

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MAY 19, 2021**

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
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: John C. Ulfelder, Vice Chairman, Dranesville District

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The Planning Commission conducted a wholly electronic meeting because to the COVID-19 pandemic made it unsafe to physically assemble a quorum in one location or to have the public present. The meeting was conducted by way of video conferencing and the public was able to view the meeting on Channel 16, livestreaming on the Fairfax County website, or live audio over the phone. 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, in Conference Room 11 in the Fairfax County Government Center located at 12000 Government Center Parkway, Fairfax, VA 22035.

The attending Commissioners attended the meeting from the following locations:

- Julie M. Strandlie participated from Mason District office, 6507 Columbia Pike, Annandale, VA 22003;
- Mary D. Cortina participated from the Braddock District office, 9002 Burke Lake Road, Burke, VA 22015;
- John A. Carter participated from the Hunter Mill District office, 1801 Cameron Glen Drive, Reston, VA 20190;
- Walter C. Clarke participated from the Mount Vernon District office, 2511 Parkers Lane, Mount Vernon, VA 22306;

- Phillip A. Niedzielski-Eichner participated Providence District office, 3001 Vaden Drive, 2nd Floor, Fairfax, VA 22031;
- Evelyn S. Spain participated from the Sully District office, 4900 Stonecroft Boulevard, Chantilly, VA 20151;
- Andres Jimenez participated from his residence in the Mason District;
- Daniel G. Lagana participated from his residence in the Lee District;
- Candice Bennett participated from her residence in the Mount Vernon District; and
- Timothy J. Sargeant participated from the Mount Vernon District office, 2511 Parkers Lane, Mount Vernon, VA 22306.

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

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Chairman Murphy relinquished duties of the virtual Chair and the virtual gavel to Secretary Sargeant.

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PRELIMINARY MOTIONS FOR CONDUCTING ELECTRONIC MEETING

Commissioner Murphy MOVED THE FOLLOWING:

- THE PLANNING COMMISSION CERTIFY FOR THE RECORD THAT EACH MEMBER’S VOICE MAY BE ADEQUATELY HEARD BY EACH OTHER MEMBER OF THIS COMMISSION AND THAT A QUORUM HAS BEEN ACHIEVED;
- THE PLANNING COMMISSION CERTIFY THAT THE STATE OF EMERGENCY CAUSED THE COVID-19 PANDEMIC MAKES IT UNSAFE FOR THE PLANNING COMMISSION TO PHYSICALLY ASSEMBLE AND UNSAFE FOR APPLICANTS, AND THE PUBLIC TO PHYSICAL ATTEND ANY SUCH MEETING IN PERSON. AND THAT AS SUCH, AN IN-PERSON MEETING CANNOT BE IMPLEMENTED SAFELY OR PRACTICALLY. FURTHER MOVE THAT THE PLANNING COMMISSION 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 STREAMING, MAY LISTEN TO LIVE AUDIO OF THIS MEETING AT 703-324-5300, AND MAY PARTICIPATE IN PUBLIC HEARINGS BY TELEPHONE, BY YOUTUBE VIDEO SUBMISSION, OR BY WRITTEN TESTIMONY; AND

- THE PLANNING COMMISSION CERTIFY THAT ALL MATTERS ADDRESSED ON THE AGENDA CONCERN THE EMERGENCY AND ARE NECESSARY FOR CONTINUITY IN FAIRFAX COUNTY GOVERNMENT, AND THE ORDINANCE ADOPTED BY THE BOARD OF SUPERVISORS ON MAY 12, 2020. AND/OR ARE WITHIN THE PURVIEW OF AMENDMENT 28 OF HOUSE BILL 29, AS APPROVED BY GOVERNOR RALPH NORTHAM ON APRIL 24, 2020.

Commissioners Niedzielski-Eichner seconded the motions, which carried by a vote of 11-0. Commissioner Ulfelder 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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COMMISSION MATTERS

Chairman Murphy announced that the Supervisor Kathy Smith’s mother passed away on May 14, 2021. Supervisor Smith’s mother was a high school teacher who touched the lives of many students, friends, and family. Then, Chairman Murphy led the Planning Commission in a moment of silence.

