

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MAY 4, 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

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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

APPROVAL OF MINUTES: FEBRUARY 2022

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

- FEBRUARY 2, 2022;
- FEBRUARY 16, 2022; AND
- FEBRUARY 23, 2022.

Commissioner Ulfelder seconded the motion, which carried by a vote of 10-0. Commissioners Strandlie and Lagana were not present for the vote.

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2232-2021-BR-00026 – FAIRFAX COUNTY PUBLIC SCHOOLS, BONNIE BRAE
ELEMENTARY SCHOOL RENOVATION AND ADDITION, 5429 SIDEBURN ROAD,
FAIRFAX, VA

Commissioner Cortina MOVED THAT THE PLANNING COMMISSION CONCUR WITH STAFF'S CONCLUSION THAT THE ADDITIONS AND IMPROVEMENTS PROPOSED AT BONNIE BRAE ELEMENTARY SCHOOL, AS DEPICTED IN FEATURE SHOWN APPLICATION 2232-2021-BR-00026, SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT OF THE ADOPTED COMPREHENSIVE PLAN, AS SPECIFIED IN *VIRGINIA CODE*, SECTION 15.2-2232, AND IS THEREFORE CONSIDERED A FEATURE SHOWN OF THE COMPREHENSIVE PLAN.

Commissioner Sargeant seconded the motion, which carried by a vote of 10-0. Commissioners Strandlie and Lagana were not present for the vote.

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SEA 84-V-035-03 – HUNTWOOD, L.L.C.

(The public hearing on this application was held on April 27, 2022.)

Prior to the motion, there was a discussion between Curtis Rowlette, Zoning Evaluation Division, Department of Planning and Development, Robert D. Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., and multiple Commissioners on the following:

- The impact of 100 additional parking spaces on the Resource Protection Area (RPA);
- The increase in impervious area of 7,371 square feet meets minimum RPA standards;

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Commissioner Strandlie arrived at the meeting.

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- The applicant's justification to increase the number of parking spaces to support current and future residents;
- The applicant adhered to the County's policy when planning for development and redevelopment in resource protection areas (RPA);

Commissioner Cortina stated her opposition to the proposed application.

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Commissioner Lagana arrived at the meeting.

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- The occupancy rate of the adjacent office building was noted to be at 40 percent vacancy; and

- Confirmation by the applicant that a detailed parking analysis was not conducted and that their request for the number of parking spaces was intended to attract new office and other tenants to the proposed development.

The discussion resulted in no changes to the subject application.

Commissioner Clarke made preliminary comments.

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Commissioner Clarke MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 84-V-035-03, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 3, 2022.

Commissioner Ulfelder seconded the motion, which carried by a vote of 11-1. Commissioner Cortina voted in opposition.

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Commissioner Strandlie announced that there was an ongoing effort by Fairfax County Public Schools to update the outreach process regarding changes to school facilities, noting previous issues with outreach on similar issues. She added that the Fairfax County School Board was considering additional updates to regulations and policies, which could be discussed at a future Schools Committee meeting.

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ORDER OF THE AGENDA

Chairman Murphy established the following order of the agenda:

1. RZ/FDP 2021-SU-017 CONCURRENT WITH PCA 78-S-063-012 – K. HOVNANIAN AT GALLERY PARK AT WESTFIELDS, LLC

This order was accepted without objection.

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RZ/FDP 2021-SU-017 - K. HOVNANIAN AT GALLERY PARK AT WESTFIELDS, LLC, RZ and FDP —Appl. to rezone from I-4, AN, and WS to PDH-16, AN, and WS to permit residential development with an overall Floor Area Ratio (FAR) of 0.59 inclusive of bonus density for affordable housing and approval of the conceptual and final development plan. Located on the S. side of Old Lee Rd., W. side of Stonecroft Blvd. and N. side of Northridge Dr. on approx. 10.76 ac. of land. Comp. Plan Rec:

Mixed Uses. Sully District. Tax Map 43-2 ((2)) 29G3.
(Concurrent with PCA 78-S-063-12).

