

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, MAY 22, 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  
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 7:33 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

//

**COMMISSION MATTERS**

Chairman Murphy announced that in observance of the Memorial Day holiday, the Planning Commission would not be in session on Wednesday, May 29, 2019 and Thursday, May 30, 2019. Chairman Murphy also announced the Planning Commission would not be in session on Wednesday, June 5, 2019 and Thursday, June 6, 2019. The parking spaces at the Government Center site would not be available June 5, 2019 through June 9, 2019 and would be utilized to accommodate setup for the Celebrate Fairfax festivities.

//

**PCA 82-P-044-02 – GBA ASSOCIATES LIMITED PARTNERSHIP**

(Decision Only) (Public Hearing on this application was held on May 1, 2019; Decision only from May 8, 2019)

*(Start Verbatim Transcript)*

Commissioner Niedzielski-Eichner: Yup. Thank you, Mr. Chairman. Mr. Chairman, I have two items that I'm gonna ask for deferral from my colleagues. Both of them are making progress. It's just that we – just we're not quite ready for tonight. So, I'm going to defer on both of them – or ask for deferral. I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION

ONLY FOR PCA 82-P-044-02 TO A DATE CERTAIN OF JUNE 12<sup>TH</sup>, 2019, WITH THE PUBLIC RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the motion to defer decision only to a date certain of 5/8. What is it?

Commissioner Hart: June 12th.

Chairman Murphy: June 12<sup>th</sup>. I'm sorry. June 12<sup>th</sup>, with the record remaining – remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

*(End Verbatim Transcript)*

//

PCA 2011-PR-023-02/CDPA 2011-PR-023-02/FDP 2011-PR-023-05/PCA 2011-PR-023-03 – CITYLINE PARTNERS, LLC

(Decision Only) (Public Hearing on this application was held on April 24, 2019; Decision Only on May 8, 2019; Decision Only on May 16, 2019)

*(Start Verbatim Transcript)*

Commissioner Niedzielski-Eichner: Mr. Chairman, one – one more request for deferral. A motion for deferral. I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PCA/CDPA 2011-PR-023-02 AND FDP 2011-PR-023-05, AND PCA 2011-PR-023-203 (SIC), CITYLINE PARTNERS, LLC TO A DATE CERTAIN OF JUNE 12<sup>TH</sup>, 2019, WITH PUBLIC RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to defer these applications to a date certain – certain of June 6<sup>th</sup> – June 12<sup>th</sup>, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

*(End Verbatim Transcript)*

//

PCA C-637-05/RZ 2017-DR-012/ FDP 2017-DR-012 – POMEROY COMPANIES,  
INC./POMEROY INVESTMENTS INC., TR.

(Decision Only) (Public Hearing on this application was held on January 30, 2019; Decision Only from February 27, 2019; Decision Only from April 3, 2019; Decision Only from May 1, 2019)

*(Start Verbatim Transcript)*

Commissioner Ulfelder: Thank you, Mr. Chairman. We have a decision in the Dranesville District, out of the western part of the district that has been deferred a number of times to deal with some issues. And I think we have arrived at the point where we're ready to proceed. The Commissioners should have received yesterday, a staff report addendum addressing a number of the issues, and – with the revised proffers and exhibits. So, I would like to proceed. I just wanna – I wanna address two points that are addressed in the staff report addendum. The first involves the question of interparcel access with the neighboring Floris United Methodist Church. It – originally, the applicant had sought to waive the interparcel access between – requirement, and they have since worked with the church to come to a resolution with limits because limits that are consistent with what the church – the issues that the church raised as their reasoning for the interparcel – wanting the interparcel access and have addressed those with those conditions. I think to – they still have to work out and negotiate a final agreement between the church and the applicant as to how they would operate the access on a limited basis for the church members. The other was the question about ADUs and how they're dispersed within the different residential portions of the development and I think we worked that out. But I have one issue that I'm going to ask the applicant's representative this evening, in light of staff's comments in the addendum, to clarify so that – and to agree to do something before this goes to the Board as final proffer language that I think will address the concerns about the ADUs. So, before I go further though, I would – I would ask if any of the Commissioners have questions based on the addendum or the issues. Okay. In that case would a representative of the applicant please come forward? And identify yourself for the record, but I know you'd know you do that.

Gregory Riegle, Applicant's Agent, McGuire Woods LLP: Good evening, Mr. Chairman, members of the Commission. For the record I'm Greg Riegle and I represent the applicant in this matter.

Commissioner Ulfelder: Would you state for the record that the applicant accepts staff's proposed development conditions now dated May 22<sup>nd</sup>, 2019?

