

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MAY 20, 2020**

PRESENT: Peter F. Murphy, Chairman, Springfield District
John C. Ulfelder, Vice Chairman, Dranesville District
Timothy J. Sargeant, Secretary, Commissioner At-Large
Mary D. Cortina, Braddock District
Julie M. Strandlie, Parliamentarian, Mason 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
Candice Bennett, Commissioner At-Large
Andres Jimenez, Commissioner At-Large

ABSENT: None

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The Planning Commission conducted a wholly electronic meeting using Fairfax County's videoconferencing system because the COVID-19 pandemic made it unsafe to physically assemble a quorum in one location or to have the public present. The meeting was accessible to the public via Channel 16, live online video stream, and live audio. Testimony from the public could be provided through a phone call, recorded video, or submission of written testimony by mail or electronic means.

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The meeting was called to order at 7:30 p.m., by Chairman Peter F. Murphy.

The attending Commissioners attended the meeting from the following locations:

- Timothy J. Sargeant participated from the Mount Vernon District office, 2511 Parkers Lane, Mt. Vernon, VA 22306;
- Julie M. Strandlie participated from her home in Alexandria, VA;
- Mary D. Cortina participated from the Braddock District office, 9002 Burke Lake Road Burke, VA 22015;
- John A. Carter participated from the Hunter Mill District office, 1801 Cameron Glen Drive, Reston, VA 20190;
- Daniel G. Lagana participated from the Lee District office, 6121 Franconia Road, Alexandria, VA 22310;

- Walter C. Clarke participated from the Mount Vernon District office, 2511 Parkers Lane, Mt. Vernon, VA 22306;
- Phillip A. Niedzielski-Eichner participated from the Providence District office, 3001 Vaden Drive, 2nd Floor, Fairfax, VA 22031;
- Andres Jimenez participated from the Mason District office, 6507 Columbia Pike, Annandale, VA 22003;
- Murphy Peter F. Murphy participated from the Springfield District office, 6140 Rolling Road, Springfield, VA 22152;
- Candice Bennett participated from the Lee District office, 6121 Franconia Road, Alexandria, VA 22310;
- Evelyn S. Spain participated from the Sully District office, 4900 Stonecroft Boulevard Chantilly, VA 20151; and
- John C. Ulfelder participated from the Dranesville District office, 397 Herndon Pkwy, Suite 110, Herndon, VA 20170. (Commissioner Ulfelder arrived after the roll call.)

Upon verifying the attendance of each Commissioner from their respective location, the meeting proceeded with Commission matters.

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COMMISSION MATTERS

Chairman Murphy relinquished duties of the virtual Chair and the virtual gavel to Secretary Sargeant.

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PRELIMINARY MOTIONS FOR CONDUCTING ELECTRONIC MEETING

(Start Verbatim Transcript)

Commissioner Murphy: I MOVE THAT EACH MEMBER'S VOICE MAY BE ADEQUATELY HEARD BY EACH OTHER MEMBER OF THIS COMMISSION. I SO MOVE.

Commissioner Niedzielski-Eichner: Second.

Secretary Sargeant: All in favor of the motion, say aye.

Commissioners: Aye.

Secretary Sargeant: All opposed? There are no opposed? Motion passes.

Commissioner Murphy: Second, having established that each member's voice may heard by every other member, we must next establish the nature of the emergency that compels these emergency procedures. The fact that we are meeting electronically, what type of electronic communication is being used, and how we have arranged for public access to this meeting. Therefore, I MOVE THAT THE STATE OF EMERGENCY CAUSED BY THE COVID-19 PANDEMIC, MAKES IT UNSAFE FOR THE PLANNING COMMISSION TO PHYSICALLY ASSEMBLE AND UNSAFE FOR THE PUBIC TO PHYSICALLY ATTEND ANY SUCH MEETING. AND THAT AS SUCH, FOR AS USUAL PROCEDURES WHICH REQUIRES THE PHYSICAL ASSEMBLY OF THIS COMMISSION AND THE PHYSICAL PRESENCE OF THE PUBLIC CANNOT BE IMPLEMENTED SAFELY OR PRACTICALLY. I FURTHER MOVE THAT THE PLANNING COMMISSION MAY CONDUCT THIS MEETING ELECTRONICALLY THROUGH THE COUNTY'S VIDEO CONFERENCING SYSTEM AND THAT THE PUBLIC MAY ACCESS THIS MEETING BY WATCHING CHANNEL 16, OR ITS LIVE STREAM, OR LISTENING TO ITS LIVE AUDIO. AND, I SO MOVE.