PCA 78-S-063-12 - K. HOVNANIAN AT GALLERY PARK AT WESTFIELDS, LLC, PCA — Appl. to amend the proffers for RZ 78-S-063 previously approved for light intensity industrial uses to permit deletion of land area and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.59 inclusive of bonus density for affordable housing. Located on the S. side of Old Lee Rd., W. side of Stonecroft Blvd., and N. side of Northridge Dr. on approx. 10.76 ac. of land zoned I-4 and WS. Comp. Plan Rec: Mixed Uses. Sully District. Tax Map 43-2 ((2)) 29G3. SULLY DISTRICT. PUBLIC HEARING.

Commissioner Sargeant disclosed that prior to retirement, he was employed with Dominion Energy Corporation and since the subject applications contained references and illustrations to Dominion infrastructure, he recused himself from the public hearing.

Kenneth W. Wire, Applicant's Agent, Wire Gill LLP, reaffirmed the affidavit dated March 22, 2022.

Emma Estes, 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-SU-017 and PCA 78-S-063-012.

There was a discussion between Ms. Estes; William O'Donnell, Zoning Evaluation Division, Department of Planning and Development; Mr. Wire; David R. Gill, Applicant's Agent, Wire Gill LLP; Martin E. Rizerm Applicant's Agent, K. Hovnanian at Gallery Park at Westfields, LLC.; and multiple Commissioners on the following:

- Confirmation that the applicant would ensure compliance with the requirements for the Power Transmission Easement, which would be made part of the homeowner's association declaration;
- Clarification on the long-term implications regarding the Power Transmission Easement on residents;
- Concerns related to the impact to residential development in surrounding areas;
- Confirmation that staff's recommendations had factored in the design of the development, noise management practices, and high-quality park space;
- Confirmation that the transmission lines were permanent and could adequately serve the surrounding developments;
- Concerns related to the proximity of the powerlines to the proposed development;
- Concern regarding the character compatibility, economic viability, and overall justification of residential development on the site with that of surrounding developments;
- Clarification on the ingress and egress from the subject property;

- Clarification on the zoning requirements and by-right development options for the surrounding area;
- Concerns for on-site stormwater management practices related to run-off and water quality;
- Clarification on the limitations for tree canopy guidelines, as determined by the easements;
- The past development trends for the subject property and surrounding area, as well as the process for determining appropriate developments within those areas;
- The extent to which the presence of power transmission lines negatively impacted residential development;
- Explanation on why electric vehicle charging stations were not proffered for visitor parking; and
- Concerns for the safety of pedestrians and bicyclists around the subject property.

The discussion resulted in no changes to the subject applications, but the applicant agreed to evaluate the possibility of including a greater commitment to implementing electric vehicle charging stations and installing signage to improve the safety of bicyclists.

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

Joseph Keegan, 5105 Woodmere Drive Apt. 102, Centreville, VA 20120, voiced concerns for the impact of the proposed development on the welfare of existing wildlife and increased traffic congestion.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Wire, who thanked everyone for their comments and concerns regarding the subject applications. He expressed gratitude to staff for their hard work on articulating compliance standard of the Comprehensive Plan. Mr. Wire responded to the testimony from Mr. Keegan wherein he stated he was unaware of any issues regarding wildlife impact but would speak to Mr. Keegan to address his concerns.

There was a final discussion between Ms. Estes, Mr. O'Donnell, Mr. Wire, and multiple Commissioners on the following issues:

- Clarification on Figure 7: Easement Exhibit, on page 46 of the staff report, to confirm that the VEPCO Easement did not cover any of the proposed units;
- Confirmation that traffic preemption devices were included in the proffers;
- Confirmation of the inclusion of vegetation around the stormwater pond to attract pollinators and wildlife;
- Consideration for community garden along transmission lines;
- Clarification on Fairfax County's policies on electric vehicle charging stations; and
- Clarification on affordable housing guidelines on financing units within proximity to high voltage power lines.

