

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MAY 24, 2023**

PRESENT: Phillip A. Niedzielski-Eichner, Chairman, Providence District
Timothy J. Sargeant, Vice Chairman, Commission At-Large
Evelyn S. Spain, Secretary, Sully District
John C. Ulfelder, Parliamentarian, Dranesville District
Daren Shumate, Mason District
Mary D. Cortina, Braddock District
John A. Carter, Hunter Mill District
Daniel G. Lagana, Franconia District
Walter C. Clarke, Mount Vernon District
Peter F. Murphy, Springfield District
Candice Bennett, Commissioner At-Large
Andres Jimenez, Commissioner At-Large

ABSENT: None

OTHERS: Katelyn Quinn, Zoning Evaluation Division (ZED), Department of Planning
and Development (DPD)
William O'Donnell, ZED, DPD
Sharron Williams, ZED, DPD
Damaris Martinez, ZED, DPD
Tabatha Cole, ZED, DPD
Jacob L. Caporaletti, Clerk, Planning Commission
Satabdi Samaddar, Deputy Clerk, Planning Commission

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The meeting was called to order at 7:30 p.m., by Chairman Phillip A. Niedzielski-Eichner, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chairman Niedzielski-Eichner provided an historical overview of Fairfax County's Policy Plan in which he noted that it had been updated throughout the years in a piecemeal manner. He then stated that the Board of Supervisors had authorized staff to undertake a complete update of the Policy Plan to review, update, and streamline the existing Policy Plan elements. He emphasized the importance for an integrated and holistic approach to updating the Policy Plan to ensure it aligned with the County's current initiatives. He noted that this would be the focus of the Planning Commission's Policy Plan Committee. All Commissioners would serve on this committee, with himself as Chairman and Timothy J. Sargeant as Vice Chairman. This committee would coordinate closely with staff as the Policy Plan evolved and members of the Committee would act as subject matter liaisons to key designated staff members. Chairman Niedzielski-Eichner announced that the Planning Commission's Policy Plan Committee would

meet on Thursday, May 25, 2023, at 7:30 p.m. in Conference Room 11 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. The meeting would be broadcasted on Channel 16 and via online video stream. The agenda included a presentation from staff from the Department of Planning and Development on the process for updating the Policy Plan.

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Commissioner Ulfelder announced that following the Policy Plan Committee, the Planning Commission's Land Use Process Review Committee would meet on Thursday, May 25, 2023, in Conference Room 11 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. The agenda included a presentation from staff from the Department of Planning and Development on upcoming Zoning Ordinance Amendments on Signs Part II and Landscaping & Screening.

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RZ/FDP 2021-BR-018 - MARY H. DAY

Commissioner Cortina MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ 2021-BR-018 AND FDP 2021-BR-018 TO A DATE CERTAIN OF JUNE 21, 2023.

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

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SE 2019-SU-018 – HUMANE SOCIETY OF FAIRFAX COUNTY

Commissioner Spain MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON SE 2019-SU-018 TO A DATE CERTAIN OF SEPTEMBER 27, 2023.

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

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PA 2021-IV-S2 – VILLA PARK ROAD

(The public hearing on this plan amendment was held on May 10, 2023.)

Commissioner Lagana MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF PA 2021-IV-S2.

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

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Commissioner Spain reminded all Commissioners to review the March 2023 meeting minutes. She then noted that she intended to move approval on those minutes at the June 7, 2023, Planning Commission meeting.

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ORDER OF THE AGENDA

Secretary Spain established the following order of the agenda:

1. CSP-2014-PR-021 HIGHLAND TC APARTMENTS LLC
2. FDPA 78-C-118-023 – BRIAN JAMES NALLS, TRUSTEE AND LAUREN ALEXIS NALLS, TRUSTEES OF THE NALLS FAMILY TRUST
3. RZ 2022-SU-00010 – MATAN GLORUS ROAD, LLC
4. PCA 2002-HM-043-005/CDPA 2002-HM-043-004 (RZPA 2022-DR-00058) CONCURRENT WITH FDPA 2002-HM-043-007 (RZPA-2022-DR-00059) - ARROWBROOK CENTRE, LLC

This order was accepted without objection.

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The next application was located in the Providence District; therefore, Chairman Niedzielski-Eichner relinquished the Chair to Vice Chairman Sargeant.

