

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, JUNE 11, 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  
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: Julie M. Strandlie, Parliamentarian, Mason District

//

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.

//

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:

- John C. Ulfelder participated from the Dranesville District office, 397 Herndon Pkwy, Suite 110, Herndon, VA 20170;
- Timothy J. Sargeant participated from the Mount Vernon District office, 2511 Parkers Lane, Mt. Vernon, VA 22306;
- Mary D. Cortina participated from the Springfield District office, 6140 Rolling Road, Springfield, VA 22152;
- 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, 2<sup>nd</sup> Floor, Fairfax, VA 22031;
- Evelyn S. Spain participated from the Sully District office, 4900 Stonecroft Boulevard Chantilly, VA 20151;
- Andres Jimenez participated from the Mason District office, 6507 Columbia Pike, Annandale, VA 22003;
- Candice Bennett participated from the Lee District office, 6121 Franconia Road, Alexandria, VA 22310; and
- Murphy Peter F. Murphy participated from the Springfield District office, 6140 Rolling Road, Springfield, VA 22152.

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

//

COMMISSION MATTERS

Chairman Murphy relinquished duties of the virtual Chair and the virtual gavel to Vice Chairman Ulfelder.

//

PRELIMINARY MOTIONS FOR CONDUCTING ELECTRONIC MEETING

Commissioner Murphy MOVED the following:

- THAT EACH MEMBER’S VOICE MAY BE ADEQUATELY HEARD BY EACH OTHER MEMBER OF THIS COMMISSION;
- 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 IN SUCH, FOR AS PHYSICAL PRESENCE OF THE PUBLIC CANNOT BE IMPLEMENTED SAFELY OR ON – 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

- IT IS NEXT REQUIRED THAT ALL OF THE MATTERS ADDRESSED ON TODAY’S AGENDA MUST ADDRESS THE EMERGENCY ITSELF, AND ARE NECESSARY FOR 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, RESPONSIBILITIES.

Commissioner Cortina seconded the motions, which carried by a 11-0. Commissioner Strandlie was absent from the vote.

//

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

//

PA 2019-II-M1 – 9439 LEESBURG PIKE

Commissioner Ulfelder MOVED THAT THE PLANNING COMMISSION INDEFINITELY DEFER THE PUBLIC HEARING FOR PA 2019-II-M1, 9439 LEESBURG PIKE.

Commissioners Sargeant and Cortina seconded the motion, which carried by a vote of 11-0. Commissioner Strandlie was absent from the meeting.

//

ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. RZ 2019-HM-011 – SAKTHIVEL CHINNASAMY AND NANDAKUMAR SREENIVASAN
2. SE 2019-LE-021 – MUNA BARKHADLE D/B/A DAFFODILS CHILDCARE

The order was accepted without objection.

//

RZ 2019-HM-011 – SAKTHIVEL CHINNASAMY AND NANDAKUMAR SREENIVASAN – Appl. to rezone from R-1 to R-3 to permit residential development with a total density of 2.85 dwelling units per acre (du/ac). Located on the N. side of Old Courthouse Rd., approx. 300 ft. E. of Irvin St., on approx. 1.05 ac. of land. Comp. Plan



Rec: 2-3 du/ac. Tax Map 28-4 ((1)) 28. HUNTER MILL DISTRICT.  
PUBLIC HEARING.

Keith C. Martin, Applicant's Agent, The Law Office of Keith C. Martin PLLC, reaffirmed the affidavit dated June 14, 2019.

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 RZ 2019-HM-011.

Mr. Martin gave a presentation on the subject application.

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

- The newly designed five-foot sidewalk that connected to an existing sidewalk along the east side of Palm Springs Drive; and
- Staff's suggestion that revisions be made to the infiltration design/footprint that would reflect the inclusion of a 4-foot separation, and the subsequent impact if the revisions and state regulations were not met at the time of site plan review.

The discussion resulted in revisions to the staff report to address a typographical error regarding the requirement to meet all state regulations at the time of site plan review.

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

Timothy Cremen, 1754 Tysons Crest Lane, Vienna, opposed the proposed development. A copy of Mr. Cremen's video testimony can be obtained from the Fairfax County Cable and Consumer Services, Communications Productions Division (Channel 16).

Thomas Sellers, 1752 Tysons Crest Lane, Vienna, opposed the proposed development. A copy of Mr. Sellers' video testimony can be obtained from the Fairfax County Cable and Consumer Services, Communications Productions Division (Channel 16).

Pamela Konde, 333 Maple Avenue East, Vienna, representing Tysons Crest Homeowners Association, opposed the proposed development. A copy of Ms. Konde's video testimony can be obtained from the Fairfax County Cable and Consumer Services, Communications Productions Division (Channel 16).

There was a discussion between Mr. Onyebuchi; Jeremy Ko, Fairfax County Department of Transportation; and multiple Commissioners regarding the following:

- Staff's response to Ms. Konde's concerns regarding language that addressed the residential density designation for the Vienna Planning District of Area II compared to that of the Comprehensive Plan base map;
- Concerns regarding the length of the driveways from Old Courthouse Road to the proposed residential area;
- The satellite view of Tysons Crest in relation to the proposed development; and
- Whether the homes in Tysons Crest residential community were comparable in size to the units included with proposed development.

The discussion resulted in no changes to the application.

Luke Foster, 8710 Higdon Drive, Vienna, opposed the proposed development because it was not in harmony with the character of the existing community. Mr. Foster added that there were concerns of the precedent set for future construction. Mr. Foster concurred with Ms. Konde's testimony and added that in the past 10 years, there had been no prior application approvals for lot size rezonings in the R-1 to R-3 Districts. He recommended that the Planning Commission either deny or defer the proposed application.