The discussion resulted in no changes to the subject applications.

Chairman Murphy closed the public hearing and recognized Commissioner Spain for action on these cases.

Prior to the motion there was a brief discussion between Mr. Gill and Commissioner Spain on the following:

- Efforts to strengthen the stormwater proffer;
- Clarification on the signage that would be included at the entrance of the Stonecroft development for bicycle and pedestrian safety;
- The addition of electric vehicle charging stations;
- Clarification on efforts to incorporate meadow type vegetation for the benefit of the wildlife; and
- Efforts to address any financing concerns for Affordable Dwelling Units.

The discussion resulted in the applicant's agreement to work with staff to address the items brought forth by the Commission.

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Commissioner Spain MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2021-SU-017, SUBJECT TO DEVELOPMENT CONDITIONS DATED APRIL 22, 2022.

Commissioner Jimenez seconded the motion.

Commissioner Niedzielski-Eichner stated that he was not fully persuaded that the subject applications were appropriate for the location, but trusted Commissioner Spain and staff's judgement. Therefore, he intended to vote in support of these applications.

Commissioner Ulfelder thanked Commission Spain for her comments and summary of the application. He noted that there were several concerns raised during the hearing and suggested that the Commission defer the decision on these applications to allow time for necessary revisions. Commission Ulfelder stated he will be voting in opposition to this motion.

Commissioner Strandlie echoed concerned made by Commission Ulfelder and stated she intended to abstain from this motion.

Commission Spain stated that the applicant had committed to addressing the concerns raised by the Commission. She clarified with the Commission that they would like to see what the applicant has addressed prior to voting on any motions.

Chairman Murphy aligned himself with Commissioner Ulfelder's statement. He also noted the importance of the decision only process, which provided clarity for the Commission to be able to make best judgement.

Commissioner Niedzielski-Eichner suggested a substitute motion be made for deferral on these applications.

Commissioner Clarke asked if there was a set date for this case to be heard by the Board of Supervisors. To which, staff confirmed there was not.

Commissioner Ulfelder MOVED FOR A SUBSTITUTE MOTION TO DEFER THE DECISION ON THIS APPLICATION TO A DATE CERTAIN OF MAY 11, 2022.

Chairman Murphy and Commissioners Niedzielski-Eichner seconded the substitute motion, which carried by a vote of 11-0. Commissioner Sargeant recused himself from the vote.

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Commissioner Spain MOVED THAT THE PLANNING COMMISSION TO DEFER THE DECISION ONLY FOR RZ/FDP 2021-SU-017, CONCURRENT WITH PCA 78-S-063-012, TO A DATE CERTAIN OF MAY 11, 2022.

Chairman Murphy, Commissioners Cortina, Strandlie, and Ulfelder seconded the motion, which carried by a vote of 11-0. Commissioner Sargeant recused himself from the vote.

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Commissioner Clarke requested to make an additional motion to the decision only for SEA 84-V-035-03, Huntwood, L.L.C.

Chairman Murphy recognized Commissioner Clarke for further action on this case.

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Commissioner Clarke MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RESOURCE PROTECTION AREA ENCROACHMENT EXCEPTION #6216-WRPA-001-5 AND WATER QUALITY IMPACT ASSESSMENT #6216-WQ-001-5, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN ATTACHMENT A OF APPENDIX 4 IN THE STAFF REPORT DATED MARCH 25, 2022.

Commissioner Ulfelder seconded the motion.

Commissioner Cortina stated her opposition to this application on the basis of excess parking spaces not being the minimum necessary to afford relief in the RPA exception process.

The motion carried by a vote of the Planning Commission voted 8-3. Commissioner Sargeant was not present for the vote and Commissioners Strandlie, Cortina, and Niedzielski-Eichner voted in opposition.

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The meeting was adjourned at 9:04 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, Virginia 22035.

By Satabdi Samaddar
Approved on: September 28, 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 30 day of September, 2022, by

[Signature]

Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

