

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, SEPTEMBER 17, 2020**

PRESENT: Peter F. Murphy, Chairman, Springfield District
John C. Ulfelder, Vice Chairman, Dranesville District
Timothy J. Sargeant, Secretary, Commissioner At-Large
Julie M. Strandlie, Parliamentarian, Mason District
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: None

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The meeting was called to order at 7:30 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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ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. PUBLIC FACILITIES MANUAL PROJECT – PHASE 2 UPDATE
2. PCA 78-S-063-08/RZ/FDP 2019-SU-005 – STANLEY MARTIN COMPANIES, LLC

The order was accepted without objection.

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PUBLIC FACILITIES MANUAL PROJECT PHASE 2 UPDATE –

The proposed amendments to the Fairfax County Public Facilities Manual (PFM) are part of the Fairfax First Initiative to improve the speed, consistency, and predictability of the County's land development review process. The amendments primarily focus on technical issues. Overall, the amendments are necessary to incorporate flexibility and innovation into the PFM while updating the PFM to align it with specific requirements set forth in the Virginia Code, the County Code, and other County documents, such as the Comprehensive Plan, the Countywide Trails Plan, and the Urban

Design Guidelines. Specific amendments incorporate the Urban Design Guidelines for proposed development proposals located in Commercial Revitalization Districts and Areas and Mixed-Use Centers into the PFM; incorporate a legislative amendment to decommission solar facilities; incorporate standards for the use of lime stabilization; set residential basement floor elevations above the seasonal groundwater table; add exploration requirements for deep foundations; clarify the validity of geotechnical reports previously approved by the County; update the regional pond policy language; enhance the submission requirements for water quality computations; update storm values for the design of dams; add the requirement for “silt tight” joints for storm sewer pipe; update the standards for polypropylene pipe; update pressure flow requirements for storm sewer; allow an alternative driveway entrance subject to approval by VDOT; require additional information on preliminary plan submissions; incorporate bicycle parking guidelines; adjust concrete trail widths; clarify the different trail requirements for trails located within the right-of-way; enhance the trail design standards; incorporate a legislative amendment to clarify the State Code subdivision provisions for sidewalks that front on existing roadways; update the safety standards for tot lots; elevate manhole covers to prevent inflow; reduce the unit flow factor for single-family attached and detached dwellings; remove outdated provisions such as concrete sanitary sewer pipe; increase and update Polyvinyl Chloride pipe specifications; add ductile iron pipe lining requirements; clarify and enhance critical root zone requirements; reduce minimum caliper size requirements for replacement trees; and update and reorganize the tree selection tables.

COUNTYWIDE. PUBLIC HEARING.

Don Lacquement, Site Code Research & Development Branch, Land Development Services (LDS), presented the staff report, a copy is in the date file. He stated that staff recommended approval of this item.

There was a discussion between Mr. Lacquement; Jan Shaw Leavitt, Site Code Research and Development Branch, LDS; Behzad Amir Faryar, Site Development and Inspections, LDS; Joanne Fiebe, Office of the Deputy Director, Department of Planning and Development; and Commissioner Ulfelder regarding the following:

- A letter received by the Great Falls Citizen Associations (GFCA), dated September 15, 2020, that addressed the association’s questions, concerns, and recommended changes to the proposed amendment;
- GFCA’s concerns regarding mandatory provisions and citations of authority in the PFM that was in the process of review by the Office of the County Attorney;

- The use of lime for soil stabilization and how often this practice was implemented by contractors in Fairfax County;
- The use of a rubber covering as the surface for tot lot and whether this would cause an environmental impact over time;
- Clarification of the concerns surrounding the width of pedestrian and bicycling roadways;
- Whether the light-emitting diode street light fixtures were aligned with the Virginia Department of Transportation standards, specifications, and policies and whether there were overlays with Fairfax County's lighting standards;
- Whether changes made to the Urban Design Guidelines were endorsed by the Board of Supervisors;
- Reference made to the deletion of Section 2.1100.1 D. of the Public Facilities Manual standards, the applicability of the Urban Design Guidelines, that addressed changes made by applicants and the justification for making those changes;
- The lack of best management practice standards in the Public Facilities Manual for the construction of trails within close proximity to streams;
- A recommendation that the Virginia Department of Environmental Quality, Riparian Buffers Guidance Manual be used as a guide in the construction of trails within the stream valley; and
- A reference made to Section 8-0203.3 of the Public Facilities Manual, that addressed trails as, "...including supporting elements and facilities, located on property owned or operated by FCPA and connected to other recreational facilities must be designed and constructed to the accessibility standards and guidelines set forth by the United States Access Board..."

The discussion resulted in staff agreeing to provide more information to the Planning Commission on the disadvantages of installing of rubber mulch on turf fields instead of grass as the surface coverings had an environmental impact on streams and aquatic life. In addition, staff agreed to follow-up with the Fairfax County Park Authority on whether there were approved guidelines for the construction of a stream valley trail.

