

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, JUNE 8, 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  
Andres Jimenez, Commissioner At-Large

ABSENT: None

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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 the passing of Martin D. “Art” Walsh (April 27, 1944 – June 6, 2022), founder of Walsh, Colucci, Lubeley & Walsh, P.C. Charmain Murphy stated that Mr. Walsh specialized in land development urban planning and zoning laws. He added that Mr. Walsh was an inspirational leader. Chairman Murphy offered condolences to Mr. Walsh’s spouse, Nan Walsh, children, Ada-Marie Aman and Sarah-Nell Walsh, his many family members, and friends.

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MINUTES APPROVAL – MARCH 2022

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

- MARCH 2, 2022;
- MARCH 10, 2022;
- MARCH 16, 2022;
- MARCH 23, 2022 AND
- MARCH 30, 2022

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

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RZ 2020-MA-012/SEA 85-M-086-02 – RADLEY MANAGEMENT, LLC

Commissioner Strandlie MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR RZ 2020-MA-012 AND SEA 85-M-086-02 TO A DATE CERTAIN OF JULY 20, 2022.

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

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RECOMMENDATION ON PROPOSED MODIFICATIONS TO THE SITE-SPECIFIC PLAN AMENDMENT PROCESS

Commissioner Ulfelder MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ENDORSE THE PROPOSED MODIFICATIONS TO THE SITE SPECIFIC PLAN AMENDMENT (SSPA) PROCESS, AS PRESENTED IN THE WHITE PAPER ON PRELIMINARY RECOMMENDATIONS, ENTITLED MODIFICATIONS TO THE SSPA PROCESS, DATED APRIL 26, 2022, WITH CHANGES TO REMOVE THE NOMINATION FEE REFERENCED IN THIS PAPER FROM THE SUBMISSION REQUIREMENTS, AND TO SHIFT THE PROPOSED TIMELINE FOR THE UPCOMING 2022 COUNTYWIDE SSPA NOMINATION PERIOD TO BEGIN IN OCTOBER 2022 IN ORDER TO PROVIDE ADDITIONAL TIME FOR STAFF TO ADVERTISE THE CHANGES AND UPCOMING NOMINATION PERIOD TO THE COMMUNITY.

Commissioners Sargeant and Niedzielski-Eichner seconded the motion which carried by a vote of 12-0.

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PA 2020-CW-3CP – COMPREHENSIVE PLAN AMENDMENT (AIRPORT NOISE POLICY)  
(Decision Only) (Public Hearing on this plan amendment was held on May 18, 2022.)

Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF THE STAFF RECOMMENDATION FOR PLAN AMENDMENT 2020-CW-3CP, AS FOUND IN THE STAFF REPORT DATED APRIL 27, 2022, AND AS AMENDED BY THE PLANNING COMMISSION ALTERNATIVE DOCUMENT DATED MAY 16, 2022.

Commissioner Ulfelder seconded the motion which carried by a vote of 10-0-2. Chairman Murphy and Commissioner Strandlie abstained from the vote.

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ORDER OF THE AGENDA

Commissioner Sargeant established the following order of the agenda:

1. SE 2021-SP-00023 – CLEMENTINE TWIN LAKES, LLC d/b/a CLEMENTINE FAIRFAX
2. SEA 99-P-034 – TYSONS PARK PLACE II LLC & TYSONS PARK, INC.
3. PA 2021-IV-S1 (PA 2021-00012) – INOVA SPRINGFIELD HEALTHPLEX

This order was accepted without objection.

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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-00023 – CLEMENTINE TWIN LAKES, LLC D.B.A. CLEMENTINE FAIRFAX – Appl. to permit a congregate living facility. Located at 11329 Henderson Rd., Fairfax Station, 22039 on approx. 217,821 sq. ft. of land zoned R-C and WS. Tax Map 95-2 ((5)) 9A. SPRINGFIELD DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Ryan Logan, Applicant's Agent, McCandlish Lillard, P.C., reaffirmed the affidavit dated April 20, 2022.