Commissioner Niedzielski-Eichner: Niedzielski-Eichner seconds.

Secretary Sargeant: The motion has been made and seconded. All in favor?

Commissioners: Aye.

Secretary Sargeant: All opposed? No opposed? The motion passes.

Commissioner Murphy: And we have established quorum for the record. Finally, IT IS NEXT REQUIRED THAT ALL OF THE MATTERS ADDRESSED ON TODAY'S AGENDA MUST ADDRESS THE EMERGENCY ITSELF, ARE NECESSARY FOR THE CONTINUITY IN FAIRFAX COUNTY GOVERNMENT, AND OR ARE STATUTORILY REQUIRED OR NECESSARY TO CONTINUE OPERATIONS AND THE DISCHARGE OF PLANNING COMMISSION'S LAWFUL PURPOSES, DUTIES, AND RESPONSIBILITIES. AND, I SO MOVE.

Commissioner Niedzielski-Eichner: Niedzielski-Eichner seconds.

Secretary Sargeant: All in favor of the motion?

Commissioners: Aye.

Secretary Sargeant: All opposed? The motion passes unanimously.

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

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Chairman Murphy resumed duties of the virtual Chair and the virtual gavel.

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MINUTES APPROVAL – JANUARY AND FEBRUARY 2020

(Start Verbatim Transcript)

Commissioner Sargeant: Thank you, Mr. Chairman. We are scheduled to vote this evening on the meeting minutes for the Planning Commission meetings in January and February of 2020. Copies of the meeting minutes were emailed to Planning Commissioners on April 29th of this year and the copies of the meeting minutes were emailed again on May 18th. Planning Commissioners were asked to submit any edits or corrections prior to this evening's vote. With that Mr. Chairman, I MOVE APPROVAL OF THE MEETING MINUTES FOR THE FOLLOWING PLANNING COMMISSION MEETINGS. I'LL – I'LL READ THEM ALL TOGETHER AND THEN ASK FOR A SECOND. WEDNESDAY, JANUARY 8TH, 2020; WEDNESDAY, JANUARY 15TH, 2020; WEDNESDAY, JANUARY 29TH, 2020; WEDNESDAY, FEBRUARY 5TH, 2020; WEDNESDAY, FEBRUARY 12TH, 2020; WEDNESDAY, FEBRUARY 19TH, 2020; AND WEDNESDAY, FEBRUARY 26TH, 2020.

Commissioner Clarke: Second.

Chairman Murphy: Seconded by?

Commissioner Sargeant: Commissioner Clarke.

Chairman Murphy: Yeah. Seconded by Commissioner Clarke. Is there a discussion of the motion? All those in favor of the motion to ratify the minutes, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? No negative votes and Mr. Ulfelder is not present at this time.

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

(End Verbatim Transcript)

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RZ 2019-BR-019 – CONLEY DEVELOPMENT, LLC

(Decision Only) (Public Hearing on this application was held on May 14, 2020)

(Start Verbatim Transcript)

Commissioner Cortina: Thank you, Mr. Chairman. With respect to the rezoning application, RZ 2019-BR-019, Conley Development, LLC, first, I would like to thank Emma Estes and county staff for their work on this application. And the applicant and owner, John Manganello, for his responsiveness throughout the application process. As you know the applicant provided elevation drawings for the homes the same day as the public hearing last week. And I wanted to have a chance to review the bulk and mass of the proposed homes with staff to ensure it would fit in with the fabric of the neighborhood, as stated in the residential development criteria of the

Comprehensive Plan. The applicant did provide an additional illustration and proffered to address this concern, and I believe the Planning Commission receive those documents this week. This application has a recommended - recommendation of approval from the staff and from the Braddock Land Use and Environment Committee, which you also received. It's consistent with the abutting and adjacent residential uses and lot sizes and the bulk and mass of other dwelling units in the neighborhood. It meets all the setbacks, it's well-oriented to the adjacent homes, will incorporate the sidewalk improvements, it meets the tree preservation targets, and proffers landscaping consistent with the guidance from Urban Forestry Management Division. Both stormwater quality and quantity will be addressed on site and the applicant is proffering to employ low impact development and green building standards, and schools contribution. So, unless there are any other questions or concerns from the Planning Commissioners, I plan to move.

