

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 20, 2021**

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
Phillip A. Niedzielski-Eichner, Providence District
Evelyn S. Spain, Sully District
Candice Bennett, Commissioner At-Large
Andres Jimenez, Commissioner At-Large

ABSENT: Walter C. Clarke, Mount Vernon District

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The meeting was called to order at 7:31 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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COMMISSION MATTERS

FDP 2018-HM-020 - APA PROPERTIES NO. 6, L.P.

(Decision Only) (Planning Commission hearing on this application was held on September 22, 2021; Decision Only from October 6, 2021)

Commissioner Carter MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2018-HM-020, SUBJECT TO DEVELOPMENT CONDITIONS DATED OCTOBER 15, 2021.

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

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PA 2020-00004 (PA 2013-CW-9CP) - COASTAL RESOURCE MANAGEMENT/TIDAL SHORELINE EROSION CONTROL (INITIATED THROUGH 2013 WORK PROGRAM)

(Decision Only) (Planning Commission hearing was held on October 6, 2021)

Commissioner Jimenez MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE STAFF RECOMMENDATION FOR PLAN AMENDMENT 2013-CW-9CP DATED SEPTEMBER 8, 2021, TO UPDATE THE POLICIES WITHIN THE ENVIRONMENTAL ELEMENT OF THE POLICY PLAN WITH THE DISCUSSION OF LIVING SHORELINE APPROACHES, ADVISE USERS ON THE

WEALTH OF RESOURCE INFORMATION AND GUIDANCE PROVIDED BY STATE EXPERTS, AND ADD A LIVNG SHORELINE DEFINITION TO THE PLAN GLOSSARY.

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

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Chairman Murphy announced that citizens had the option to participate in the public hearing either in-person or electronically, due to the current state of emergency caused by the COVID-19 pandemic. Chairman Murphy stated that social distancing and masks were required for in-person attendance for both vaccinated and unvaccinated individuals.

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ORDER OF THE AGENDA

Commissioner Sargeant established the following order of the agenda:

1. SE 2021-PR-006 - TYSONS GALLERIA ANCHOR ACQUISITION, LLC
2. RZ/FDP 2021-LE-002 CONCURRENT. WITH PCA 82-L-030-14/2232-L20-3 - THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY
3. RZ/FDP 2020-MV-017 - CHRISTOPHER LAND LLC
4. PA 2020-00032 (PA 2020-IV-S1) - 7501 LOISDALE ROAD

The order was accepted without objection.

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SE 2021-PR-006 - TYSONS GALLERIA ANCHOR ACQUISITION, LLC – to permit a vehicles sales, rental and ancillary services establishment. Located at 1651 International Dr., McLean, 22102 on approx. 2.6 ac. of land zoned PDC, HC and SC. Tax Map 29-4 ((10)) 1A (pt.). PROVIDENCE 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 14, 2021.

Joe Onyebuchi, Zoning Evaluation Division, Department of Planning and Development, presented the staff report, a copy is in the date file. He stated staff recommended approval of SE 2021-PR-006.

Mr. Suchicital gave a presentation on the subject application.

There was a discussion between Mr. Onyebuchi; William O'Donnell, Zoning Evaluation Division, Department of Planning and Development; Mr. Suchicital; and multiple Commissioners regarding the following:

- Whether the elevated parking structure of Lucid Motors was covered;
- The types of retail housed on the elevated parking structure of Lucid Motors;
- The storage location for batteries not in operation for electric vehicles;
- Whether stored non-operational batteries were hazardous;
- The maintenance schedule for Lucid Motors electric vehicles;
- The number of proposed electric vehicle (EV) charging stations and the location of those EV stations;
- Whether the EV charging stations were publicly accessible;
- Whether the EV charging stations were fast charging units;
- Discussion regarding the proposed development conditions dated October 16, 2021, Number 4, regarding the outdoor storage area and servicing of non-operational vehicles; and
- Whether the applicant had the infrastructure to build additional electric vehicles on the third level.

The discussion resulted in the applicant's agreement to provide information to the Commission as to whether stored non-operational batteries were hazardous.

