

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JULY 13, 2022**

PRESENT: John C. Ulfelder, Vice Chairman, Dranesville District
Timothy J. Sargeant, Secretary, Commissioner At-Large
Julie M. Strandlie, Parliamentarian, Mason 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
Mary D. Cortina, Braddock District

ABSENT: Peter F. Murphy, Chairman, Springfield District

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The meeting was called to order at 7:32 p.m., by Vice Chairman John C. Ulfelder, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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Vice Chairman Ulfelder announced that due to Chairman Murphy's absence he would be chairing the meeting

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COMMISSION MATTERS

Vice Chairman Ulfelder announced the hiring of Kevin Jackson by the Department of Clerk Services. He stated that Mr. Jackson would assume the duties of Senior Deputy Clerk, which had been vacated by Keisha Strand, who was subsequently hired as the Clerk to the Board of Zoning Appeals. In addition, Vice Chairman Ulfelder stated that Mr. Jackson had been previously employed by Fairfax County Public schools and was a graduate of George Mason University where he majored in government and international politics. He added that Mr. Jackson's primary role as Senior Deputy Clerk would be managing Planning Commission Committee meetings, but would also assist with regular Planning Commission meetings. On behalf of the Planning Commission, he welcomed Mr. Jackson to the staff.

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APPROVAL OF APRIL 2022 MINUTES

Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION APPROVE THE FOLLOWING MEETING MINUTES:

- APRIL 20, 2022; AND
- APRIL 27, 2022.

Commissioner Niedzielski-Eichner seconded the motion, which carried by a vote of 11-0. Chairman Murphy was absent from the meeting.

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Commissioner Niedzielski-Eicher discussed the agenda for the upcoming Tysons Committee meeting on Thursday, July 14, 2022 at 7:30 p.m. in the Board Auditorium of the Fairfax County Government Center, located at 12000 Government Center Parkway, Fairfax, Virginia, 22035. He noted the topic of discussion would be ADA accessibility in Tysons and other urban areas, such as Tysons and Reston. He then indicated that staff would provide an update to the Committee on progress made in the past year on addressing issues related to accessibility and compliance with the Americans With Disabilities Act, which had been originally raised by Tysons resident, John Colby. He added that Mr. Colby would also be present at the meeting.

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Vice Chairman Ulfelder stated that at the June 8, 2022 Planning Commission meeting, the Commission endorsed a recommendation to the Board of Supervisors to approve a set of changes to the Site-Specific Plan Amendment Process (SSPA). He announced that the Board's Land Use Process Committee met shortly afterwards to review those changes and make additional modifications. He noted that among those modifications was the inclusion of a public hearing to discuss the changes to the SSPA process, which was subsequently scheduled for the Board of Supervisors meeting on Tuesday, July 19, 2022. Vice Chairman Ulfelder also said that copies of the revised SSPA process that included the Board's changes has been forwarded to the Commissioners.

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PA 2021-IV-S2 – VILLA PARK ROAD

Commissioner Lagana MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR PA 2021-IV-S2 TO A DATE CERTAIN OF SEPTEMBER 21, 2022.

Commissioner Bennett seconded the motion, which carried by a vote of 11-0. Chairman Murphy was absent from the meeting.

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ORDER OF THE AGENDA

Commissioner Sargeant established the following order of the agenda:

1. AF 2022-DR-00001 (AR 87-D-0020-04) -1999 Land Acquisitions LLC
2. RZ FDP 2021-SU-00024 - Integrity Capital Management LLC
3. RZ 2021-MA-00026 - Fairfax County School Board

This order was accepted without objection

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The first application was located in the Dranesville District; therefore, Vice Chairman Ulfelder relinquished the Chair to Secretary Sargeant.

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AF 2022-DR-00001 - (AR 87-D-0002-04) 1999 LAND ACQUISITIONS LLC – Local A&F District Renewal Appl. authorized by Chapter 115 (County Code), effective June 30, 1983, to permit renewal of a previously approved agricultural and forestal district at 1013B Leigh Mill Rd., Great Falls, 22066 on approx. 43.98 ac. of land zoned R-E. Please call the Planning Division at 703-324-1380 after July 13, 2022, to obtain the A&F District Advisory Committee and Planning Commission recommendations. Dranesville District. Tax Map 13-4 ((1)) 47Z.

