

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, NOVEMBER 12, 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

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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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Chairman Murphy announced that the Planning Commission would meet on Wednesday, November 18, 2020 and Thursday, November 19, 2020, at 7:30 p.m. in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, for the 2019 South County Site-Specific Plan Amendment public hearings.

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**ORDER OF THE AGENDA**

Secretary Sargeant established the following order of the agenda:

1. SE 2020-SU-010 – THE SULLY LIMITED PARTNERSHIP
2. SE 2020-SU-013 – RECOVERY INNOVATIONS INC., D/B/A RI INTERNATIONAL
3. RZ 2020-SU-006 – CAPE THERESA, LLC
4. RZ 2020-SU-002 – MATAN GLORUS ROAD, LLC
5. SE 2020-SP-009 – HHP HOLDINGS, LLC

The order was accepted without objection.

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SE 2020-SU-010 – THE SULLY LIMITED PARTNERSHIP – Appl.  
under Sect. 9-620 of the Zoning Ordinance to permit a waiver of  
certain sign regulations. Located at 13800, 13855, 13910 and 13957  
Metrotech Dr., Chantilly, VA 20151 on approx. 62.41 ac. of land zoned  
C-8, WS, and HC. Tax Map 34-4 ((1)) 16B, 16D, 16E and 16F.  
SULLY DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Bernard S. Suchicital, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated September 16, 2020.

Zachary Fountain, Zoning Evaluation Division, Department of Planning and Development, presented the staff report; a copy is in the date file. He stated that staff recommended approval of SE 2020-SU-010.

Mr. Suchicital gave a presentation on the subject application.

There was a discussion between Mr. Fountain and Commissioner Cortina regarding the following:

- The differences between the proposed freestanding sign versus a billboard sign; and
- The language in Article 12 of the Fairfax County Zoning Ordinance regarding allowable freestanding electronic display signage.

The discussion resulted in no changes to the proposed 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 Spain for action on this application.

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Commissioner Spain MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2020-SU-010, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 28, 2020.

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

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SE 2020-SU-013 – RECOVERY INNOVATIONS INC., D/B/A RI INTERNATIONAL – Appl. under Sect. 5-304 and 5-504 of the Zoning Ordinance to permit a medical care facility. Located at 14554 Lee Rd., Chantilly, 20151 on approx. 1.85 ac. of land zoned I-3, I-5, WS and AN. Tax Map 34-3 ((10)) 12. SULLY DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Ross Stevens, Applicant's Agent, Kimley-Horn and Associates, Inc., reaffirmed the affidavit dated October 5, 2020.

Zachary Fountain, Zoning Evaluation Division, Department of Planning and Development, presented the staff report; a copy is in the date file. He stated that staff recommended approval of SE 2020-SU-013.

Amy Pugsley, Applicant, Recovery Innovations Inc. d/b/a RI International, 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:

- Whether the anticipated noise levels between the 60 dBA and 65 dBA at the proposed site reflected the newly revised Metropolitan Washington Airports Authority noise level studies; and
- The applicant's process for medical waste disposal from the proposed site.

The discussion resulted in no changes to the proposed application.

Chairman Murphy called for speakers and recited rules for testimony.

Douglas Hardman, 14558 Lee Road, Chantilly, representing MAC Aerospace Corporation, addressed concerns regarding the individuals being escorted by the Fairfax County Police Department to the facility. Mr. Hardman also addressed safety risks for his employees because the proximity of MAC Aerospace Corporation to the proposed facility. He also addressed concerns with a pipe stem off Lee Road. Mr. Hardman added that snow removal services were not provided to that area and that was considered a safety hazard.

Anu Gupta, 14566 Lee Road, Chantilly, representing Manassas Acquisitions LLC, concurred with Hardman's safety concerns. Ms. Gupta stated that security was a major concern and visibility at night was limited. She stated she understood the need for the proposed facility, but suggested the current location was not appropriate. Ms. Gupta added that nZone, a facility that provided adult and children recreational and sporting events, was within close proximity of the facility and suggested that safety and security was of major concern. She suggested that, for the

purpose of safety and security, a six-foot security fence with a security gate be installed around the proposed facility, with greenery that met the height of the fence, and that the outdoor recreation area be housed away from the Manassas Acquisitions LLC building. Ms. Gupta added that assurance should be made that Manassas Acquisitions LLC's parking lot would be used appropriately by the facility.

