

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, DECEMBER 8, 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 7:32 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

CSP 2020-PR-008 – WESTPARK CORPORATE CENTER, L.L.C.

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON CSP 2020-PR-008 TO A DATE CERTAIN OF JANUARY 19, 2022.

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

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PCA 93-H-004-02/CDPA 93-H-004/FDPA 93-H-004-02-01 – WS-ADW OWNER, LLC

Commissioner Carter MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON PCA 93-H-004-02, CDPA 93-H-004, AND FDPA 93-H-004-02-01 TO A DATE CERTAIN OF MARCH 9, 2022.

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

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PCA 2003-PR-022-2/CDPA 2003-PR-022/FDPA 2003-PR-022-02 –
PULTE HOME COMPANY, LLC

(Decision Only) (Public Hearing on this application was held on November 3, 2021)

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING:

- OF PCA 2003-PR-022-2 AND ITS ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, CDPA 2003-PR-022, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED DECEMBER 6, 2021, WITH THE ADDITIONAL PROFFER CHANGES IDENTIFIED IN A DOCUMENT ENTITLED METRO WEST PROFFER ADDITIONAL MODIFICATIONS, DATED DECEMBER 8, 2021;
- ALL WAIVERS AND MODIFICATIONS APPROVED WITH RZ 2003-PR-022;
- WAIVER OF PARAGRAPH 3 OF SECTION 13-203 OF THE ZONING ORDINANCE REQUIRING PERIPHERAL PARKING LOT LANDSCAPING; AND
- APPROVAL OF FDPA 2003-PR-022-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 19, 2021.

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

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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.

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Commissioner Cortina announced that the Transportation Committee would meet on Thursday, December 9, 2021, at 8:30 p.m. 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 Transportation Plan, a County proposal for pedestrian and bicycle safety.

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MINUTES APPROVAL – JULY 2021

Commissioner Sargeant MOVED APPROVAL OF THE MEETING MINUTES FOR THE FOLLOWING MEETINGS:

- JULY 14, 2021;
- JULY 21, 2021; AND

- JULY 28, 2021

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

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Commissioner Murphy recognized and thanked the staff of the Planning Commission for their service to the Commission.

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ORDER OF THE AGENDA

Commissioner Sargeant established the following order of the agenda:

1. FDPA 2016-HM-007-05 – JACO ACQUISITION, LLC
2. RZ/FDP 2021-SU-003 CONCURRENT WITH PCA 85-S-061-07/PCA 78-S-063-11 – PARKSTONE TECH PARK, LLC

This order was accepted without objection.

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FDPA 2016-HM-007-05 – JACO ACQUISITION, LLC – Appl. to amend the final development plan for RZ 2016-HM-007 to permit residential and retail uses and associated changes to development conditions. Located on the W. side of Reston Pkwy. between Sunrise Valley Dr., and Dulles Airport Access and Toll Rd. on approx. 4.32 ac. of land zoned PDC. Tax Map 17-3 ((8)) 1C4 (pt.). HUNTER MILL DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

David R. Gill, Esq., Applicant’s Agent, Wire Gill LLP, reaffirmed the affidavit dated October 18, 2021.

Katelyn Quinn, 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 FDPA 2016-HM-007-05.

Mr. Gill gave a presentation on the subject application.

Commissioner Carter made preliminary comments on the subject 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 Carter for actions on this application.

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Commissioner Carter MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 2016-HM-007-05, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 23, 2021.

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

There was a discussion between Mr. Gill; Duncan Q. Jones, Applicant, JACO Acquisitions, LLC; and multiple Commissioners regarding the following:

- The commencement date for the first phase of the proposed project;
- The monitoring process of self-driving cars from the Metro station to the existing office building;
- The types of wood frame structures used on the Brookfield building west of the site;
- Whether the proposed development was in conformance with the new building codes; and
- The cost of stick framing versus construction framing for a residential site.

The discussion resulted in no changes to the application.

