

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 6, 2019**

PRESENT: Peter F. Murphy, Jr., 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
Walter C. Clarke, Mount Vernon District
Phillip A. Niedzielski-Eichner, Providence District
Mary D. Cortina, Commissioner At-Large

ABSENT: Julie M. Strandlie, Mason District
Donté Tanner, Sully District

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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

Chairman Murphy announced the November 5, 2019 election results for the Fairfax County Board of Supervisors. On behalf of the Planning Commission, Chairman Murphy congratulated Jeffrey C. McKay, current Supervisor for the Lee District, who would replace Sharon Bulova, as Chairman of the Board of Supervisors; Penelope A. Gross was re-elected Supervisor, Mason District; John Foust, re-elected Supervisor, Dranesville District; Daniel G. Storck, re-elected Supervisor, Mount Vernon District; Kathy L. Smith, re-elected Supervisor, Sully District; and Pat Herrity, re-elected Supervisor, Springfield District. Chairman Murphy also congratulated and welcomed Walter L. Alcorn, former Planning Commissioner, who was elected Supervisor of the Hunter Mill District; Rodney L. Lusk, former Planning Commissioner, who was elected Supervisor of the Lee District, Dalia Palchik who was elected Supervisor of the Providence District; and James Walkenshaw who was elected Supervisor of the Braddock District.

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Commissioner Migliaccio announced the Planning Commission's Transportation Committee would meet on Thursday, November 7, 2019, at 7:30 p.m. in the Board Conference Room of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, to discuss an update to the Trail Map and Bicycle Master Plan.

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SE 2019-MV-017 - SEMIA YUSUF D/B/A PANDA CHILD CARE

(Start Verbatim Transcript)

Commissioner Clarke: Thank you, Mr. Chairman.

Chairman Murphy: Okay.

Commissioner Clarke: I have a deferral – a motion for defer on SE 2019-MV-017, Semia Yusuf d/b/a Panda Child Care. I MOVE THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR SE 2019-MV-017, FROM NOVEMBER 6, 2019 TO NOVEMBER 20TH, 2019, DUE TO THE APPLICANT MISSING THE REAFFIRMATION DEADLINE.

Commissioner Cortina: Second.

Chairman Murphy: Seconded by Ms. Cortina. Is there discussion of the motion? All those in favor of the motion to defer SE 2019-MV-017, to a date certain of November 20th, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 10-0. Commissioners Tanner and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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Commissioner Hart asked for clarification on meeting dates for the November 2019 Transportation Committee and Land Use Process Committee.

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Commissioner Migliaccio clarified the Planning Commission's Transportation Committee would meet on Thursday, November 14, 2019, at 7:30 p.m. in the Board Conference Room of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. Commissioner Migliaccio added the Planning Commission's Land Use Process Review Committee would be held on Thursday, November 7, 2019, at 7:30 p.m. in the Board Conference Room of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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ORDER OF THE AGENDA

Secretary Migliaccio established the following order of the agenda:

1. CSPA 86-C-029-12 - TFG ONE GLOBAL VIEW PROPERTY, LLC
2. PA 2017-CW-2CP - COMPREHENSIVE PLAN AMENDMENT (GREEN BUILDING ENERGY POLICY PLAN UPDATE)
3. SE 2018-DR-020 - FAIR LIGHT, LLC

The order was accepted without objection.