There were no disclosures by Commission members

Kelly Atkinson and Sophia Fisher, Planning Division, Department of Planning and Development, presented the staff report, a copy of which is in the date file. They stated that staff recommended approval of AF 2022-DR-00001.

Sherry Akin, Applicant’s Agent, McGuireWoods, LLP, gave a presentation on the subject application.

There was a discussion between Ms. Atkinson, Ms. Fisher, Ms. Akin, and multiple Planning Commissioners on the following:

- The history of the application property’s ownership;
- Confirmation of the actions the applicant was willing to take to preserve the land and comply with the appropriate standards for the nearby soil and water conservation district;
- Confirmation that the applicant was a non-commercial entity;
- Clarification on the enforcement mechanisms for the applicant’s mitigation efforts on the soil and water conservation district; and
- The value of the recommendations by the Agricultural and Forestal Districts Advisory Committee.

The discussion resulted in no changes to the proposed subject application.

There being no listed speakers, Secretary Sargeant called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary.

There were no listed speakers, no speakers from the public, no comments or questions from the Commission, and staff had no closing remarks; therefore, Secretary Sargeant closed the public hearing and recognized Commissioner Ulfelder for action on this application.

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Commissioner Ulfelder MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT AF-2022-DR-00001 BE APPROVED AND APPENDIX F OF THE FAIRFAX COUNTY CODE BE AMENDED TO RENEW THE RHINEHART LOCAL AGRICULTURAL AND FORESTAL (A&F) DISTRICT SUBJECT TO THE ORDINANCE PROVISIONS DATED JUNE 29, 2022.

Commissioner Niedzielski-Eichner seconded the motion, which carried by a vote of 11-0. Chairman Murphy was absent from the meeting.

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At the conclusion of the case, Vice Chairman Ulfelder resumed the Chair.

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RZ/FDP 2021-SU-00024 – INTEGRITY CAPITAL MANAGEMANT LLC – Appls. to rezone from R-1 and WS to PDH-2 and WS to permit residential development with an overall density of 1.74 dwelling units per acre (du/ac) and approval of the conceptual and final development plan and waiver of minimum district size below 2 ac. Located at 13663 Sweet Woodruff Ln., Centreville, 20120 on approx. 1.72 ac. of land. Comp. Plan Rec: 1 to 2 du/ac. Sully District. Tax Map 54-4 ((2)) 46.

Lynne Strobel, Applicant’s Agent, Walsh, Coluccu, Lubeley & Walsh, P.C., reaffirmed the affidavit dated May 11, 2022.

There were no disclosures by Commission members.

William O’Donnell, Zoning Evaluation Division, Department of Planning and Development, presented the staff report, a copy of which is in the date file. He stated that staff recommended approval of RZ/FDP 2021-SU00024.

Lynne Strobel, the applicant’s agent gave a presentation on the subject application. She also introduced Ted Britt, Applicant’s Agent, Tri-Tek Engineering, to answer questions about how stormwater management was addressed in the application.

There was a discussion between Mr. O'Donnell, Ms. Strobel, Mr. Britt, and multiple planning commissioners on the following:

- Comparison of the applicant parcel size, zoning, and density to those of adjacent/surrounding properties.;
- Concerns on whether the existing road network could accommodate the number of dwelling units in the proposed development;
- Clarification that there were existing retaining walls and that the applicant did not intend to build any new retaining walls;
- Clarification of the distance between the existing property line to neighboring residential development to the north;
- Confirmation that there would be no electricity installed at the proposed pavilion;
- Clarification that there would not be a walking trail connection to neighboring properties;
- The length of the private road that would serve the proposed development;
- Clarification on the responsibility for maintaining the private roads, stormwater management systems, and common ground spaces;
- The role of the homeowners association that would be formed with the proposed development in how maintenance responsibilities would be managed and funded;
- Clarification on the location and features of the stormwater maintenance systems that would be utilized with the proposed development; and
- Clarification of the existing soil issues with the applicant parcel and surrounding properties, as well as the applicant's efforts to address such issues.

