

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, APRIL 27, 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 7:31p.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 Sargeant announced that the Planning Commission received minutes for the month of February 2022, and he intended to move the approval of those minutes at the May 4, 2022 meeting.

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Commissioner Ulfelder announced that he received inquiries from citizens regarding the American Legion McLean, Post No. 270, Inc. (Appellants) case. He added that the referenced case was heard before the Fairfax County Board of Zoning Appeals on Wednesday, April 27, 2022, and not the Planning Commission. Commissioner Ulfelder stated that this was an appeal from the Zoning Administrator's determination that the Appellant was using their property for banquets and receptions in violation of the Zoning Ordinance.

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ORDER OF THE AGENDA

Commissioner Sargeant established the following order of the agenda:

1. FDP 2011-PR-011-06 (RZPA 2021-PR-00019) – CITYLINE PARTNERS LLC
2. RZ 2021-SU-013/PCA 2003-SU-040-02 – 4700 CENTREVILLE, LLC
3. SEA 84-V-035-03 – HUNTWOOD, L.L.C.
4. PCA 93-H-004-02/CDPA 93-H-004/FDPA 93-H-004-02-01 – WS-ADW OWNER, LLC

This order was accepted without objection.

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FDP 2011-PR-011-06/(RZPA 2021-PR-00019) - CITYLINE PARTNERS LLC – Appl. final development plan for RZ 2011-PR-011 to permit interim uses (quasi-public park, outdoor and indoor commercial recreation, retail, and restaurant). Located on the S.E. side of Dolley Madison Blvd. and S.E. side of Anderson Rd. on approx. 3.54 ac. of land zoned PTC, HC. Tax Map 30-3 ((28)) (2) 1 and 2. PROVIDENCE DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

David I. Schneider, Applicant's Agent, Holland & Knight LLP, reaffirmed the affidavit dated March 16, 2022.

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 FDP 2011-PR-011-06 (RZPA 2021-PR-00019).

Ms. Schneider gave a presentation on the subject application.

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

- The County's review process that supported an additional use at the site;
- Examples of the permits required to plan for and satisfy the need for a specific use;
- A suggestion that a display be added that would showcase a list of interim and future uses planned for the proposed site;
- A suggestion that contact information be added to the display for interim uses that would allow for reporting complaints; and
- Whether staff was satisfied with the various uses and categories.

The discussion resulted in the applicant's agreement to add a display to the site that would showcase a list of interim and future uses. The recommended display would also include contact information for reporting complaints.

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 Niedzielski-Eichner for action on this application.

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Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2011-PR-011-06, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED APRIL 12, 2022, AS MODIFIED TO INCLUDE REFERENCE TO THE EXHIBIT ON THE SITE FOR A FUTURE USE, AS WELL AS A POINT OF CONTACT.

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

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RZ 2021-SU-013 – 4700 CENTREVILLE, LLC – Appl. to rezone from I-3, R-1, C-6 and WS to C-6 and WS to permit the development of a veterinary hospital with an overall Floor Area Ratio (FAR) of 0.08. Located in the N.W. quadrant of Sully Rd. and Poplar Tree Rd., E. of Stonecroft Blvd. on approx. 0.93 ac. of land. Comp. Plan Rec: Mixed Uses. Tax Map 44-3 ((1)) 3; 44-3 ((6)) 21A2 (pt.); and 44-3 ((1)) 3A. (Concurrent with PCA 2003-SU-040-02). SULLY DISTRICT. PUBLIC HEARING.

PCA 2003-SU-040-02 – 4700 CENTREVILLE, LLC – Appl. to amend the proffers for RZ 2003-SU-040 previously approved for Commercial development to permit deletion of land area and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.08. Located on the W. side of Sully Rd., N. of Stonecroft Blvd. and Poplar Tree Rd. on approx. 0.19 ac. of land zoned C-6 and WS. Comp. Plan Rec: Mixed uses. Tax Map 44-3 ((6)) 21A2 (pt.). (Concurrent with RZ 2021-SU-013). SULLY DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Bernard S. Suchicital, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavits dated March 7, 2022.

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 approval of RZ 2021-SU-013 and PCA 2003-SU-040-02.

Mr. Suchicital gave a presentation on the subject applications.

