater pipes, and water lines;
- Reasons for permitting disturbance in the area; and
- Construction of paved trails and connectivity of those trails along Georgetown Pike and Seneca Road.

The discussion resulted in no changes to the application. However, a deferral of the decision only was recommended.

There being further speakers, comments or questions from the Commission, Chairman Murphy closed the public hearing and recognized Commissioner Ulfelder for actions on this application.

(Start Verbatim Transcript)

//

Commissioner Ulfelder: In a perfect world – no the – first, of all I wanna thank everybody who came out and hang in there tonight. This has been a long night and – and I know we had a good meeting. I thought when VDOT was there. It's obviously seen some of the results that are coming out of that and I think that's very positive. And, I think we have to – I have to do some more thinking before I make a recommendation to my fellow Commissioners and – on this – the

trail issue. And – so I would like to defer this and I'm trying to decide to what date. We don't have a Board date I don't think for this yet. Is that correct?

Bob Katai, Zoning Evaluation Division, Department of Planning and Zoning: That's correct.
Commissioner Ulfelder: But once we make a recommendation, then we can get on the Board's calendar.

Mr. Katai: That's correct.

Commissioner Ulfelder: So the next Board meeting is September 25th and then are there two meetings in October?

Mr. Katai: Yes – yes. There're one on October 16th and one on October 30th.

Commissioner Ulfelder: 16th and 30th. I think I'm going to defer to the 27th on this because I – there's a couple of other people we could talk to. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER DECISION ON SE 2017-DR-027 UNTIL A DATE CERTAIN OF SEPTEMBER 27TH.

Commissioner Hart: Second.

Commissioner Ulfelder: 2018 WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer for decision only SE 2017-DR-027, to a date certain of 27 September, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.
The motion carried by a vote of 12-0.

(End Verbatim Transcript)

//

The meeting was adjourned at 12:29 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, VA 22035.

Minutes by: Samantha Lawrence

Approved on: April 24, 2019

Jacob Caporaletti

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