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THE FAIRFAX COUNTY PLANNING COMMISSION POLICY FOR PARTICIPATION IN MEETINGS BY ELECTRONIC COMMUNICATION

Commissioner Sargeant stated that Commissioners had been sent a copy of the Planning Commission’s revised policy for participation in meetings by electronic communication upon returning to in-person meetings on June 9, 2021. He then MOVED THAT THE PLANNING COMMISSION ADOPT THE FAIRFAX COUNTY PLANNING COMMISSION POLICY FOR PARTICIPATION IN MEETINGS BY ELECTRONIC COMMUNICATION DATED MAY 13, 2021

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

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Chairman Murphy announced that the Environment Committee was scheduled to meet Thursday, May 20, 2021, at 7:30 p.m.

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RZ/FDP 2020-BR-001 – CHRISTOPHER LAND, LLC

Commissioner Cortina MOVED THAT PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR RZ 2020-BR-001 AND FDP 2020-BR-001, TO JUNE 23, 2021.

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

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FS-M20-7 - DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES, HOLMES RUN WASTEWATER PUMP STATION, 6623 DEARBORN DRIVE, FALLS CHURCH, VA 22044, Tax Map 6-4 ((15)) 1

Commissioner Strandlie MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE STAFF'S CONCLUSION THAT THE PROPOSED HOLMES RUN WASTEWATER PUMP STATION SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT, AS SPECIFIED IN *VIRGINIA CODE* SECTION 15.2-2232, AND THAT THE PLANNING COMMISSION FIND THE SUBJECT APPLICATION FS-M20-7 A FEATURED SHOWN OF THE COMPREHENSIVE PLAN.

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

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ZONING ORDINANCE AMENDMENT – AGRITOURISM
(The public hearing on this item was held on May 12, 2021.)

Commissioner Jimenez MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF THE PROPOSED ZONING ORDINANCE AMENDMENT ENTITLED AGRITOURISM AND RELATED CHANGES, AS ADVERTISED AND SET FORTH IN THE STAFF REPORT DATED MAY 5, 2021, AND SUBJECT THE FOLLOWING MODIFICATIONS:

- REVISE THE DEFINITION OF AGRITOURISM IN SUBSECTION 9103.2.A TO EXCLUDE EVENTS SUCH AS CORPORATE PICNICS, FAMILY REUNIONS, FARM-TO-TABLE DINNERS, WEDDINGS. THE REVISION WILL READ AS FOLLOWS:
 - AGRITOURISM: ANY ACTIVITY ACCESSORY TO AN AGRICULTURAL OPERATION THAT ALLOWS MEMBERS OF THE GENERAL PUBLIC TO VIEW OR ENJOY RURAL ACTIVITIES FOR RECREATIONAL, ENTERTAINMENT, OR EDUCATIONAL PURPOSES, REGARDLESS OF WHETHER THE PARTICIPANT PAID TO PARTICIPATE IN THE ACTIVITY. THESE ACTIVITIES MAY BE PERMITTED AT A PROPERTY WITH A FARM WINERY, A LIMITED BREWERY, OR A LIMITED DISTILLERY, SUBJECT TO THE LIMITS ON ATTENDEES IN SUBSECTION 4102.2.C, WHICH

LIMITS APPLY COLLECTIVELY TO PUBLIC OR PRIVATE EVENTS AND ACTIVITIES AND AGRITOURISM USES ON THAT PROPERTY. AGRITOURISM ACTIVITIES INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:

