

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 16, 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
Andres Jimenez, Commissioner At-Large

ABSENT: None

//

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.

//

REMOTE PARTICIPATION POLICY

Chairman Murphy stated that Commissioner Ulfelder was attending the meeting remotely. Then, he explained that the State of Virginia's Remote Participation Policy authorized remote participation of members of any public body, provided that a policy existed to ensure that such remote participation was consistently administered, and the Planning Commission had adopted its Policy for Participation in Meetings by Electronic Communication on September 14, 2022, which required verification that each remotely participating member's voice was clear, audible, and at an appropriate volume for the meeting, as well as confirmation of their location and that their participation conforms with the policy.

Upon request from Chairman Murphy, the attending Commissioner attended the meeting from the following location:

- John C. Ulfelder, Vice Chairman, participated from his home residence in the Dranesville District due to a recent medical procedure.

Upon verifying Commissioner Ulfelder's attendance from his respective location, he indicated that his reason for remote participation was consistent with item II of Section 4a of the policy, which read as follows:

- A family member’s medical condition that requires the member to provide care for such family member, thereby preventing the member’s physical attendance to care for a sick family member.

Secretary Sargeant MOVED THAT COMMISSIONER ULFELDER’ S VOICE COULD BE ADEQUATELY HEARD AND THAT HIS REMOTE PARTICIPATION COMPORTE WITH THE PLANNING COMMISSION’S REMOTE PARTICIPATION POLICY.

The motion carried by a vote of 11-0.

//

COMMISSION MATTERS

APPROVAL OF MINUTES: SEPTEMBER 2022

Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION APPROVE THE FOLLOWING SETS OF MINUTES:

- SEPTEMBER 14, 2022;
- SEPTEMBER 21, 2022; AND
- SEPTEMBER 28, 2022.

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

//

Commissioner Sargeant announced that on October 28, 2022, Planning Commissioners were emailed copies of the draft meeting minutes for the September 29, 2022, Planning Commission Workshop regarding the Reston Comprehensive Plan. He then announced his intent to move approval of those minutes during the November 30, 2022, Planning Commission meeting. He encouraged Commissioners to review the minutes and submit all corrections or edits to staff as soon as possible.

//

SSPA 2021-IV-3MV – HUNTINGTON METRO STATION

(Decision Only) (The public hearing on this application was held on October 19, 2022.)

Commissioner Clarke MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE STAFF RECOMMENDATION FOR PLAN AMENDMENT 2021-IV-3MV WITH MODIFICATIONS SHOWN ON THE PLANNING COMMISSION HANDOUT DATED NOVEMBER 16, 2022.

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

//

Chairman Murphy announced that Meghan Van Dam would be leaving her role with the Department of Planning and Development to become the Division Director for the Affordable Housing and Community Development Division within the Fairfax County Housing Authority. On behalf of the Planning Commission, he then thanked Ms. Van Dam for her work and congratulated her on her new role.

//

RZ 2022-MA-00001 – PLAZA 500 PROPERTY OWNER, L.P.
(Decision Only) (The public hearing on this application was held on October 26, 2022.)

Commissioner Strandlie MOVED THAT THE PLANNING COMMISSION INDEFINITELY DEFER THE DECISION ONLY ON RZ 2022-MA-00001.

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

//

PCA A-502-04 (RZPA 2022-HM-00016)/DPA A-502-10 (RZPA 2022-HM-00016)/PRC A-502-06 (RZPA 2022-HM-00016) - CM VANTAGE LLC
(Decisions Only) (The public hearing on these applications was held on November 2, 2022.)

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

- APPROVAL OF PCA A-502-04, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED NOVEMBER 16, 2022;
- APPROVAL OF WAIVER OF SUBSECTION 2105.3.B(2) OF THE ZONING ORDINANCE FOR THE 200 SQUARE-FOOT PRIVACY YARD;
- APPROVAL OF DPA A-502-10; AND
- APPROVAL OF PRC A-502-06, SUBJECT TO THE PRC CONDITIONS CONSISTENT WITH THOSE DATED OCTOBER 19, 2022.

Commissioner Niedzielski-Eichner seconded each motion, which carried by a vote of 11-0-1. Commissioner Spain abstained from the vote.

//

RZ/FDP 2021-PR-012 – PULTE HOME COMPANY, LLC
(Decisions Only) (The public hearing on these applications was held on November 2, 2022.)

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ/FDP 2021-PR-012 TO A DATE CERTAIN OF NOVEMBER 30, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

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

//

SEA 2010-HM-004 – SANDEEP LOHIA

Commissioner Carter MOVED THAT THE PLANNING COMMISSION INDEFINITELY DEFER THE PUBLIC HEARING FOR SEA 2010-HM-004.

