

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MARCH 11, 2020**

PRESENT: Peter F. Murphy, Chairman, Springfield District
John C. Ulfelder, Dranesville District
Timothy J. Sargeant, Commissioner At-Large
Mary D. Cortina, Braddock District
John A. Carter, Hunter Mill District
Daniel G. Lagana, Lee District
Walter C. Clarke, Mount Vernon District
Phillip A. Niedzielski-Eichner, Providence District
Evelyn S. Spain, Sully District
Andres Jimenez, Commissioner At-Large

ABSENT: Julie M. Strandlie, Mason District
Candice Bennett, Commissioner At-Large

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The meeting was called to order at 7:29 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 Sargeant announced that the Commission's Capital Improvement Program (CIP) Committee would hold the CIP Workshop at 7:00 p.m. in the Board Auditorium of the Fairfax County Government Center on Thursday, February 12, 2020. He added that the workshop was open to the public and the record would remain open on the CIP until its scheduled mark-up at a date to be determined.

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RZ 2018-PR-021/RZ/FDP 2018-PR-022 – GEORGELAS, LLC (Decisions Only) (The public hearing on these applications was held on September 25, 2019.)

(Start Verbatim Transcript)

Commissioner Niedzielski-Eichner: Thank you ,Mr. Chairman. Some of the Planning Commissioners will remember that we held a public hearing back in September – September 25th actually in 2019 on the Georgelas application in Tysons. We were to consider for decision only tonight that application, but there's been a resubmission with a new – new information and new consideration of changes to the original application that staff is reviewing and will be providing an addendum to their original report. So, we will be – I will be asking the Commission then to defer further consideration of-of -of the – on the decision only basis of this application until April 22nd to give more time for staff to consider the revisions made by the applicant. So, Mr.

Chairman I MOVE THAT PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ 2018-PR-021 AND RZ/FDP 2018-PR-022, NORTH SPRING HILL STATION/WEST SPRINGFIELD STATION TO A DATE CERTAIN OF APRIL 22, 2020, WITH THE PUBLIC RECORD OPEN FOR WRITTEN COMMENTS.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to defer decision only on RZ 2018-PR-021 and RZ/FDP 2018-PR-022 to a date certain of April 22nd, 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 Bennett and Strandlie were absent from the meeting.

(End Verbatim Transcript)

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AF 2019-DR-004 – MANE MANOR LLC AND NORMANDY FARM LLC
(Decision Only) (The public hearing on this application was held on February 26, 2020.)

Prior to going on verbatim, Commissioner Ulfelder stated that there had been additional revisions to the ordinance provisions and subsequent correspondence regarding the subject application during the deferral period. He inquired as to whether the Commissioners had any questions regarding those revisions. There being none, Commissioner Ulfelder requested that the Commission go on verbatim. No objections were expressed.

(Start Verbatim Transcript)

Commissioner Ulfelder: Mr. Chairman, this is yet another application for a new Agricultural & Forestral District in Great Falls. We seem to have had a string of them in this area in the last year-and-a-half. I welcome them, as do the residents of Great Falls who are anxious to protect the semi-rural character of there are. In this case, the applicant, Susan and Glen Yongkin, over the last 20 years have put together seven parcels of land totaling 31-and-a-half acres for their personal equestrian facility. They built their home on an adjacent parcel and have been steadily improving the onsite equestrian facilities. They are carrying out plans for further improvements to the property, including the development of additional horse pasture, construction of an indoor riding area, a completely renovated horse barn and associated sheds, along with significant environmental improvements to the recently acquired portions of Normandy Farm. Once completed, the facility will be a wonderful reminder of the long tradition of equestrian facilities that used to be found throughout Great Falls. The Northern Virginia Soil and Water Conservation District personnel conducted an inspection of the property and made a series of recommendations that have been agreed to by the Yongkins and that are incorporated in the