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

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Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2021-PR-006, SUBJECT TO THE PROPOSED CONDITIONS DATED OCTOBER 15, 2021.

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

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RZ/FDP 2021-LE-002 - THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY - applications to rezone from the PRM and PDH-8 Districts to the PDH-8 District to permit a public facility with an overall Floor Area Ratio (FAR) of 0.31 and approval of the conceptual and final development plan. Located on the N. and W. side of Silver Lake Blvd., E. of Beulah St. and S. of Manchester Blvd. on approx. 6.74 ac. of land. Comp. Plan Rec: Residential at 5-8 du/ac. Tax Map 91-3 ((9)) 8A and 8B. (Concurrent with PCA 82-L-030-14 & 2232-L-20-3). LEE DISTRICT. PUBLIC HEARING.

PCA 82-L-030-14 - THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY - application to amend the proffers for RZ 82-L-030, previously approved for residential development, to permit deletion of land area and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.31. Located on the N. and W. side of Silver Lake Blvd., E. of Beulah St. and S. of Manchester Blvd. on approx. 1.73 ac. of land zoned PDH-8. Comp. Plan Rec: Residential at 5-8 du/ac. Tax Map 91-3 ((9)) 8A and 8B (pt.). (Concurrent with RZ/FDP 2021-LE-002 and 2232-L20-3). LEE DISTRICT. PUBLIC HEARING.

2232- L20-3 - THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY - under Sect(s). 15.2-2204 and 15.2-2232 of the *Code of Virginia* to permit a mix of public facility uses. Located on the N. and W. side of Silver Lake Blvd., E. of Belulah St. and S. of Manchester Blvd. on approx. 6.74 ac. of land zoned PDH-8 and PRM. Tax Map 91-3 ((9)) 8A and 91-3 ((9)) 8B. (Concurrent with RZ/FDP 2021-LE-002 and PCA 82-L-030-14). LEE DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Karin Hornstein, Applicant's Agent, Building Design Branch, Capital Facilities, Department of Public Works and Environmental Services, reaffirmed the affidavit dated September 21, 2021.

Zach Fountain, Zoning Evaluation Division, Department of Planning and Development, presented the staff report, a copy is in the date file. He stated staff recommended approval of RZ 2021-LE-002, FDP 2021-LE-002, PCA 82-L-030-14, and 2232- L20-3.

Ms. Hornstein gave a presentation on the subject applications.

There was a discussion between Ms. Hornstein; William O'Donnell, Zoning Evaluation Division, Department of Planning and Development; James E. Krause, Captain, Patrol Bureau, Fairfax County Police Department; Thea Pirnat, Major, Resource Management Bureau, Fairfax County Police Department; David Jett, Director, Facilities and Securities Division, Fairfax County Police Department; Nina Aamodt, Transportation Planning Division, Fairfax County Department of Transportation; Richard Morrison, AIA Architects; Flor Philips, Director, Child Care

Assistance and Referral, Office for Children; and multiple Commissioners regarding the following:

- Mitigation efforts in place to manage the traffic impact for backups from the drop-off and pickup area on Beulah Street to Lane Elementary School;
- The need for additional ingress/egress for a fueling station for County vehicles at the proposed facility;
- The emergency exit on Beulah Street and a possible opportunity for a cut-through on that street for emergency vehicles;
- Discussion to either include an additional raised high visibility crosswalk on Silver Lake Boulevard or move one of the crosswalks further to the north on Silver Lake Boulevard;
- Fairfax County Department of Transportation's (FCDOT) response to a request for installation of a bus shelter at the intersection of Beulah Street and Silver Lake Boulevard;
- FCDOT's justification for having an on-road bike lane;
- Increased accessibility at the site to accommodate older and disabled persons;
- Concerns regarding types of materials used for the pavers at the site;
- The peak hours for pick-up and drop-off for the child care facility, vehicular patterns around the site, and the location for designated parking;
- Whether there were coordinated planned efforts for interaction between individuals at the senior facility and the child care facility;
- Whether the project's rating was considered Leadership in Energy and Environmental Design Gold certified;
- The applicant's intent to widen a sidewalk along Silver Lake Boulevard and to acquire the necessary easements to construct a 10-foot-wide asphalt multi-use trail along Beulah Street, between the intersections of Silver Lake Boulevard and Manchester Boulevard;
- Whether the applicant took into consideration the heating, ventilation, air quality, and filtration systems throughout the building post the COVID-19 pandemic;
- Whether future expansion of any of the facilities to accommodate additional space or uses was optional;

