

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, SEPTEMBER 21, 2022**

PRESENT: Peter F. Murphy, Chairman, Springfield District  
John C. Ulfelder, Vice Chairman, Dranesville District  
Timothy J. Sargeant, Secretary, Commission 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 7:30 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

Commissioner Sargeant announced that on September 7, 2022, Planning Commissioners were emailed copies of the draft minutes for the May 2022, June 2022, and July 2022 meetings. He noted that a schedule for the review and approval of those minutes had been established and announced his intent to move approval of the May 2022 minutes at the Planning Commission meeting scheduled for September 28, 2022; approval of the June 2022 minutes at the Planning Commission meeting scheduled for October 12, 2022; and approval of the July 2022 minutes at the Planning Commission meeting scheduled for October 26, 2022. He encouraged Commissioners to review the minutes and submit all corrections or edits to staff.

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SEA 83-A-026 – CAPITAL SERVICES, INC.

(The public hearing on this application was held on July 27, 2022; Decision Only from September 14, 2022.)

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

- APPROVAL OF SEA 83-A-026, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 21, 2022; AND

- APPROVAL OF A WAIVER OF THE 40,000 SQUARE-FOOT MINIMUM REQUIRED LOT AREA TO PERMIT THE 0.91 ACRE SEA AREA.

Commissioners Sargeant and Ulfelder seconded the motions, which carried by a vote of 10-0-1. Commissioner Jimenez was absent from the meeting. Commissioner Clarke abstained from the vote.

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SE 2021-MV-00018 - OLDE TOWNE PET RESORT SPRINGFIELD LLC

Commissioner Clarke MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR SE 2021-MV-00018 TO A DATE CERTAIN OF NOVEMBER 16, 2022.

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

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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 OCTOBER 19, 2022.

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

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Commissioner Carter announced the Planning Commission would conduct a workshop Thursday, September 29, 2022, at 7:30 p.m., in the Board Auditorium of the Fairfax County Government Center. The purpose of the workshop was to discuss with staff the pending amendments to the Reston Comprehensive Plan. In addition, Commissioner Carter noted that community outreach efforts on these amendments was ongoing. He added that the public hearing was tentatively scheduled for November 2022 on a date to be determined.

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Commissioner Ulfelder noted that Jill Cooper stated that physical quorum of at least seven Commissioners would be needed to conduct the Comprehensive Plan Workshop. He added that there was significant public interest in the Reston Plan Amendment and the workshop was an opportunity to discuss outstanding issues.

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Commissioner Niedzielski-Eichner expressed his disappointment in the chosen time and location in which the Comprehensive Plan Workshop was scheduled to be held. He noted that he still favored conducting this workshop on a Saturday and in a less formal setting, as previously discussed. He felt that holding the workshop on a Saturday would have allowed for more time to address all the topics and a less formal setting would encourage all more authentic conversation on the matter.

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Commissioner Lagana echoed Commissioner Niedzielski-Eichner sentiment, adding that he would not be able to attend the workshop scheduled for Thursday, September 29, 2022. He went on to thank Commissioner Carter for his efforts on this workshop and supported using it as a model that the Commission could utilize for similar issues in the future.

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Commissioner Cortina echoed the comments made by Commissioners Niedzielski-Eichner and Lagana, adding that she favored utilizing a similar process to review the area plans to address items prior to upcoming Site Specific Plan Amendment (SSPA) cases.

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Commissioner Cortina announced that the Planning Commission's Environment Committee meeting would meet on Thursday, September 22, 2022, at 7:30 p.m., in the Board Auditorium of the Fairfax County Government Center. The agenda would include presentations by Allison Homer and Matt Meyers from the Office of Environmental and Energy Coordination on Community-wide Energy and Climate Action Plan Implementation and Resilient Fairfax plan proposal.