Mr. Riegle: Yes, sir, we do.

Commissioner Ulfelder: Okay. Also, I wanted to ask you to state on the record that the applicant is committed to the following:

- That it – one, it would revise Proffer 37, which is the one dealing with the ADUs, to either eliminate the ADU optional language or provide additional language stating the modifications to the AD ordinance – ADU Ordinance proposed by the applicant in Proffer 37, must be approved – must be reviewed and approved by the Affordable Dwelling Unit Advisory Board.

Mr. Riegle: Yes, sir that's correct. We've discussed it with you and staff, and we'll happy to make that change.

Commissioner Ulfelder: Okay.

- And second, that you would be adding a proffer commitment to provide proportional recreational amenities, roads, and stormwater to serve development in each phase. Since this is a phase development.

Mr. Riegle: That's also correct and consistent with the number of discussions.

Commissioner Ulfelder: Okay.

Mr. Riegle: Yes, sir.

Commissioner Ulfelder: Thank you.

Mr. Riegle: You're welcome.

Commissioner Ulfelder: Therefore, Mr. Chairman, well first, this is a large – this a large development it's also part of previous application that this Board – Planning Commission recommended approval on back in November of last year. Pomeroy West owned by this – generally the same groups. And they're both going to be – that one has been held up for Board action waiting for this one to catch up. So, that they're both gonna be heard by the Board together. They were originally scheduled for June 5<sup>th</sup>, but the Board is deferring their public hearings on that day to June 25<sup>th</sup>. So, this will be heard on the 25<sup>th</sup> by the Board of Supervisors. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE PCA C-637-05 – I do – I'm gonna go through all of – let's do each one by each, okay?

Chairman Murphy: Right.

Commissioner Ulfelder: Is there as second?

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. Ulfelder, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2017-DR-012 AND ITS ASSOCIATED CDP SUBJECT TO PROFFERS DATED MAY 17<sup>TH</sup>, 2019.

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.

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2017-DR-012, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 22<sup>ND</sup>, 2019, WHICH WERE PASSED OUT THIS EVENING, AND SUBJECT TO THE BOARD'S APPROVAL OF THE CONCURRENT RZ AND CDP APPLICATIONS.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: Further, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE WAIVERS AND OR MODIFICATIONS SHOWN ON THE ATTACHED – ATTACHMENT DATED MAY 22<sup>ND</sup>, 2019 AND PROVIDED TO THE COMMISSIONERS THIS EVENING.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Each motion carried by a vote of 10-0. Commissioners Niedzielski-Eichner and Strandlie were absent from the vote.

*(End Verbatim Transcript)*

//

PRCA-B-846-02 – RESTON HEIGHTS RESIDENTIAL I, LLC

(Decision Only) (Public Hearing on this application was held on May 1, 2019; Decision only from May 8, 2019)

*(Start Verbatim Transcript)*

Commissioner Carter: This is Reston Heights. I'm going to defer this application...

Chairman Murphy: Mic.

Commissioner Hart: Mic.

Chairman Murphy: Mic.

Commissioner Carter: So, this is R – PRCA-B-846-02, Reston Heights Residential, LLC. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PRCA-B-846-02 TO A DATE CERTAIN OF JUNE 12<sup>TH</sup>, 2019.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to defer this application to a date certain of June 12th, 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 Niedzielski-Eichner and Strandlie were absent from the vote.

*(End Verbatim Transcript)*

//

Commissioner Migliaccio announced the Land Use Process Review Committee would meet on Thursday, May 23, 2019, at 7:30 p.m., in the Board Conference Room of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. The topic of discussion would be the Site-Specific Plan Amendment Process. The Committee would review North County and key takeaways from that process, to include an explanation for the South County process and the new proffer law that would go into effect on July 1, 2019, and recommended changes.

//

Commissioner Migliaccio announced the Planning Commission received minutes for November and December 2018, and he intended to move the approval of those minutes at the June 19, 2019 public hearing.

//

### ORDER OF THE AGENDA

Commissioner Migliaccio established the following order of the agenda:

1. PCA 2006-SU-025-04/FDPA 2006-SU-025-04 – REGENCY CENTERS ACQUISITION, LLC
2. PCA 2016-HM-007/CDPA 2016-HM-007/FDPA 2016-HM-007 – ONE RESTON CO., LLC AND TWO RESTON CO., LLC
3. RZ 2018-HM-002/FDP 2018-HM-002 – RESTON CROSSING, LP
4. CSPA 2007-LE-007 – THE TARGET CORPORATION
5. SEA 83-V-076-02/2232-V18-25 – FAIRFAX COUNTY BOARD OF SUPERVISORS

The order was accepted without objection.