Justin Pierce, 1717 Palm Springs Drive, Vienna, representing Greater Tysons Green Civic Association, opposed the proposed development. A copy of Mr. Pierce's YouTube testimony can be obtained from the Fairfax County Cable and Consumer Services, Communications Productions Division (Channel 16).

Natalie Lueders and Trish Vanstory, 8702 Thunderbird Court, Vienna, both representing Westbriar PTA Presidents (2019-2021), opposed the proposed development. A copy of Ms. Lueders and Ms. Vanstory's combined statement is in the date file.

Amy Marney, 1725 Pebble Beach Drive, Vienna, opposed the proposed development and aligned herself with the previous speakers' concerns. Ms. Marney added that every community meeting held was unfriendly and the community had voiced their disapproval. She suggested that for future meetings, Fairfax County should offer communities the consideration of having meetings within close proximity of their neighborhoods, in order to attend after work. Ms. Marney suggested that rezoning from and R-1 to an R-3 District was unusual and wondered whether the developers were privy to information which was not made available to the community. Ms. Marney asked that the Planning Commission deny the proposed application because the project was an exception to the rule.

Tony Jensen, 8816 Olympia Fields Lane, Vienna, opposed the application. A copy of Mr. Jensen's statement is in the date file.

There was a discussion between Mr. Onyebuchi, Mr. Ko, Mr. Martin, and multiple Commissioners regarding the following:



- Vehicular access from the existing Palm Springs community to the proposed development and the impact caused, as a result; and
- The lot size of the homes between the Tyson's Green and Ankerdale subdivisions versus that of the proposed development.

The discussion resulted in no changes to the application.

There being no further speakers, Chairman Murphy called for a rebuttal statement from Mr. Martin who addressed the following concerns:

- The home on Lot 3 was relocated to accommodate Mr. Cremen's concerns;
- The Fire Martial and the Virginia Department of Transportation reviewed and approved the cul-de-sac on Palm Springs Drive;
- Lot 3's direct driveway access was changed per neighborhood demands;
- The homes were similar in size to those of the Tyson's Crest;
- The footprints of the homes were significantly reduced from 6,000 square feet to 3,800 square feet; and
- Whether the natural buffer language in the Comprehensive Plan applied to the proposed development.

Mr. Martin's rebuttal was followed by a discussion between Mr. Onyebuchi and multiple Commissioners regarding the following:

- The inverse relationship between the size of the proposed project and other similar cases brought before the Planning Commission;
- Reference made to a recent case in the Difficult Run Watershed wherein the applicant eventually withdrew the application;
- Conformance with the development standards that were not adequately addressed for the water quality, quantity, and topography concerns in the Difficult Run Watershed;
- A suggestion that the stormwater management and water table issues were unresolved; and
- A recommendation that the development be limited to two dwelling units per acre and the parcels should be consolidated.

The discussion resulted in differing the application to give additional time for the applicant to make changes to the proposed design, for staff to review, and to create a new staff report.

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

//

Commissioner Carter MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS, FOR RZ 2019-HM-011, TO A DATE CERTAIN OF JULY 22<sup>nd</sup>, 2020.

Commissioner Niedzielski-Eichner seconded the motion, which carried by a vote of 11-0. Commissioner Strandlie was absent from the meeting.

//

SE 2019-LE-021 – MUNA BARKHADLE D/B/A DAFFODILS  
CHILDCARE – Appl. under Sects. 6-105 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 7814 Seth Hampton Dr., Alexandria, 22315 on approx. 2,560 sq. ft. of land zoned PDH-4 and NR. Tax Map 99-2 ((10)) (4) 214. LEE DISTRICT.  
PUBLIC HEARING.

Muna Abdosh Barkhadle, Applicant, reaffirmed the affidavit dated January 30, 2020.

There were no disclosures by Commission members.

Katelyn Quinn, Zoning Administration Division, Department of Planning and Development presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of SE 2019-LE-021.

Ms. Barkhadle gave a presentation on the subject application.

There was a discussion between Ms. Quinn and multiple Commissioners regarding the following:

- Adding a development condition that would address the licensure from the State of Virginia for the home daycare to accommodate up to 12 children; and
- The number of parking spaces and the ability to stagger the ingress and egress for the home daycare.

The discussion resulted in staff adding language to the development conditions that stated Ms. Barkhadle would obtain the appropriate licensure from the State of Virginia to accommodate up to 12 children.

Chairman Murphy called the first listed speaker.

Kara Elliot, 6600 Thackwell Way, Alexandria, supported the proposed application because her son was cared for by Ms. Barkhadle from the age of five weeks. Ms. Elliot added that with limited availability of child care in Virginia, and as first time parents, Ms. Barkhadle went above and beyond the role of a daycare provider. Ms. Elliot stated that she was confident with the child care services provided to her son.

Katrina Mitchell, 5219 Pleasure Cove Court, Alexandria, supported the proposed application because her adopted child was cared for by Ms. Barkhadle from the age of three months. She added the emergency circumstance that led to her child's adoption required that she quickly obtain child care services that would accommodate her work schedule. Ms. Mitchell stated the facility was family friendly and parking was not an issue.

There being no additional 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 Lagana for action on this application.

//

Commissioner Lagana MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2019-LE-021, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED ON MARCH 5<sup>TH</sup>, 2020.

Commissioner Bennett seconded the motion, which carried by a vote of 11-0. Commissioner Strandlie was absent from the meeting.

//



The meeting was adjourned at 9:31 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. Steele*  
\_\_\_\_\_  
Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