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

- Whether Parcel 3A was previously part of the Westone Plaza shopping center;
- The reason why the site's parking was at overcapacity and whether the applicant explored shared parking with the existing adjacent parking area;

- The applicant's agreement to provide permeable surface for the site's parking lot to meet the Zoning Ordinance stormwater management requirements;
- The retail building that was part of the existing shopping center development;
- Whether the applicant explored shared parking with all of the surrounding retail parking;
- The applicant's plan to distinguish between parking spaces for veterinary and non-veterinary use, especially in cases of emergency;
- In order to promote pedestrian connectivity, the reasons why the applicant did not support the construction of a trail connection at a location south of the proposed site, where Poplar Tree Road transitioned into Stonecroft Road to the west;
- The implications for not completing the trail connection where Poplar Tree Road transitioned into Stonecroft Road;
- Whether staff of both the Department of Planning and Development and the Virginia Department of Transportation were comfortable with the adjacent property having a larger setback along the frontage of Sully Road/Route 28 versus that of the proposed site; and
- Follow-up concerns on pedestrian connectivity along Poplar Tree Road/Stonecroft Road and the applicant's plan to mitigate those concerns.

The discussion resulted in concerns regarding trail and pedestrian connectivity along Poplar Tree Road/Stonecroft Road remaining unresolved. Suggestions were made to have those issues resolved before presenting the subject applications to the Board of Supervisors for consideration.

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 these applications.

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Commissioner Spain MOVED THE FOLLOWING:

- RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2003-SU-040-02; AND
- RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2021-SU-013, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED MARCH 31, 2022.

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

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

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SEA 84-V-035-03 – HUNTWOOD, L.L.C. – Appl. to amend SE 84-V-035 previously approved for an increase in building height to allow for addition of land area, increase in Floor Area Ratio (FAR), increase in office use, site modifications and uses in floodplain. Located at 5845 and 5863 Richmond Hwy., Alexandria, 22303 on approx. 4.67 ac. of land zoned C-8, HC and CRD. Tax Map 83-4 ((1)) 8, 9, 10 and 11. Also, under the Board's Consideration will be the Water Quality Impact Assessment Request #6216-WQ-001-5 and Resource Protection Area Encroachment Exception Request # 6216-WRPA-001-5 under Section 118-6-9 (Chesapeake Bay Preservation Ordinance) of Chapter 118 of the Code of the County of Fairfax to permit encroachment within a Resource Protection Area (RPA) for the purpose of an increase in impervious surface for a proposed one-story retail building on previously developed area. MOUNT VERNON DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Robert R. Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated April 4, 2022.

Curtis Rowlette, 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 SEA 84-V-035-03.

Mr. Brant gave a presentation on the subject application.

Commissioner Clarke made preliminary comments.

There was a discussion between Mr. Rowlette; Catherine Lewis, Zoning Evaluation Division, Department of Planning and Development; Durga Kharel, P.E., South Branch, Site Development and Inspections Division, Department of Land Development Services; Mr. Brant; and multiple Commissioners regarding the following:

- The location of the planned accessible parking spaces for the proposed building;
- The location of the proposed building's front doors;
- Staff's request for the removal of nine parking spaces at the gateway site;

- The applicant's agreement to remove some of the existing impervious surface at the right side of the proposed building and replace those areas with trees and landscaping;
- Confirmation that Parcel 9, acquired by the Virginia Department of Transportation, was not subject to the original approved special exception;
- The applicant adhered to the County's policy when planning for development and redevelopment in resource protection areas (RPA);
- The applicant included significant commitments in going through the RPA special exception process in order to meet the criteria in the Chesapeake Bay Preservation Ordinance;
- The applicant met the requirements for reforestation, replanting, and remediation efforts in the RPA area;
- The reasons why the applicant did not acquire Parcel 9 as a separate redevelopment option;
- The area of the site that was being redeveloped was already developed with impervious surface;
- The proposed application could not qualify under redevelopment, hence the reason why it was brought before the Planning Commission for a decision;
- Staff's views on circumstances for proposals on development at a site in an existing flood plain, and whether those views were a departure from conclusions that would recommend no development, versus allowing for development along the existing developed parts of the Richmond Highway/U.S. Route 1 corridor;
- The flood plain issue on the proposed application was resolved and a development condition was added to reflect the revised changes;
- Whether the underground tanks for the old gas station were removed;
- Whether there were plans to remove the pervious surface of the existing restaurant building and replace it with plantings; a reference was made to the revised Development Conditions, Number 23, dated April 19, 2022;
- Staff's recommendation for the removal of the six parking spaces on the western end of the building, the three parking spaces on the northeast side of the proposed building, and the applicant's plan to mitigate those issues; and
- A suggestion that during the deferral period, the Commission receive feedback from the staff of Stormwater Management, Department of Public Works and Environmental

Services, for the precedent that could be set by the subject application and how the application was not applicable to other proposals for development options in flood plains, versus a redevelopment.

