

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 17, 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
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 7:35 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

Commissioner Ulfelder announced the Planning Commission's Land Use Process Review Committee would meet on Thursday, November 18, 2021, at 7:30 p.m. in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035 to discuss potential revisions of the public facilities section of the Comprehensive Plan.

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Commissioner Niedzielski-Eichner announced that Commissioner Bennett, Commissioner Carter, Commissioner Lagana, and himself, joined staff's weekly meeting of the Tysons Core Team. John and Lynn Colby gave a presentation on a number of issues regarding the ease of access by disabled persons in the Tysons area. Concerns were raised for Urban Design Standards and noncompliance with, and lack of enforcement of, the American Disabilities Act. All attending Commissioners addressed Mr. and Mrs. Colby's concerns. Commissioner Niedzielski-Eichner stated his commitment to convene a meeting in early 2022 to hear from Mr. and Mrs. Colby and receive an update from staff regarding actions to address their concerns.

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Commissioner Niedzielski-Eichner announced that the Tysons Committee would meet on Thursday, December 9, 2021, at 7:30 p.m. in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035 to hear from Deputy County Executive Rachael Flynn on the topic of placemaking, specifically the three

legged stool of land use, transportation, and economic development. Commissioner Niedzielski-Eichner added that this meeting would set the stage to discuss the urban design standards as it applied to Tysons and other parts of the County.

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Commissioner Strandlie announced that the Schools Committee meeting that was scheduled for Thursday, November 18, 2021, at 7:30 p.m., in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, was postponed to January 20, 2021. Liaisons from the School Board were unavailable to meet on November 18, 2021.

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Commissioner Cortina announced that the Transportation Committee would meet on Thursday, December 9, 2021, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. A presentation would be made by staff regarding Active Fairfax, a County proposal for pedestrian and bicycle safety.

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ORDER OF THE AGENDA

Commissioner Sargeant established the following order of the agenda:

1. AR 87-S-003-04 - COX-RICHARD FAMILY FARM, LLLP AND AARON COX-LEOW AND MARIA COX-LEOW
2. PCA 2004-PR-044-03/FDPA 2004-PR-044-02 - TYSONS CORNER HOLDINGS, LLC AND TYSONS CORNER PROPERTY HOLDINGS, LLC
3. RZ 2018-MV-005 - IDI HUNTINGTON, L.C.

This order was accepted without objection.

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AR 87-S-003-04 - COX-RICHARD FAMILY FARM, LLLP AND AARON COX-LEOW AND MARIA COX-LEOW – Appl. authorized by Chapter 115 (County Code), effective June 30, 1983, to permit renewal of a previously approved agricultural and forestal district. Located at 15621 and 15623 Braddock Rd., Centreville, 20120. on approx. 114.05 ac. of land zoned R-C and WS. Tax Map 43-1 ((1)) 13Z, 17Z, 18 Z1, 18 Z2, 18Z3, 18 Z4 and 19Z. SULLY DISTRICT. PUBLIC HEARING.

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

COX-RICHARD FAMILY FARM, LLLP AND AARON COX-LEOW AND MARIA COX-LEOW

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Commissioner Spain MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF AR 87-S-003-04 AND THAT APPENDIX F OF THE FAIRFAX COUNTY CODE BE AMENDED TO RENEW THE COX LOCAL AGRICULTURAL AND FORESTAL DISTRICT, SUBJECT TO THE PROPOSED ORDINANCE PROVISIONS DATED NOVEMBER 3, 2021.

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

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PCA 2004-PR-044-03/ FDPA 2004-PR-044-02 - TYSONS CORNER HOLDINGS LLC, TYSONS CORNER PROPERTY HOLDINGS LLC – Appls. to amend the proffers, conceptual, and final development plan for RZ 2004-PR-044 previously approved for mixed-use to permit vehicle sales and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 1.76. Located E. of International Dr., S. of Chain Bridge Rd., N. of Leesburg Pike and W. of the Capital Beltway on approx. 77.63 ac. of land zoned PDC, HC and SC. Comp. Plan Rec: mixed-use. Tax Map 29-4 ((1)) 35A, 35C, 35D, 35E and 35F; 39-2 ((1)) 2, 4 and 5. PROVIDENCE DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Brian J. Clifford, Applicant's Agent, DLA Piper LLP (US), reaffirmed the affidavit dated October 7, 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 RZ 2021-DR-006 and FDP 2021-DR-006.

Mr. Clifford gave a presentation on the subject applications.

There was a discussion between Mr. Onyebuchi; Catherine Lewis, Zoning Evaluation Division, Department of Planning and Development; and multiple Commissioners regarding the following:

- The total number of tenants that occupied the Tysons mall corridor;
- Whether the proposed parking spaces at the site were designated parking; and
- The Planned Tysons Corner District parking rates and requirements for the Tysons Corner mall.

The discussion resulted in no changes to 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 Niedzielski-Eichner for actions on these applications.

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Commissioner Niedzielski-Eichner MOVED THE FOLLOWING:

- THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2004-PR-044-03, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED OCTOBER 27, 2021; AND
- THE PLANNING COMMISSION APPROVE FDPA 2004-PR-044-02, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 15, 2021.