- FARM TOURS, INCLUDING EDUCATIONAL OR ENTERTAINMENT PROGRAMS, WORKSHOPS, OR DEMONSTRATIONS;
 - HARVEST-YOUR-OWN ACTIVITIES;
 - SEASONAL FESTIVALS AND ATTRACTIONS, INCLUDING CROP MAZES OR HAYRIDES;
 - HIKING, HORSEBACK RIDING, AND OTHER NATURAL ACTIVITIES;
 - HISTORICAL AND CULTURAL ACTIVITIES; AND
 - OTHER ACTIVITIES AS DETERMINED BY THE ZONING ADMINISTRATOR.
- REVISE PARAGRAPH 1 AND ADD NEW PARAGRAPH 2 TO SUBSECTION 4102.2.B, AGRITOURISM, TO DISCOURAGE PAVED PARKING. THE REVISIONS READ AS FOLLOWING:
 - PARKING MUST BE LOCATED ON THE SAME LOT(S) AS THE AGRICULTURAL OPERATION AND IS NOT PERMITTED WITHIN ANY PUBLIC RIGHT-OF-WAY. REGARDLESS OF SUBSECTION 6100.2.C, TO ENCOURAGE MINIMAL LAND DISTURBANCE AND TO DISCOURAGE LAND COVER CHANGES, SUCH AS REMOVAL OF TREES – OTHER VEGETATION. PARKING SPACES ARE NOT REQUIRED TO BE DESIGNATED OR LOCATED ON A PAVED SURFACE. FOR THE PURPOSE OF SUBSECTION 4102.2.B, A PAVED SURFACE INCLUDES ASPHALT, POURED OR PRECAST CONCRETE, BRICK, STONE, OR SIMILAR IMPERVIOUS SURFACE, BUT IT DOES NOT INCLUDE GRAVEL OR GRASS PAVERS;
 - IN THE R-C DISTRICT, PAVED SURFACES OUTSIDE A BUILDING ARE PERMITTED IN ACCORDANCE WITH ANY APPLICABLE STORMWATER QUALITY AND QUANTITY REQUIREMENTS AND OTHER STANDARDS:
 - WHEN IN ASSOCIATION WITH TIER 1 OR TIER 2, PAVED SURFACES OUTSIDE A BUILDING ARE LIMITED TO A TOTAL OF 2,500 SQUARE FEET OF THE LOT(S) COMPRISING THE AGRICULTURAL OPERATION;
 - WHEN IN ASSOCIATION WITH TIER 3 OR 4, PAVED SURFACES OUTSIDE A BUILDING ARE LIMITED TO A TOTAL OF 5,000 SQUARE FEET OF THE LOT(S) COMPRISING THE AGRICULTURAL OPERATION.
 - TO REVISE PARAGRAPH 3, FORMERLY PARAGRAPH 2, OF SUBSECTION 4102.2.B, AGRITOURISM, BY REVISING THE COLUMN HEADER TO READ, “TIER: ACREAGE IN AGRICULTURAL PRODUCTION,” TO CLARIFY THAT THE

ACREAGE REQUIRED IN EACH TIER IS ACREAGE DEVOTED TO AGRICULTURAL PRODUCTION RATHER THAN SIZE LOT;

- REVISION OF PARAGRAPH 5, WHICH WILL BE NEW PARAGRAPH 6 WITH THE RENUMBERING AND ADD A NEW PARAGRAPH 9 TO SUBSECTION 4102.2.B, AGRITOURISM, TO CREATE SPECIAL EXCEPTION STANDARDS FOR PAVED PARKING AND REFORMAT APPROPRIATELY. THE REVISION WILL READ AS FOLLOWING:
 - THE BOARD MAY APPROVE A SPECIAL EXCEPTION TO MODIFY ONE OR MORE OF THE STANDARDS AS IDENTIFIED IN THE SUBSECTIONS BELOW:
 - SUBSECTION B(2) TO EXCEED THE LAND AREA PERMITTED FOR PAVERS SUCH – PAVED SURFACES IN THE R-C DISTRICT;
 - SUBSECTION B (3) TO ALLOW FOR TIERS 1, 2, AND 3 TO EXCEED THE TOTAL NUMBER OF ATTENDEES PER DAY AND FOR TIER 4 ACTIVITIES TO EXCEED THE NUMBER OF DAYS PER YEAR PERMITTED BY AN ADMINISTRATIVE PERMIT.
 - AN APPLICATION TO EXCEED THE PAVED SURFACES LIMITATION IN SUBSECTION B(2) REQUIRES THE APPLICANT TO DEMONSTRATE THAT ADEQUATE MEASURES WILL BE TAKEN TO ADDRESS WATER QUANTITY IMPACTS AND PREVENT WATER QUALITY DEGRADATION, SUCH AS BY MEETING WATER QUALITY REQUIREMENTS ON-SITE THROUGH RUNOFF REDUCTION PRACTICES TO THE MAXIMUM EXTENT PRACTICABLE.
- THAT THE LEGAL ADVERTISEMENT BE MODIFIED PRIOR TO THE BOARD OF SUPERVISORS' PUBLIC HEARING TO ALLOW THE BOARD TO CONSIDER THIS RECOMMENDATION AND APPLY THE PAVED PARKING RESTRICTIONS IN PARAGRAPH 2 TO THE R-A, R-E AND R-1 DISTRICTS WITH A RANGE FROM 2,500 SQUARE FEET TO 10,000 SQUARE FEET AND REVISE PARAGRAPH 6 TO PERMIT A SPECIAL EXEMPTION IN THE R-A, R-E AND R-1 DISTRICT.