There being no further speakers, Chairman Murphy called for a rebuttal statement from Ms. Pugsley who stated the applicant understood the concerns of law enforcement drop-off of the individuals the facility served, and stated that the applicant would continue to educate and work in partner with all the neighbors within the area to ensure everyone understood the facility's goal, the individuals they serviced, the intake process, and the discharge procedures back into the community. She added that most individuals challenged with mental health and substance abuse were some of the most vulnerable population, and there were rarely incidences of individuals discharged from their facilities causing harm to others. Ms. Pugsley added that the need for additional care for mental health patients was significant and the goal of the facility's staff was to service the needs of those patients. Ms. Pugsley added that law enforcement was a strong partner and would coordinate with the applicant to create a secured drop-off location that would mitigate any instance of individuals going to jail or the emergency room. The applicant was opened to partnering with the neighboring properties to ensure their staff was well-versed on the facility's safety and security protocols. The applicant agreed to put snow removal measures in place. Ms. Pugsley addressed Ms. Gupta's recommendation for a six-foot security fence and added that the applicant would consider this option as they further analyzed the site.

Commissioner Lagana commented that the application was a clear example of land use collaboration with One Fairfax and Diversion First. He supported the use and added there was a growing need for this type of service.

There was a discussion between Ms. Pugsley and Commissioner Ulfelder regarding the applicant's facilities' release procedures. Ms. Pugsley stated that discharge planning commenced as soon as a patient entered the building, and that process was thoroughly vetted. She added that, based on the individual's circumstance, there was an established drop-off point that was either at the residence of a family member, another facility that offered a different level of care, a community resource location, or an out-patient provider. Ms. Pugsley stated that lingering around the facility was prohibited. Patients were securely housed at the facility until they were officially discharged.

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 THE FOLLOWING:

- THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2020-SU-013, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 28, 2020; AND
- THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS, APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DATED NOVEMBER 12, 2020, WHICH WILL BE MADE PART OF THE RECORD.

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

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RZ 2020-SU-006 – CAPE THERESA, LLC – Appl. to rezone from I-3, WS and AN to I-5, WS and AN to permit a contractor's office and a materials storage yard with an overall Floor Area Ratio (FAR) of 0.09. Located in the N.E. quadrant of Murdock St. (Rt. 668) and Glorus Rd. on approx. 3.03 ac. of land. Comp. Plan Rec: Mixed Uses. Tax Map 33-2 ((2)) 15 and 16A. SULLY DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Lynne J. Strobel, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated October 28, 2020.

Sharon Williams, 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 RZ 2020-SU-006.

Ms. Strobel gave a presentation on the subject application.

There was a discussion between Ms. Williams; William O'Donnell, Zoning Evaluation Division, Department of Planning and Development; Ms. Strobel; Gregory S. Drew, Christopher Consultants, Ltd; Yosif Ibrahim, Site Development and Inspections, Land Development Services; and multiple Commissioners regarding the following:

- Stormwater management practices and the best management practices for nutrient credits in accordance with a Water Supply Protection Overlay District and providing phosphorous removal reduction improvements on-site;
- The applicant's commitment to maximizing on-site stormwater treatment and provisions for an underground detention on the western portion of the site;
- The applicant's commitment to providing stormwater management and best management practices for a wet pond on outlot B, located on 1.61 acres of the site;

- Challenges with outlot B due to poor soil and the associated difficulty with adherence to the County's infiltration standard requirements;
- The topography of the site, the stormwater management challenges, and the adherence to water supply requirements in a Water Supply Protection Overlay District;
- Additional mitigation measures for stormwater management at the proposed site; and
- Interior noise level mitigation measures for the proposed contractor's office building.

The discussion resulted in no changes to the proposed application.

There being no listed speakers, Chairman Murphy called for speakers from the audience, but received no response; therefore, he noted 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 actions on this application.

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Commissioner Spain MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE RZ 2020-SU-006 TO THE BOARD OF SUPERVISORS, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 27, 2020.

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

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RZ 2020-SU-002 – MATAN GLORUS ROAD, LLC – Appl. to rezone from I-3, WS and AN to I-4, WS and AN to permit industrial use with an overall Floor Area Ratio (FAR) of 0.35 Located on the W. side of Glorus Rd., N. side of Thompson Rd. and E. side of Barney Rd. on approx. 9.46 ac. of land. Comp. Plan Rec: Industrial. Tax Map 33-2 ((2)) 10A and 10B. Sully District. PUBLIC HEARING.

There were no disclosures by Commission members.

Robert D. Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated October 15, 2020.

Kelly Atkinson, 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 RZ 2020-SU-002.

Mr. Brant gave a presentation on the subject application.

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

- Clarification of the language in the conservation easement that referenced the benefit of the easement to the Board of Supervisors;
- The applicant's commitment to the Leadership in Energy and Environmental Design (LEED) Certification and staff's preference for utilizing a third-party certification;
- The reasons why energy conservation was not adequately addressed in the subject application;
- The reasons why LEED certification was not required after completion of the development, which would allow confirmation that the building adhered to the necessary certification standards; and
- The uses gained under the I-4 District classification versus those of the I-3 District.