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CSPA 86-C-029-12 - TFG ONE GLOBAL VIEW PROPERTY, LLC – Appl. under Sect. 12-210 of the Zoning Ordinance to amend the previously approved Comprehensive Sign Plan associated with RZ 86-C-029 to permit sign modifications. Located E. of Route 28, S. of the Dulles Airport Access Rd., W. of Wasser Ter., at the western terminus of Mansarde Ave. on approx. 4.13 ac. of land zoned PDC and AN. Tax Map 15-4 ((1)) 13E3. DRANESVILLE DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

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

(Start Verbatim Transcript)

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Commissioner Ulfelder: Thank you, Mr. Chairman. This is a straightforward amendment to the previously approved Comprehensive Sign Plan for the AIRBUS headquarters building in the Dulles Corner Development next to Route 28 and south of the Dulles Airport Access Road. It would allow the installation of two new illuminated AIRBUS building mounted signs on either side of the rooftop mechanical penthouse and the removal of one AIRBUS building mounted sign currently located on the north side of the building. According to the applicant, the new signs are needed to better identify the primary tenant of the office building. Staff concluded that the proposed amendment is consistent with the site's existing Comprehensive Sign Plan and the spirit of the Comprehensive Plan for the Dulles Suburban Center. It also conforms to requirements of the Zoning Ordinance. I agree with staff's conclusions. Before I move on this application, I would request that a representative of the applicant please come forward.

Bernard Suchicital, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C.: Bernie Suchicital from the law firm of Walsh Colucci and we accept the development conditions.

Commissioner Ulfelder: Well, that's – let me ask you the question the way I....

Mr. Suchicital: Oh yes...

Commissioner Ulfelder: So, would you confirm for the record that the applicant agrees with the proposed Comprehensive Sign Plan Amendment development conditions published in the staff report and dated October 22nd, 2019?

Mr. Suchicital: We agree to those conditions.

Commissioner Ulfelder: Okay. Thank you. With that Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 86-C-029-12, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 22ND, 2019.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to approve CSPA 86-C-029-12, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 10-0. Commissioners Tanner and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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PA 2017-CW-2CP - COMPREHENSIVE PLAN AMENDMENT
(GREEN BUILDING ENERGY POLICY PLAN UPDATE) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the Code of Virginia, Title 15.2, Chapter 22. This Amendment concerns countywide guidance for the Policy Plan, Environment section of the Comprehensive Plan, which sets forth policy recommendations for a minor change to the County's Green Building policies. The proposed amendment would provide an increased emphasis on energy efficiency and conservation efforts as applied to green building certification for nonresidential and multifamily residential proposals.
COUNTYWIDE. PUBLIC HEARING.

Joseph Gorney, Planning Division, Department of Planning and Development, presented the staff report, a copy of which is in the date file. He stated that staff recommended adoption of PA 2017-CW-2CP.

There was a discussion between Mr. Gorney; Kambiz Agazi, Director, Office of Environmental and Energy Coordination; and multiple Commissioners regarding the following:

- Incorporating the Leadership in Energy and Environmental Design (LEED) Neighborhood with LEED-New Construction and LEED Core and Shell Certifications on future neighborhood developments; and
- The current Community-Wide Energy and Climate Action Plan that addressed LEED standards and energy efficiency for non-residential developments.

The discussions resulted in no changes to the amendment.

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

Ross Shearer, 406 Course Street, NE, Vienna, representing Sierra Club, Virginia Chapter Great Falls Group, supported the proposed amendment. A copy of Mr. Shearer's statement is in the date file.

Ann Bennett, 3901 Sandalwood Court, Fairfax, supported the proposed amendment. A copy of Ms. Bennett's statement is in the date file.

There was a discussion between Mr. Agazi and multiple Commissioners regarding the following:

- Whether staff had a plan for addressing environmental issues to present to the incoming Board of Supervisors; and
- The various stages of the plan amendment's initiatives, outreach, and consensus before recommending adoption.

The discussions resulted in no changes to the amendment.

There being no more listed speakers, Chairman Murphy called for speakers from the audience.

Pasha Majdi, 411 Pine Street, SE, Vienna supported the proposed amendment because of discussions surrounding climate, climate impacts, and equity. Multi-family housing was included as part of this action plan and as a result, Mr. Majdi suggested that split incentives were overlooked in the housing market and lower income tenants faced a higher energy burden. Mr. Majdi added that most of the vulnerable citizens in Fairfax County lived in multi-family housing.