//

PCA 2006-SU-025-04/FDPA 2006-SU-025-04 – REGENCY CENTERS ACQUISITION, LLC – Appls. to amend the proffers and final development plan for RZ 2006-SU-025-03 previously approved for mixed use development to permit a drive-in financial institution and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.08 on the part of Land Bay D subject to this PCA/FDPA (overall FAR of Land Bay D is 0.41). Located in the N.E. corner of the northern intersection of Newbrook Dr. and Westfields Blvd. on approx. 1 ac. of land zoned PDC, WS and AN. Comp. Plan Rec: Mixed Use. Tax Map 44-1 ((1)) 6H2 (pt.). SULLY DISTRICT. PUBLIC HEARING.

Francis McDermott, Applicant's Agent, Hunton Andrews Kurth LLP (11), reaffirmed the affidavit dated May 9, 2019.

There were no disclosures by Commission members.

Commissioner Tanner 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 Tanner for action on this case.

*(Start Verbatim Transcript)*

//

Commissioner Tanner: Thank you, Mr. Chairman. This is a pretty straightforward case as it's seeking to amend a previously-approved application. It's adding a drive-through ATM. So, with that Mr. Chairman, I request that the applicant confirm for the record their agreement to the final development plan amendment conditions dated May 8th, 2019.

Francis McDermott, Applicant's Agent, Hunton Andrews Kurth LLP (11): We're in agreement with those.

Commissioner Tanner: Thank you. Mr. Chairman, with that I have four motions, which I would require a second on, sir.

Chairman Murphy: I think it's – it – it might be down to three now.

Commissioner Tanner: Thank you. First, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2006-SU-025-04, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED MAY 1ST, 2019.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: It's like working with ventriloquists up here. Opposed? Motion carries. Mr. Tanner.

Commissioner Tanner: I MOVE THAT THAT PLANNING COMMISSION APPROVE FDPA 2006-SU-025-04, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 8TH, 2019, AND SUBJECT TO THE BOARD OF SUPERVISORS APPROVAL OF THE CONCURRENT PCA APPLICATION.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion of the motion? All those in favor to approve FDPA 2006-SU-025-04, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Tanner.

Commissioner Tanner: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE PART 5 OF SECTION 11-104 TO REDUCE THE STACKING REQUIREMENTS FROM EIGHT TO FIVE VEHICLES.

Commissioners Hart and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Sargeant. Is there discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Tanner: And finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A REAFFIRMATION OF THE PREVIOUSLY GRANTED MODIFICATION OF PART 5 OF THE SECTION 6-206 TO PERMIT THE GFA OF NON-RESIDENTIAL SECONDARY USES TO EXCEED 25 PERCENT OF THE GFA OF ALL PRINCIPAL USES.

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.

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

*(End Verbatim Transcript)*

//

PCA 2016-HM-007/CDPA 2016-HM-007 – ONE RESTON CO., LLC AND TWO RESTON CO., LLC – Appls. to amend the proffers and conceptual development plan for RZ 2016-HM-007, previously approved for a mixed-use development to permit modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 2.62. Located on the W. of Reston Pkwy., N. of Sunrise Valley Dr., E. of Edmund Halley Dr. and S. of the Dulles Airport Access and Toll Rd., on approx. 12.77 ac. of land zoned PDC. Comp. Plan Rec: Transit Station Mixed Use. Tax Map 17-3 ((8)) 1 A1 (pt.) and 1B (pt.). (Concurrent with FDPA 2016-HM-007). HUNTER MILL DISTRICT. PUBLIC HEARING.

FDPA 2016-HM-007 – ONE RESTON CO., LLC AND TWO RESTON CO., LLC – Appl. to amend the final development plan for FDP 2016-HM-007 to permit site modifications and associated changes to development conditions. Located on the W. of Reston Pkwy., N. of the Sunrise Valley Dr., E. of Edmund

Halley Dr. and S. of the Dulles Airport Access and Toll Rd. on approx. 14.93 ac. of land zoned PDC. Tax Map 17-3 ((8)) 1 A1 (pt.) and 1B (pt.). (Concurrent with PCA 2016-HM-007 and CDPA 2016-HM-007). HUNTER MILL DISTRICT.  
PUBLIC HEARING.

Mark Looney, Applicant's Agent, Cooley, LLP, reaffirmed the affidavit dated May 10, 2019.

There were no disclosures by Commission members.

Mary Ann Tsai, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of PCA 2016-HM-007, CDPA 2016-HM-007, and FDPA 2016-HM-007.

