

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MARCH 2, 2022**

PRESENT: Peter F. Murphy, Chairman, Springfield District
John C. Ulfelder, Vice Chairman, Dranesville District
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: Timothy J. Sargeant, Secretary, Commissioner At-Large
Walter C. Clarke, Mount Vernon District

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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

SE 2018-PR-014 – UNITED REAL ESTATE LLC

(Decision Only)(Planning Commission meeting on this application was held on February 23, 2022)

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2018-PR-014, SUBJECT TO THE REVISED DEVELOPMENT CONDITIONS DATED FEBRUARY 23, 2022.

Commissioner Ulfelder seconded the motion, which carried by a vote of 8-0-1. Commissioners Clarke and Sargeant were absent from the meeting. Commissioner Cortina abstained from the vote. Commissioner Strandlie was not present for the vote.

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RZ/FDP 2021-LE-011/PCA 2004-LE-021 – ELM STREET COMMUNITIES, INC.

Commissioner Lagana MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON PCA 2004-LE-021 AND RZ/FDP 2021-LE-011 TO A DATE CERTAIN OF MARCH 16, 2022.

Commissioners Ulfelder and Niedzielski-Eichner seconded the motion, which carried by a vote of 9-0. Commissioners Clarke and Sargeant were absent from the meeting. Commissioner Strandlie was not present for the vote.

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Commissioner Ulfelder announced that the Capital Improvement Program (CIP) Workshop would be held on Thursday March 10, 2022 at 7:00 p.m. in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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Commissioner Ulfelder announced the CIP Committee would meet on Thursday, March 24, 2022, at 7:30 p.m., in the Board Conference Room of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, to review the process for considering CIPs from various County departments and agencies and the County’s schools system.

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Commissioner Ulfelder announced that a joint meeting with the Planning Commission’s Land Use Process Review Committee and Environmental Committee would be held on Thursday, March 17, 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 the Airport Noise Policy Comprehensive Plan Amendment (PA 2020-CW-3CP).

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ORDER OF THE AGENDA

Chairman Murphy established the following order of the agenda:

- 1. RZ 2021-SU-016 – STONECROFT LEE, LLC
- 2. SE 2021-SP-008 – BURKE COMMUNITY CHURCH

This order was accepted without objection.

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RZ 2021-SU-016 – STONECROFT LEE, LLC – Appl. to rezone from I-3, WS and AN to I-5, WS and AN to permit storage yard and/or new vehicle storage. Located on the S. side of Adkins Rd., E. side of Barney Rd., W. side of Stonecroft Blvd. on approx. 8.08 ac. of land. Comp. Plan Rec: Industrial up to 0.35 Floor Area Ratio (FAR). Tax Map 33-2 ((2)) 10 and 11; 34-1 ((2)) 11A; and a portion of Glorus Road, which was recently vacated and abandoned by the Board. SULLY DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Gifford R. Hampshire, Applicant's Agent, Blankingship & Keith, P.C., reaffirmed the affidavit dated January 20, 2022.

Zachary 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-SU-016.

Mr. Hampshire gave a presentation on the subject application.

There was a discussion between Mr. Fountain; William O'Donnell, Zoning Evaluation Division, Department of Planning and Development; Mr. Hampshire; Casey Knight, Kimley-Horn and Associates, Inc.; and multiple Commissioners regarding the following:

- The Fairfax County Department of Land Development Services' memorandum dated February 9, 2022 that addressed portions of Glorus Road not included in the Stormwater Management computation and whether that issue was mitigated;
- The stormwater quality controls for the outfalls, clarification on the waterflow pattern, and controls in place to capture waterflow drainage moving downstream from the proposed site;
- The installation of a 300 square-foot accessory support structure at the proposed site to house future attendants;
- Whether the day-night noise level guidelines in place were applicable to the accessory support structure at the proposed site;
- Whether the proposed 10-foot buffer from the Resource Protection Area, floodplain, and Environmental Quality Corridor was part of the design plan or was a proposed County staff guideline; and
- The Fairfax County Zoning Ordinance, Article 5, Development Standards, 5105 Floodplain Regulations, 5. Setbacks from Floodplain guidelines that addressed the permitted 15-foot setback from the edge of the floodplain line, and whether those guidelines only applied to residential developments.

The discussion resulted in a follow-up request for clarification from staff on whether the permitted 15-foot setback requirements from the edge of the floodplain line applied only to residential developments.

Commissioner Spain made preliminary comments and asked that the applicant confirm for the record, their agreement to the following language changes to the application:

- Language change of all instances of “shall” to “must” in Proffers dated February 24, 2022; and
- Changes made to Proffer Number 6.A. which required that the applicant submit a floodplain study to the Site Development and Inspections Division, if requested for review and approval prior to site plan approval.

No confirmation was made on the record.