Chairman Murphy called for speakers and recited rules for testimony.

Howard Albers, 3210 Wynford Drive, Fairfax, opposed the proposed item and suggested that Fairfax County did not take the opportunity to revise the Public Facilities Manual to set a minimum width standard for shared use paths at 10 feet. Mr. Albers commended staff for revisions made to Type IV trail that increased range from 5 feet to 10 feet. He added that placing a proactive approach to set a 10-foot minimum width would help improve the mobility for the physically challenged and would be appreciated by all trail users. Mr. Albers referenced a

Virginia Department of Conservation and Recreation, Greenways and Trails Toolbox publication that recommended the width for trails and shared-use paths. He suggested that progressive bicycle communities throughout the Country also required that shared use paths be a minimum of 10 feet wide. In addition to the width, Mr. Albers suggested the County specify that trails, wayfinding, and safety sign requirements be added to the Public Facilities Manual. He concluded by suggesting that if Fairfax County wanted to promote active recreation facilities to improve the quality of health of its citizens, the trails infrastructure should be improved.

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

- Staff's response to the 10-foot minimum width of the trail and a suggestion that reference to the width be made in the Public Facilities Manual; and
- A recommendation for flexibility on the location and width of trails in the area would hurt surrounding trees and tree cover along the right-of-way.

The discussion resulted in a request for staff to review the recommended minimum 10-foot width for trails and to include that language in the Public Facilities Manual. In addition, staff agreed to review the location of trails located in areas surrounding trees and tree cover along the right-of-way.

There being no more listed speakers, Chairman Murphy called for speakers on the phone, but received no response. 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 Jimenez for action on this item.

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Commissioner Jimenez MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON THE PROPOSED AMENDMENT TO THE PUBLIC FACILITIES MANUAL TO A DATE CERTAIN OF OCTOBER 7, 2020, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioner Sargeant seconded the motion, which carried by a vote of 12-0.

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PCA 78-S-063-08 – STANLEY MARTIN COMPANIES, LLC – Appl.
to amend the proffers for RZ 78-S-063 previously approved for office to delete 12.04 acres to be included in concurrent RZ 2019-SU005. Located on the E. side of Westfields Blvd. and N. side of Newbrook Dr. on approx. 12.04 ac. of land zoned I-3, WS and AN. Comp. Plan Rec: Mixed Use Development. Sully District. Tax Map 44-1 ((8)) 5 and 6. (Concurrent with RZ/FDP 2019-SU-005). SULLY DISTRICT. PUBLIC HEARING.

RZ/FDP 2019-SU-005 – STANLEY MARTIN COMPANIES, LLC –
Appls. to rezone from I-3, WS and AN to PDH-16, WS and AN to permit residential development with an overall density of 11.13 dwelling units per acre (du/ac) including bonus density for the provision of Affordable Dwelling Units (ADUs), and approval of the conceptual and final development plan. Located on the E. side of Westfields Blvd. and N. side of Newbrook Dr. on approx. 12.04 ac. of land. Comp. Plan Rec: Mixed Use Development. Sully District. Tax Map 44-1 ((8)) 5 and 6. (Concurrent with PCA 78-S-063-08). SULLY DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Andrew A. Painter, Applicant's Agent, Walsh, Colucci, Lubeley, and Walsh, P.C, reaffirmed the affidavit dated August 26, 2020.

Katelyn Quinn, Zoning Evaluation Division, Department of Planning and Development, presented the staff report; a copy is in the date file. She stated that staff recommended approval of PCA 78-S-063-08, RZ 2019-SU-005, and FDP 2019-SU-005.

Mr. Painter gave a presentation on the subject application.

There was a discussion between Ms. Quinn; William O'Donnell, Zoning Evaluation Department, Department of Planning and Development; Joe Gorney, Planning Department, Department of Planning and Development; Camylyn Lewis, Site Development and Inspection Division, Land Development Services; Mr. Painter; Jeffrey S. Ford, Phoenix Noise & Vibration LLC; and multiple Commissioners regarding the following:

- Staff's justification for the proposed development within a Planned Development Housing (PDH) – 16 District;
- Clarification of language in the staff reports regarding the day-night noise levels, where staff notes "...that DNL is a 24-hour average day-night sound level. As such, a commitment to an interior sound level of 45 dBA DNL would not necessarily address the Lmax Modal sound levels identified in the applicant's Lmax Modal noise study, which noted the significant potential for elevated episodic noise levels...";
- Clarification of language in Proffer 32, Avigation Easement and Airport Noise Notification, which notes "...for the benefit of the MWAA..." and, from a legal standpoint, whether that language was specific to the Metropolitan Washington Airports Authority;
- The combined airport and vehicular traffic noise levels for the proposed units on the property, located along the two busy streets;

- Where the noise levels would fall under the revised contour map;
- The amount of time the applicant spent in the area of the application property to experience the overflight;
- The applicant's experiences with the noise levels;
- Steps the applicant would take to provide disclosures to prospective buyers of the dwelling units on the site;
- Clarification of language in the staff report, Appendix 7, Environmental Analysis, which referenced the elevated episodic noise levels above DNL levels expected in the area up to two hundred times per 24-hour period, to include a table that reflected that data;
- The existing stormwater in-line wet pond and how it met the water quality standards prescribed by the County;
- Clarification of the aviation easements included as in the applicant's proffer statement and the level of protection it provides for Dulles Airport;
- The altitude of the jets flying over and near the property; and
- The potential impact of sound waves on structures.