Chairman Murphy: Any questions? Go ahead, please.

Commissioner Cortina: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2019-BR-019 AND ITS ASSOCIATED GDP, SUBJECT TO THE EXECUTED PROFFERS DATED MAY 20, 2020.

Commissioner Sargeant: Commissioner Sargeant seconds.

Chairman Murphy: Seconded by Commissioner Sargeant. 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-BR-019, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Cortina: Thank you, Mr. Chairman.

Chairman Murphy: Mr. Ulfelder is not present for the meeting. For the vote, excuse me.

The motion carried by a vote of 11-0. Commissioner Ulfelder was not present for the vote.

(End Verbatim Transcript)

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Chairman Murphy announced that as a result of the upcoming Memorial Day holiday, the next Planning Commission meeting would be held on June 10, 2020.

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ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. CSPA 87-S-039-05 – FAIRFAX CORNER RETAIL, LC
2. CSP 2000-HM-044 – FAIRFIELD WPE, LLC
3. RZ/FDP 2019-LE-012 – BRIGHTVIEW SENIOR LIVING DEVELOPMENT, LLC

The order was accepted without objection.

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CSPA 87-S-039-05 – FAIRFAX CORNER RETAIL, LC – Appl. under Sects. 12-304 of the Zoning Ordinance to amend the previously approved Comprehensive Sign Plan associated with RZ 87-S-039 to permit sign modifications. Located on the S. side of Random Hills Rd., E. side of Government Center Pkwy. and N. side of Monument Dr. on approx. 35.0 ac. of land zoned PDC. Tax Map 56-1 ((1)) 47E (pt.), 47G3, 47H, 47I, 47L, 47K, 47T, 47S1, 47J, 47P, 47Q and 47R.
BRADDOCK DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Zachary Fountain, Zoning Administration Division, Department of Planning and Development, presented the staff report, a copy of which is in the date file. He stated that staff recommended approval of CSPA 87-S-039-05.

John McGranahan, Applicant's Agent, Hunton Andrews Kurth, LLP, gave a presentation on the subject application.

There was a discussion between William O'Donnell, Zoning Evaluation Division, Department of Planning and Development and multiple Commissioners regarding the following:

- A 250 square-foot elevated Poster Display facing Random Hills Road and Interstate 66 and staff's clarification of the differences between a billboard sign and placemaking; and
- The applicant's agreement to the revised development conditions dated May 5, 2020, that would prohibit the Poster Display sign on the movie theater.

The discussion resulted in no changes to the application.

There being no listed speakers, Chairman Murphy and no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Cortina for action on this application.

(Start Verbatim Transcript)

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Commissioner Cortina: Thank you, Mr. Chairman. I move that the Planning Commission...

Teresa Desantis, Department of Clerk Services: Excuse me. This Teresa Desantis, staff. I just want to let you know we did not have any callers for this application.

Chairman Murphy: Okay. Thank you very much.

Commissioner Ulfelder: And, Mr. Chairman, this is Commissioner Ulfelder. I have joined the meeting.

Chairman Murphy: Thank you very much. Go ahead, Ms. Cortina, with your motion.

Commissioner Cortina: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 87-S-039-05, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 5, 2020, WITH THE ADDITION OF THE NEW DEVELOPMENT CONDITION NUMBER SEVEN THAT SAYS, ALL REFERENCES TO FAIRFAX COUNTY ARCHITECTURAL REVIEW BOARD AND OR FCARB IN THIS CSPA REFERED TO THE FAIRFAX CORNER ARCHITECTURAL REVIEW BOARD, NOT THE FAIRFAX COUNTY ARCHITECTURAL REVIEW BOARD.

Commissioner Sargeant: Commissioner Sargeant seconds.

Chairman Murphy: Seconded by Commissioner Sargeant. Is there a discussion of the motion? All those in favor of the motion to approve CSPA 87-S-039-05, say aye.

Commissioners: Aye.

