

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JANUARY 19, 2022**

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

ABSENT: Andres Jimenez, Commissioner At-Large

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The meeting was called to order at 7:33 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

Chairman Murphy announced that the election of officers for the various Planning Commission Committees would be held at the Planning Commission meeting on Wednesday, January 26, 2022. Chairman Murphy added that committee preference sheets would be circulated at a later date.

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Chairman Murphy announced that the deadline for submission of the Statement of Economic Interest disclosure forms for Planning Commissioners was Tuesday, February 1, 2022.

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Commissioner Strandlie announced that the Schools Committee meeting would be held on Thursday, December 20, 2022, at 7:30 p.m., in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, to discuss Fairfax County Public Schools outreach process for 2232 applications.

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Commissioner Ulfelder announced that the Planning Commission's Land Use Process Review Committee would meet on Thursday, January 20, 2022, at 8:30 p.m. in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia

22035 to discuss the results of the survey and processes in place for Site-Specific Plan Amendment applications.

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Commissioner Sargeant announced the Planning Commission received minutes for September, October, November, and December of 2021, and he intended to move the approval of those minutes at the February 23, 2022 meeting.

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RZ/FDP 2021-SU-003 CONCURRENT WITH PCA 85-S-061-07/PCA 78-S-063-11 – PARKSTONE TECH PARK, LLC

(Decision Only) (Public Hearing on this application was held on December 8, 2021)

Commissioner Spain MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING ACTIONS:

- APPROVAL OF RZ 2021-SU-003, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED JANUARY 18, 2022;
- APPROVAL OF PCA 85-S-061-07;
- APPROVAL OF PCA 78-S-063-11; AND
- APPROVAL OF THE FOLLOWING WAIVERS AND MODIFICATIONS DATED JANUARY 19, 2022.

Commissioner Niedzielski-Eichner seconded the motions, which carried by a vote of 10-0. Commissioner Jimenez was absent from the meeting. Commissioner Sargeant recused himself from the vote.

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RZ 2021-LE-007/SE 2021-LE-005 - SHEEHY LOISDALE PROPERTY, LLC

(Decision Only) (Public Hearing on this application was held on January 12, 2022)

Commissioner Lagana MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING ACTIONS:

- APPROVAL OF RZ 2021-LE-007, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED JANUARY 14, 2022; AND
- APPROVAL OF SE 2021-LE-005, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED DECEMBER 21, 2021.

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

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ORDER OF THE AGENDA

Commissioner Sargeant established the following order of the agenda:

1. ZONING ORDINANCE AMENDMENT – MINOR AND EDITORIAL REVISIONS
2. CSP 2020-PR-008 – WESTPARK CORPORATE CENTER, L.L.C.
3. RZ 2021-LE-015/SE 2021-LE-010 – AMAZON DATA SERVICES, INC.
4. RZ/FDP 2021-MV-008 – LMC ALEXANDRIA CROSSING HOLDINGS, LLC

This order was accepted without objection.

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ZONING ORDINANCE AMENDMENT – MINOR AND EDITORIAL REVISIONS – a public hearing on the matter of an amendment to Chapter 112.1 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows:

- (1) Correct typographical errors, correct or add cross references, and make other minor editorial revisions.
- (2) Restore the standard for the PCC District that requires a nonresidential use permit (“NonRUP”) to be issued for a continuing care facility before a NonRUP may be issued for any secondary use.
- (3) In the additional standards for the Wellington Historic Overlay District, replace the term “yards” with “setbacks.”
- (4) In the R-A District regulations, clarify that open space may occupy 75% of lot area and delete the requirement that a single-family dwelling be allowed only in conjunction with an agricultural operation.
- (5) Delete swimming pools as an example of an accessory structure that may have a higher fence or wall as an integral part of the structure.
- (6) Allow a fence or wall that is an integral part of an electric substation to exceed the maximum allowed fence or wall height in Table 4102.4.
- (7) Revise 4102.7.A.8(c) to state that gates and gateposts that are taller than four feet must not exceed 15 percent of the width of the lot.

