

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

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
Julie M. Strandlie, Mason District
Walter C. Clarke, Mount Vernon District
Donté Tanner, Sully District
Mary D. Cortina, Commissioner At-Large

ABSENT: John A. Carter, Hunter Mill District
Phillip A. Niedzielski-Eichner, Providence District

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The meeting was called to order at 7:48 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 Migliaccio announced the Planning Commission's Land Use Process Review Committee would meet on March 7, 2019, at 7:30 p.m. in the Board Conference Room. He also stated that the meeting would be open to the public with the topic on the Fairfax County Zoning Ordinance Modernization Project.

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Commissioner Strandlie announced that the Planning Commission's Housing Committee met earlier this evening for a presentation on affordable housing from the Fairfax County Housing and Community Development. She announced that minutes would be posted on the website and that any further questions would be sent to the panel that hosted the presentation.

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Chairman Murphy announced that the School's Committee and the Fairfax County School Board had been meeting to discuss language for the Comprehensive Plan. A public seminar, hosted by the Planning Commission, would take place on March 9, 2019. Guest speaker Stephen Fuller, from George Mason University, will speak about the current and future demographics of the County. The event would be open to the public.

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PA 2018-III-DS1 – COMPREHENSIVE PLAN AMENDMENT (DULLES SUBURBAN CENTER, LAND UNIT J – (Decision Only)

(The public hearing on this application was held on February 27, 2018.)

(Start Verbatim Transcript)

Commissioner Tanner: Thank you, Mr. Chairman. And I do apologize, I am a little bit under the weather today, which it's probably appropriate that there's nobody sitting next to me right now. But tonight, we're going to talk again about the Plan Amendment for Sully District. And I want to thank the other commissioners. We had a good week of conversation, discussions, agreed with some changes as it applies the language specifically in the Plan Amendment itself. And I think we are actually at a really good point. So, I want to talk a little bit about some of the things we talked about this week. There was – there was a conversation about the road - the road language that was there. We've taken that out since then. The buffer, we want to protect. We want to make sure that everybody who is not just the initial buyers, but also subsequent lot buyers, they are also notified of the airport noise as well, and then we also made some changes to the school language. So, with that Mr. Chairman, my proposed changes to the staff recommendations are noted in bold italics in the handout you received tonight, and are highlighted in yellow. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A PLANNING COMMISSION ALTERNATIVE TO THE LAST STAFF RECOMMENDATION FOR PLAN AMENDMENT 2018-III-DS1, AS SHOWN ON TONIGHT'S HANDOUT DATED MARCH 6th, 2019.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? Mr. Ulfelder.

Commissioner Ulfelder: Thank you Mr. Chairman. I appreciate the changes. I think they are moving in a direction that addresses some of the issues and concerns that came up. However, we - we received this material late today and I think that there - I think it would be worthwhile in taking a little more time for the commission and the Commissioners to have an opportunity to review it and to – and to consider to - and to continue to consider the impact particularly concerning the airport noise issues, which do concern me considering the testimony we received at the public hearing. And so, I would – I would move that we defer decision - I WOULD OFFER A SUBSTITUTE MOTION, TO DEFER THE DECISION ON THIS MATTER FOR ONE WEEK TO MARCH 13TH.

Chairman Murphy: Second?

Commissioner Hart: Second.

Chairman Murphy: Seconded Mr. Hart. Is there a discussion of that motion?

Commissioner Tanner: Yes. So, just to understand. Is there any additional language or areas that you would want be addressed during that deferral period?

Commissioner Ulfelder: Well, I – one, I want to be able to digest what is presented here, late today in this evening. And, I don't know if there's additional language so much as this – this is – this question of how we deal with airport noise. Particularly in light of the testimony by the MWAA representative at the public hearing concerning the status of their most recent revisions to the noise contours around Dulles Airport and the new information about the impact of flight paths in connection with noise. I would – I just want to have a little more time to look at this, to look at the language that's being proposed and see if there's anything else that might be added that would make it, make it – would deal – would address some of the concerns that I may have.

Chairman Murphy: Mr. Hart.

Commissioner Hart: Yes, thank you, I – thank you Mr. Chairman, I don't disagree with what Mr. Ulfelder has said. I wanted – I had hoped during the deferral that we would get closer to a consensus, and we – we often do with a deferral and we got this language, I think, maybe, I saw it around three o'clock or three thirty or something, and I have not had a chance to go through the changes in yellow with my supervisor even, and I would like to at least touch base. I think that, with the board meeting on the 19th, we're not affecting the critical path necessarily by deferring for a week. I think that, we also had some competing points of view expressed at the public hearing and I think maybe a few more days would give us a chance to try and harmonize those sort of competing or opposing points of view. I think we're sympathetic to the – the plight of the Westfields owners, I mean the office market is dead and it may never come back and they want to do something. But I think Mr. Ulfelder is right. This is a pretty big policy shift if we're gonna start putting residential at 60 to 65 and the red flag that we got was the MWAA representative and I think that the phrase that he used twice, I may have misunderstood, but it was either that the language was wholly inadequate or wholly insufficient. It was something like that and I think he said that twice, at least with respect to the flight paths and I'd understood that we can consider that. I think that the changes in yellow, at least the first few changes are – bless you – going in the right direction on that. I don't know that the MWAA guy has had a chance to look at this or offer any other specifics. I don't know that there is a citizen in the county besides the folks at this horseshoe who have seen the changes since – since they were typed up, and I don't know if somebody else would comment on this before we – before we vote. With something as important as the airport is to the county, with the airport representative telling us there is a problem with something we're about to do, I think it behooves us to tread carefully and if we can make sure this is as good as we can get it before we send it to the board, a week helps with that. And I – I guess, if you're asking specifically, I'm fine with the transportation change. I think that was Commissioner Cortina's idea, and I think that just sort of going back to where we were – and I – I mean we could spend time on that but I'm fine with that. It's the – it's the noise – it's the implications of the change to the noise policy and I would at least like a chance to – to bounce that off my supervisor, if that's possible, if we have time to do that. Thank you.