Mr. Looney gave a presentation on the subject applications.

There being no listed speakers, 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: Okay. I'm ready to move forward on this. Again, specifically, the amendment only proposes a reconfiguration of Block D and E, and offset of a private road E, and a new pedestrian mews through Block D to link two open spaces. The following items remain unchanged:

- Land uses and density;
- Placemaking, including all of the open spaces;
- Transportation and mobility;
- There is a robust grouping of the grid of streets and a sharing of the construction for Street B between the next application and this one;
- Environment and energy remain the same. Although perhaps it's good to note that there are – there are substantial amount of open spaces that should help the water quality aspects;
- Contributions to schools, parks, and roads remain; and
- The WDUs. The commitment at reduced income tiers and reduced parking charge – charges will continue.

May 22, 2019

With that, I'm ready to make a motion.

Chairman Murphy: Please.

Commissioner Carter: Okay. Let's see. This is PCA/CDPPA/FDPA 2016-HM-007 (sic), One Reston Company, LLC and Two Reston Company, LLC, also known as Brookfield, also known as the site for a future Wegmans. Mr. Chairman, I request that the applicant confirm for the record agreement to the proposed development condition dated May 8<sup>th</sup>, 2019.

Mark Looney Applicant's Agent, Cooley LLP: We are in agreement.

Commissioner Carter: Second, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2016-HM-007 AND CDPA 2016-HM-007, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED APRIL 24<sup>TH</sup>, 2019, AND CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Tanner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: Third, I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 2016-HM-007, SUBJECT TO APPROVAL OF THE FINAL DEVELOPMENT PLAN AMENDMENT CONDITION CONTAINED IN APPENDIX 2 OF THE STAFF REPORT AND – STAFF REPORT AND DATED MAY 8<sup>TH</sup>, 2019, AND SUBJECT TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2016-HM-007 AND CDPA 2016-HM-007.

Commissioner Tanner: Second.

Chairman Murphy: Seconded by Mr. Tanner. Is there a 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.

Commissioner Carter: And finally, I MOVE THAT THAT PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS REAFFIRMATION OF THE

PREVIOUSLY APPROVED WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU TONIGHT.

Commissioner Tanner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: And finally, I – I would like to thank the applicant, Brookfield Development and design team, especially Mary Ann Tsai, and the rest of the Planning and Zoning Committee for constructive comments that resulted in a recommendation of approval. Eight in favor one opposed and two abstentions. Thank you.

Chairman Murphy: Thank you very much.

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

*(End Verbatim Transcript)*

//

RZ 2018-HM-002/FDP 2018-HM-002 – RESTON CROSSING, LP – Appls. to rezone from I-4 to PDC to permit mixed use development with an overall Floor Area Ratio (FAR) of 3.31 and approval of the conceptual and final development plan. Located on the S. side of the Dulles Airport Access and Toll Rd., W. side of Reston Pkwy., N. of Sunrise Valley Dr. on approx. 14.07 ac. of land. Comp. Plan Rec: Transit Station Mixed Use. Hunter Mill District. Tax Map 17-3 ((8)) A and 2A (pt.) and Edmund Halley Drive public right-of-way to be vacated and/or abandoned. (Concurrent with FDP 2018-HM-002). (Approval of this application may enable the vacation and/or abandonment of portions of the public right-of-way for Edmund Halley Drive to proceed under Section 15.2-2272 (2) of the Code of Virginia). HUNTER MILL DISTRICT. PUBLIC HEARING.

Elizabeth Baker, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated April 11, 2019.

Commissioner Hart disclosed the law firm of Hart & Horan, P.C. had two cases in which attorneys in Ms. Baker's firm represented an adverse party or parties. He stated that matter and those parties were unrelated to the application and there were no business or financial relationship and, to his knowledge, did not believe this would affect his ability to participate in the case.

Mary Ann Tsai, ZED, DPZ, presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of RZ 2018-HM-002 and FDP 2018-HM-002.

Ms. Baker gave a presentation on the subject application.

There was a discussion between Ms. Baker and Commissioner Hart regarding proposed locations for the affordable dwelling units and workforce dwelling units, available parking, and parking reduction rates.

The discussion resulted in no changes to the subject applications.

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: Okay. I'm ready to move forward on this as well.

Chairman Murphy: Mic.