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#### ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. FDPA 1997-HM-052 (RZPA 2021-HM-00026) – SAJU VARGHESE AND SHEEJA
2. SEA 85-C-010-02 – RESTON COMMERCE, LLC
3. SE 2022-MV-00002/PCA 89-V-038 (RZPA 2022-MV-00010) – PRAESUM HEALTHCARE SERVICES, LLC
4. RZ/FDP 2021-PR-00022 – SOMOS AT TYSONS LLC

This order was accepted without objection.

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FDPA 1997-HM-052 (RZPA 2021-HM-00026) - SAJU VARGHESE AND SHEEJA JOHN – FDPA Appl. to amend the

final development plan for RZ 1997-HM-052 for Lot 185 to permit a reduction of setback requirements to allow an addition 7.7 ft. from the rear lot line and associated changes to development conditions. Located at 13261 Middleton Farm Ln., Herndon, 20171 on approx. 9,121 sq. ft. of land zoned PDH-3. Hunter Mill District. Tax Map 25-3 ((15)) 185. HUNTER MILL DISTRICT. PUBLIC HEARING.

Saju Varghese, Title Owner/Applicant, reaffirmed the affidavit dated August 9, 2022.

There were no disclosures from the Commission.

Kimia Zolfagharian, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of application FDPA 1997-HM-052.

Mr. Varghese declined to give a presentation and concurred with staff's recommendation.

There was a discussion between Ms. Zolfagharian; Mary Ann Tsai, ZED, DPD; and multiple Commissioners on the following issues:

- Clarification on the incursion of the subject property onto the conservation easement area and whether the neighboring properties had a similar incursion;
- Clarification on the location of the existing deck on the site and its proximity to the resource protection area (RPA);
- The applicant's efforts to coordinate with staff and the Park Authority to address comments related to the parkland and its boundary with the subject property to avoid encroachment;
- Clarification on the Park Authority's evaluation process of adjacent properties within the sub-division;
- Confirmation that an RPA exception would need an administrative approval, which would be submitted at the time of building permit submission;
- Confirmation that the existing structures on the subject property was approved prior to the current map of the RPA boundaries; and
- Clarification that landscaping and mitigation efforts would occur during the administrative RPA approval process.

The discussion resulted in no changes to the subject 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 Carter for action on this case.

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Commissioner Carter MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 1997-HM-052, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 6, 2022.

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

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SEA 85-C-010-02 - RESTON COMMERCE, LLC – SEA Appl. to amend SE 85-C-010 previously approved for a fast-food restaurant with drive through to replace the existing building with a new fast-food restaurant with drive through and amend development conditions. Located at 11257 Roger Bacon Dr., Reston, 20190 on approx. 0.87 ac. (37,897 sf) of land zoned I-5. Hunter Mill District. Tax Map 17-4 ((15)) (5) 4. HUNTER MILL DISTRICT. PUBLIC HEARING.

Matthew G. Roberts, Applicant's Agent, Hirschler Fleischer, P.C., reaffirmed the affidavit dated February 9, 2022.

There were no disclosures from the Commission.

Damaris Martinez, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of application SEA 85-C-010-02.

Mr. Roberts gave a presentation on the subject application.

There was a discussion between Mr. Roberts; Joseph DePascale, Reston Commerce, LLC.; Ms. Martinez; David H. Steigler, Applicant's Agent, Pennoni Associates Inc; and multiple Commissioners on the following issues:

- Explanation of the ingress/egress traffic flow to the site from Wiehle Avenue;
- Clarification on the routes vehicles would utilize to access the proposed drive-through and the extent to which vehicular queuing would occur on the site;
- Clarification on the location and condition of private easements in and around the site;
- Confirmation of the secondary access point from Roger Bacon Drive;
- Concerns related to vehicular safety around the site;
- Clarification on the extent to which the proposed fast food restaurant would complement the operations of the existing restaurant establishments on the site;
- Clarification on the extent to which the applicant was coordinating with the neighboring restaurant establishments to ensure adequate traffic circulation, loading/unloading, and trash disposal;
- Clarification on whether the operation of the drive-through impacted parked vehicles for the proposed restaurant, as well as the neighboring establishments;