The discussion resulted in no changes to the subject applications.

Vice Chairman Ulfelder opened the public hearing and called on the listed speakers for the case. He then cited the rules for public testimony.

Richard Pham, 13657 Sweet Woodruff Lane, Centreville, VA 20120, stated his opposition to the application due to the existing stormwater/groundwater management issues and because he was in the process of installing solar panels on his property, which the proposed greenery/landscape plan interfere would with. Mr. Pham stated that he was not opposed to the proposed greenery if it was planted as far away from his property as possible. He also cited the previous issues on his property with the stormwater and the history of dialogue with the County to address these issues. A copy of Mr. Pham's statement is in the date file.

There was a discussion between Mr. Pham; Mr. O'Donnell; Dinbandhuand Gupta, Senior Engineer III, Site Development and Inspection Division, Land Development Services; Ms. Strobel; and multiple Planning Commissioners on the following:

- Whether Mr. Pham had an opportunity to address these issues with the applicant and previous outreach efforts;
- Whether the other adjacent properties had experienced the similar issues;
- The process for addressing the stormwater concerns and other than the geotechnical review that took place at the time of site plan review;

- Confirmation of the location on Mr. Pham's where on his property the solar panels would be placed;
- Clarification on the existing topography, elevation, and stormwater flow for Mr. Pham's property;
- Clarification on past instances to study outstanding stormwater issues throughout the area;
- Discussion on whether the proposed underwater vault would mitigate the existing stormwater runoff issues;
- Clarification on the stormwater management requirements for the proposed development under the Zoning Ordinance;
- Clarification on previous reviews of the subject property and the extent to which those reviews evaluated stormwater management issues; and
- Confirmation that the applicant consult with the adjacent neighbors on the greenery plans and that County arborists would be invited to be a part of the landscaping considerations.

The discussion resulted in no changes to the subject applications.

Paiboon Mekavibul, 13665 Sweet Woodruff Lane, Centreville VA 20120 stated his opposition to the application due to concerns that the proposed development would negatively impact the landscaping, environment, and stormwater runoff of neighboring properties. A copy of Mr. Mekavibul's statement is in the date file.

There was a discussion between Mr. Mekavibul, Mr. O'Donnell, and multiple Planning Commissioners on the following:

- Concerns regarding the maintenance responsibilities for landscaping on the subject property and neighboring residential properties;
- The location of the property lines for Mr. Mekavibul's property and the process for determining those lines;
- The mechanisms for resolving disputes regarding property lines between the applicant and neighboring residents; and
- Clarification on the existing conservation easement and its purpose.

The discussion resulted in no changes to the subject applications.

Kent Chang, 13662 Sweet Woodruff Lane, Centreville, VA 20120 stated his opposition to the application due to the proposed density, which would be in addition to several other newer developments in the neighborhood. He also echoed concerns from previous speakers regarding the proposal's impact on existing landscaping and stormwater runoff to neighboring residential developments.

Commissioner Sargeant pointed out that the density of the proposed development was lower than that of the surrounding residential developments.

There being no more speakers, Vice Chairman Ulfelder called for a rebuttal statement from Ms. Strobel and Mr. Britt, who responded to the testimony from the speakers as follows:

- Clarification on property conservation easements and how disturbances were regulated;
- Discussion on how the landscaping could be implemented to avoid interfering with the solar panels on Mr. Pham's property;
- Clarification on the method the applicant had utilized to identify appropriate property boundaries;
- Confirmation that the applicant would review the proposed stormwater mitigation plans with Mr. Pham and other adjacent property owners to address these concerns;
- The process for determining that the proposal's impact on groundwater and stormwater runoff was minimal;
- The landscaping maintenance responsibilities for the subject property and the neighboring residential properties; and
- The applicant's commitment to complying with the applicable standards for stormwater management and mitigating the stormwater impact on neighboring properties.

The discussion resulted in no changes to the subject applications.

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 Spain for action on these cases.