Commissioner Carter: This – this is a pair. So, you've got this one and you've got the one to the south of it that we just worked on. So, I think it's clear what's proposed. There are two office buildings and five residential buildings. And then we're reviewing the Phase I, which is the office building. This is designed to set up so – this is gonna evolve over time. But each phase will be self-contained. Each phase is building a piece of that podium and that hopefully answers some of the questions from – from Mr. Hart. So – so the parking would be self-contained in each one and then we'll get a crack at it at each future one when the development plans come in. So that's – that's the – I'm not sure it says that clearly, but that's – that's what they're going for. So again, it's consistent with the recommendations of the Comp Plan. Certainly, we don't need to talk about placemaking. We've got a lot of that. Halley's Steps, Metro Crossing Plaza, Metro Station in the first phase, and of course the grand park when we're finished. Transportation, maybe it's worth saying just a little bit that this famous Street B, which is along the southern area, that's gonna be a joint venture with this applicant and the one – one to the south. And they seem to be working together well so far. And there're even a proffer about that requiring the coordination. There's a pretty extensive TDM program. There's also a access, it's a public street that's from the Crescent Building that gets to this parcel. That's their second – second way out. They've committed to the energy – environment and energy conservation. They've satisfied the current stormwater management requirement – requirements. Tree canopy – meet the LEED standards and provide vehicle charging stations. They meet all the contributions for schools, parks and roads. And the applicant is also providing a contribution for a preemption devise for emergency vehicles. The WDUs. We – we struggle with this a little bit so no now we have all of

these cases in – in sync. So, Boston Properties, which is on the other side of the toll road. We have this one and the Crescent. They're all three reducing the income tiers to 70, 80, and 100% of AMI. In this case, 25% will be at 70 – 25% of the WDUs will be at 70, 25% of the units will be at 80, and 50 will be at 100. To accomplish this, there's a reduction in what was originally proposed in terms of the number of WDUs from 16 to 12 and to go along with that that the applicant has reduced the density by 45,000 square feet to take care of the bonus. So, with that I'm ready to make a motion and move forward. So, Mr. – Mr. Chairman, I request that the applicant conform for the record – confirm for the record agreement to the proposed development condition dated May 8<sup>th</sup>, 2019.

Elizabeth D. Baker, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C.: We agree with those conditions.

Commissioner Carter: Number one, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2018-HM-002 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 21<sup>st</sup>, 2019 AND DISTRIBUTED TO YOU TODAY.

Commissioner Tanner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: Second, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2018-HM-002, SUBJECT TO THE APPROVAL OF THE FINAL DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX OF THE STAFF REPORT AND DATED MAY 8, 2019, AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2018-HM-002.

Commissioner Tanner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: And finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU TONIGHT.

Commissioner Tanner: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

*(End Verbatim Transcript)*

//

CSPA 2007-LE-007 – THE TARGET CORPORATION – Appl. under Sect. 12-210 of the Zoning Ordinance to amend the previously approved Comprehensive Sign Plan associated with CSP 2007-LE-007 to permit sign modifications.

Located on the E. of Loisdale Rd., S. of Franconia Rd. and W. of Frontier Dr. on approx. 13.65 ac. of land zoned PDC, SC and HC. Tax Map 90-2 ((13)) 2. LEE DISTRICT. PUBLIC HEARING.

Commissioner Migliaccio asked that Chairman Murphy ascertain whether there were any speakers for this application.

There was a discussion between Daniel Creed, ZED, DPZ and Commissioner Migliaccio regarding the following:

- Whether the application was in conformance with the newly updated Sign Ordinance; and
- Changes made to Development Condition Numbers 2, 4 and 6.

Davis Walker, Applicant's Agent, Kimley Horn, reaffirmed the development conditions dated May 21, 2019.

Chairman Murphy waived the applicant's presentation. No objections were expressed, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Migliaccio for action on this case.

*(Start Verbatim Transcript)*

//

Commissioner Migliaccio: Thank you. This is a pretty simple case. It's just adding 288.28 square feet for the Target Corporation at the Springfield Town Center. The – our planning staff is recommending approval as did the Lee District Land Use Committee. Therefore, I have one

motion this evening now that they confirmed the – they're in agreement with the development conditions. I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 2007-LE-007, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS THAT WE JUST RECENTLY TWEAKED DATED MAY 21ST, 2019.

Commissioners Ulfelder and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Ulfelder. Is there a discussion of the motion? All those in favor of the motion to approve this application, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

*(End Verbatim Transcript)*

//

SEA 83-V-076-02 – FAIRFAX COUNTY BOARD OF SUPERVISORS – Appl. under Sect. 3-804 of the Zoning Ordinance to amend SE 83-V-076 previously approved for a public benefit association to permit site modifications and modification of development conditions. Located at 9518 Richmond Hwy., Lorton, 22079 on approx. 7.66 ac. of land zoned R-8. Tax Map 107-4 ((1)) 34 and 107-4 ((5)) 4. MOUNT VERNON DISTRICT. PUBLIC HEARING.