There was a discussion between Commissioner Spain and Mr. Hampshire regarding compliance to Green Building Leadership in Energy and Environmental Design (LEED) Certification and electric vehicle charging stations, and why those policies were not applicable to the site. Mr. Hampshire stated that with the exception of the discussed accessory support structure, buildings were not permitted at the proposed site and therefore, Green Building LEED Certification was not applicable.

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

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Commissioner Spain MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2021-SU-016, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED FEBRUARY 24, 2022.

Commissioner Lagana seconded the motion, which carried by a vote of 10-0. Commissioners Clarke and Sargeant were absent from the meeting.

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This application was located in the Springfield District therefore, Chairman Murphy relinquished the Chair to Vice Chairman Ulfelder.

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SE 2021-SP-008 – BURKE COMMUNITY CHURCH - Appl. to permit a college or university with a total enrollment of ~60 students. Located at 9900 Old Keene Mill Rd., Burke, 22015 on approx. 12.65 ac. of land zoned R-1. Tax Map 88-1 ((1)) 7A. SPRINGFIELD DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

John W. Farrell, Esq., Applicant’s Agent, McCandlish Lillard, reaffirmed the affidavit dated December 23, 2021.

Emma Estes, 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 SE 2021-SP-008.

Mr. Farrell gave a presentation on the subject application.

There was a discussion between Mr. Farrell and Vice Chairman Ulfelder regarding the following:

- Concerns regarding the removal of trees to the rear of Lot 37 and the applicant's intent to replace those trees; and
- A recommendation to increase a fence that extended along the northern end of the church's parking lot from 4-feet to 8-feet.

The discussion resulted in no changes to the application.

Vice Chairman Ulfelder called the first listed speaker and recited rules for testimony.

Robert Freeland, 9902 Yachthaven Drive, Burke, addressed concerns regarding the proposed addition to the existing development. A copy of Mr. Freeland's statement is in the date file.

Commissioner Niedzielski-Eichner asked that Mr. Freeland clarify his comments in reference to the noise levels that could be generated by the proposed development. Mr. Freeland stated that there was already an increase in traffic noise and activities at the site, in addition to Sunday services. Commissioner Niedzielski-Eichner stated that he understood Mr. Freeland's concerns about weekend activities but did not understand the potential noise impact on the neighborhood from individuals attending theology classes during weekdays. In his response to Commissioner Niedzielski-Eichner's comment, Mr. Freeland stated that the entire parking lot was not the issue, but rather certain vehicles associated with the church's early and late activities during the weekdays.

Commissioner Ulfelder asked Mr. Freeland whether he heard traffic noise that generated from the Fairfax County Parkway. In his response, Mr. Freeland stated the noise heard from Fairfax County Parkway, was noise generated from accelerated engines.

Karen Parlatore, 9901 Yachthaven Drive, Burke, opposed the proposed addition to the existing development. A copy of Ms. Parlatore's statement is in the date file.

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

- The location of the Edgewater Homeowners Association in proximity to Ms. Parlatore's residence;
- Assertions made that theological students, or the public who attended seminary classes afterhours, would encroach onto the neighboring properties; and

- Clarification that Ms. Parlatore actually represented Edgewater Homeowners Association, as listed on the speakers list. Ms. Parlatore confirmed she was not an officer of the homeowner's association.

There was a discussion between Mr. O'Donnell, Mr. Farrell, and multiple Commissioners regarding the following:

- Clarification of the hours of operation for theological classes;
- Whether there was space on the existing church lot that would accommodate parking for up to 60 students;
- Coordinated efforts between the applicant and County staff to identify possible locations for additional trees and vegetation landscaping;
- The types of activities held on the church grounds during weekdays and evening hours;
- Whether a chapter of the boy scouts met on the church grounds;
- Whether there was a bus service or any form of public transportation along Old Keene Mill Road;
- The name of the theological seminary group that would facilitate the classes;
- A bird's eye view of the seminary's classroom sizes, student ratio, and a timeline for a Master of Theological Studies program; and
- The applicant's agreement to provide the Edgewater Homeowners Association with a copy of the church's activities schedule, to include an after-hours contact number to report any issues of concern.

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 being no further speakers, no further comments or questions from the Commission, and staff had no closing remarks; therefore, Vice Chairman Ulfelder closed the public hearing and recognized Commissioner Murphy for actions on this application.

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON SE 2021-SP-008 TO A DATE CERTAIN OF MARCH 16, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Niedzielski-Eichner seconded the motion, which carried by a vote of 10-0. Commissioners Clarke and Sargeant were absent from the meeting.

CLOSING

March 2, 2022

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Chairman Murphy resumed duties of the chair.

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The meeting was adjourned at 9:23 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: June 8, 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 14 day of June 2022, by
Jacob Caporaletti.

[Signature]

Signature of Notary

Notary Seal

Notary registration number: 7114113

Commission expiration: January 31, 2024



