

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 21, 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 7:32 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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Commissioner Ulfelder announced the Planning Commission's Land Use Process Review Committee would meet on Thursday, October 22, 2020, at 7:30 p.m. in Conference Room 11 of the Fairfax County Government Center, located at 12000 Government Center Parkway, Fairfax, Virginia 22035, to discuss various aspects of the Zoning Ordinance revisions under the Zoning Ordinance Modernization Project program. Commissioner Ulfelder added the meeting was open to the public and could be viewed live via Channel 16, its live stream, or listening to via live audio over the phone.

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Commissioner Sargeant announced the Planning Commission received minutes for May and June 2020, and he stated that he intended to move the approval of those minutes at the November 4, 2020 meeting.

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Commissioner Cortina announced the Environment Committee met Thursday, October 15, 2020. Andres Jimenez, Commissioner At-Large was elected Vice-Chairman. Mary D. Cortina, Commissioner, Braddock District, was elected Chairman. An update to the Resource Protection Area Planting Density Requirements for the Public Facilities Manual was presented by staff. Future agenda items were also discussed. Those items included an update on the green

initiatives, four electric car charging stations, geothermal power, the LEED Certifications added to proffers, and salt management for stormwater best practices and watershed plants.

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ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. SEA 84-P-129-05 – ARDEN COURTS, FAIR OAKS OF FAIRFAX, VA, LLC A/K/A ARDEN COURTS OF FAIR OAKS
2. PCA-C-448-35/CDPA-C-448-08/FDPA-C-448-05-05/SEA 94-L-004-03 – KINGSTOWNE SHOPPING CENTER I, LIMITED PARTNERSHIP

The order was accepted without objection.

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This application was located in the Springfield District therefore, Chairman Murphy relinquished the Chair to Vice Chairman Ulfelder.

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SEA 84-P-129-05 – ARDEN COURTS, FAIR OAKS OF FAIRFAX, VA, LLC A/K/A ARDEN COURTS OF FAIR OAKS – Appl. under Sect. 3-504 of the Zoning Ordinance to amend SE 84-P-129 previously approved for assisted living and medical care facilities to permit an 8-bed expansion and associated modifications to site design and development conditions. Located 12469 Lee Jackson Memorial Hwy., Fairfax, 22033 on approx. 8.98 ac. of land zoned R-5, WS and HC. Tax Map 45-4 ((1)) 6B. SPRINGFIELD DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Timothy Dugan, Applicant's Agent, Bean Kinney & Korman, P.C, reaffirmed the affidavit dated August 26, 2020.

Commissioner Murphy asked that Vice Chairman Ulfelder ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Vice Chairman closed the public hearing and recognized Commissioner Murphy for action on this application.

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Commissioner Murphy MOVED THE FOLLOWING:

- THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS, APPROVAL OF SEA 84-P-129-05, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 6, 2020;
- THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS, APPROVAL OF A REAFFIRMATION OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF BARRIER REQUIREMENTS OF SECTIONS 13-303 AND 304 OF THE ZONING ORDINANCE, IN FAVOR OF THE LANDSCAPING SHOWN ON THE SEA PLAT; AND
- THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS, APPROVAL OF THE INCREASE IN FENCE HEIGHT ABOVE SEVEN FEET, PURSUANT TO SECTION 10-104(3)(H) OF THE ZONING ORDINANCE, TO PERMIT AN EIGHT-FOOT-HIGH FENCE, AS SHOWN ON THE SEA PLAT.

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

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Chairman Murphy resumed duties of the Chair.

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PCA-C-448-35/CDPA-C-448-08/FDPA-C-448-05-05 – KINGSTOWNE SHOPPING CENTER I, LIMITED PARTNERSHIP
– Appl(s). to amend the proffers, conceptual development plan, and final development plan for RZ C-448, previously approved for mixed use development, to permit associated modifications to proffers and site design at a FAR of 0.18. Located on the N. side of Kingstowne Blvd. and W. side of South Van Dorn St., on approx. 23.18 ac. of land zoned PDH-4. Comp. Plan Rec: Mixed Use. Lee District. Tax Map 91-2 ((1)) 32A. (Concurrent with SEA 94-L-004-03). LEE DISTRICT. PUBLIC HEARING.

SEA 94-L-004-03 – KINGSTOWNE SHOPPING CENTER I, LIMITED PARTNERSHIP
– Appl. under Sect. 6-105 of the Zoning Ordinance to amend SE 94-L-004-03 previously approved for restaurants and restaurants with drive through to permit associated modifications to site design and development conditions. Located 5820 Kingstowne Cr., Alexandria, 22315 on approx. 23.18 ac. of land zoned PDH-4. Tax Map 91-2 ((1)) 32A. (Concurrent with PCA-C-448-35/CDPA-C-448-08/FDPA-C-448-05-05). LEE DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Brian J. Clifford, Applicant's Agent, DLA Piper LLP (US), reaffirmed the affidavit dated August 26, 2020.

Kelly Posusney, 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-C-448-35, CDPA-C-448-08, SEA 94-L-004-03, and FDPA-C-448-05-05.

Mr. Clifford gave a presentation on the subject applications.

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 was a discussion between Ms. Posusney; Catherine Lewis, Zoning Evaluation Division, Department of Planning and Development; Mr Clifford; Richard M. Rounds, Kingstowne Shopping Center I, Limited Partnership; and multiple Commissioners regarding the following:

- Clarification of the commitments made by the applicant for transportation improvements;
- Future dining promotions at the future Chick-fil-A site;
- Traffic control options for areas surrounding the site, in particular the future Chick-fil-A, during dining promotional events;
- A request made for the installation of a preemption traffic signal device to be installed at the major stoplight in the area to accommodate emergency vehicles;
- Whether in previous cases it was customary for an applicant to proffer for a preemption device; and
- Confirmation of the applicant's monetary contributions of \$25,000 in the previous rezoning cases, and how those funds were allocated.

The discussion resulted in an intend to move deferral on the decision on the applications to allow for further clarification and confirmation of monetary contributions for a preemption devise.

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 actions on these applications for actions on this applications.

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Commissioner Lagana MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY PCA-C-448-35, CDPA-C-448-08, SEA 94-L-004-03, AND FDPA-C-448-05-05, TO A DATE CERTAIN OF NOVEMBER 4, 2020, WITH THE RECORD REMINING OPEN FOR WRITTEN OR ELECTRONIC COMMENTS.

Commissioners Sargeant and Bennett seconded the motion, which carried by a vote of 12-0.

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The meeting was adjourned at 8:08 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 Seal

Notary registration number: 7114113

Commission expiration: January 31, 2024