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RZ/FDP 2021-SU-003 - PARKSTONE TECH PARK, LLC - Appls. to rezone from I-3, WS and AN to PDC, WS and AN to permit office or data center development with an overall Floor Area Ratio (FAR) of 0.6 and approval of the conceptual and final development plan. Located on the W. side of Parkstone Dr. and S. side of Conference Center Dr. on approx. 18.91 ac. of land. Comp. Plan Rec: Mixed Use. Tax Map 43-4 ((6)) 27 and 37A. (Concurrent with PCA 85-S-061-07 and PCA 78-S-063-11). SULLY DISTRICT. PUBLIC HEARING.

PCA 85-S-061-07 - PARKSTONE TECH PARK, LLC – Appl. to amend the proffers for RZ 85-S-061 previously approved for office uses to permit deletion of land area and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.60. Located on the W. side of Parkstone Dr. and S. side of Conference Center Dr. on approx. 14.94 ac. of land zoned I-3, WS and AN. Comp. Plan Rec: Mixed Use. Tax Map 43-4 ((6)) 27(pt.) and 37A. (Concurrent with RZ/FDP 2021-SU-003 and PCA 78-S-063-11). SULLY DISTRICT. PUBLIC HEARING.

PCA 78-S-063-11 - PARKSTONE TECH PARK, LLC – Appl. to amend the proffers for RZ 78-S-063 previously approved for office uses to permit deletion of land area and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.60. Located on the W. side of Parkstone Dr. and S. side of Conference Center Dr. on approx. 3.97 ac. of land zoned I-3, WS and AN. Comp. Plan Rec: Mixed Use. Tax Map 43-4 ((6)) 27 (pt.). (Concurrent with RZ/FDP 2021-SU-003 and PCA 85-S-061-07).
SULLY DISTRICT. PUBLIC HEARING.

Commissioner Sargeant disclosed he was employed by Dominion Energy and while the company was not identified as a primary service provider for the proposed additional use, he recused himself from the vote out of an abundance of caution.

Scott E. Adams, Applicant's Agent, McGuireWoods LLP, reaffirmed the affidavit dated August 11, 2021.

Sharon Williams, Zoning Evaluation Division, Department of Planning and Development, presented the staff report, a copy is in the date file. She stated staff recommended denial of RZ 2021-SU-003, FDP 2021-SU-003, PCA 85-S-061-07, and PCA 78-S-063-11.

Mr. Adams gave a presentation on the subject applications.

There was a discussion between Ms. Williams; Mr. Adams; Joseph J. Duda, Applicant's Agent, Parkstone Tech Park, LLC; and multiple Commissioners regarding the following:

- Whether the applicant was firm on their position regarding the location of the four mechanical switchgear boxes, which were outside the security fence located at the site;
- The location of the mechanical switchgear boxes in proximity to the church and whether there was a buffer between the church and Braddock Road;
- Whether staff's denial of the applications was a contingent denial or subject to an alternative recommendation;
- The purpose of a buffer in context to the proposed development;
- Staff's explanation on why the alternative standards did not provide flexibility or appropriate alternatives to allow for a recommendation of approval on the applications;
- The two criterias not met by the applicant for the proposed site;
- Staff's recommendation on an alternative location to house the four mechanical switchgear boxes;

- A pathway for electrical power to reach the mechanical switchgear boxes at an alternate location;
- Whether the proposed fiber optic cabling was part of the two proposed buildings' technical operations;
- Whether fiber optic cabling existed at the proposed site;
- The applicant's plan to maintain the Leadership in Energy and Environmental Design (LEED) certification;
- The different phases to obtain a LEED certification; and
- The applicant's commitment to perform third party inspections at the proposed site in order to maintain a LEED certification.

The discussion resulted in a request for additional time to mitigate the aforementioned issues of concern that would result in a consensus for a recommendation of approval.

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 Spain for action on these applications.

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Commissioner Spain MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ 2021-SU-003, FDP 2021-SU-003, CONCURRENT WITH PCA 85-S-061-07, AND PCA 78-S-063-11, TO A DATE CERTAIN OF JANUARY 19, 2022.

Commissioner Niedzielski-Eichner seconded the motion, which carried by a vote of 11-0. Commissioner Sargeant recused himself from the vote.

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The meeting was adjourned at 9:09 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.

[Signature]

Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