2232-V18-25 – FAIRFAX COUNTY BOARD OF SUPERVISORS – Appl. under Sects. 15.2-2204 and 15.2-2232 of the Code of Virginia to consider the proposal by the Department of Public Works and Environmental Services, Capital Facilities, Building Design Branch, to develop a new community center located at 9518 Richmond Highway. Tax Map: 107-4 ((1)) 34 and 107-4 ((5)) 4. Area IV. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Commissioner Clarke announced his intent to defer the decision only on SEA 83-V-076-02 and 2232-V18-25.

Martha Sansaver, Applicant's Agent, Building Design Branch, Building Design and Construction Division, Capital Facilities, reaffirmed the affidavit dated April 24, 2019.

There were no disclosures by Commission members.

Natalie Knight, Zoning Administration 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 SEA 83-V-076-02.

## FAIRFAX COUNTY BOARD OF SUPERVISORS

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 “feature shown” 2232-V18-25.

There was a discussion between Ms. Knight, Mr. Mayland, and multiple Commissioners regarding the following:

- Demolition of the Murphy House, trailers, and open space expansion;
- The character extent of the 2232 application which included the relocation of the Lorton Community Action Center, the Lorton Community Center, and the Lorton Community Library;
- Future expansion of the proposed development, renovation phases, and allocated square footage;
- Clarification and guidance on the purpose of the 2232 application before the Planning Commission made its recommendation on Phases I and II of the developments; and
- The extent of the design for Phase II.

The discussion resulted in no changes to the subject applications. However, staff would seek clarification and guidance on the purpose of the 2232 application, before the Planning Commission made its recommendation on Phases I and II of the developments.

Ms. Sansaver gave a presentation on the subject applications.

There was a discussion between Ms. Sansaver; Timothy Vaughan, ADTEK Engineers, Inc.; David Bowden, Director, Planning and Development, Park Authority; and multiple Commissioners regarding the following:

- Concerns regarding the amount of park land eliminated and the reduction of 70 parking spaces assigned to the library;
- Interparcel access for the service road after construction of U.S. Route 1;
- Flexibility to accommodate the Department of Transportation’s request to provide additional vehicular access to the site;
- Maintenance of the current trails system for pedestrian access to the park;
- Staff’s conclusion on the 2232-V18-25 application;

## FAIRFAX COUNTY BOARD OF SUPERVISORS

- Consulting with the Office of the County Attorney regarding the parameters of the 2232 application and obtaining guidance on what the Planning Commission was asked to approve, and was the advertised application relative to the library's expansion;
- An additional development condition that addressed tree protections for the Monarch Oak Tree and other disturbances on the site;
- Concerns regarding reduction of park land to include active areas after construction of the Lorton Community Center; and
- Specific dollar amount from the 2016 Bond referendum allocated to the Sully Community Center versus that of the proposed site.

The discussion resulted in no changes to the subject amendment. However, staff would consult with the Office of the County Attorney and would provide clarification to the Planning Commission on the parameters for a recommendation on the proposed 2232 application.

//

The Commission went into recess at 9:34 p.m. and reconvened in the Board Auditorium at 9:51 p.m.

//

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

//

Lakesha Nash, 7809 Lewis Chapel Circle, Lorton, spoke in support of the subject applications because of the support and resources offered by the Lorton Community Action Center (LCAC). The community had access to educational, job, health and nutrition, security resources, was a safe heaven, and a stress reliever for families. (A copy of Ms. Nash's statement is in the date file.)

Rachelle Price, 7817 Lewis Chapel Circle, Lorton, spoke in support of the subject applications and concurred with the Steering Committee's recommendation. The proposed application supported the immediate need of the community, created opportunities for the youth, families, seniors, and the disabled. The co-located uses addressed mobility and transportation concerns. (A copy of Ms. Price's statement is in the date file.)

Alicia Archer, 7815 Lewis Chapel Circle, Lorton, spoke in support of the subject applications because they benefited the community, provided an outlet and was a safe haven for the youth, seniors, the disabled, offered educational activities, and indoor and outdoor recreational services. LCAC would provide childcare services on a broader scale for low-income families.

## FAIRFAX COUNTY BOARD OF SUPERVISORS

Linda Patterson, 9518 Richmond Highway, Lorton, representing the Lorton Community Action Center, spoke in support of the subject applications and concurred with the Steering Committee's recommendations. Ms. Patterson suggested the Lorton community had the highest need for services versus other parts of the southern Fairfax County area. The proposed application would provide a place for seniors to socialize, exercise, age in place, and participate in nutritional and educational classes. The proposed co-location offered support to the community regardless of income or ethnicity. (A copy of Ms. Patterson's statement is in the date file.)