- (8) Clarify that a special permit may not allow customers or clients for general retail sales or small-scale production uses with a home-based business.
- (9) Revise the standards for the keeping of animals in 4102.7.J to: a) clarify that keeping more than four animals for a fee that are not owned by the resident is considered a kennel or animal shelter; b) clarify that the types of animals allowed may not be modified by special permit; and c) add animal shelter as an activity that may not be approved as an accessory use under the keeping of animals provisions.
- (10) Clarify the applicable rear yard setback for existing single-family dwellings in the R-E through R-8 Districts and additions to those dwellings.
- (11) Add stacked townhouses to the ADU calculation in 5101.4.D(3) when the Comprehensive Plan recommendation is based on floor area ratio or square footage.
- (12) Replace the heading “Light Poles” with “Light Fixtures” in 5109.3.C .
- (13) Clarify the type of materials that apply to surfaced area in the front yard in the R-1 through R-4 Districts.
- (14) Restore the 10-day appeal period for the parking of inoperative motor vehicles in 8100.10.A(2)(b).
- (15) Revise the special permit plat submission requirements in 8101.3.E for a home-based business and for an increase in height or cumulative square footage of a freestanding accessory structure.
- (16) Specify that “may not” indicates a prohibition.
- (17) Specify that the definition of building height applies to principal buildings.
- (18) Delete “and public streets” from the definition of setback.
- (19) Add providing residential and nonresidential use permits, if requested, to the definition of a zoning compliance letter.
- (20) In the definition of office, delete “of commercial entities” and add administrative “activities.”. COUNTYWIDE. PUBLIC HEARING.

Carmen Bishop, Zoning Administration Division, Department of Planning and Development, presented the staff report, a copy is in the date file. She stated staff recommended adoption of the proposed amendment.

There was a discussion between Ms. Bishop and multiple Commissioners regarding the following:

- Staff's level of outreach with various community groups for the proposed amendment;
- Questions and comments received by staff from the community regarding changes to the proposed amendment; and
- Available resources to staff that triggered awareness of amendments that should be made to the Zoning Ordinance.

The discussion resulted in no changes to the proposed amendment.

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 Bennett for actions on this amendment.

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Commissioner Bennett MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED ZONING ORDINANCE AMENDMENT TO CHAPTER 112.1 FOR MINOR AND EDITORIAL REVISIONS, AS SET FORTH IN THE STAFF REPORT DATED DECEMBER 7, 2021, TO INCLUDE THE FOLLOWING ADDITIONAL CHANGES:

- UNDER ITEM NUMBER 4 OF THE PROPOSED TEXT, REPLACE "GRANTED" WITH "ISSUED" IN NEW SUBSECTION 2105.7.C, TO READ: "A NONRESIDENTIAL USE PERMIT FOR A SECONDARY USE MAY NOT BE ISSUED UNTIL A NONRESIDENTIAL USE PERMIT FOR THE CONTINUING CARE FACILITY HAS BEEN APPROVED";
- UNDER ITEM NUMBER 15 OF THE PROPOSED TEXT, ADD "FOR A FEE" TO THE PROPOSED LAST SENTENCE OF SUBSECTION 4102.7.J(1), TO READ: "THE KEEPING, FOR A FEE, OF MORE THAN FOUR COMPANION ANIMALS NOT OWNED BY THE RESIDENT IS A KENNEL OR ANIMAL SHELTER"; AND
- THE AMENDMENT BECOME EFFECTIVE AT 12:01 A.M., THE DAY FOLLOWING ADOPTION.

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

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CSP 2020-PR-008 - WESTPARK CORPORATE CENTER, L.L.C. -
Appl. approval of a Comprehensive Sign Plan associated with RZ
2020-PR-008. Located on the N. side of Westpark Dr. and E. side of
Leesburg Pike on approx. 4.41 ac. of land zoned PDC, HC and SC.
Tax Map 29-3 ((1)) 66A3 and 66A4. PROVIDENCE DISTRICT.
PUBLIC HEARING.

Mary Ann Tsai, 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 CSP 2020-PR-008.

David Gill, Applicant's Agent, Wire Gill LLP, gave a presentation on the subject application.

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

- The staff's opposition to the proposed location of the A2 sign;
- Staff's proposed alternative locations for the placement of the A2 sign;
- The applicant's opposition to proposed alternative locations for the A2 sign;
- The applicant's agreement to place the proposed sign north of Westpark Drive;
- The length of time the McCormick's & Schmick's Seafood & Steaks restaurant space located at the Westpark Corporate Center sat unoccupied;
- The percentage of the Westpark Corporate Center office space that was unoccupied;
- Paragraph 8 of the proposed development conditions that prohibited the placement of sign A2, as shown on the Comprehensive Sign Plan; and
- The applicant's disagreement to including Paragraph 8 as part of the proposed development conditions.

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 Niedzielski-Eichner for action on this application.