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

//

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

Commissioner Clarke MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON SE 2021-MV-00018 TO A DATE CERTAIN OF JANUARY 11, 2023.

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

//

RZ 2022-PR-00011 – CARTER V BOEHM, TRUSTEE

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ 2022-PR-00011 TO A DATE CERTAIN OF DECEMBER 7, 2022.

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

//

Commissioner Ulfelder announced that the Planning Commission’s Land Use Process Review Committee would meet on Thursday, November 17, 2022 in the Board Auditorium of the Fairfax County Government Center to discuss issues related to the colocation of public facilities and public/private partnerships under the pending Public Facilities Plan Amendment, as well as updates to the Comprehensive Plan Amendment Work Program.

//

ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. FDP 2018-MV-005 (RZPA 2021-MV-00043) – IDI HUNTINGTON, L.C
2. PCA/CDPA/FDPA 2007-LE-007 (RZPA 2022-LE-0056) – HANOVER R.S. LIMITED PARTNERSHIP
3. FDPA 82-P-069-13-11 (RZPA 2021-SP-00011) CONCURRENT WITH CSPA 82-P-069-06 (RZPA 2021-SP-00011) – FAIR LAKES DEV, LLC
4. RZ 2021-PR-00030 – FAIRFAX COUNTY SCHOOL BOARD, A BODY CORPORATE

This order was accepted without objection.

//

FDP 2018-MV-005 (RZPA 2021-MV-00043) - IDI HUNTINGTON, L.C. – FDP Appl. to approve the final development plan for RZ 2018-MV-005 to permit 200 stacked townhouse dwelling units, between 250 and 315 multifamily dwelling units, and 12,000 and 20,000 sq. ft. of secondary uses, for a maximum Floor Area Ratio (FAR) of 1.58. Located on the S. side of Huntington Ave., N. side of Kings Hwy, E. of Telegraph Rd. on approx. 11.8 ac. of land zoned PRM. Mount Vernon District. Tax Map 83-1 ((23)) 1 through 156 and 267 through 301. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Mark C. Looney, Applicant's Agent, Cooley LLP, reaffirmed the affidavit dated November 2, 2022.

There were no disclosures made by the Commission.

Catherine Lewis, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), and Bryan Botello, ZED, DPD, presented the staff report, a copy of which is in the date file. They noted that staff recommended approval of application FDP 2018-MV-005.

Mr. Looney gave a presentation on the subject application.

There was a discussion between Mr. Looney, Ms. Lewis; Joanne Fiebe, Revitalization Program Manager, DPD; and multiple Commissioners on the following:

- Clarification on the pedestrian access proposed from neighboring residential communities to the Huntington Metro station in the subject development;
- The visual impact, aesthetics, and overall experience for pedestrians utilizing the paths to access the metro station;
- Clarification on applicant's commitment to transitional screening to address the impact of light glare produced by the proposed garage;
- The interim conditions and final conditions regarding street trees for the area along North Kings Highway;

- Clarification on the location of existing sanitary sewer lines located along or near the subject property;
- Clarification on the extent to which the applicant's commitment to trees preservation was reflected in the proposed streetscape plan; and
- Confirmation that that Poffer Number 20c addressed any potential conflict between the proposed street trees and public utilities.

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 Clarke for action on this case.

//

Commissioner Clarke MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2018-MV-005, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED NOVEMBER 16, 2022.

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

//

PCA/CDPA/FDPA 2007-LE-007 (RZPA 2022-LE-0056) - HANOVER R.S. LIMITED PARTNERSHIP – PCA, CDPA, and FDPA Appl(s). to amend the proffers, conceptual development plan, and final development plan for RZ 2007-LE-007, previously approved for mixed-use development, to permit modifications to proffers and site design at an intensity of 1.71 floor area ratio (FAR). Located on the N. side of Spring Mall Rd., and E. of Loisdale Rd., on approx. 6.18 ac. of land zoned PDC and SC. Comp. Plan Rec: Retail with an option for town center. Lee District. Tax Map(s) 90-2 ((16)) A(pt.), B, C, D, and E (pt.). LEE DISTRICT. PUBLIC HEARING.

Elizabeth D. Baker, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated October 26, 2022.

There were no disclosures made by the Commission.

Zach Fountain, 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/CDPA/FDPA 2007-LE-007.

Ms. Baker gave a presentation on the subject applications.