Commissioner Cortina seconded the motion, which carried by a vote of 10-0-1. Commissioner Carter abstained from the vote. Commissioner Ulfelder was absent from the meeting.

Commissioner Niedzielski-Eichner MOVED THAT THE DOCUMENTS PROVIDED BY STAFF IN THE EMAIL DATED MAY 19, 2021, AND TIME STAMPED 8:02 P.M. BE THE MOTION OF RECORD DOCUMENTED COMMISSIONER JIMENEZ'S MAIN MOTION.

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

Commissioner Jimenez MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE AMENDMENT BECOME EFFECTIVE AT 12:01 A.M. ON JULY 1, 2021.

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

Commissioner Jimenez MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD CONSIDER THIS ITEM FOR PRIORITIZATION DURING THE NEXT UPDATE OF THE ZONING ORDINANCE AMENDMENT WORK PROGRAM, RECOGNIZING THAT THIS WOULD ENTAIL A SIGNIFICANT OUTLAY OF STAFF RESOURCES THAT WILL NEED TO BE CONSIDERED AS PART OF THE PRIORITIZATION.

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

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ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. FDPA 96-V-006 – MAURICE GEORGE SINGLETON
2. SEA 83-D-030-09 - THE MADEIRA SCHOOL, INC
3. PRC-C-020-02 – TALL OAKS AT RESTON, L.C.
4. PCA 89-V-059-02/ SE 2020-MV-020 - LORTON VALLEY RETAIL, LLC
5. PCA 86-C-119-08/ DPA 86-C-119-04/PRCA 86-C-119-02 - BOSTON PROPERTIES LIMITED PARTNERSHIP

This order was accepted without objection.

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FDPA 96-V-006 - MAURICE GEORGE SINGLETON– Appl. to amend the final development plans for RZ 96-V-006 to permit modifications of yard requirements for lot 43 and associated revisions to development conditions to permit construction of a sunroom 13 ft. from the rear lot line. Located at 7833 Dogue Indian Circle, Lorton, 22079 on approx. 1,608 sq. ft. of land zoned PDH-8. Mount Vernon District. Tax Map 107-4 ((19)) 43. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Maurice George Singleton, Applicant/Title Owner, and Gerardo F. Perez, Applicant’s Agent, reaffirmed the affidavit dated April 16, 2021.

There were no disclosures from the Commission

Sunny Yang, 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 application FDPA 96-V-006.

Gerardo F. Perez, Agent to the Applicant, Great Day Improvements, LLC, concurred with staff's recommendation for approval and reaffirmed agreement to development conditions dated May 5, 2021.

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 Clarke for action on this application.

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Commissioner Clarke MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 96-V-006, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 5, 2021.

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

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SEA 83-D-030-09 – THE MADEIRA SCHOOL, INC. – Appl. under Sect. 3-0E04 of the Zoning Ordinance to amend SE 83-D-030 previously approved for a private school of general education to permit modifications to site design and development conditions. Located at 8328 Georgetown Pike, McLean, 22102 on approx. 376.16 ac. of land zoned R-E. Tax Map 20-1 ((1)) 14 and 20-2 ((1)) 1. DRANESVILLE DISTRICT. PUBLIC HEARING.

David S. Houston, Applicant's Agent, Bean, Kinney & Korman, P.C., reaffirmed the affidavit dated March 26, 2021.

There were no disclosures from the Commission

Katelyn Quinn 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 application SEA 83-D-030-09.

Mr. Houston gave a presentation on the subject application.