Tabatha Cole, 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-00023.

Mr. Logan gave a presentation on the subject application.

There was a discussion between Ms. Cole; Mr. Logan; John W. Farrell, McCandlish & Lillard; and multiple Commissioners regarding the following:

- The level of outreach conducted to the neighboring communities;
- The facility's proposed 24-hour operation and the percentage of night time hours allocated to outdoor activities;
- Clarification on the type of notification sent and the outreach conducted to the Pershing Field Homeowners Association, to inform them of plans for the congregate living facility;

- Whether visitors were included in the calculations that supported the existing on-site well for the subject property;
- Development Condition Number 4 that addressed the continual maximum population at the facility;
- The nature of the complaints received by the County from the neighboring communities regarding operation of the current facility; and
- Confirmation that the applicant's revised affidavit dated April 4, 2022 was received, that it contained the necessary names and relationship to the applicant, and that it was entered into the record.

The discussion resulted in no changes to the application.

Everett Chasen, 11403 Henderson Road, Clifton, representing Pershing Field Homeowners Association, addressed concerns regarding the subject congregate living facility:

- The location of Pershing Field community in proximity to the subject site;
- A letter received from the Department of Clerk Services dated April 28, 2022, that notified the homeowners association of the Planning Commission's hearing on the subject application regarding the proposed expansion of the congregate living facility;
- The Pershing Field community received no prior notification and received no invitation from the applicant regarding an open house to the current facility;
- The Pershing Field Homeowners Association would have welcomed the opportunity to submit testimony and concerns that addressed the size of the facility, the types of residents housed at the facility, visiting policy, security measures in place, the facility's protocols for residents left unattended, parking at the facility, changes to traffic patterns on Henderson Road, future expansions, and plans for future construction and changes to the well and septic;
- The permit application did not provide detail information about the expansion of the facility; and
- Pershing Field Homeowners Association requested denial of the permit expansion of the subject facility because of the lack of transparency and they were not good neighbors.

There was a discussion between Mr. Chasen and multiple Commissioners regarding the following:

- Some of the issues raised by Mr. Chasen on behalf of the Pershing Field Homeowners Association was added in the published staff report dated May 10, 2022;

- The special exception to expand from eight to 12 beds did not warrant a special County process;
- The applicant's agreement to meet with the members of the Pershing Field Homeowners Association before a Planning Commission rendered its decision on the application; and
- Protections in place for by-right uses and occupancy limits for group homes under the Federal Housing Law.

The discussion resulted in the applicant's agreement to meet with the members of Pershing Field Homeowners Association in an attempt to mitigate their concerns.

Commissioner Murphy announced his intent to defer decision only on the subject special exception application.

Jonathan Heddleston, 8146 Crestridge Road, Fairfax Station, opposed the proposed expansion and stated the following:

- Research conducted on the current facility in the County's Fairfax Inspections Database Online (FIDO) system, showed there were approximately 30 permits for the subject property where many of them failed inspection;
- Concerns regarding the type of generator used at the facility which was six to 10 times the size of a normal residential home in the area;
- Concerns that records of the septic system was not located in the FIDO system;
- Concerns regarding reservation conservation and the septic system's flow into the Occoquan Reservoir and the impact from pollution on the environment; and
- Concerns with trucks blocking Henderson Road during offloading of materials at the subject facility.

Vice Chairman Ulfelder asked whether there was a representative from the Department of Health at the hearing. No staff member was in attendance. Vice Chairman Ulfelder requested that during the deferral period staff obtain input from the Department of Health that would address Mr. Heddleston's concerns regarding the site's septic system and its flow into the Occoquan Reservoir and the impact caused on the environment.

The discussion resulted in staff's agreement to obtain input from the Department of Health that addressed Mr. Heddleston's concerns regarding the site's septic system and its flow into the Occoquan Reservoir and the impact on the environment.

Vice Chairman called for additional speakers from the audience.