Mary Paden, 6816 Duke Drive, Alexandria, representing South County Task Force for Human Services, spoke in support of the subject applications because they combined a senior center and the LCAC at a County-owned site and co-located with the Lorton library. LCAC served approximately 2,600 residents, 660 of whom made below 30% area median income. The proposed co-location provided meeting spaces and recreational services for seniors, teens, low income families, and the disabled. Inclusion of the LCAC offered wrap-around services, which included a food pantry, housing vouchers, a central location for service referrals, and would exemplify best practices for community services. (A copy of Ms. Paden's statement is in the date file.)

Chairman Murphy emphasized that all written testimony received by the Planning Commission would be entered into the official public record.

Rod Myers, 9518 Richmond Hwy, Lorton, spoke in support of the subject applications because the community as a collective group, would share various interests and participate in cultural, recreational and civic activities. The proposed co-location offered support to families and seniors in need of food, clothing and other services provided by the LCAC. With the assistance of various educational resources, the most vulnerable population had a healthy outlet to build on their creativity. (A copy of Mr. Myers' statement is in the date file.)

Marvin Miller, 10804 Harley Road, Mason Neck, spoke in support of the subject applications because inclusion of LCAC would allow for improved services to families and households who benefited from the after school and teen programs, services offered to seniors, and the disabled. (A copy of Mr. Miller's statement in the date file.)

Jonathan Kiell, 11832 Harley Road, Lorton, spoke in support of the subject applications because improvements made to the site would benefit the community and surrounding areas. Those improvements would significantly enhance the community, would provide a wider variety of recreational and educational opportunities, particularly along U.S. Route 1. The proposed co-location would provide a much-needed indoor educational area for families and would also provide locations for children seeking shelter from cold or wet weather. Indoor and outdoor educational activities would be available to the youth. (A copy of Mr. Kiell's statement is in the date file.)

Jeannine Deem Purdy, 3520 Oakwood Lane, Alexandria, spoke in support of the subject applications because of enhanced services provided to the most vulnerable population. The site

## FAIRFAX COUNTY BOARD OF SUPERVISORS

would serve as a more efficient space for the community. (A copy of Ms. Purdy's statement is in the date file.)

Temecca Wright Gallman, 9822 Hagel Circle, Lorton, spoke in support of the subject applications and echoed the need for access to afterschool services, seasonal camps, technology, the arts, and other programs associated with a community center. Hagel Circle and the surrounding housing developments were underserved for decades. The absence of a community center widened the gap where children lacked personal development, educational, social skills, and a support system required for success. LCAC had exhausted its space, resources, and tireless efforts to accommodate the growing need of the Lorton population.

Pam Cressey, 11501 Gunston Road Way, Lorton, spoke in support of the subject applications because there was a need for the proposed services. The senior center, and LCAC would allow individuals to co-mingle as one community. These three locations were within walking distance and would benefit individuals with limited or no access to transportation. The co-location would also allow for consolidation, collaboration, and extension of its current services and would provide greater assistance to the most venerable population. The new community center and library would wrap around the park and would also be supported by volunteers from the senior center and library.

Robert St. Thomas, 7105 Carnation Court, Springfield, spoke in support of the subject applications because LCAC would continue to serve the elderly, military families and disadvantaged children. LCAC would continue to serve as a connection between local, County, and state agencies and would have a greater impact on various programs and missions. (A copy of Mr. St. Thomas' statement is in the date file.)

Philip Hirschkop, 6128 River Drive, Lorton, spoke in support of the subject applications because approval of the plan would provide services to underserved County residents. The plan would aid the elderly, the impoverished, and families and children with housing assistance and food. The plan would provide indoor and outdoor educational and recreational activities for children. (A copy of Mr. Hirschkop's statement is in the date file.)

Dennis Allerton, 9938 Capperton Drive, Oakton, did not oppose community centers, schools nor libraries, however believed open green spaces offered a lot of value to a community and surrounding areas. Mr. Allerton suggested developments on open green spaces created a dangerous and unwise precedent. He suggested open green spaces should not be used to solve issues when there were other options available. Mr. Allerton suggested there was not much green space left to build on and that parks were healthy and important to green communities. He suggested the proposed applications had inconsistencies regarding remaining park land after development and the co-location would have a greater negative impact on the park.