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Commissioner Spain gave closing comments on the application and announced her intent to defer the decision. Commissioner Spain MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ/FDP 2021-SU-00024 TO A DATE CERTAIN OF JULY 27, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

The motion was seconded by Commissioner Sargeant and carried by a vote of 11-0. Chairman Murphy was absent from the meeting.

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RZ 2021-MA-00026 – FAIRFAX COUNTY SCHOOL BOARD –
Appl. to rezone from R-3 to R-8 to permit Public Use (school) with an overall Floor Area Ratio (FAR) of 0.39. Located on the E. side of Peace Valley Ln., approx. 1,340 ft. from Leesburg Pike, Rt. 7 on approx. 20.95 ac. of land. Comp. Plan Rec.: Public Facilities. Mason District. Tax Map 61-1 ((1)) 13A.

John McGranahan Jr., Applicant's Agent, of Hunton Andrews Kurth, LLP, reaffirmed the affidavit dated June 29, 2022.

There were no disclosures by Commission members.

Commissioner Strandlie announced her intent to defer the decision only of the subject application at the conclusion of the public hearing to a date certain of July 20, 2022.

Tabatha Cole, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of RZ 2021-MA-00026.

Mr. McGranahan gave a presentation on the subject application.

Commissioner Strandlie gave opening comments during which she mentioned the large amount of correspondence received on the application until late in the day.

There was a discussion between Ms. Cole; Mr. McGranahan; William O'Donnell, ZED, DPD; Paul Braiser, Civil Engineer; and multiple planning commissioners on the following:

- The student capacity of the existing school facility on the site and the capacity under the proposed expansion;
- The current trends in student populations in the surrounding area;
- Concerns raised by residents of surrounding developments regarding the traffic impact of the proposed school expansion;
- Clarification on the existing public transit options in the area, such as bus passes, Lime bikes, and electric scooters;
- Clarification on whether electric vehicle (EV) charging stations were included in the subject application on the timeline for Fairfax County Public Schools' (FCPS) large-scale implementation of EV charging stations at school facilities;
- Clarification on parking plans for those using Justice Park when school was in session;
- The existing issues regarding limited parking spaces and crowded pedestrian paths at Justice High School during the school year;
- Clarification on parking capacity and whether the proposed plan was equitable in comparison with other FCPS facilities;
- Clarification on the applicant's process for determining the design and extent of the proposed expansion of the school facility;
- Clarification on why adding additional stories to the subject property weren't considered for this project;
- Clarification on the applicant's consideration for installing solar panel canopies in conjunction with this project;
- Clarification on how stormwater management issues were addressed in the proposal, identification of the proposed stormwater management facilities, and the applicable standards for stormwater management under the County Code;
- The existing number of parking permits the school allowed for students, the number of on-site parking spaces that the applicant could control, and the parking requirements for the school staff;
- The existing constraints on the subject property and the need for greater flexibility to accommodate the proposed expansion; and
- Clarification on the applicable procedures for approving the proposed expansion and confirmation that these procedures would be adequate subject to review by both the Planning Commission and Board of Supervisors.

The discussion resulted in no changes to the subject application, but the applicant agreed to evaluate the clarify the proposed parking provisions and stormwater management system during the deferral period.

Vice Chairman Ulfelder called the first listed speaker.

Mark Doehnert, 6324 Anneliese Drive, Falls Church, stated his support for the application because the expansion was needed to accommodate and support increasing student populations for the surrounding area. A copy of Mr. Doehnert's written statement is included in the date file.

Kim Lanoue and Jenna White, 3334 Mansfield Road, Falls Church, representing the Justice High School PTSA, spoke in opposition to the application because there was insufficient parking at the existing facility, which incurred negative impacts on the surrounding community. They also requested the applicant coordinate with the Fairfax County Park Authority and the surrounding community to better address issues regarding parking at Justice Park, as well as parking accommodations for the expected student population. They also spoke about how the proposed project was inadequate both in terms of parking and extent compared to similar FCPS facilities. A copy of Justice HS PTSA's written statement is included in the date file.