The discussion resulted in no changes to the proposed application. Staff, however, agreed to conduct a follow-up with Commissioner Niedzielski-Eichner and provide information regarding updates to the noise contour levels.

Chairman Murphy called for speakers and recited rules for testimony.

Andrea Money, 2520 Woodrow Wilson Drive, Herndon, addressed concerns about the health, wellbeing, and quality of life of the area's residents. Ms. Money acknowledged that issues pertaining noise and pollution were paramount. As a result of changes to the workplace and the rising teleworking workforce, she suggested revisions to the day and overnight noise levels. Ms. Money stated there was an impact to traffic because of the development, and there were drivers who did not adhere to the speed limits. Green building loop holes were also a major concern.

There being no further speakers, Chairman Murphy called for a rebuttal statement from Mr. Brant, who declined. 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 THE FOLLOWING:

- THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS, APPROVES RZ 2020-SU-002, SUBJECT TO PROFFERS DATED NOVEMBER 12, 2020; AND

- THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE WAIVERS AND MODIFICATIONS CONTAINED IN A HANDOUT DATED NOVEMBER 12, 2020, WHICH WAS MADE PART OF THE RECORD.

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

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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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SE 2020-SP-009 – HHP HOLDINGS, LLC – Appl. under Sect. 3-0C04 and 9-530 of the Zoning Ordinance to permit a kennel. Located at 12605 Braddock Rd., Fairfax, 22030 on approx. 4.84 ac. of land zoned R-C and WS. Tax Map 66-2 ((3)) 3. SPRINGFIELD DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Mark C. Looney, Applicant's Agent, Cooley LLP, reaffirmed the affidavit dated October 30, 2020.

Commissioner Murphy stated the Planning Commission received a high volume of correspondence from the citizens. He also indicated that the applicant conducted several meetings and the application was presented before the Springfield District Land Use Committee. Commissioner Murphy then announced his intent to defer decision only on the application to a date certain of December 2, 2020.

Emma Estes, 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 SE 2020-SP-009.

There was a discussion between Ms. Estes; Mr. Looney; Wilfred Woode, Northern Virginia Soil and Water Conservation District; and multiple Commissioners regarding the following:

- Training protocols, procedures for new employees, and the ongoing management of their activities, to ensure best practices for the proposed facility;
- The designated location for the facility's pet relief area, cleaning protocols for that area, and disposal measures in place of solid waste;
- Whether the applicant reached out to the Northern Virginia Soil and Water Conservation District to discuss ways to ensure that the disposal of fecal matter at off-site locations



were not in areas of nearby streams that were within an Escherichia coli total maximum daily load watershed;

- Whether the Northern Virginia Soil and Water Conservation District had water monitoring standards for the watershed;
- The Northern Virginia Soil and Water Conservation District conclusions for the installation of a 50-foot-wide vegetative buffer and whether it would be adequate to protect the water quality of the stream;
- The County's process for mitigating noise complaints filed by the facility's neighboring citizens;
- The maximum number of dogs allowed simultaneously at the designated pet-relief area; and
- Protocols in place for capturing and dispelling water used to hose down fecal matter from the pet-relief area.

The discussion resulted in no changes to the proposed application.

Vice Chairman Ulfelder called the first listed speaker.

Thomas Berhanu Muleta, 5607 Braddock Farms Way, Clifton, representing Braddock Farms Homeowners, voiced his opposition to the proposed development. A copy of Mr. Berhanu's statement is in the date file.

Mr. Muleta's testimony was followed by a discussion by multiple Commissioners regarding the claims that the noise levels at similar facilities exceeded 100 decibels. Commissioner Ulfelder stated the noise levels were recorded and compared to Happy Hounds kennel located in Sterling, Virginia. He confirmed this information was also received in a letter from the Braddock Farms Homeowners Association, dated November 10, 2020, and was made part of the record.

Daman Walia, 12671 Braddock Farms Court, Clifton, opposed the proposed development, and voiced his concerns regarding the health and environmental impact of the use. Mr. Walia stated he was taken aback by a letter from the Environment and Development Review Branch, Department of Planning and Development dated October 17, 2020, which concluded that widespread attention to the treatment of pet waste was an ongoing concern for the life of the facility, to protect the water quality within the Water Supply Protection Overlay District. He added that he supported the 50-foot-wide vegetated buffer and the protocols in place for removal of fecal matter from the pet-relief area. Mr. Walia addressed pest concerns and the impact to the neighboring properties. He also suggested that preventative measures should be in place to mitigate those concerns. Mr. Walia referenced a letter from the Site Analysis Section, Fairfax County Department of Transportation dated September 21, 2020 regarding a right in/right out only on Braddock Road, and concerns with increased traffic and impacts as a result was also voiced.