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Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON CSP 2020-PR-008 TO A DATE CERTAIN OF JANUARY 26, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

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

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RZ 2021-LE-015/SE 2021-LE-010 - AMAZON DATA SERVICES INC. – Appl. to rezone from C-3 to I-5 to permit data center with an overall Floor Area Ratio (FAR) of 0.23. Located on the E. side of Loisdale Rd. and N. side of Newington Rd. on approx. 23.59 ac. of land. Comp. Plan Rec: Industrial. Tax Map 99-2 ((1)) 7A and 8. (Concurrent with SE 2021-LE-010). LEE DISTRICT. PUBLIC HEARING.

Commissioner Sargeant disclosed he was employed by Dominion Energy, and he recused himself from the vote out of an abundance of caution.

Lynne J. Strobel, Applicant’s Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavits dated January 4, 2022.

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 2021-LE-015 and SE 2021-LE-010.

Ms. Strobel gave a presentation on the subject applications.

There was a discussion between Ms. Lewis; Kelly Atkinson, Planning Division, Department of Planning and Development; Ms. Strobel; Jason ("Jay") P. Reinke, Applicant’s Agent, Amazon Data Services, Inc.; Kyle T. Bollinger, Applicant’s Engineer, Kimley-Horn and Associates, Inc.; and multiple Commissioners regarding the following:

- The white noise generated from the fans at the proposed data center that would impact the local residential community;
- The ambient temperature at which the proposed data center would operate;
- The timeframe in which the applicant would conduct and submit the results of a noise study for review that addressed the noise generated by the data center;
- The applicant’s reasoning for meeting just the minimum requirement for Leadership in Energy and Environmental Design (LEED) Certification;

- Proffer 6. Green Building Commitment, B. (ii). The applicant's reasoning for adding language that addressed the option for a third-party, LEED-accredited subcontractor as an additional option for LEED certification inspection for the proposed facility;
- The available market for the types of construction firms that could construct the proposed data center;
- Proffer 6. Green Building Commitment, E. The escrow amount being proffered as payment and the triggers in place, should the applicant not meet the LEED certification requirements for the proposed facility;
- The applicant's reservations for not constructing a paved trail along Newington Road;
- The dollar escrow amount proposed by the applicant for the full construction of the trail;
- The LEED certification third-party procedure versus that of the standard LEED certification;
- Security issues that surrounded LEED certifications;
- The applicant's reasoning for not constructing a left turn exit from the site;
- The applicant's proposed stormwater management provisions for the proposed site;
- The applicant's intent to modify the existing wet pond, located at the site to the current stormwater design which would include the instillation of two bioretention areas;
- The reason for the applicant's request for a stormwater determination letter;
- The applicant's commitment to revisit the option of obtaining a LEED Silver Certification;
- Recap of security and proprietary issues considered when obtaining a LEED certification for data centers;
- The applicant's commitment to 2% of the proposed parking spaces for Level 2 electric vehicle charging stations;
- The location of the two overhead electric transmission lines in relation to the proposed facility; and
- Whether the applicant met with Loisdale Estates community regarding the proposed development.

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 Lagana for action on these applications.

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Commissioner Lagana MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ 2021-LE-015 AND SE 2021-LE-010 TO A DATE CERTAIN OF JANUARY 26, 2022, WITH THE RECORD REMAINING OPEN FOR PUBLIC COMMENT.

Commissioner Clarke seconded the motion, which carried by a vote of 10-0. Commissioner Jimenez was absent from the meeting. Commissioner Sargeant recused himself from the vote.

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RZ/FDP 2021-MV-008 - LMC ALEXANDRIA CROSSING HOLDINGS, LLC – Appls. To rezone from C-8, C-6, R-4, HC and CRD to PRM, HC and CRD to permit residential development with a Floor Area Ratio (FAR) of 2.5 inclusive of ADUs and WDUs and approval of the conceptual and final development plan. Located on the E. side of Richmond Hwy., N. side of Shields Ave., S. of Quander Rd. on approx. 7.61 ac. of land. Comp. Plan Rec: Alternative uses (southern half); and 3-4 dwelling units/acre (northern half). Tax Map 83-3 ((1)) 34, 36, 37, 38, 40, 41, 41A, 42, 44; 83-3 ((8)) B, C, 1; 83-3 ((22)) A, B, 2, 2A and a 0.3108-acre portion of right-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Quander Rd. to proceed). MOUNT VERNON 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 January 4, 2022.