There was a discussion between Ms. Baker, Mr. Fountain, and multiple Commissioners on the following:

- Explanation of the impact of the garage lighting on neighboring residents;
- Clarification on the applicant's proposed light mitigation strategies;
- The existing amount of parking and impervious surface on the subject property;
- The applicant's efforts to address the concerns regarding stormwater management provisions for the proposed development;
- The location and design of the parks, open space, and recreational areas;
- The changing trends in development for the surrounding area;
- Clarification on the status of other undeveloped areas located near the subject property; and
- Confirmation that the applicant conducted outreach to the adjacent property owners regarding a potential connection between the two parcels.

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 Lagana for action on this case.

//

Commissioner Lagana MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2007-LE-007 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED NOVEMBER 16, 2022

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

Commissioner Lagana MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE PARKING REDUCTION REQUEST (#7463-PKS-008-01), PURSUANT TO SUBSECTION 6100.6.B.1.C OF THE ZONING ORDINANCE BASED ON THE PROXIMITY OF THE DEVELOPMENT TO METRORAIL, AND SUBJECT TO THE CONDITIONS DATED AUGUST 11, 2022 AND CONTAINED IN APPENDIX 18 OF THE STAFF REPORT.

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

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

- WAIVER OF SUBSECTION 5108.5.A.5.B OF THE ZONING ORDINANCE TO ELIMINATE THE INTERIOR PARKING LOT LANDSCAPING REQUIREMENT FOR THE ADDITIONAL LEVEL OF THE PARKING GARAGE PROPOSED;
- MODIFICATION OF SUBSECTION 8100.7.E.2 OF THE ZONING ORDINANCE TO ALLOW THE PROPOSED 10-FOOT-WIDE SHARED USE PATH TO FULFILL THE ON-STREET BIKE LANE REQUIREMENT IDENTIFIED IN THE COMPREHENSIVE PLAN, AS SHOWN ON THE CDPA/FDPA; AND
- REAFFIRMATION OF THE FOLLOWING PREVIOUSLY-APPROVED WAIVERS AND MODIFICATIONS ASSOCIATED WITH RZ 2007-LE-007;
 - MODIFICATION OF THE REQUIRED NUMBER OF LOADING SPACES AS REQUIRED BY THE ZONING ORDINANCE, IN FAVOR OF THAT SHOWN ON THE CDPA/FDPA;
 - WAIVER OF THE TRANSITIONAL SCREENING YARD AND BARRIER REQUIREMENTS BETWEEN USES ON SITE AS REQUIRED BY THE ZONING ORDINANCE;
 - WAIVER OF THE 600-FOOT MAXIMUM LENGTH OF PRIVATE STREETS; AND
 - MODIFICATION OF THE 50 PERCENT LIMITATION ON RESIDENTIAL AS A SECONDARY USE IN THE PDC DISTRICT.

Commissioners Bennett, Sargent, and murphy seconded the motion, which carried by a vote of 12-0.

Commissioner Lagana MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 2007-LE-007.

Commissioners Bennett, Sargent, and murphy seconded the motion, which carried by a vote of 12-0.

//

Chairman Murphy relinquished duties of the Chair and gavel to Secretary Sargeant.

//

FDPA 82-P-069-13-11 (RZPA 2021-SP-00011) CONCURRENT WITH CSPA 82-P-069-06 (RZPA 2021-SP-00011) – FAIR LAKES DEV, LLC – FDPA Appl. to amend the final development plans for RZ 82-P-069-13 to permit redevelopment of Land Bay IV-B, Building B7, and associated changes to development conditions. Located at 13060 Fair Lakes Shopping Ctr., Fairfax, 22033 on approx. 41,808 sq. ft. of land zoned PDC and WS. Springfield District. Tax Map 55-1 ((14)) 6. (Concurrent with CSPA 82-P-069-06 (RZPA 2021-SP-00011)).

CSPA 82-P-069-06 (RZPA 2021-SP-00011) - FAIR LAKES DEV, LLC– CSPA Appl. to amend the previously approved Comprehensive Sign Plan associated with RZ 82-P-069 to permit sign modifications. Located at 13060 Fair Lakes Shopping Ctr., Fairfax, 22033 on approx. 0.95 ac. of land zoned PDC and WS. Springfield District. Tax Map 55-1 ((14)) 6. (Concurrent with FDPA 82-P-069-13-11 (RZPA 2021-SP-00011)). SPRINGFIELD DISTRICT. PUBLIC HEARING.

John C. McGranahan, Jr., Applicant’s Agent, Hunton Andrews Kurth LLP, reaffirmed the affidavit dated October 31, 2022.