Ameeta Singh, 22931 Chinkapin Oak Terrace, Sterling, supported the proposed development because her dog attended the Healthy Hounds daycare and was satisfied with the services provided. Ms. Singh stated that she had witnessed consistent management, care, and attention towards the dogs and facility. As a consumer, she saw the facility as clean and well maintained. There was also a doggy bag station with easy customer access. Ms. Singh stated the staff of the facility had a regular clean-up schedule. On several occasions, she witnessed staff clean up after individuals where owners of dogs left fecal matter behind. In terms of traffic flow during peak times, Ms. Singh stated she had no concerns.

Samuel Ham, 5683 Colchester Road, Fairfax, voiced his opposition to the proposed development. A copy of Mr. Ham's statement is in the date file.

David Lu, 12523 Braddock Road, Fairfax, property owner of Lot 1, located east of the proposed facility. Mr. Lu voiced opposition because of the potential for biological contamination, Escherichia coli, and generation of parasites to the area, due to the dog relief area. Mr. Lu added the noise levels was a major concern and a 6-foot solid fence would not suffice. He suggested the facility's play area should be completely enclosed and an interior court with a skylight be constructed. Mr. Lu addressed concerns with the building's envelope and wanted more detailed information on the rating systems and building assembly. He suggested the operational procedures and waste management approach being proposed by the applicant should be regulated and appropriately enforced. The soil saturation at the rear of the property was also a concern.

Sanjay Joshi, 12603 Blythewood Drive, Fairfax, representing Hampton Forest Homeowners Group, voiced his concerns to the proposed development. A copy of Mr. Joshi's statement is in the date file.

Mahmoud Arafa, 5690 Colchester Road, Reston, opposed the proposed development because he did not believe the facility could accommodate the proposed number of dogs. Mr. Arafa suggested the noise levels from barking dogs was a concern for the neighboring properties and could cause traffic accidents. The increased traffic counts to and from the facility was also a concern.

Kirit Udeshi, 12665 Braddock Farms Court, Clifton, voiced his opposition to the proposed development. A copy of Mr. Udeshi's statement is in the date file.

Michael Goldstein, 5609 Braddock Farms Way, Clifton, opposed the proposed development because of safety concerns generated by vehicles making U-turns into the facility from Braddock Road during peak hours. Mr. Goldstein stated there would be an increase in the noise levels on the site due to the number of dogs allowed at the facility. Mr. Goldstein's testimony was conducted via telephone and parts of his testimony could not be summarized, due to the level of phone clarity.

Zabia Daamash, 12606 Blythewood Drive, Fairfax, voiced her opposition to the proposed development. A copy of Ms. Daamash's statement is in the date file.

Gowri Visweswaran, 12669 Braddock Farms Court, Clifton, voiced his opposition to the proposed development. A copy of Mr. Visweswaran's statement is in the date file.

There being no further speakers, Vice Chairman Ulfelder called for a rebuttal statement from Mr. Looney who stated the following:

- The majority of the activity associated with the facility was conducted indoors;
- The neighboring kennel uses were retrofitted facilities that were not designed to meet the needs of a kennel and did not have the same noise standards, construction materials, and construction techniques the applicant intended to implement into the proposed facility;
- Rollup garage doors and additional features at the proposed facility that would mitigate the noise levels;
- The applicant was not aware of noise complaints from homes directly across the street from the existing facility;
- The location of the facility was on the northern boundary for residential and commercial zoning and the facility's perimeter was within Fairfax County along Braddock Road;
- Regarding concerns about pollution and bacteria, the applicant stood by the presentation and information provided by Wilfred Woode; and
- The applicant went above and beyond the regulation of soil disposal on the property, as prescribed by the County.

There was a discussion between Mr. Looney, Mr. Woode, and multiple Commissioners regarding the following:

- The concerns raised by citizens regarding the breeding of insects, especially during the summer months;
- Whether the plant buffer during the winter months was operational;
- The measures in place for the disposal of water from the clean-up area during frozen periods of soil and snow fall;
- Whether a percolation test had been conducted to determine the water absorption rate of the site's soil; and
- Whether the applicant considered a retention tank as an alternative for water disposal.

The discussion resulted in no changes to the proposed application.

Commissioner Murphy thanked staff for their work on the application and the citizens who provided testimony.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman Ulfelder closed the public hearing and recognized Commissioner Murphy for actions on this application.

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE 2020-SP-009, TO A DATE CERTAIN OF DECEMBER 2, 2020, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

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

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Chairman Murphy resumed duties of the Chair.

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The meeting was adjourned at 11:15 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: September 22, 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.

*Wendy Marie Jones*  
Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