Joanne Fiebe, Office of the Deputy Director, Department of Planning and Development, presented the staff report, a copy is in the date file. She stated staff recommended approval of RZ 2021-MV-008 and FDP 2021-MV-008.

Ms. Strobel gave a presentation on the subject applications.

There was a discussion between Ms. Fiebe; Catherine Lewis, Zoning Evaluation Division, Department of Planning and Development; Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Development; Samantha Hudson, Fairfax County Park Authority; Jeremy Ko, Transportation Planning Division, Fairfax County Department of Transportation; Joseph Gorney, Planning Division, Department of Planning and Development; Ms. Strobel; Nick Georges, Bohler Engineering VA, LLC; Gregory J. Ellwood, Bohler Engineering VA, LLC; and multiple Commissioners regarding the following:

- References made to Sheet C-7 of the Conceptual Development Plan and Final Development Plan Plat, accessibility to the proposed site and accommodations made for persons with disabilities;
- The percentage of proposed dwelling units constructed that were Americans with Disabilities Act (ADA) compliant;
- Details in the Comprehensive Plan that addressed redevelopment for parcels south of the proposed site;
- The applicant's outreach to communities along Quander Road, Penn Daw Terrace Trailer Park, and Spring Bank;
- Mitigation measures in place that would provide minimum impact to the Penn Daw Terrace Trailer Park community;
- The community's access to the on-site linear park areas and recreation facilities;
- Public access to a small dog park which would be located outside of the building;
- Construction of a bi-directional cycle track in front of the proposed development and how that track integrated with the Urban Plaza that was within the U.S. Route No. 1/Richmond Highway corridor;
- Whether the existing overhead power lines running through the applicant's property along the frontage of U.S. Route No. 1/Richmond Highway would be relocated underground;
- The total number of frontage and onsite power lines being relocated underground;
- Whether the applicant had further discussions with staff regarding the number of units for workforce dwelling versus affordable dwelling housing;
- Secured on-site parking measures that would accommodate residents of the proposed development;
- Recap of the applicant and staff's outreach to the owner of the Penn Daw Terrace Trailer Park and its renters regarding the proposed development;
- The Department of Public Works and Environmental Services' memorandum, dated November 29, 2021, that addressed the lack of capacity in the existing sanitary sewers and their recommendation that the applicant include proffer language to mitigate this issue;

- The applicant’s reluctance to include open-ended proffer language, as requested by Department of Public Works and Environmental Services, Sanitary Sewer memorandum, dated November 29, 2021, that addressed capacity and sewage flow at the proposed site;
- Suggestion that proffer language be added to include the cost of parking to the cost of the housing to meet the requirements for the working force dwelling affordability index;
- The width of the proposed townhomes to be constructed;
- Coordinated efforts between staff from Zoning Evaluation Division, Department of Planning and Development, Department of Public Works and Environmental Services, and the development community on the appropriate timeframe in which studies were conducted for Countywide applications to address sewer capacity issues, the differences between local and trunk sewer pipelines, the responsible parties for maintenance, and mitigation measures of future issues;
- Reference made to a joint Board of Supervisors matter brought forth between Supervisors Pat Herrity and Penelope A. Gross, dated October 5, 2021, that directed staff to conduct the following:
 - “Prepare a report to the Board summarizing how the County monitored the sanitary sewer network to determine when individual service areas or line segments reached or would reach their theoretical or actual capacity limits;
 - How many such service areas or line segments were at or above their theoretical or actual capacity limits and their locations in the County;
 - How the County prioritized upgraded to existing sewer lines that reached or exceeded their capacity limits;
 - The status of upgrades the County made or intended to make using capital funds; and
 - The policy currently being used for developer expanded sewer lines.”
- The applicant’s contributions to the Fairfax County Park Authority for the off-site park improvements at the Fairchild and or Quander parcels;
- Streetscape configurations and improvements along the U.S. Route No. 1/Richmond Highway corridor;
- Discussions between the applicant and staff regarding improvements to the grid of streets, the location of the livability spine that would act as alternative streets to the U.S. Route No. 1/Richmond Highway, and a consensus regarding the proposed layout for the site; and

- Proposed mitigation measures that would address stormwater management control issues at the proposed site.

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.