Chairman Murphy: Motion carries unanimous. Mr. Ulfelder is part of the vote.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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CSP 2000-HM-044 – FAIRFIELD WPE, LLC – Appl. under Sect(s). 12-304 of the Zoning Ordinance for approval of a Comprehensive Sign Plan associated with RZ 2000-HM-044. Located on the W. side of Monroe St., S. side of Woodland Dr. and N. side of E. Park Dr. on approx. 5.06 ac. of land zoned PDC. Tax Map 16-4 ((27)) 2. HUNTER MILL DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Joseph Onyebuchi, Zoning Administration Division, Department of Planning and Development presented the staff report, a copy of which is in the date file. He stated that staff recommended approval of CSP 2000-HM-044.

Helen Blakeney, Applicant's Agent, SUI, Inc., gave a presentation on the subject application.

There being no listed speakers, Chairman Murphy called for virtual speakers, 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 Carter for action on these applications.

(Start Verbatim Transcript)

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Commissioner Carter: Should we see if anybody wants to testify?

Chairman Murphy: Hello? Yes. Anybody on the - that's a good point.

Terresa Desantis: Department of Clerk Services: This is Teresa...

Chairman Murphy: Samantha?

Ms. Desantis: This is Teresa Desantis. There are no calls for this application.

Chairman Murphy: Okay. Thank you very much. Commissioner Carter?

Commissioner Carter: Okay. I'm ready to move forward. The Comprehensive Sign Plan will provide important wayfinding and identifications. You already heard that the proposed signs including the building identification signs, address sign, leasing sign, garage signs, informational signs, instructional panel signs, park signs, and temporary signs. The proposed signs will be similar in character to the signs already approved in the previous stages of this very large development. I'd like to thank staff, including Joseph Onyebuchi, for the thorough analysis. At this point we haven't received any testimony, unless there's any additional discussion, I would proceed with the motion. Number one. Mr. Chairman, I request that the applicant confirm for the record to the development conditions dated May 6th, 2020. They're not...

Chairman Murphy: Is the applicant still present?

Helen Blakeney, Applicant's Agent, SUI: Yes.

Commissioner Carter: So, the answer is yes?

Ms. Blakeney: Yes.

Commissioner Carter: Okay.

Ms. Blakeney: That is correct.

Commissioner Carter: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE CSP 2000-HM-044, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 6th, 2020.

Commissioner Niedzielski-Eichner: Niedzielski-Eichner seconds.

Chairman Murphy: Seconded by Mr. Niedzielski-Eichner. Is there any discussion of the motion? All those in favor of the motion to approve CSP 2000-HM-044, say aye.

Commissioners: Aye.

Chairman Murphy: Motion carries. It's unanimous.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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RZ/FDP 2019-LE-012 – BRIGHTVIEW SENIOR LIVING DEVELOPMENT, LLC – Appls. to rezone from R-1 to PDC to permit continuing care facility and church with child care center with an overall Floor Area Ratio (FAR) of 0.62 and approval of the conceptual and final development plan. Located on the E. side of Telegraph Rd., S. of its intersection with Mission Ct. on approx. 7.61 ac. of land. Comp. Plan Rec: Residential 2-3 du/ac. Tax Map 92-1 ((1)) 23 and 24. LEE DISTRICT. PUBLIC HEARING.

Lori R. Greenlief, Applicant's Agent, McGuireWoods, LLP, reaffirmed the affidavit dated May 7, 2020.

There were no disclosures by Commission members.

Daniel Creed, Zoning Administration Division, Department of Planning and Development, presented the staff report, a copy of which is in the date file. He stated that staff recommended approval of RZ 2019-LE-012 and FDP 2019-LE-012.

Ms. Greenlief gave a presentation on the subject applications.

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

- The location of Cheri Schipper's property in relation to the proposed development;

- Whether the proposed improvements and widening of Telegraph Road were definitive and would be proffered;
- A synopsis of the proposed widening of Telegraph Road and whether it met the recommendations of the Comprehensive Plan;
- The location, size, and scale of the proposed site's bioretention facility;
- The Health Care Advisory Board's (HBAC) recommendations on the proposed development and whether staff had considered HCAB's position;
- The staff's rationale for determining the higher range of floor area ratio for the proposed continuing care facility; and
- The staff's determination on HBAC's community feedback regarding a written statement received from Fairfax County's Long Term Care Coordinating Council, which noted "a substantial difference in the number of affordable independent living units that would have been required under the Affordable Dwelling Unit (ADU) provisions, versus what Brightview Senior Living will proffer to under the amended Comprehensive Plan CCF policy."