There was a discussion between Mr. Houston and multiple Commissioners on the following issues:

- The planned trail along Georgetown Pike and the potential security concerns incurred by such a trail for the proposed school facility;
- Further explanation of the alternative location proposed for the continuation of the Potomac Heritage Trail;
- The operation and usage of the existing septic system;
- Considerations for the removal and reallocation of existing buildings onsite;
- The need and provisions for faculty housing;
- Concerns raised by the community on the size of the proposed single family residential dwelling;
- The Laurels building had not been designated as historic site;
- The costs associated with the upkeep of
- The history and potential historic significance of the building prior to it being moved to the school; and
- The applicant's willingness to consider offers for relocation of the building, provided such efforts did not incur additional costs.

The discussion resulted in no changes to the subject application.

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

Daniel Lebbin, 246 Hillside Circle SW, Vienna, VA, representing the American Bird Conservancy, voiced concerns about the potential impact the design of the proposed STEAM building would have on the declining bird population. He requests that the applicant consider using a bird friendly design. A copy of Mr. Lebbin's written statement is in the date file.

Mr. Houston responded to the Mr. Lebbin's concerns and confirmed that indicated that the applicant was amenable to utilizing bird-friendly designs for the farmhouse and that the development conditions could be revised to reflect as such...

Ann Maclean, 392 Ben Venue Road, Flint Hill, VA, spoke in opposition of the subject application. A copy of Ms. Maclean's written testimony is in the date file.

There being no more speakers, Chairman Murphy called for virtual speakers and recited the rules for public testimony.

Robert Maguire, 8527 Georgetown Pike, Mclean, VA, spoke in support of the subject application. He stated that the proposed developments and structural changes on the property would benefit the school. Mr. Maguire also recommended that the applicant be compensated in the event that the trail requirement along Georgetown Pike proved unfeasible.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Houston, who responded to the testimony from the speakers as follows:

- There were pending developments in the campus master plan for single-family detached homes that had been previously approved at a higher square footage;
- The two-over-two townhomes would satisfy the need for two bedroom starter homes;

- The school was committed to conducting an adequate review of the architecture of the proposed farmhouse to address any outstanding concerns; and
- The Buildings and Grounds Committee thoroughly reviewed all development proposals and reflect the majority viewpoint of the alumni.

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 Bennett for action on this case.

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Commissioner Bennett MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SEA 83-D-030-09, TO A DATE CERTAIN OF MAY 26, 2021.

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

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PRC-C-020-02 - TALL OAKS AT RESTON, L.C.— PRC Appl. to approve a PRC plan associated with RZ-C-020 to permit additional parking for an existing assisted living facility. Located on the N. side of North Shore Dr., E. of its intersection with Wiehle Ave. on approx. 2.45 ac. of land zoned PRC. Comp. Plan Rec: Residential Planned Community. Hunter Mill District. Tax Map 18-1 ((5)) 8B. HUNTER MILL DISTRICT. PUBLIC HEARING.

There were no disclosures from the Commission

Joseph Onyebuchi, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of application PRC-C-020-02.

Sara Mariska, Agent to the applicant, Odin, Feldman, Pittleman P.C., gave a presentation on the subject 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 was a brief discussion between Ms. Mariska and Commissioner Niedzielski-Eichner on upgrades to the lighting fixtures wherein Ms. Mariska confirmed that the lighting would be down-ward directed, shielded, and in conformance with the performance standards in the Zoning Ordinance.

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 THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE OF PRC-C-020-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 19, 2021, WITH THE FOLLOWING CHANGES:

- REVISE DEVELOPMENT CONDITION NUMBER 3 TO READ, “TWO PERCENT OF THE PROPOSED PARKING SPACES ON SITE MUST BE PRE-WIRED FOR ELECTRIC VEHICLE CHARGING STATIONS. THE APPLICANT MUST PROVIDE PROOF OF INSTALLATION TO THE ENVIRONMENT AND DEVELOPMENT REVIEW BRANCH IN THE DEPARTMENT OF PLANNING AND DEVELOPMENT 120 DAYS AFTER SITE PLAN APPROVAL OR PRIOR TO COMPLETION OF CONSTRUCTION OF THE PARKING SPACES, WHICHEVER OCCURS FIRST;” AND
- APPROVAL OF PARKING REDUCTION STUDY NUMBER 3828-PTS-001-01, SUBJECT TO THE PROPOSED CONDITIONS CONTAINED IN APPENDIX 6.