Chairman Murphy: Further discussion of the motion?

Commissioner Tanner: Yes Mr. Chairman.

Chairman Murphy: Yes.

Commissioner Tanner: Just to clarify, this is not changing the policy. I mean especially when you look at the Zoning Ordinance and what FAA talks about as well, but I can respect what you're – what you're asking. So - so, I just want to make it very clear that we're not changing policy here. We're talking about a Comprehensive Plan amendment, which I think in previous meetings you've also suggested that we are using the Comprehensive Plan as a guide and as suggestions, and then if the Zoning Ordinance itself says that yes, we are good up to 65, then it's not a change of policy itself.

Chairman Murphy: Yes. Okay, Mr. Migliaccio.

Commissioner Migliaccio: If the maker of the substitute motion would be amenable, 3/13 is our CIP evening. Would you do it on the 14th, the next night, which is a full Planning Commission.

Commissioner Ulfelder: That certainly makes more sense.

Jill Cooper: We do have other decisions scheduled for 3/13 though. So, it's possible to add this, if you'd like.

Commissioner Ulfelder: Yeah, we do have a couple of decision only's on the 13th before we begin, but because it's a CIP night, it's a long night. Although I know the 14th is gonna be a long night because it's all the seven cases that we didn't hear on the night we were snowed out. So, let's see.

Chairman Murphy: I would rather have a postponement.

Commissioner Ulfelder: How about I stick with the 13th.

Commissioner Hart: They're both horrible.

Chairman Murphy: Okay.

Commissioner Tanner: I – I wouldn't say that I would be more amenable to the 14th, if you were gonna make that such a motion.

Commissioner Ulfelder: Oh, you would be more amenable to the 14th?

Commissioner Tanner: Yes.

Commissioner Ulfelder: Okay. Then I'll - I'LL ACCEPT A FRIENDLY AMENDMENT TO MY SUBSTITUTE MOTION TO DEFER THE DECISION ONLY TO MARCH 14TH.

Commissioner Hart: Was I the second? I'll go along if I was.

Chairman Murphy: Yes. Mr. Hart seconds the suggestion. Alright, all those in favor of the alternate motion, which is defer decision only on the Dulles Suburban Center Plan Amendment, Land Unit J, which is 2018-III-DS1, to a date certain of March 14th, with the record remaining open for comment to take further look at the proffers as amended this evening, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 10-0. Commissioners Carter and Niedzielski-Eichner were 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. 2232-M18-28 DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES, CAP, BDB

The order was accepted without objection.

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SE 2018-MV-022 - MARIA DEL PILAR CHAVEZ CASALINO/PILI'S DAYCARE - Appl. under Sects. 6-105, 6-106 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 8477 Kitchener Dr., Springfield, 22153 on approx. 2,310 sq. ft. of land zoned PDH-3 and NR. Tax Map 98-4 ((6)) 471. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Maria Del Pilar Chavez Casalino, Applicant, reaffirmed the affidavit dated January 2, 2019.

There were no disclosures by Commission members.

Commissioner Clarke 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 Clarke for action on this case.

(Start Verbatim Transcript)

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Commissioner Clarke: Thank you, Mr. Chairman. If I could ask the applicant again to just - to confirm - re-affirm the development conditions dated February 13, 2019. Just say...

Chairman Murphy: Just say yes.

Maria Del Pilar Chavez Casalino: Oh, okay, yes.

Commissioner Clarke: We just want to make sure we get the date in there. It's February 13th are the development conditions that were placed, and that you do agree to those.

Maria Del Pilar Chavez Casalino: Okay. February 13?

Commissioner Clarke: So, sí.

Maria Del Pilar Chavez Casalino: Yes, yes.

Commissioner Clarke: Okay.

Chairman Murphy: Okay.

Commissioner Clarke: Alright.

Chairman Murphy: Let the record reflect, we're okay.

Commissioner Clarke: Thank you very much. So, with that Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING, APPROVAL OF SE 2018-MV-022, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED FEBRUARY 13, 2019.

Commissioners Sargeant and Ulfelder: Second.

Chairman Murphy: Seconded Mr. Sargeant and 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 approve SE 2018-MV-022, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 10-0. Commissioners Carter and Niedzielski-Eichner were absent from the meeting.

(End Verbatim Transcript)

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CLOSING

March 6, 2019

The meeting was adjourned at 8:03 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: Keisha Strand

Approved on: October 24, 2019



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

