

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, JUNE 17, 2020**

PRESENT: Peter F. Murphy, Chairman, Springfield District  
John C. Ulfelder, Vice Chairman, Dranesville District  
Timothy J. Sargeant, Secretary, Commission At-Large  
Julie M. Strandlie, Parliamentarian, Mason District  
Mary D. Cortina, Braddock District  
John A. Carter, Hunter Mill 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: Daniel G. Lagana, Lee District

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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:

- 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 Braddock District office, 9002 Burke Lake Road Burke, VA 22015;
- 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;
- Candice Bennett participated from the Springfield District office, 6140 Rolling Road, Springfield, VA 22152;
- Julie M. Strandlie 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;
- John A. Carter participated from the Hunter Mill District office, 1801 Cameron Glen Drive, Reston, VA 20190; and
- Andres Jimenez participated from the Mason District office, 6507 Columbia Pike, Annandale, VA 22003.

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 Vice Chairman Ulfelder.

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PRELIMINARY MOTIONS FOR CONDUCTING ELECTRONIC MEETING

Commissioner Murphy MOVED THAT EACH MEMBER'S VOICE MAY BE ADEQUATELY HEARD BY EACH OTHER MEMBER OF THIS COMMISSION.

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

Commissioner Murphy MOVED THAT THE STATE OF EMERGENCY CAUSED BY COVID-19 PANDEMIC MAKES IT UNSAFE FOR THE PLANNING COMMISSION TO PHYSICALLY ASSEMBLE AND UNSAFE FOR THE PUBLIC TO PHYSICALLY ATTEND ANY SUCH MEETING. AND THAT AS SUCH, FOIA'S UNUSUAL PROCEDURES WHICH REQUIRE PHYSICAL ASSEMBLY OF THIS COMMISSION AND 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 CONFERENCE SYSTEM AND THAT THE PUBLIC MAY ACCESS THIS MEETING BY WATCHING CHANNEL 16, OR ITS LIVE-STREAM, OR LISTENING TO ITS LIVE AUDIO.

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

Commissioner Murphy noted that IT IS 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—I/OR STATUTORILY REQUIRED OR NECESSARY TO CONTINUE OPERATIONS AND THE DISCHARGE OF THE PLANNING COMMISSION'S LAWFUL PURPOSED, DUTIES, AND RESPONSIBILITIES.

Commissioner Sargeant seconded the motions, which carried by a vote of 11-0. Commissioner Lagana was absent from the meeting.

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

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Chairman Murphy announced that Jacob Caporaletti, Clerk to the Planning Commission, celebrated his nine-year anniversary with the Planning Commission. On behalf of the Commission, he commended Mr. Caporaletti for his service and dedication to the Planning Commission and to the citizens of Fairfax County.

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ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. RZ / FDP 2019-HM-016 – CHRISTOPHER LAND, LLC
2. RZ / SE 2019-SU-021 – BLUE KNOB INVESTORS, LLC

This order was accepted without objection.

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RZ/FDP 2019-HM-016—CHRISTOPHER LAND, LLC – Appls. to rezone from R-1 to PDH-2 to permit development of up to 26 single family detached units with an overall density of 1.97 dwelling units per acre (du/ac) and approval of the conceptual and final development plan. Located on the terminus of Floris Lane approx. 800 ft. S. of West Ox Rd. and 1,300 ft. E. of Centreville Rd. on approx. 13.2 ac. of land. Comp. Plan Rec: Residential 1-2

du/ac. Tax Map 25-1 ((4)) 8B, 9A and 14C. HUNTER MILL  
DISTRICT. PUBLIC HEARING.

E. John Regan, Jr., Applicant's Agent, Christopher Land, LLC, reaffirmed the affidavit dated June 3, 2020.

There were no disclosures by Commission members.

Commissioner Carter read an email received from the County Attorney for the purpose of clarifying the County Executive's definition of "non-exempt." *Virginia Code 15.22303.4 [H]*. He then explained that within the letter, Commissioners were encouraged to limit questions and comments on unmitigated impacts of the proposed development, but modifications to the proffers were to be determined by the applicant and implemented on their accord.