- The peak hour operations of the proposed fast food restaurant and how those hours compared with the neighboring establishments;
- Consideration for the placement of the menu to be set further back to enable drive-through customers sufficient time to make their decision prior to pulling up to the place their orders;
- Confirmation that there would be one electric vehicle charging station, which would mainly be for customer use;
- Explanation of the usage of wayfinding signage to help patrons to navigate the site ; and
- Confirmation that the width of both drive-through lanes were 12 feet and that the bypass lane was 10 feet.

The discussion resulted in no changes to the subject application, but Commissioner Strandlie suggested relocating the menu board to improve the ordering process for costumers utilizing the drive-through.

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 Carter for action on this case.

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Commissioner Carter MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 85-C-010-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 8, 2022.

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

Commissioner Carter MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF SUBSECTION 6101.3 OF THE ZONING ORDINANCE REQUIRING ONE LOADING SPACE TO THAT SHOWN ON THE SEA PLAT AND AS CONDITIONED.

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

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SE 2022-MV-00002 - PRAESUM HEALTHCARE SERVICES, LLC, – SE Appl. to permit a medical care facility. Located at 7665 Lorton Rd., Lorton, 22079 on approx. 0.66 ac. of land zoned C-3. Mount Vernon District. Tax Map 108-3 ((2)) 9. (Concurrent with PCA 89-V-038 (RZPA 2022-MV-00010). MOUNT VERNON DISTRICT. PUBLIC HEARING.

PCA 89-V-038 (RZPA 2022-MV-00010) - PRAESUM HEALTHCARE SERVICES, LLC – PCA Appl. to amend the proffers for RZ 89-V-038 previously approved for an institution providing housing and general care for the indigent, orphans, and the like to permit a medical care facility and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.82. Located at 7665 Lorton Rd., Lorton, 22079 on approx. 0.66 ac. of land zoned C-3. Comp. Plan Rec: Retail and Other. Mount Vernon District. Tax Map 108-3 ((2)) 9. (Concurrent with SE 2022-MV-00002). MOUNT VERNON DISTRICT. PUBLIC HEARING.

David I. Schneider, Applicant's Agent, Holland & Knight LLP, reaffirmed the affidavit for PCA 89-V-038, dated August 15, 2022, and the affidavit for SE 2022-MV-00002 dated August 16, 2022.

There were no disclosures from the Commission.

Curtis Rowlette, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of applications PCA 89-V-038 and SE 2022-MV-00002.

Mr. Schneider gave a presentation on the subject applications.

There was a discussion between Mr. Schneider and multiple Commissioners on the following:

- Clarification that 1 out of the 15 non-hospital detox facilities in Virginia is located within Fairfax County and operated by Fairfax County Community Services Board in Chantilly, VA;
- Confirmation of the applicant's commitment to utilize green building practices, as noted in proposed proffered conditions dated August 8, 2022;
- Explanation of the onsite security protocols;
- Confirmation that the facility would be staffed 24 hours a day;
- Clarification on the patient intake process and the use of medical care car services for patients;
- Acknowledgement for the need of the proposed level of support for detoxification in the community to address the ongoing opioid epidemic;
- Confirmation that program participants were admitted voluntarily;
- Confirmation that treatment services were covered under all insurance policies;
- Concerns surrounding the extension of services for individuals deemed as indigent; and
- Confirmation that the cost of services were disclosed at the time of on-boarding
- Confirmation that the facility would utilize designated staff to support participants manage any expenses incurred outside from insurance;
- The widespread public support for utilizing such facilities to address the opioid epidemic in the community.

The discussion resulted in no changes to the subject applications.

There was a final discussion between Commissioner Clarke and Mr. Schneider on the need for additional time to review correspondence between all respective parties, including the South County Supervisor's Office.