The discussion resulted in no changes to the application.

Chairman Murphy called the first listed speaker.

Cynthia Shang, 15121 Elk Run Rd, Chantilly, opposed the proposed development. A copy of Ms. Shang's statement is in the date file.

Thomas Michels, 815 Connecticut Ave. NW, Suite 500, Washington, representing United Airlines, opposed the proposed development. A copy of Mr. Michaels' statement is in the date file.

Michael Cooper, 1 Aviation Circle, MA-14, Washington, representing Metropolitan Washington Airports Authority, addressed concerns with the location of the proposed development. Mr. Cooper recommended that the land use application not be approved at this time. A copy of Mr. Cooper's statement is in the date file.

Following Mr. Cooper's testimony, there was a discussion between multiple Commissioners regarding the following:

- Residential complaints received by MWAA and whether there was a tracking system for those complaints; and

- The negotiations made with the airlines, factors involved in those negotiations, and the level of commitment to the airport.

Stewart Schwartz, 316 F Street NE, Suite 200. Washington, representing Coalition for Smarter Growth, supported the proposed development. A copy of Mr. Schwartz's statement is in the date file.

There was a discussion with Mr. Schwartz and Commissioner Carter regarding mixed-use communities in the proposed area. Commissioner Carter stated the notion of mixed-use development was necessary. He added that the proposed area housed an office park that was not walkable and noted that the streets were broad with a minimum bike network. Commissioner Carter added that the site was filled with cul-de-sacs and office parks. He questioned Mr. Schwartz's concept that the area was transit and pedestrian-oriented. Mr. Schwartz stated that he viewed the application in the context of the entire plan amendment that allowed for more mixed-use developments throughout Land Unit J. He also noted the significant need for housing throughout the County. Mr. Schwartz acknowledged the difficulties of retrofitting existing suburban style development based the proposed construction model.

Sheila Dunheimer, 10505 William Terry Drive, Vienna, opposed the proposed development. A copy of Ms. Dunheimer's statement is in the date file.

Scott York, 45969 Nokes Blvd, Suite 100, Dulles, representing Committee for Dulles Organization, opposed the proposed development. A copy of Mr. York's statement is in the date file.

Jody Bennett, 1459 Hunter View Farms, Vienna, opposed the proposed development because of the concerns for the health of children who would reside in the units. Ms. Bennett stated the County's Noise Zoning Ordinance suggested that people had a right to live environment free from the sound that would jeopardize the public health, peace, and safety. She suggested no attention was given to protect exterior noise for the protection of the youngest residents. Ms. Bennett referenced Page 31 of the staff report and addressed concerns using the tensile membrane structure proposed to shade the playground area. She also referred language on Page 162 of the staff report that stated "...While the exterior open spaces would not be protected from the auditory impacts of overflying aircraft, the applicant has committed to overhead shade structures..." Ms. Bennett stated that she contacted a distributor to obtain information on the tensile product and was informed it did not produce any protections from airplane noise. She suggested the applicant should be required to provide a form of shelter that would offer a reduction of overhead airplane noise.

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

- Agreement with residential uses above 65 and 70 noise decibel range;

- A noise study conducted by the applicant that showed the subject property was below 60 noise decibels;
- Based on the Lmax 70 model, rather than the average max sound levels prescribed by the State of Virginia, the applicant committed to the design to account for the Lmax 25 noise decibels;
- The applicant more than doubled the amount of outdoor recreation space for the area;
- All exterior areas were below the requirements of the Comprehensive Plan for external noise from a public health perspective;
- The applicant agreed to mitigate and provide disclosures and utilize full transparency policies there were consistent with the Board of Supervisors' adopted policies to protect public health; and
- The recent MWAA study was not a projection of future maximum noise levels.

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 actions on this application.

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Commissioner Spain MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION FOR ONLY FOR RZ 2019-SU-005 AND ITS ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, AND FDP 2019-SU-005, AS WELL AS THE CONCURRENT PCA APPLICATION, PCA 78-S-063-08, TO A DATE CERTAIN OF OCTOBER 7, 2020.

Commissioner Sargeant seconded the motion, which carried by a vote of 12-0.

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The meeting was adjourned at 10:46 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: February 10, 2021

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.

[Signature]

Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