Wanda Suder, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications RZ/FDP 2019-HM-016.

Clark L. Massie, Applicant's Agent, Tertra Corporation, gave a presentation on the subject application on the following:

- The historical context of the land;
- The applicant's participation in multiple meetings with the community, as well as County staff;
- The on-site property assessments that had been conducted and the findings that had been presented to the public;
- The possible use of a public-private partnership to address the lake and dam restoration;
- Preserving existing resource protection area by providing 100-foot setback from the water;
- Providing amenity space to include landscaped seating area, trails;
- Incorporation into the existing trail system surrounding the lake;
- Achieving the standards of either the Energy Star or Earth Graft Energy Conservation Programs;
- Review of the total proffer package of \$300,000, which includes \$48,000 for on-site recreational amenities, \$36,000 on offsite recreational amenities, approximately \$85,000 for schools, and \$125,000 for affordable housing.

There was a discussion between Ms. Suder, Mr. Massie, Mr. Regan, and multiple Commissioners on the following:

- The water level issues in relation to the Spring Lake dam;
- The school contribution at the time of the residential use permit (RUP);
- Outstanding neighborhood concerns for the existing bridge;

- Public and private lake access provisions;
- Water quality standards in relation to wastewater management;
- The use of a regional pond for stormwater management;
- The potential of the bridge as an existing pathway to Spring Lakes West;
- The applicant's coordination with neighboring homeowners associations on improvements and maintenance to Spring Lake and the off-site pedestrian bridge;
- The cost of the applicant's efforts to improve the Spring Lake dam and the surrounding recreational amenities;
- The adequacy of the private roads, ingress/egress provisions, and parking provisions for the proposed development;
- Alternative funding arrangements for the school proffers;
- The use of the Consumer Price Index (CPI) for determining escalating costs;
- The length and design of the private driveways that accessed the proposed development;
- Concerns with using CPI versus the School Board's model;
- The length and design of the private driveways that accessed the proposed development; and
- The status of sidewalk construction provisions.

(A copy of the revised proffers is in the date file.)

The discussion resulted in no changes to the subject application.

Ryan Conner, Applicant's Engineer, Urban Engineering & Associate, Inc, gave a presentation on the subject application wherein he addressed the Commissioner's/staff's concerns as follows:

- The accessibility and ownership status of Spring Lake;
- Upgrading the existing dam and control structures to adequately control large storm events and provide stormwater runoff detention;
- The primary function for a wet pond as it pertained to stormwater management;
- The plans for upgrading the forebays of the wet pond for the purpose of meeting stormwater requirements.
- The dam upgrades and whether they met the detention requirements for the existing residential communities; and
- The applicant's proffered commitments to utilize energy conservation measures with the proposed development.

The discussion resulted in the following recommended changes to the subject application:

- Revisions to clarify the provisions for the off-site pedestrian bridge;
- Modification to Proffer Number 9 to reflect that school proffers would be calculated by utilizing the CPI; and
- Removal of the second to last sentence of the second paragraph of Proffer 16, Stormwater Management and Best Management Practices.

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

Robin Richards, 13488 Lake Shore Drive, Herndon, representing Spring Lake Estates and West Section Homeowners Associations, did not object to the subject applications, but expressed concerns regarding the following issues:

- The preservation of the character of Spring Lake;
- The condition of the Spring Lake dam and the applicant's commitment to improve it in conjunction with the community; and
- The ownership and maintenance responsibilities of Spring Lake.

Ms. Richards recommended that the applicant implement the following revisions:

- Commit to funding a portion of the maintenance responsibilities for Spring Lake;
- Commit to installing additional provisions to mitigate stormwater runoff and waste removal during construction of the development; and
- Commit to clarifying for the record the applicant's role in the operation, maintenance, and landscaping for the area around Spring Lake.

(A copy of Ms. Richard's statement is in the date file.)