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

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 Clarke for action on this application.

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Commissioner Clarke MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON SEA 84-V-035-03, TO A DATE CERTAIN OF MAY 4, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

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

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PCA 93-H-004-02/CDPA 93-H-004/FDPA 93-H-004-02-01 – WS-ADW OWNER, LLC. – Appl(s). to amend the proffers, conceptual development plan, and final development plan for RZ 93-H-004, previously approved for office at a 0.62 Floor Area Ratio (FAR) to add a mixed-use option for residential development up to a 0.50 FAR and associated modifications to proffers and site design. Located on the N. side of Sunset Hills Rd., S. and W. sides of American Dream Way., on approx. 28.29 ac. of land zoned PDC. Comp. Plan Rec: Mixed Use. Tax Map 17-4 ((1)) 35D and 36B. HUNTER MILL DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Scott E. Adams, Applicant's Agent, McGuireWoods LLP, reaffirmed the affidavits dated February 23, 2022.

Commissioner Carter made preliminary comments on the applications to include a number of remaining unresolved issues.

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 denial of PCA 93-H-004-02, CDPA 93-H-004, and FDPA 93-H-004-02-01 because of the multiple unresolved issues outlined in a memorandum from staff dated April 22, 2022.

Mr. Adams gave a presentation on the subject applications.

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

- Staff's interpretation on the difference in calculations for the Environmental Quality Corridor (EQC);
- Whether the EQC was expanded by a significant amount, as per the applicant's proposal;
- The applicant's commitment to restore the EQC;
- Whether the EQC could be altered by replacing one area for another;
- The applicant's disagreement of staff's analysis that the wetland identified was not connected to the stream valley;
- The applicant's commitment to providing information on a plan for the operation of the newly created EQC areas;
- The applicant's proposal for the removal of a security gate that would restrict access from American Dream Way/Old Reston Avenue;
- The applicant's proposal for an existing pedestrian connection to North Shore Drive at the northeast corner of the site to remain gated, and that the private outdoor space remain accessible to the site's office users and not the public;
- The applicant's plan for the existing 397, 074 square-foot space, the approved unbuilt 453,926 square-foot space, and their position on a request for a residential alternative to add approximately 95 townhomes to the site;
- Access to a 24-hour north/south trail easement and whether this posed a safety hazard;
- The farthest walking access point to the Reston Town Center and the Wiehle-Reston East Metro stations;
- How the trip reduction percentage was determined;
- The estimated property rates for the affordable dwelling units (ADUs) and workforce dwelling units (WDUs) for the for sale townhomes;
- The applicant's commitment for the additional 30,000 square feet +/- of EQC and would that include creating new EQC;
- The responsible parties for the maintenance of the EQC areas after the construction of the townhomes;

- Staff's recommendation for the removal of the townhomes adjacent to the EQC and the applicant's plan to mitigate their input;
- Concerns regarding the length of the driveways for some of the front-loading units;
- Concerns regarding accessibility for people that require special parking accommodations;
- Whether there was a 6.34% slope above the existing Pond B and whether staff agreed with that calculation;
- The applicant's intent to join the Reston Association after completion of the townhomes; and
- Whether the applicant intended to adhere to the ADU policy dispersion guidelines.

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

Sue Pinkman, 1831 Ivy Oak Square, Reston, representing the Ivy Oak Square Condominium, opposed the proposed mixed-use option for residential development. A copy of Ms. Pinkman's statement is in the date file.

Laurie Callahan, 11785 North Shore Drive, Reston, opposed the proposed mixed-use option for residential development. A copy of Ms. Callahan's statement is in the date file.

Lynne Mulston, 11472 Links Drive, Reston, representing the Reston Citizens Association, opposed the proposed mixed-use option for residential development. A copy of Ms. Mulston's statement is in the date file.