The discussion resulted in no changes to the applications.

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

Richard Krewson, 6418 Willowood Lane, Alexandria, addressed his concerns regarding traffic at the intersection of Willowood Lane, Telegraphy Road and the entrance to the proposed development. Mr. Krewson added he supported the applicant's consideration for the installation of a turning lane. Mr. Krewson informed the Commission that there was a significant amount of foot traffic from the Rose Hill neighborhood starting at Willowood Lane north to Climbhill Road and crossed over Telegraph Road west to east with no crosswalk protections, nor traffic lights. He added that there were safety concerns with cut-through traffic from the Rose Hill neighborhood crossing over Telegraph Road onto the Lee Franconia Park.

Victoria Mwangela, 6425 Telegraph Road, Alexandria, addressed concerns with her home's close proximity to the proposed development. Ms. Mwangela stated her community did not have a homeowners association and requested an opportunity to confer with the applicant.

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

- The applicant's willingness to confer with Ms. Mwangela; and
- Based on the site's density, the proposed number of staff members, and visitors, the reasons for proffering one electric vehicle charging station.

There being no additional speakers, 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 these applications.

(Start Verbatim Transcript)

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Commissioner Lagana: Thank you, Mr. Chairman. I just wanna to say before we - before I make the motion, that this - the Brightview development serves as a small but important project with respect to future efforts in Fairfax County regarding the co-location of facilities. And in that regard, I'm very happy with the way that this - that we've reached the - the final decisions, if you will, on the Brightview development. In that vein, I wanna thank the adjacent communities, the applicant, and of course staff, in particular, Daniel Creed, for all the work done on - on this project, especially in the last few weeks. Mr. Chairman, I request that the applicant confirm for the record agreement to the development conditions dated April 29th, 2020.

Lori Greenlief, Applicant's Agent, McGuireWoods LLP: Yes. On behalf of Brightview, we agree with those development conditions.

Commissioner Lagana: Thank you. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2019-LE-012, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 20, 2020.

Commissioner Sargeant: Commissioner Sargeant seconds.

Chairman Murphy: Commissioner Sargeant seconds. Is there a discussion of the motion? All those in favor to recommend to the Board of Supervisors that it approve RZ 2019-LE-012, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Carter: Mr. Chairman. Mr. Chairman, I'm gonna to abstain, would be a better way to put this and...

Chairman Murphy: Okay. Commissioner Carter abstains.

Commissioner Carter: Thank you.

Chairman Murphy: Thank you very much. Motion carries with one abstention. Mr. Lagana.

Commissioner Lagana: Thank you. Mr. Chairman, I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS

APPROVAL OF FDP 2019-LE-012, SUBJECT TO THE DEVELOPMENT CONDITIONS
DATED APRIL 29th, 2020.

Commissioner Bennett: Second.

Chairman Murphy: Seconded by Commissioner Strandlie?

Commissioner Bennett: Commissioner Bennett.

Chairman Murphy: Who?

Commissioner Bennett: Commissioner Bennett:

Chairman Murphy: Commissioner Bennett. I'm sorry. Is there a discussion of the motion? All those in favor to recommend - to approve FDP 2019-LE-012, say aye.

Commissioners: Aye.

Commissioner Carter: And I will abstain.

Chairman Murphy: Okay. Motion carriers, same abstention. Mr. Lagana.

Commissioner Lagana: Thank you, Mr. Chairman. And, finally, I MOVE THAT THE
PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS
APPROVAL OF THE WAIVERS AND MODIFICATIONS, AS LISTED IN THE HANDOUT
DATED MAY 20, 2020.

Commissioner Bennett: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Carter: Abstain again.

Chairman Murphy: Motion carries. One abstention.

Each motion carried by a vote of 11-0-1. Commissioner Carter abstained from the vote.

(End Verbatim Transcript)

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The meeting was adjourned at 8:45 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, VA 22035.

Minutes by: Samantha Lawrence

Approved on: *November 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 12 day of October 2021, by
Jacob Caporaletti.

Dorothy M. Steff
Signature of Notary

Notary Seal

Notary registration number: 7114113

Commission expiration: January 31, 2024