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

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PCA 89-V-059-02 - LORTON VALLEY RETAIL, LLC— Appl. to amend RZ 89-V-059, previously approved for a 125,000 square foot shopping center, to permit modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.13. Located on the E. side of Ox Rd. between Weatherly Way and Blu Steel Way on approx. 19.74 ac. of land zoned to the C-6 District. Comp. Plan Rec: Residential at 0.5 – 1 du/ac. Mount Vernon District. Tax Map(s) 106-2 ((1)) 9A and 106-2 ((7)) 1, 4, and 5. (Concurrent with SE 2020-MV-020).

SE 2020-MV-020 - LORTON VALLEY RETAIL, LLC— Appl. under Sect. 4-604 of the Zoning Ordinance to convert a financial institution with a drive through to a restaurant with a drive through. Located at 8981 Ox Rd., Lorton, VA, 22079 on approx. 5.79 acres of land zoned to the C-6 District. Mount Vernon District. Tax Map 106-2 ((7)) 1. (Concurrent with PCA-89-V-059-02). MOUNT VERNON DISTRICT. PUBLIC HEARING.

Elizabeth D. Baker, Agent of the Applicant, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated May 6, 2021.

There were no disclosures from the Commission

Zachary Fountain, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of applications PCA 89-V-059-02 and SE 2020-MV-020.

Ms. Baker 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 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 Clarke for action on these applications.

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Commissioner Clarke MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL PCA 89-V-059-02, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED APRIL 29, 2021.

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

Commissioner Clarke MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2020-MV-020, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED MAY 4, 2021.

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

Commissioner Clarke MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE FOLLOWING:

- REAFFIRMATION OF THE PREVIOUSLY APPROVED MODIFICATIONS FOR THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS IN FAVOR OF THE BUFFERS AND BARRIERS PREVIOUSLY APPROVED FOR THE NORTHERN, WESTERN, EASTERN, AND SOUTHERN PROPERTY BOUNDARIES; AND
- REAFFIRMATION OF THE PREVIOUSLY APPROVED WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG ROUTE 123.

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

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PCA 86-C-119-08/ DPA 86-C-119-04/PRCA 86-C-119-02 - BOSTON PROPERTIES LIMITED PARTNERSHIP, PCA, DPA and PRCA - Appl(s). to amend the proffers, conditions, and development plan for RZ 86-C-119, previously approved for mixed use development, to add office as a permitted use on Block D and associated modifications to proffers and site design at an intensity of 7.25 FAR for Block D and 3.22 FAR for the overall development. Located on the E. side of Town Center Parkway, N. of Sunset Hills Rd. and S. of the Washington and Old Dominion Trail., on approx. 2.06 ac. of land zoned PRC. Comp. Plan Rec: Transit Station Mixed Use. Hunter Mill District. Tax Map 17-3 ((22)) 5. HUNTER MILL DISTRICT. PUBLIC HEARING.

Mark Looney, Applicant's Agent, Cooley, LLP, reaffirmed the affidavit dated May 3, 2021.

There were no disclosures from the Commission

Mary Ann Tsai, 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 PCA 86-C-119-08, DPA 86-C-119-04, and PRCA 86-C-119-02.

Mr. Looney gave a presentation on the subject applications.

There was a discussion between Mr. Looney; Richard H. Ellis Jr., Applicant, Boston Properties Limited Partnership; and multiple Commissioners on the following:

- The applicant's efforts to activate the façade of the proposed development;
- Clarification on the location of activated space in relation to the park and retail space other amenities;
- Clarification on the reallocation of grouped office space from Blocks B and A to Block D;
- The applicant's efforts to include public art with the proposed development;
- The location and final gross floor area of the proposed office use under the subject applications;
- The market trends regarding office space usage;
- Clarification on the visibility of the above-ground garage;
- Clarification on garage lighting and screening provisions; and
- The applicant's efforts to mitigate the glare from the lighting fixtures and the overall visual impact of the parking garage to residents and pedestrians.

The discussion resulted in no changes to 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 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 these applications.

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Commissioner Carter MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 86-C-119-08, DPA 86-C-119-04, AND PRCA 86-C-119-02, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 5, 2021.