proposed A&F Ordinance for the property. Likewise, a representative of the Virginia Department of Forestry also inspected the – the wooded areas of the property and made a series of recommendations, which also are incorporated in the proposed A&F Ordinance. Based on staff's review the application meets the requirements for and Agricultural & Forestal District and the Agricultural & Forestal Advisory Committee agree. Since the public hearing on February 26th, we have received a series of emails from the Yongkins' neighbors objection to the use of the property for a commercial riding and boarding stable. As is made clear in the staff report and was reiterated at the public hearing, the application before us is strictly a determination of whether or not the property meets all the qualifications of and Agricultural & Forestal District to be eligible for real estate tax relief. It has nothing to do with its status as a riding and boarding stable under the Zoning Ordinance. That status requires the approval of a Special Permit, after a public hearing before the Board of Zoning Appeals, and there is no such application seeking such and approval. Moreover, the applicant in her February 28th letter to Chairman Murphy, and in her March 8th email forwarded to the Commission by counsel, Andrew Painter, makes it abundantly clear that she has no intention of running a commercial riding and boarding stable on the property. It is intended solely for the applicant's personal use. I visited the property on Monday. It is a beautiful bucolic equestrian facility in the heart of Great Falls that deserves the kind of special care of management that the Yongkins are giving it. I, therefore, would like to personally thank the Younkins for their commitment to reviving and reinvigorating the equestrian use in this area and for their good stewardship of the land. Could a representative of the applicant please come forward? Could you – could you identify yourself for the record?

Kathryn Taylor, Walsh, Colucci, Lubeley & Walsh, PC, Applicant's Representative: Sure. Good Evening, my name is Kathy Taylor for the law firm of Walsh Colucci.

Commissioner Ulfelder: And would you confirm for the record the applicant's agreement with the proposed ordinance provisions updated from the version – from the version previously included in the staff report and now dated March 4th, 2020?

Ms. Taylor: Yes, on behalf of the applicant, we confirm the agreement of those ordinance provisions dated March 4th, 2020.

Commissioner Ulfelder: Thank - Thank you.

Ms. Taylor: Thank you.

Commissioner Ulfelder: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT AF 2019-DR-004 BE APPROVED AND APPENDIX F OF THE FAIRFAX COUNTY CODE BE AMENDED TO ESTABLISH THE NORMANDY FARM AND MANE MANOR LOCAL AGRICULTURAL & FORESTAL DISTRICT SUBJECT TO ORDINANCE PROVISIONS DATED MARCH 4TH, 2020.

Commissioners Niedzielski-Eichner and Cortina: Second.

Chairman Murphy: Seconded by Mr. Niedzielski-Eicher and Ms. Cortina. Is there a discussion of the motion? All those in favor of the motion to approve AF 2019-DR-004, say aye.

Commissioners: Aye.

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

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

(End Verbatim Transcript)

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PCA 87-V-064-03/SEA 94-V-030 – MCDONALD'S USA, LLC (Decision Only)
(The public hearing on this application was held on March 4, 2020.)

(Start Verbatim Transcript)

Commissioner Clarke: Yes, good evening. Thank you, Mr. Chairman. We have a motion this afternoon. We heard the public hearing last week for a proffered condition amendment and a special exception amendment on a McDonald's in the Mount Vernon District and we have a motion that I would like to move on tonight. And if I can ask the applicant can come down confirm for the record.

Evan Pritchard, Venable LLP, Applicant Representative: Good evening. Evan Pritchard with Venable, here on behalf of the applicant

Commissioner Clarke: Good Evening, Mr. Pritchard. And we request for you to confirm for the record – in agreement to the proposed development conditions dated February 19th, 2020.

Mr. Pritchard: We agree to those. Thank you.

Commissioner Clarke: Thank you very much, sir. So, with that, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 87-V-064-03, SUBJECT TO THE – TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 18TH, 2020 AND CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Cortina: Second.

Chairman Murphy: Second Ms. Cortina. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 87-V-064, say aye.

Commissioners: Aye.

Chairman Murphy: 03, say aye. Opposed? Motion carries.

Commissioner Clarke: Okay Mr. – Mr. Chairman, APPROVAL OF THE SEA 94-V-030 SUBJECT TO THE PROPOSED CONDITIONS DATED FEBRUARY 19TH, 2020 AND CONTAINED IN APPENDIX 2 OF THE STAFF REPORT.

Commissioner Cortina: Second.

Chairman Murphy: Seconded Ms. Cortina. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 94-V-030, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Clarke: Mr. Chairman I just want to note that the South County Federation Council, they did provide a resolution in support of this application and I want to thank them for their diligence in getting that done and I thank staff for all their hard work as well.