Lea Watson, 9515 Shepherd Hills Drive, Lorton, spoke in opposition to the subject applications because in 1983, park bond funds were set aside specifically to create a five-acre Lorton community park. Ms. Watson suggested Lorton park was the only publicly accessible multi-generational open space in the area. Ms. Watson suggested the proposed design violated the

## FAIRFAX COUNTY BOARD OF SUPERVISORS

Comprehensive Plan, Master Plan, One Fairfax policy, and the environmental impact on surrounding communities. Ms. Watson suggested the combined footprint of the co-location bordered the communities and the projected activities were so intensive and complex that a barrier waiver was requested in order to construct the project. Ms. Watson added the park was a resting place from the real-life day to day madness. She suggested the park revitalized and was non-discriminatory. Ms. Watson requested the Planning Commission further review the proposed park design.

Hillary Clawson, 5901 Mount Vernon Blvd, representing Mason Neck Citizens Association, spoke in support of the subject applications because they meet the needs of the diverse population, provide educational, provided indoor and outdoor recreational activities for the youth, the disabled, and seniors. The plan would also provide a venue for multi-generational interaction which would benefit all groups. (A copy of Ms. Clawson's statement is in the date file.)

Howard Bishop, 7824 Stovall Court, representing Williamsburg Square Homeowners Association, 7824 Stovall Court, Lorton, spoke in opposition to the subject applications because they were inconsistent with the Park Master Plan. (A copy of Mr. Bishop's statement is in the date file.)

Christopher Ambrose, 7815 Lambkin Court, Lorton, representing Shephard Hills Homeowners Association, recognized LCAC played an integral role in the greater Lorton Community and the community center was needed, the co-location supported the goals of One Fairfax, and was designed to serve a larger population. Mr. Ambrose, however, addressed the homeowners' concerns. He suggested the original plan was much more limited in scope, the decision to consolidate various services were too intensive for the site, the surrounding communities opposed the requested waivers for transitional screening, and barrier requirements. Mr. Ambrose suggested the park location was not central to the proposed area, and the proposed uses would eliminate 70% of the park, the project was planned without community input, the extent of the project was not reflected in the Comprehensive Plan nor the Park Master Plan.  
(A copy of Mr. Ambrose's statement is in the date file.)

There was a discussion between Mr. Ambrose, Mr. Bowden, and multiple Commissioners regarding Mr. Ambrose's assessment of remaining acreage allocated to park land and the Park Authority's land exchange program agreement with the Board of Supervisors.

Larrie Williams, 9435 Cherwalk Drive, Lorton was not in opposition to the community center, library, nor LCAC, however, emphasized the park was a haven for his family to enjoy and play.

Ahmad Fryer, 9506 Hagel Circle, spoke in support of the subject applications because of investments made in educational programs for the youth. LCAC offered indoor and outdoor recreational opportunities for the community and the proposed co-location was within walking distance. (A copy of Mr. Fryer's statement is in the date file.)

## FAIRFAX COUNTY BOARD OF SUPERVISORS

In her rebuttal testimony, Ms. Sansaver stated all the comments from the community and the Planning Commission were valued. Ms. Sansaver stressed protection of the oak tree was a priority. Ensuring the residents had a place to recreate, providing indoor and outdoor educational activities was the applicant's goal. Ms. Sansaver stated the Lorton Park would not be eliminated but rather enhanced. Recommendations from the Planning Commission were being evaluated and all issues would be addressed.

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

*(Start Verbatim Transcript)*

//

Commissioner Clarke: Thank you, Mr. Chairman. Still evening time so we haven't quite hit the midnight hour. I wanna thank everyone that came out tonight. Thank everyone that came out tonight and it's – we've had a lively healthy discussion. And it's great to see a community come together and be very engaging as you all have. So – appreciate the testimonies, the comments, and staff appreciate your hard work. WP – DWPS and thank you and we'll be commenting and working together to – to come up with answers to what some of my colleagues have – have requested tonight. And with that, Mr. Chairman, I'd like to move to defer. So, the motion is to MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SEA 83-V-076-2 AND 2232-V18-25, TO A DATE CERTAIN OF JUNE THE 12TH, WITH THE RECORD REMAINING OPEN FOR COMMENTS.

Commissioner Sargeant: Second.

Chairman Murphy: Second by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to defer these applications for decision only, with the record remaining open for written comment to a date certain of June 12th, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

*(End Verbatim Transcript)*

//

CLOSING

May 22, 2019

The meeting was adjourned at 11:44 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: December 11, 2019

*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 22 day of JANUARY 2020, by  
Jacob Caporaletti.

*Dorothy M. Steele*  
Signature of Notary

Notary registration number: 7114113

Commission expiration: JANUARY 31, 2020