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 these cases.

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Commissioner Clarke MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE 2022-MV-00002 AND PCA 89-V-038 TO A DATE CERTAIN OF SEPTEMBER 28, 2022.

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

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RZ/FDP 2021-PR-00022 - SOMOS AT TYSONS LLC – RZ and FDP Appls. to rezone from I-4 and H-C to PTC and H-C to permit mixed-use multi-family residential development with up to a 2.68 FAR and approval of the conceptual and final development plans. Located at 1750 Old Meadow Rd., McLean, 22102 on approx. 4.00 ac. of land. Comp. Plan Rec: Residential and Mixed-Use. Providence District. Tax Map 29-4 ((6)) 100A. PROVIDENCE DISTRICT. PUBLIC HEARING.

John C. McGranahan, Jr., Applicant's Agent, Hunton Andrews Kurth LLP, reaffirmed the affidavit dated September 7, 2022.

There were no disclosures from the Commission.

Katelyn Quinn, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications RZ/FDP 2021-PR-00022.

Mr. McGranahan gave a presentation on the subject applications.

There was a discussion between Ms. Quinn; Mary Ann Tsai, ZED, DPD; Mr. McGranahan; Thomas Fleetwood, Fairfax County Department of Housing and Community Development; Jeffrey A. Krepes, VIKA Virginia, LLC; Stephen P. Wilson, Applicant/Contract Purchaser; and multiple Commissioners on the following issues:



- Confirmation that Capital One was the current owner of the subject property and were contractually selling the property to the applicant;
- Confirmation that the applicant was actively coordinating development with Fairfax County Redevelopment and Housing Authority with respect to financing and future ownership;
- Concerns related to long-term sustainability of the quality of concentrated development with Affordable Dwelling Units (ADU) and Work Force Dwelling units (WDU);
- Explanation of the waiver of subsection 2105.6.B(1) of the Zoning Ordinance requiring a minimum district size of ten acres;
- Explanation of pedestrian accessibility to nearby athletic fields for residents;
- Confirmation of the applicant's commitment to green building practices;
- Explanation of how the affordable housing units would be distributed throughout the proposed development and how the quality of the units would be maintained;
- Clarification on the student ratio calculation based on residential type and whether that would incur a greater impact on the local school system;
- Confirmation that the applicant's affordable housing commitment was articulated in a written agreement and confirmation that this agreement was subject to the approval of the Board of Supervisors;
- Explanation of the construction management activity plan and the financing of the development;
- Confirmation that the income requirements for WDUs was intended to attract future residents the Tysons Urban Center;
- Confirmation that 414 parking spots had been proposed for the development;
- Explanation of the proposal's potential impact on local parks, trails, and transportation networks;
- Explanation of the applicant and staff's student projections for the proposal;
- The proximity of the subject property to the nearest Metrorail Station;
- The pedestrian paths that would access the proposed residential development and the extent to which those paths complied with the standards prescribed by the American's With Disability Act;
- Clarification on the materials utilized to construct the proposed pedestrian paths;
- Explanation of the water service analysis and the calculation to determine the appropriate water support for the subject property;
- Explanation of the criteria of the mix-income rate option and market rate option;
- Clarification on funding sources for the development and potential usage of funds from bond referendums;
- The location of the open space on the proposed development;
- The features included with the parking garage of the proposed development;
- Confirmation that the proposal would comply with the applicable workforce dwelling unit standards;
- Confirmation that the proposed development met the appropriate guidelines and standards for floor-area ratio;
- Clarification on the two development options that would be permitted under the subject applications and the option the applicant was likely to implement;