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

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Chairman Murphy established the following order of the agenda:

1. RZ 2019-LE-015/SE 2019-LE-020 – TPC VAN DORN LC

This order was accepted without objection.

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RZ 2019-LE-015 – TPC VAN DORN LC – RZ Appl. to rezone from R-1, R-3 and C-8 to C-8 to permit vehicle sales, rental and ancillary service establishment with an overall Floor Area Ratio (FAR) of 0.20. Located in the S.W. quadrant of McGuin Dr. and South Van Dorn St. on approx. 5.88 ac. of land. Comp. Plan Rec: Industrial. Tax Map 81-2 ((2)) 2; 81-2 ((3)) 5, 5A, 5B, 6, 7 and McGuin Dr. public right-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for McGuin Dr. to proceed under Section 15.2-2272 (2) of the Code of Virginia. (Concurrent with SE 2019-LE-020). LEE DISTRICT. PUBLIC HEARING.

SE 2019-LE-020 – TPC VAN DORN LC – SE Appl. under Sects. 4-804 and 9-620 of the Zoning Ordinance to permit a vehicle sales, rental and ancillary service establishment and a waiver of certain sign regulations. Located at 5636 and 5644 South Van Dorn St. and 5816, 5820, 5900 and 5906 McGuin Dr., Alexandria, 22310 on approx. 5.88 ac. of land zoned C-8. Tax Map 81-2 ((2)) 2; 81-2 ((3)) 5, 5A, 5B, 6, 7 and McGuin Dr. public right-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for McGuin Dr. to proceed under Section 15.2-2272 (2) of the Code of Virginia. (Concurrent with RZ 2019-LE-015).
LEE DISTRICT. PUBLIC HEARING.

David Schneider, Applicant's Agent, Bean, Kinney & Korman, P.C., reaffirmed the affidavits dated February 3, 2020.

There were no disclosures by Commission members.

Daniel Creed, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of applications RZ 2019-LE-015 and SE 2019-LE-020.

David Schneider gave a presentation on the subject applications.

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

- Clarification on proffer provisions related to LEED certification options;
- Clarification on the location of sidewalks;
- Clarification on right-of-way provisions for the site;
- Clarification on stormwater management provisions;
- Clarification on stormwater run-off from the site;
- Clarification on after hours lighting provisions for the site;
- Clarification on tree preservation, landscaping, and open space commitments;
- Clarification on the site's proximity to Metro;
- Clarification on the grading of the site; and
- Clarification on partnerships with neighboring sites to increase the overall density of the area.

A copy of the revised set of proffers is in the date file.

The discussion resulted in no changes to the subject applications.

Chairman Murphy called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no further comments or questions

from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lagana for action on this item.

(Start Verbatim Transcript)

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Commissioner Lagana: Thank you, Mr. Chairman. I – first, I just want to thank the applicant for all of the work that went in to preparing this application. We greatly appreciate the amount of time that you spent with both the community, myself, and Supervisor Lusk’s office to – to bring and to get this application to where it is today. I also want to thank staff for their diligent work and their partnership throughout all of this. Mr. Chairman, excuse me. Mr. Chairman, I request that the applicant confirm for the record their agreement to the proposed development conditions dated February 25th, 2020.

David Schneider, Bean, Kinney & Korman, P.C., Applicant Representative: We agree to the development conditions dated February 25th, 2020. Thank you.

Commissioner Lagana: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2019-LE-015, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 24TH, 2020.

Commissioners Clarke and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant, Mr. Clarke. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2019-LE-015, say aye.

Commissioners: Aye.

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

Commissioner Lagana: Thank you, Mr. Chairman. I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2019-LE-020, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED FEBRUARY 25TH, 2020.

Commissioners Clarke and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Clarke. 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 2019-LE-020, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

(End Verbatim Transcript)

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The meeting was adjourned at 8:09 p.m.

Peter F. Murphy, Chairman

Timothy J. Sargeant, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035.

Minutes by: Keisha Strand

Approved on: July 29, 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 14 day of August 2020, by

Jacob Caporaletti.

Dorothy M. Steele
Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