- The child care facility's accommodations for individuals with low income levels or income eligible families to apply;
- The types of subsidies awarded to low and income eligible families to attend the child care facility;
- Concerns regarding some of the crosswalks at the site not aligning with pedestrian foot traffic;
- Access to the Metro station and whether the crosswalk at that location had way-finding signs to the station;
- A suggestion to add way-finding signage at the entrance of the site; and
- Concerns regarding the elevation of the fueling station and the lack of stormwater management in place to capture and dispose of toxic fuel spills.

The discussion resulted in the applicant's agreement to consider suggestions made by the Commission in order to strengthen the application.

There were no listed speakers, no speakers from the public, 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.

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Commissioner Lagana MOVED THAT THE PLANNING COMMISSION DEFER DECISION ONLY FOR PCA 82-L-030-14, RZ 2021-LE-002, FDP 2021-LE-002, AND 2232-L20-3 TO A DATE CERTAIN OF NOVEMBER 3, 2021, WITH THE RECORD REMAINING OPEN FOR PUBLIC COMMENT.

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

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Chairman Murphy requested that prior to staff presentations, staff introduced themselves to include each supporting staff member from each agency that presented commentary on the application or applications.

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The Commission went into recess at 9:29 p.m. and reconvened in the Board Auditorium at 9:49 p.m.

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Before announcing the following case, Commissioner Sargeant announced a change in order of the agenda.

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PLUS 2020-00032 (PA 2020-IV-S1) - 7501 LOISDALE ROAD – concerns approx. 7.23 ac. generally located at 7501 Loisdale Road, south and west of Loisdale Park, and identified as Tax Map Parcels 90-4 ((1)) 3, 4 and 5 in the Lee Supervisor District. Parcel 3 is planned for Public Parks and has an option for Office use, and Parcels 4 and 5 are planned for Industrial use at an intensity of .35 (floor area ratio) FAR. The amendment will consider an option for vehicle sales, service, and ancillary uses on the property. Recommendations relating to the transportation network may also be modified. PA 2020-IV-S1 is concurrently under review with Rezoning application (RZ 2021-LE-007). LEE DISTRICT. PUBLIC HEARING.

Stephen Waller, Planning Division, Department of Planning and Development, presented the staff report, a copy is in the date file. He stated staff recommended adoption of PLUS 2020-00032 (PA 2020-IV-S1).

Lynne Strobel, Owner’s Agent, Walsh, Colucci, Lubeley & Walsh, P.C., gave a presentation on the subject plan amendment.

Commissioner Lagana made preliminary comments on the plan amendment.

There was a discussion between Ms. Strobel and Commissioner Cortina as to whether the existing Subaru dealership was being vacated. Ms. Strobel stated she did not have an answer to the question and would provide an answer at a later date. Commissioner Cortina suggested that applicants provide better stormwater management and alternative environmentally friendly options to handle parking lots that were frequently full of vehicles.

There were no listed speakers, no speakers from the public, 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.

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Commissioner Lagana MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF THE STAFF RECOMMENDATION FOR PLAN AMENDMENT 2020-IV-S1, WITH MODIFICATIONS AS SHOWN IN A HANDOUT DATED OCTOBER 20, 2021. THE AMENDMENT WOULD MODIFY STORMWATER LANGUAGE REGARDING MEASURES TO EXCEED THE MINIMUM STANDARDS, THAT WOULD BE REPLACED BY THE WORD OFFSITE, SHOWN WITH A STRIKE THROUGH, WITH ADDITIONAL ON PAGE 17 OF 20 IN THE STAFF REPORT,

DATED SEPTEMBER 29, 2021, FOR PLAN AMENDMENT 2020-IV-S1, WITH THE NEW CONDITION SHOWN IN THE BOLD ITALICS IN SAID HANDOUT.