- Clarification on the factors that would influence the applicant's decision on which development option to pursue;
- Confirmation that previously approved affordable housing commitments from neighboring developments that were involved with the proposal would be retained regardless of which development option was selected;
- Clarification on the difference in the number of affordable dwelling units and workforce dwelling units under each development option;
- Explanation of the usage of Affordable Housing Tax Credits for the proposed development;
- Explanation of the commitments articulated within the green building proffers for market rate unit option;
- Clarification on whether both development options would meet the appropriate Tysons Urban Design Standards;
- The history and condition of the existing structures on the subject property;
- The challenges associated with consolidating the proposal with the surrounding development;
- The effectiveness of sharing the cost between developers and the County in providing additional affordable housing opportunities; and
- Clarification on the cost, financing structures, and effectiveness utilized by private developers in proffering affordable housing commitments that were fulfilled through off-site development.

The discussion resulted in no changes to the subject 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 action on this case.

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Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2021-PR-00022 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED AUGUST 31, 2022.

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

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2021-PR-00022, SUBJECT TO DEVELOPMENT CONDITIONS DATED SEPTEMBER 6, 2022.

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

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING:

- MODIFICATION OF SUBSECTION 2105.6.A(7) OF THE ZONING ORDINANCE FOR THE TYSONS URBAN CENTER STREETScape DESIGN IN FAVOR OF THAT SHOWN ON THE CDP;
- WAIVER OF SUBSECTION 2105.6.B(1) OF THE ZONING ORDINANCE REQUIRING A MINIMUM DISTRICT SIZE OF TEN ACRES;
- MODIFICATION OF SUBSECTION 5100.2.C(5) TO ALLOW A PARAPET WALL, CORNICE OR SIMILAR PROJECTION TO EXCEED THE HEIGHT LIMIT ESTABLISHED BY MORE THAN THREE (3) FEET BUT NOT MORE THAN FOUR (4) FEET;
- MODIFICATION OF SUBSECTION 5108.5.B(1) AND 5108.5.B(2) FOR PERIPHERAL LANDSCAPING OF ABOVE GRADE PARKING STRUCTURES, AS DEMONSTRATED ON THE CDP;
- MODIFICATION OF MINIMUM PARKING SPACE REQUIREMENTS PURSUANT TO SUBSECTION 6100.6.B(1)(A) OF THE ZONING ORDINANCE;
- MODIFICATION OF THE LOADING SPACE REQUIREMENTS SET FORTH IN SUBSECTION 6101.3 OF THE ZONING ORDINANCE IN FAVOR OF THAT SHOWN ON THE CDP;
- WAIVER OF SUBSECTION 8100.7.E(3) OF THE ZONING ORDINANCE REQUIRING INTER-PARCEL ACCESS TO ADJOINING PARCELS;
- MODIFICATION OF SUBSECTION 8100.7.E(4) OF THE ZONING ORDINANCE FOR DEDICATION, CONSTRUCTION, OR WIDENING OF EXISTING ROADS TO THAT SHOWN ON THE CDP AND PROFFERS; AND
- MODIFICATION OF SUBSECTION 8100.7.E(14) OF THE ZONING ORDINANCE TO PERMIT STREET LIGHTING TO BE PROVIDED IN CONFORMANCE WITH THE TYSONS URBAN DESIGN STANDARDS.

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

Commissioner Niedzielski-Eichner MOVED MOVE THAT THE PLANNING COMMISSION CONCUR WITH STAFF AND RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PARKING REDUCTION REQUEST #7788-PKS-002 PURSUANT TO SUBSECTION 6100.6.B(1)(A) OF THE ZONING ORDINANCE, BASED ON THE PROXIMITY OF A MASS TRANSIT FACILITY AND SUBJECT TO THE CONDITIONS

DATED AUGUST 22, 2022, WHICH ARE CONTAINED IN APPENDIX 10 OF THE STAFF REPORT.

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

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The meeting was adjourned at 10:36 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, Virginia 22035.

By Satabdi Samaddar  
Approved on: November 16, 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 21 day of November, 2022, by

*[Handwritten Signature]*  
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Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024