Dustin Eward, 11212 September Lane, opposed the congregate living facility. A copy of Mr. Eward's statement is in the date file.

In response to Mr. Heddleston concerns regarding the County's FIDO system, Commissioner Strandlie stated that she understood and agreed with those concerns. She added that she too researched information that was not accurately recorded. Commissioner Strandlie added she understood the need for the subject project and encouraged the applicant to conduct additional outreach to the community during the deferral process.

Vice Chairman Ulfelder called for a rebuttal from Mr. Farrell who stated the following:

- The applicant's agreement to schedule a meeting with, and deliver a copy of the staff report to Mr. Chasen;
- The R-C district was created for five acre lots and the applicant would like to continue doing business in that type of district;
- The residents housed at the subject facility were supervised during all outdoor activities;
- The applicant experienced the same FIDO recording issues Mr. Heddleston referenced in his testimony;
- Building permit submissions through the FIDO system that required additional information are categorized as fail versus modified; and
- The Health Department reviewed and approved both the well and septic field and they are both operational; and
- The quantity and quality of the well adequately serviced the site, and the septic field adequately serviced 24 individuals.

There were 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 action on this application.

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE 2021-SP-00023 TO A DATE CERTAIN OF JUNE 15, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

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Chairman Murphy resumed duties of the Chair.

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SEA 99-P-034 – TYSONS PARK PLACE II LLC & TYSONS PARK, INC. – Appl. to amend SE 99-P-034 to permit an increase in building height from 135.5 ft. to a maximum of 175 ft. for Parcel 5C and associated modifications to site design and development conditions. Located at 7926 and 7930 Jones Branch Dr. on approx. 7.64 ac. of land zoned C-4 and SC. Tax Map 29-4 ((7)) 5C and 5B. PROVIDENCE DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Mark M. Viani, Applicant's Agent, Bean, Kinney & Korman, P.C., reaffirmed the affidavit dated May 4, 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 SEA 99-P-034.

Mr. Viani gave a presentation on the subject application.

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

- The relationship between the 8-foot-wide sidewalk to the three existing driveways on Jones Branch Drive;
- Staff's agreement with the applicant's plan for the pedestrian circulation and streetscape along Jones Branch Drive;
- The applicant's plan to capture and manage stormwater for the proposed new building;
- The applicant's assurances to adhere to Proffer Number 4 at site plan;
- Concerns that the language in Proffer Number 4 did not require the applicant to adhere to stormwater commitments at site plan;
- Clarification on the prioritization of the waivers and modifications dated June 2, 2022; and
- Clarification on the applicant's reaffirmation of five previously approved waivers and modifications.

The discussion resulted in no changes to the application.

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 actions on this application.

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Commissioner Niedzielski-Eichner MOVED the following:

- THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 99-P-034, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 1, 2022;
- THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN A HANDOUT DATED JUNE 8, 2022.

Commissioners Sargeant and Ulfelder seconded the first motion, which carried by a vote of 12-0.

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

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The Commission went into recess at 9:41 p.m. and reconvened in the Board Auditorium at 9:59 p.m.

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PA 2021-IV-S1 (PA 2021-00012) – INOVA SPRINGFIELD HEALTHPLEX – Plan Amendment 2021-IV-S1 concerns approx. 21.6 ac. generally located along Franconia-Springfield Parkway between Walker Lane and Beulah Street (Tax Map # 91-1 ((4)) 1, 1A, 2, 2A, 3, 3A, 4, 4A, 5, 5A, 6, 6A, 7, 7A, 8, 8A, 9, 9A, 10, 10A, 11, 11A, 13, 13A, 14, 14A, 15, 15A, 16, 16A, 17, 17A, 18, 18A, 19, 19A, 20, 20A, 21, 21A, 22, 22A, 23, 23A, 24, 24A, 25, 500, 500A, and 501; 91-1 ((1)) 11A; and 91-1 ((32)) 1 and 101-512) in the Lee Supervisor District. The site is planned for up to 296,000 SF of medical care, medical office, and ancillary uses (part) and options for office, hotel, and/or multifamily residential with support retail uses up to 1.5 FAR (app. 879,000SF) (part). The amendment proposes hospital and medical campus use up 1,000,000 SF. Recommendations relating to the transportation network may also be modified. PA 2021-IV-S1 is concurrently under review with Rezoning application RZ/FDP 2021-LE-00018. LEE DISTRICT. PUBLIC HEARING.