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

Commissioner Carter MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PRCA 86-C-119-02, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH –THOSE DATE MAY 6, 2021.

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

Commissioner Carter MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS REAFFIRMATION OF THE PREVIOUSLY APPROVED WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DATED MAY 19, 2021.

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

Commissioner Carter MOVED THAT THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY, THE VIRGINIA DEPARTMENT OF TRANSPORTATION, THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION, DOMINION ENERGY VIRGINIA, AND LAND DEVELOPMENT SERVICES SHOULD IMMEDIATELY WORK TO IMPROVE ACCESS AND SAFETY FOR PEDESTRIAN BICYCLISTS TO THE TRANSIT STATION. THE GOAL IS TO IMPROVE PEDESTRIAN SAFETY, INCREASE FLEXIBILITY AND STREET DESIGN, INCREASE TRANSIT RIDERSHIP, AND IMPROVE ACCESS, ESPECIALLY FOR PEDESTRIANS THAT DEPEND ON TRANSIT FOR THEIR DAILY USE. FURTHERMORE, COMMISSIONER CARTER MOVED THAT THE FOLLOWING SPECIFIC ACTIONS SHOULD BE CONSIDERED:

- NUMBER 1, CLUSTER IS IMPROVING THE DESIGN OF THE TRAVEL LANES, PROVIDING WIDE SIDEWALKS AT INTERSECTIONS WITHIN WALKING DISTANCE OF TRANSIT STATIONS SHOULD BE PROVIDED;

- REDUCING THE CORNER RADII AT ALL INTERSECTIONS AND PROVIDING A DOUBLE RAMP FOR THE HANDICAPPED THAT DIRECTS PEDESTRIANS TO EACH CROSSWALK INSTEAD OF A SINGLE RAMP THAT'S CURRENTLY IN USE THAT DIRECTS PEDESTRIANS TO THE MIDDLE OF THE INTERSECTIONS;
- AVOIDING THE USE OF ADDITIONAL LANES TO SPEED VEHICULAR TRAFFIC AT INTERSECTIONS WITH HIGH PEDESTRIAN VOLUMES, INCLUDING RIGHT TURN LANES AND MULTIPLE LEFT TURN LANES. REDUCING LAND WIDTH FROM 12 FEET TO 10 FEET;
- PROVIDING A SUBSTANTIAL AREA OF REFUGE FOR PEDESTRIANS AND BICYCLES ON DIVIDED STREETS;
- IMPROVING THE SIDEWALK AREAS. IMPROVING THE DESIGN OF SIGN WORKS AREAS THAT PROVIDE FOR PEDESTRIAN SAFETY AND ENCOURAGE THE USE OF TRANSIT SHOULD INCLUDE THE FOLLOWING:
 - AVOID USE OF MOUNTABLE CURBS IN PEDESTRIAN AREAS WHICH IS VERY COMMON IN RESTON THESE DAYS, INSTEAD OF THE STRAIGHT CURVES THAT IS MORE APPROPRIATE;
 - PROVIDING CLOSELY SPACED STREET TREES BETWEEN CURB AND SIDEWALK AREAS TO PROTECT PEDESTRIANS;
 - ALLOWING NONSTANDARD FEATURES INCLUDING BENCHES, TRASH ENCLOSURES, BANNERS, AND LANDSCAPING WITHIN THE PUBLIC RIGHT OF WAY WITHOUT WAIVERS;
 - ALLOWING APPROPRIATE AND SAFE PEDESTRIAN ORIENTED STREETLIGHTS IN THE PUBLIC RIGHT OF WAY, WHICH ARE PRESENTLY NOT ALLOWED AND ALWAYS A CHALLENGE IN THESE AREAS; AND
- ENCOURAGING WAMATA TO IMPROVE THEIR METRO STATION DESIGN, FOR PEDESTRIANS AND BICYCLISTS.

Commissioner Niedzielski-Eichner seconded the motion, which carried by a vote of 10-0-1. Commissioner Sargeant abstained from the vote. Commissioner Ulfelder was absent from the meeting.

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The meeting was adjourned at 11:00 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.

By Satabdi Samaddar
Approved on: November 3, 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 5 day of November 2021 by
Jacob Caporaletti.

[Handwritten Signature]
Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