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

Katherine Ward, 1029 Gladstone Place, Alexandria, representing the Mount Vernon Council of Citizens Associations (MVCCA), supported the proposed redevelopment and stated the following:

- MVCCA supported the proposed redevelopment since it was nominated for changes in the Comprehensive Plan process in the year 2009;
- The developer proposed a quality project that met the needs of the U.S. Route No. 1/Richmond Highway corridor;
- MVCCA was satisfied with the undergrounding of utilities for the existing overhead power lines at the site;
- MVCCA supported the affordable dwelling and workforce dwelling unit structure proposed;
- MVCCA appreciated the proposed proffers to the Fairfax County Park Authority for the Fairchild and or Quander parcels;
- MVCCA was pleased that the Fairfax County Park Authority would take possession of the Fairchild and or Quander parcels in the near future and appreciated the use of the proffered funds to create public parks at those locations; and
- The issues surrounding infrastructure capacity was a Countywide issue and should not deter the recommended approval of the proposed rezoning.

Josh Delmonico, 6613 Oak Drive, Alexandria, representing the Spring Bank Citizens Association, supported the proposed redevelopment and stated the following:

- The Spring Bank community comprised of 243 homes was located southeast of the proposed redevelopment;
- The Spring Bank Citizens Association was part of the Mount Vernon Council of Citizens Association and worked in tandem with the developer, the community, Supervisor Daniel G. Storck's office, Fairfax County Park Authority, and staff for a recommendation of approval; and

- The proposed redevelopment was in line with the vision of the Embark Richmond Highway plan for the area.

Timothy Fenton, P.O. Box 2236, Middleburg, supported the proposed redevelopment and stated the following:

- Worked with Fairfax County to get his property redeveloped and participated in several master plan revisions, which included the Embark Richmond Highway plan;
- Worked with other stakeholders, which included the Mount Vernon Council of Citizens Association; Southeast Fairfax Development Corporation, County planning staff, Spring Bank Citizens Association and former Supervisor Gerry Hyland and Supervisor Daniel G. Stock's office;
- Supported LMC Alexandria Crossing Holdings, LLC as the developer of the proposed redevelopment;
- Appreciated the applicant and staff's work on the application and the compromises made to meet the standards set forth in the Embark Richmond Highway plan; and
- The framing of the Penn Daw Community Business Center encouraged future high-density development.

Peter Appel, 6927 Churchill Road, McLean, addressed the following concerns:

- The proposed development created a landmass of zoning around one of the owned parcels and the Quander Road parcel;
- Spoke with staff and the developer regarding concerns with the proposed redevelopment;
- Legal notification of the rezoning was not sent to the correct address; and
- Was not concerned with the concept of the redevelopment, but rather the landmass of zoning being created that surrounded other parcels.

Commissioner Clarke asked whether Mr. Appel was familiar with the Mount Vernon Council of Citizens Association, and whether he attended any of their meetings. Mr. Appel stated that he did not attend any of the meetings held by the association.

Commissioner Niedzielski-Eichner complemented Mr. Delmonico on his statement regarding his interactions with the developer and staff. Commissioner Niedzielski-Eichner asked Mr. Delmonico to clarify his comments regarding changes made to the application based on the feedback from his community. Mr. Delmonico stated that Spring Bank Citizens Association supported the idea of investing proffers locally in the development of parks and embraced the

Embark process. He added that the community met with the developer and provided overall input on their plan, specifically future development of the Fairchild and or Quander parcels.

There being no further speakers, Chairman Murphy asked for a rebuttal statement from Ms. Strobel who stated the following:

- In September of 2021, the applicant sent legal notices to owners of parcels on Quander Road and conducted outreach to those individuals;
- The address of the legal notice sent to Mr. Appel was obtained from the tax assessment records, which referenced an address on Quander Road, but Mr. Appel's physical address was located in McLean;
- The applicant acknowledged Mr. Appel owned Parcel C, which was vacant, and was located at the rear of the proposed redevelopment; therefore, a legal notice of the redevelopment was not sent to the vacant lot;
- The applicant confirmed no wall existed next to Mr. Appel's property; and
- The applicant referred to Proffer Number 27 that addressed provisions for ingress-egress easements to adjacent properties if development of their property was a residential use and was compatible with the proposed development.

There being 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 DEFER THE DECISION ONLY ON RZ/FDP 2021-MV-008 TO A DATE CERTAIN OF JANUARY 26, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

No second was made on the motion. The motion was carried by a vote of 11-0. Commissioner Jimenez was absent from the meeting.

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The meeting was adjourned at 11:34 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: March 30, 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 8 day of April 2022, by
Jacob Caporaletti.

Dorely M. Jones

Signature of Notary



Notary registration number: 7114113

Commission expiration: January 31, 2024