There was a discussion between Ms. Lanoue, Ms. White, and multiple Planning Commissioners on the following:

- The review process for proposed school expansion and the applicant's outreach efforts to the surrounding community;
- Clarification on the bus routes in close proximity to Justice High School and how accessible they were;
- Clarification on the additional modes of transportation for students and staff currently in use;
- Suggestions for how the Land Use Process Review Committee could discuss and recommend changes to the review process for similar school expansions;
- Clarification on the process for students to obtain a parking permit at the existing high school;
- Possible mechanism the applicant could utilize to address issue in terms of equity and social justice; and
- Clarification on the number of additional spaces that would be necessary to alleviate concerns from neighboring residents regarding parking for the proposed school expansion and how this figure would be determined; and
- Discussion on the various issues associated with school expansions and their associated impacts on surrounding communities.

The discussion resulted in no changes to the subject application, but Commissioner Strandlie requested additional information on the transportation methods utilized by students attending Justice High School.

Ann Bennett, 3901 Sandalwood Court, Fairfax, representing the Great Falls Group of Sierra Club, spoke in support of the application because it did not negatively impact Justice Park land and provided a needed addition to Justice High School. However, she noted the organization's opposition to the lack of public engagement in the process and criticized the inadequate provisions for supporting alternative modes of transportation and green building practices. A copy of Great Falls Group of Sierra Club's written statement is included in the date file.

There was a discussion between Ms. Bennett and Commissioner Cortina regarding potential opportunities for the surrounding community to coordinate with the applicant to address concerns regarding the parking provisions for the expanded school facility and the possibility of incorporating improvements to Justice Park with that effort.

Whitney Redding, 7419 Add Drive, Falls Church, representing the Friends of Holmes Run, spoke in support of the application because the expanded school facility would better serve the student population of the area and implement improved stormwater management plans. However, she noted the organization's concern with the lack of community engagement and transparency in the application review process. A copy of Friends of Holmes Run's written statement is included in the date file.

There was a final discussion between Mr. McGranahan and multiple Planning Commissioners on the following:

- Discussion of pursuing improvements to Justice Park in conjunction with the proposed expansion to the school facility on the subject property;
- Clarification on the timeline for the project and the associated funding mechanisms;
- Recommendations on how FCPS and the Fairfax County Park Authority could pursue subsequent improvements in the surrounding area;
- Clarification on the timeline for the community outreach of this project and the various challenges that emerged during the process;
- Concerns on whether the Fairfax County Park Authority's role in the review process of the subject application was sufficient;
- The applicant's outreach efforts to the surrounding community to address the outstanding concerns of residents; and
- The challenges associated with determining appropriate levels for parking and infrastructure for Justice HS while maintaining Justice Park in an equitable manner.

The discussion resulted in no changes to the subject application.

There being no more speakers, Vice Chairman Ulfelder called for a rebuttal statement from Mr. McGranahan, who responded to the testimony from the speakers as follows:

- The applicant remained committed to coordinating with FCPA to determine appropriate improvements to the subject property that complemented the continued operation of Justice Park; and
- The applicant would continue to work with FCPA and the surrounding community to address concerns the parking provisions for the proposed school facility.

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 Strandlie for action on this case.

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Commissioner Strandlie MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ 2021-MA-00026 TO A DATE CERTAIN OF JULY 20, 2022, WITH THE RECORD REMAINING OPEN FOR PUBLIC COMMENT.

Commissioner Cortina seconded the motion, which carried by a vote of 11-0. Chairman Murphy was absent from the meeting.

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The meeting was adjourned at 11:21 p.m.
John C. Ulfelder, Vice 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: Kevin Jackson
Approved on: October 26, 2022

Jacob Caporaletti

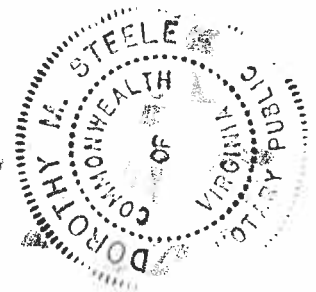
Jacob L. Caporaletti, Clerk to the
Fairfax County Planning Commission

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 1 day of November, 2022, by

Dorothy M. Steele
Signature of Notary

Notary Seal



Notary registration number: 7114113

Commission expiration: January 31, 2024