Chairman Murphy called for speakers from the audience but received no response. There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Massie, who responded to the testimony from Ms. Richards as follows:

- The applicant would coordinate with the County and the neighboring homeowners associations to determine appropriate provisions for the maintenance, operation, and accessibility of Spring Lake.

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 this application.

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Commissioner Carter MOVED THAT PLANNING COMMISSION DEFER THE DECISION ONLY, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS, FOR RZ/FPD 2019-HM-016 TO A DATE CERTAIN OF JULY 8, 2020.

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

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RZ 2019-SU-021 BLUE KNOB INVESTORS, LLC – Appl. to rezone from I-3, WS, AN and HC to C-8, WS, AN and HC (5.38 ac.) to permit a Vehicle Sales, Rental, and Ancillary Service Establishment with an overall Floor Area Ratio (FAR) of 0.17, and to I-5, WS, AN, and HC (6.68 ac.) to permit a Vehicle Major Service, Vehicle Light Service, and New Vehicle Storage Establishment with an overall Floor Area Ratio (FAR) of 0.07. Located on the S. side of Lee Jackson Memorial Hwy. approx. 1,200 ft. W. of its intersection with Stonecroft Blvd. on approx. 12.06 ac. of land. Comp. Plan Rec: Industrial. Tax Map 33-2 ((1)) 6(pt.). (Concurrent with SE 2019-SU-022). (Sully District)

SE 2019-SU-022 BLUE KNOB INVESTORS, LLC – Appl. under Sect. 4-804, 5-504, 9-518, of the Zoning Ordinance to permit a Vehicle Sales, Rental, and Ancillary Service Establishment and Vehicle Light Service Establishment. Located on the S. side of Lee Jackson Memorial Hwy. approx. 1,200 ft. W. of its intersection with Stonecroft Blvd. on approx. 12.06 ac. of land zoned C-8, I-5, WS, AN and HC. Tax Map 33-2 ((1)) 6 (pt.). (Concurrent with RZ 2019-SU-021) SULLY DISTRICT. PUBLIC HEARING.

David S. Houston, Applicant's Agent, Bean, Kinney and Korman, P.C., reaffirmed the affidavit dated May 11, 2020.

There were no disclosures by Commission members.

Emma Estes, Zoning Evaluation Division, Department of Planning and Development, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications RZ 2019-SU-021 and SE 2019-SU-022.

Mr. Houston gave a presentation on the subject applications.

There was a discussion between Mr. Houston, Ms. Estes, William O'Donnell, ZED, DPD; Peter Freeman, Applicant's Agent, Urban Engineering & Associates, LLC; Andrea Dorlester, Fairfax County Park Authority (FCPA); Craig Kazanjian, Applicant/Contract Purchaser, Blue Knob Investors, LLC; and multiple Commissioners on the following issues:

- Provisions in Proffer Number 4 regarding protection measures to minimize impacts on the resource protection area;
- The Fairfax County Park Authority's (FCPA) evaluation of the property;
- The FCPA's criteria for its Stream Valley Policy regarding land acquisition;
- The maintenance of invasive species and the associated costs;
- Countywide policies regarding green corridors;
- The location, purpose, and function of trail easements on the site;
- Disposal and recycling procedures for hazardous materials;
- Location of on-site/off-site services;

- Stormwater runoff mitigation procedures; and
- Water treatment and management regulations.

The discussion resulted in the following recommended changes to the subject applications:

- Language or commitment mitigate the environmental impact of the proposal;
- A commitment by the applicant to conduct stormwater treatment on-site.

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 Spain for action on these cases.

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Commissioner Spain MOVED TO DEFER DECISIONS ONLY ON RZ 2019-SU-021 AND SE 2019-SU-022, BLUE KNOB INVESTORS, LLC, TO A DATE CERTAIN OF JULY 8, 2020, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

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

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The meeting was adjourned at 9:43 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: Satabdi Samaddar

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.

*[Handwritten Signature]*  
Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