Commissioner Cortina seconded the motion, which carried by a vote of 10-0. Commissioner Spain was not present for the vote. Commissioner Clarke was absent from the meeting.

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RZ/FDP 2020-MV-017 - CHRISTOPHER LAND, LLC – Appls. to rezone from R-2 to PDH-5 to permit residential development with an overall density of 4.21 dwelling units per acre (du/ac) and approval of the conceptual and final development plan. Located on the N. side of Silverbrook Rd., E. of Southrun Rd. on approx. 1.9 ac. of land. Current Comp. Plan Rec: Residential 2-3 du/acre. Proposed Comp. Plan Rec: Residential 2-3 du/ac with an option for up to 5 du/acre per Plan Amendment (PA) 2020-00030. Tax Map 98-3 ((1)) 3. MOUNT VERNON DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

E. John Regan, Jr., Applicant's Agent, Christopher Land, LLC, reaffirmed the affidavit dated August 12, 2021.

Kelly Atkinson, Planning Division, Department of Planning and Development, presented the staff report, a copy is in the date file. She stated staff recommended approval of RZ 2020-MV-017 and FDP 2020-MV-017.

Clark L. Massie, Applicant's Agent, Tetra Corporation, gave a presentation on the subject applications.

There was a discussion between Ms. Atkinson; William O'Donnell, Zoning Evaluation Division, Department of Planning and Development; Mr. Massie; and multiple Commissioners regarding the following:

- The proximity and location of schools from the proposed residential development;
- The status of discussions between the applicant and the Newington Commons Homeowners Association regarding their stance on the applications;
- Whether the Newington Commons Homeowners Association could accommodate the proposed residential development;
- The number of homes within the Newington Commons community;

- The responsibilities of a new homeowners association, should the proposed residential development elect to form their own homeowners association, versus integration with the services provided by the Newington Commons Homeowners Association;
- The benefits of merging the proposed residential development with the Newington Commons community;
- The timeframe on a vote from the Newington Commons Homeowners Association for the subsequent integration with the new proposed residential development;
- The plan for contributions for affordable housing since no affordable housing units were part of the proposed development;
- The applicant's student contributions to Fairfax County School Board to be utilized for capital improvements or capacity enhancements to schools that served the proposed residential development; and
- A suggested change to language in Proffer conditions, I. General, 2. Architectural Design, from "general conformance" to "substantial conformance."

The applicant's agreement to change the language in Proffer conditions, I. General, 2. Architectural Design from "general conformance" to "substantial conformance." The applicant's agreement to make changes to the language in Proffer conditions, II. Recreational Facilities, 3. On-Site Recreation Facilities.

Chairman Murphy called the first listed speaker.

Keith F. Shovlin, 8702 Pinnacle Rock Court, Lorton, representing Newington Commons Homeowners Association, supported the proposed residential development because the Newington Commons Homeowners Association Board of Directors voted unanimously to support the development, and the proposed residential development was the best use of the site.

There was a discussion between Mr. Shovlin and multiple Commissioners regarding the following:

- The timeframe on a vote from the Newington Commons Homeowners Association to integrate into the new community;
- The number of homes within the Newington Commons community; and
- Whether the proposed design of the residential development was consistent with the Newington Commons residential community.

There were no further speakers, no speakers from the audience, no further comments or questions from the Commission, and staff had no closing remarks; therefore, Chairman Murphy

closed the public hearing and recognized Commissioner Sargeant for actions on these applications.

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Commissioner Sargeant MOVED THE FOLLOWING:

- THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2020-MV-017 AND ITS ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE PROFFERS DATED SEPTEMBER 9, 2021; AND
- THE PLANNING COMMISSION APPROVE FDP 2020-MV-017, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 21, 2021.

Commissioner Cortina seconded the motions, which carried by a vote of 10-0. Commissioner Spain was not present for the vote. Commissioner Clarke was absent from the meeting.

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The meeting was adjourned at 10:41 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 23, 2022

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 4 day of March 20 22, by
Jacob Caporaletti.

Doreen M. Steel

Signature of Notary

Notary Seal



Notary registration number: 7114113

Commission expiration: January 31, 2024