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

(Start Verbatim Transcript)

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Commissioner Hart: Thank you, Mr. Chairman. Again, I wanna thank the speakers for coming out and the folks who submitted correspondence. I also wanna thank our staff for – for being here tonight and also Mr. Noel Kaplan, if he's watching.

Chairman Murphy: I'm sure he is.

Commissioner Hart: Well, he might be watching.

Commissioner Migliaccio: Might be he has something better to do.

Commissioner Hart: Well, I – I would like a chance to talk to staff about the questions we got tonight and also this idea of a follow-on motion. But I - I think we're in good shape. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PLAN AMENDMENT 2017-CW-2CP, TO A DATE CERTAIN OF NOVEMBER 20TH – NOVEMBER 20TH WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to defer – defer decision only on PA 2017-CW-2CP, to a date certain of November 20th, with the record remaining open for written comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 10-0. Commissioners Tanner and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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SE 2018-DR-020 - FAIR LIGHT, LLC – Appl. under Sect. 9-610 of the Zoning Ordinance to permit a waiver of minimum lot size requirements. Located at 8514 Lewinsville Rd., McLean, 22102 on approx. 2.54 ac. of land zoned R-1. Tax Map 29-1 ((3)) 13. DRANESVILLE DISTRICT. PUBLIC HEARING.

Babak Razjouyan, Applicant's Agent, Fair Light LLC, reaffirmed the affidavit dated August 23, 2019.

There were no disclosures by Commission members.

Katelyn Quinn, Zoning Evaluation Division, Department of Planning and Development, presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of SE 2018-DR-020.

There was a discussion between Ms. Quinn; Camylyn Lewis, Site Development and Inspection Division, Land Development Services; and multiple Commissioners regarding the following:

- Confirmation that the concerns addressed in the staff report regarding disclosures to initial and future home buyers were implemented into the development conditions;
- The applicant's agreement to the revised development conditions;
- Concerns regarding challenges to the features of the site and the shape of the lots;
- The reasons for constructing a three-foot wall along the eastern building restriction lines of Lots 1 and 2;
- Concerns regarding the eastern driveway, the design and orientation of the home facing the dam breach inundation zone, and possible adjustments to lot line for Lot 2;
- Concerns the dam breach inundation zone was beyond the resource protection area;
- Reasons why the resource protection area was not in sync with the dam breach inundation zone;
- A suggestion to flip the house on Lot 1, placing the garage on the south side allowing space for a larger rear yard, while maintaining the same footprint;
- The maintenance of the driveway;
- Concerns with the language in the staff report that addressed the footprints shown, versus the actual footprint of the home, options for alternative footprints, and possible revisions made to the size and configuration; and
- The applicant's reasons for not making staff's recommended changes to the notes on the special exception plat.

The discussion resulted in the applicant's willingness to make the recommended changes to the notes on the special exception plat and would amend the development conditions to include recommended changes.

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

(Start Verbatim Transcript)

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Commissioner Ulfelder: Thank you, Mr. Chairman. I think there's certainly some questions and issues that have come up, and I think both the applicant and staff have indicated that there are some things that they could be doing in connection with this application. So with that, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE 2018-DR-020, FAIR LIGHT, LLC, TO A DATE CERTAIN OF NOVEMBER 13TH, 2019.

Commissioners Sargeant and Cortina: Second.

Chairman Murphy: Seconded by Ms. Cortina and Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to defer decision only on SE 2018-DR-020, to a date certain of November 13th, with the record remaining open for written comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 10-0. Commissioners Tanner and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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The meeting was adjourned at 8:59 p.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 552, Fairfax, VA 22035.

Minutes by: Samantha Lawrence

Approved on: March 4, 2020

Jacob Caporaletti

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

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 9 day of March 2020, by
Jacob Caporaletti.

Dorothy M. Steele

Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

Notary Seal