There were no disclosures made by the Commission.

Damaris Martinez, 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 applications FDPA 82-P-069-13-11 and CSPA 82-P-069-06.

Mr. McGranahan gave a presentation on the subject applications.

There was a discussion between Mr. McGranahan; Catherine Lewis, ZED, DPD; Ms. Martinez, and multiple Commissioners on the following:

- Clarification on the route vehicles would utilize to access the parking provisions on the site;
- Clarification on the applicant’s underground stormwater management features;
- Clarification on the pedestrian pathway from the parking area to the building entrances;
- Considerations for increasing sidewalk visibility;
- Confirmation that the applicant would a pedestrian path to an existing bus stop;
- Clarification on the applicant’s objection to the requested shelter for the bus stop;
- Clarification on staff’s determination that including shelter at the bus stop would increase accessibility for potential patrons and employee to the proposed development;
- Clarification on the applicant’s commitment to providing a bench and trashcan at the bus stop that was compliant with the provisions of the Americans with Disability Act (ADA);

- Concerns regarding applicant’s commitment to the bare minimum standards for pedestrian improvement features;
- The public and private mechanisms for implementing bus stops at appropriate locations throughout the County;
- The public and community benefits for installing a bus stop and bus shelter with the proposal; and
- Clarification that the forementioned bench and trash cans would be maintained by Fairfax County.

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, Secretary Sargent closed the public hearing and recognized Commissioner Murphy for action on this case.

//

Commissioner Murphy MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON FDPA 82-P-069-13-11 AND CSPA 82-P-069-06 (RZPA 2021-SP-00011) TO A DATE CERTAIN OF NOVEMBER 30, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

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

//

Chairman Murphy resumed duties of the Chair and gavel.

//

RZ 2021-PR-00030 - FAIRFAX COUNTY SCHOOL BOARD, A BODY CORPORATE – RZ Appl. to rezone from R-2 to R-3 to allow building additions and site improvements for Mosaic Elementary School and a lot width waiver, at an overall Floor Area Ratio (FAR) of 0.29. Located at 9819 Five Oaks Rd., Fairfax, 22031 on approx. 10.06 ac. of land. Comp. Plan Rec: Public Facilities. Providence District. Tax Map 48-3 ((1)) 16. PROVIDENCE DISTRICT. PUBLIC HEARING.

John C. McGranahan, Jr., Applicant’s Agent, Hunton Andrews Kurth LLP, reaffirmed the affidavit dated October 19, 2022.

There were no disclosures made by the Commission.

Kimia Zolfagharian, 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 RZ 2021-PR-00030.

Mr. McGranahan gave a presentation on the subject application.

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

- Clarification on the movement of bus traffic within the site;
- Clarification on the routes buses would utilize to enter and exit the;
- Confirmation that staff at the school would enforce the parking restrictions on the site that prohibited vehicles from utilizing the bus entrances;
- Confirmation that the applicant had committed to installing the appropriate infrastructure for the future implementation of electric vehicle charging stations;
- Clarification on the applicant's commitments to implement improvements to the sidewalks accessing the site;
- The applicant's efforts to evaluate the feasibility of installing solar panels on the rooftops of existing school facilities;
- The types of solar panels the applicant was considering in evaluating the feasibility of implementing such features on existing structures;
- The challenges associated with implementing appropriate procedures for managing vehicular traffic flow within a school facility;
- Clarification on the applicant's public outreach efforts;
- The applicant's efforts to provide the community with adequate information about the subject application;
- The applicant's efforts to address the concerns raised by the community;
- The number of community meetings the applicant had scheduled and the extent to which such meetings had been attended;
- The extent to which the staff at the existing school had participated in the public outreach efforts and the review process for the subject application;
- The applicant's public outreach efforts compared to previous applications for other school facilities;
- The extent to which the applicant coordinated with the community to determine appropriate routes for buses and vehicular traffic;
- The applicant's efforts to improve the safety of sidewalks for students accessing the site;
- The impact of the applicant's sidewalk improvements on existing conservation easements;
- Confirmation that the applicant's sidewalk improvements would impact the conservation easement in an appropriate manner.

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.

//

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2021-PR-00030, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED OCTOBER 20, 2022.

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

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS AROUND THE PERIPHERY OF THE PROPERTY THAT IS ADJACENT TO EXISTING RESIDENTIAL USES TO WHAT IS SHOWN ON THE GENERALIZED DEVELOPMENT PLAN.

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

//

The meeting was adjourned at 10:22 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: February 1, 2023

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 9 day of February, 2023, by

[Handwritten Signature]
Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