Ryan Stewart, Planning Division, Department of Planning and Development presented the staff report, a copy is in the date file. He stated staff recommended adoption of PA 2021-IV-S1 (PA 2021-00012).



Tim Sampson, Nominator, Inova Health Care Services gave a presentation on the subject amendment.

There was a discussion between Mr. Stewart; Meghan Van Dam, Planning Division, Department of Planning and Development; Thomas Burke, Transportation Planning Division, Fairfax County Department of Transportation; Mr. Sampson; and multiple Commissioners regarding the following:

- Modifications made to the turning lanes as a result of the fully signalized intersection, in order to gain access to the site;
- The components that surround the greater planned multimodal network and how the integrated with each other;
- Whether there were future opportunities to implement Leadership in Energy & Environmental Design (LEED) Silver green building initiatives at the proposed site;
- Clarification on the plan's proposed draft language for consolidation of part of one parcel and all of another for Land Units U and S;
- Whether the applicant considered relocating the front door of the building to face the Lewin Park community;
- Concerns that the existing paved trail abutted the left-turn access turning lane;
- The Department of Transportation's standards for the amount of distance between pedestrian sidewalks and high speed roads;
- The applicant's plan for pedestrian access at the Walker Lane intersection to the Metro Station; and
- The considered radius of service for Transit-Oriented Developments.

The discussion resulted in no changes to the application.

Chairman Murphy called for speakers.

Joseph Dillon, 4100 Ayers Meadow Lane, Springfield, addressed the following concerns on the planned development:

- The increased noise pollution and trip generation prior to and as a result of the planned development;
- Measure in place to mitigate noise abatement and noise pollution; and
- The County's process that allowed citizens to report noise concerns.

Chairman Murphy called for additional speakers. There were none.

There was a discussion between Mr. Stewart, Mr. Dillan, and multiple Commissioners regarding the following:

- The noise analysis conducted by staff as part of the plan amendment process;
- A noise study submitted by the applicant that was part of the rezoning;
- The existing policies for noise mitigation that would apply to any development was adequate in this case without the need for additional site specific guidance;
- Staff’s analysis for a reduction in the number of trips from the number previously approved under the Liberty View, formerly the Lewin park neighborhood;
- The possibility of noise pollution resulted from the speed of the roadway versus the volume of traffic;
- No increase was made to the current speed limit;
- The additional speed control improvements proposed by the applicant would help disperse traffic generated from the Parkway and Beulah Street;
- The change in use from the hospital would generate fewer trips and those trips were dispersed throughout the day;
- Mr. Dillion was not aware of a noise study that was conducted by the applicant;
- Protocols in place for activating sirens on emergency vehicles approaching and departing hospitals located within the vicinity of residential homes; and
- Whether there were traffic signal preemption devices at the area’s major intersections.

The discussion resulted in a request for additional ambulance data and information on protocols in place to mitigate noise pollution from emergency vehicles. Staff would also provide information on whether the traffic lights at key intersections in the area had preemption devices.

There were no additional 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 this plan amendment.

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Commissioner Lagana MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF STAFF’S RECOMMENDATION FOR PA 2021-IV-S1, AS FOUND IN THE STAFF REPORT DATED MAY 18, 2022.

Chairman Murphy and Commissioner Bennett seconded the motion, which carried by a vote of 12-0.

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The meeting was adjourned at 11:04 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: Satabdi Samaddar  
Approved on: October 12, 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 25 day of October 20 22, by

*[Handwritten Signature]*

Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