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

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RZ 2018-MV-005 - IDI HUNTINGTON, L.C. – Appl. to rezone from R-20 to PRM to permit mixed use development with an overall Floor Area Ratio (FAR) of 3.21. CDP only. Located on the S. side of Huntington Ave., N. side of North Kings Hwy., E. of Kathryn St. and W. side of Huntington Metro Station on approx. 19.01 ac. of land. Comp. Plan Rec: 16-20 du/ac with an option for mixed use up to 3.5 FAR. Tax Map 83-1 ((23)) Units 1-364. MOUNT VERNON DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Mark C. Looney, Applicant's Agent, Cooley LLP, reaffirmed the affidavit dated October 14, 2021.

Catherine Lewis, Zoning Evaluation Division, Department of Planning and Development, presented the staff report, a copy is in the date file. She stated staff recommended approval of RZ 2018-MV-005.

There was a discussion between Ms. Lewis; Mr. Looney; Andrea Dorlester, Planning and Development, Park Authority; Mark Dreyfuss, Fairfax County Department of Transportation; Aaron Klibaner, Planning and Zoning, Department of Planning and Development; Rossman P. Irwin, III, Huntington Club, Condominium Unit Owners' Association, Inc.; and multiple Commissioners regarding the following:

Access to the Metro station from the proposed site;

- The construction and delivery of mixed office and hotel uses at Land Bay G;
- The breakdown between rental versus ownership for the 1,410 multi-family dwelling units in the proposed mid to high-rise buildings;
- Whether tenants occupied the purchased 226 units;
- The applicant's plan to relocate the renter occupied tenants during the construction of Phase 1 of the project;
- Accommodations made by the applicant to manage the topography of the property to assist residents of the continuing care facility to facilitate access to the on-site retail uses parks, amenity spaces, and the Metro station;
- Whether the Architectural Review Board was interested in recording, keeping track of, and studying the proposed project;
- The applicant's justification for providing offsite workforce dwelling units as part of the proposed project;
- The location of the workforce and affordable dwelling units at the site;
- The status of the geotechnical study for the proposed development;
- Whether the retaining walls were structural in design;
- The various heights of the retaining walls;
- Whether the park space accommodated the proposed higher density;
- The reasons for the Park Authority's request for an interim park space;
- The applicant's commitment to include an additional traffic preemption device at the site;
- Affordable housing commitments in conjunction with providing access to the transit area Metro stations;
- The reasons for the following comment from staff on Page 40, Fairfax County Sanitary Sewer of Appendix 14:
 - "Staff continues to recommend that the applicant evaluate the impact of the proposed development on the existing sanitary sewers during evaluation of the rezoning. However, the applicant has chosen to address this issue during site plan review."

- The applicant's definition of maximized density in relation to the proposed site;
- The Huntington Club Condominium Unit Owners' Association termination and relocation program;
- The applicant's intent to install historical markers along Huntington Avenue; and
- The Huntington Club Condominium Unit Owners' Association's correspondence that addressed concerns regarding the infrastructure associated with the project.

Chairman Murphy called the first listed speaker.

Tamara Srader, 5829 Biscayne Drive, Alexandria, representing the Huntington Community Association, supported the proposed development. A copy of Ms. Srader's YouTube video is available upon request through the Fairfax County Department of Cable and Consumer Services, Communications Productions, (Channel 16).

Catherine Ledec, 2440 Huntington Park Drive, Alexandria, representing Pavilions at Huntington Metro Community Association, addressed concerns regarding the proposed development. A copy of Ms. Ledec's statement is in the date file.

Commissioner Niedzielski-Eichner asked Commissioner Clarke whether he intended to consider the Pavilions at Huntington Metro Community Association's recommendations and whether his intent was to defer the decision only on the application. Commissioner Clarke stated he met with Ms. Ledec and his intent was to defer the decision only on the application to a later date.

Katherine Ward, 1029 Gladstone Place, Alexandria, representing the Mount Vernon Council of Citizens Associations, addressed concerns regarding the proposed development. A copy of Ms. Ward's statement is in the date file.

There being no more speakers, Chairman Murphy called for a rebuttal from Mr. Looney who stated the following:

- The applicant's commitment to work with Commissioner Clarke and staff to construct a proffer that addressed traffic concerns;
- Regarding the tree cover issue, there was no waiver the Board of Supervisors could grant under the ordinance for deviations from the applicable tree preservation policies; and
- The planting schedule was referenced on the landscape sheets within the plan, which included a planting list of potential plants that could be added to the site.

There was a discussion between Ms. Lewis, Mr. Looney and Commissioner Cortina regarding the waiver request for the tree preservation requirement at the proposed site.

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 DEFER THE DECISION ONLY ON RZ 2018-MV-005 TO A DATE CERTAIN OF DECEMBER 1, 2021, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Lagana seconded the motion, which carried by a vote of 11-0. Commissioner Spain was not present for the vote.

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The meeting was adjourned at 9:59 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 2022, by
Jacob Caporaletti.

Timothy M. Sargeant
Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