Larry Butler, 12001 Sunrise Valley Drive, Reston, representing the Reston Association, opposed the proposed mixed-use option for residential development. A copy of Mr. Butler's statement is in the date file.

Michele Silver, 1816 Golf View Court, Reston, representing the North Shore Cluster Home Association, opposed the proposed mixed-use option for residential development. A copy of Ms. Silver's statement is in the date file.

Jan DeLucien, 1789 Ivy Oak Square, Reston, opposed the proposed mixed-use option for residential development. A copy of Ms. DeLucien's statement is in the date file.

Gray Wells 11763 North Shore Drive, Reston, representing the Charter Oak Cluster Homeowners Association, opposed the proposed mixed-use option for residential development. A copy of Mr. Wells' statement is in the date file.

There being no further speakers from the public, Chairman Murphy called for a rebuttal from Mr. Adams.

In a rebuttal statement, Mr. Adams offered clarification on the following:

- The extent of the increased residential density at the proposed site;
- The floor area ratio tabulations on the plans was resolved;
- The applicant believed the proposal was in line with the density for the surrounding areas and provided documentation that supported that notion;
- The calculation provided for the open space at the site was in conformance with Fairfax County Zoning Ordinance, Article 6, Section 6-209 for land zoned in a PDC District;
- The applicant agreed that the North Shore Trail up to Sunset Hills Road was a critical connection for the surrounding community and submitted a proffer commitment that reflected the same;
- The applicant reserved the right to locate an existing trail along American Dream Way, in order to minimize the impact and preservation of the existing buffer;
- The applicant's request for a waiver that would grant less than 200 square feet for a privacy yard;
- The open spaces proposed at the site would promote a sense of community;
- The children's play area, open green areas, and grassy spaces were part of the public park space, and was located adjacent to the proposed townhomes;
- Clarification on Proffer Number 5, Reston Association, which articulated the applicant's commitment to meet with the Board members of the association following the approval of the application to discuss possibly joining the association;
- The parties responsible for the maintenance of the site;
- The Fire Marshal's evaluation of the site plans for emergency vehicle access; and
- The majority of the tree canopy at the site would be preserved.

In response to Mr. Adam's rebuttal, Commissioner Sargeant asked whether there were plans to convert the existing office building or the other two office sites into condominiums. Mr. Adams stated there were no plans to do so.

Commissioner Lagana stated the suggestions presented for the applicant to join the Reston Association was noted.

Commissioner Carter made additional comments on the mixed-use proposal.

Ms. Quinn, Mr. Adams, Andrea R. Crossett, LandDesign, Inc., and multiple Commissioners, attempted to resolve a substantial number of issues brought before the Commission regarding the proposed mixed-use option for residential development. A number of Commissioners addressed concerns regarding the negotiating phase of the mixed-use proposal, the number of issues to be resolved, and additional time was required to mitigate all concerns.

The Parliamentarian requested that a motion be made to defer the decision only on the application.

In reference to the EQC concerns, Ms. Alster stated that staff and Commissioner Cortina visited the site on several occasions and saw a number of resources in areas mapped as EQC.

Commissioner Strandlie suggested a site visit was warranted during the deferral process.

Commissioner Sargeant stated that a lot more work was required on the application before it was ready for a vote.

Commissioner Carter stated the following unresolved issues:

- The EQC setback from the wetlands and setback from the flood plain were not resolved;
- Many issues regarding transportation capacity were not resolved;
- There was a request for clarification on the number of dwelling units;
- Responsible parties for the maintenance of the site;
- Accessibility issues for the front-loading townhomes;
- Issues regarding the children's play area;
- EQC modifications that were different in the residential plan versus the modified plan;
- Tree Conservation issues were not resolved;
- Issues regarding setback from the office building; and
- Revisions to some of the waivers were not resolved.

The discussion resulted in a request for additional time to mitigate the aforementioned issues.

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Commissioner Carter MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON PCA 93-H-004-02, CDPA 93-H-004, AND FDPA 93-H-004-02-01 TO A DATE CERTAIN OF JUNE 15, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

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

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The meeting was adjourned at 1:07 a.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: July 13, 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 22 day of JULY 2022, by

[Handwritten Signature]
Signature of Notary

Notary registration number: 7114113

Commission expiration: JANUARY 31, 2024