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CSP 2014-PR-021 (RZPA 2022-PR-00146) - HIGHLAND TC APARTMENTS LLC - CSP Appl. for approval of a Comprehensive Sign Plan associated with RZ 2014-PR-021. Located at 1768 Old Meadow Rd., McLean, 22102 on approx. 4.87 ac. of land zoned PTC and HC. Providence District. Tax Map 29-4 ((6)) 95C. PROVIDENCE DISTRICT. PUBLIC HEARING.

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 electronic date file. She noted that staff recommended approval of application CSP 2014-PR-021.

Bernard Suchicital, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C. gave a presentation on the subject application.

There was a brief discussion between Mr. Suchicital and Commissioner Ulfelder on the following:

- Confirmation of the street address of the subject property;

- Clarification on how the subject property could be accessed from I-495 West and I-95 North; and
- Clarification on the visibility of the signage from I-495.

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 Sargeant closed the public hearing and recognized Commissioner Niedzielski-Eichner for action on this case.

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Prior to the motion. Commissioner Niedzielski-Eichner requested that the applicant confirm for the record their agreement to the development conditions dated May 9, 2023.

Mr. Suchicital affirmed agreement to the development conditions dated May 9, 2023.

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION APPROVE CSP-2014-PR-021, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 9, 2023.

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

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Chairman Niedzielski-Eichner resumed the duties of the Chair.

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Commissioner Carter announced that the Planning Commission meeting agenda had been updated to include a direct link to the staff report for each application. He noted that he and Supervisor Walter Alcorn recognized the complexity of the PLUS database to be a barrier for citizens in accessing the staff reports. Therefore, this recommendation was implemented to better serve the citizenry. Commissioner Carter recognized Jill Cooper, Executive Director, Department of Clerk Services; Jacob Caporaletti, Clerk, Planning Commission; and staff for their work on this matter.

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FDPA 78-C-118-23 (RZPA 2022-SU-00088) - BRIAN JAMES NALLS, TRUSTEE AND LAUREN ALEXIS NALLS, TRUSTEES OF THE NALLS FAMILY TRUST - FDPA Appl. to amend the final development plans for RZ 78-C-118 to permit an addition (portico) 18.3 ft. from the front lot line and associated changes to development conditions. Located at 12757 Tuberville Ln., Herndon, 20171 on approx. 11,880 sq. ft. of land zoned PDH-2. Sully District. Tax Map 35-2 ((8)) 19. SULLY DISTRICT. PUBLIC HEARING.

There were no disclosures from the Commission.

There was a brief discussion between Sharon Williams, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), William O'Donnell, ZED, DPD, and multiple Commissioners to clarify the application number.

Ms. Williams presented the staff report, a copy of which is in the electronic date file. She noted that staff recommended approval of application FDPA 78-C-118-23.

Jacob Caporaletti, Clerk to the Planning Commission, noted that the gentleman who spoke on behalf of the applicant for this case was not listed on the affidavit. Therefore, Chairman Niedzielski-Eichner requested that an authorized representative of the applicant come forth to reaffirm the affidavit.

Emily Hink, Applicant's Agent, Home Base Services, LLC a/b/a/HB, reaffirmed the affidavit dated February 24, 2023.

Ms. Hink gave a brief presentation on the subject application wherein she noted the purpose of this application was to permit the construction of a portico on the subject property.

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 Niedzielski-Eichner closed the public hearing and recognized Commissioner Spain for action on this case.

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Prior to the motion, Commissioner Spain requested that the applicant confirm for the record their agreement to the development conditions dated March 14, 2023.

Ms. Hink affirmed agreement to the development conditions dated March 14, 2023.

Commissioner Spain MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 78-C-118-23, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MARCH 14, 2023.

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

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RZ 2022-SU-00010 - MATAN GLORUS ROAD, LLC - RZ Appl.
to rezone from I-3, I-4, WS and AN to I-4, WS and AN to allow an expansion of a surface parking area serving a previously approved industrial development consisting of office/warehouse/data center uses and an overall Floor Area Ratio (FAR) of 0.20. Located at 14850 Thompson Rd., 3700 Barney Rd. and 3720 Barney Rd., Chantilly, 20151 on approx. 16.31 ac. of land. Comp. Plan Rec:

Industrial Uses. Sully District. Tax Map 33-2 ((2)) 9, 9A and 10D and a portion of the Barney Rd. public right-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public right-of-way for Barney Rd. to proceed). SULLY DISTRICT. PUBLIC HEARING.

Robert D. Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated March 14, 2023.

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 electronic date file. She noted that staff recommended approval of application RZ 2022-SU-00010.

Mr. Brant gave a presentation on the subject application.

There was a discussion between Mr. Brant and Commissioner Spain regarding a written correspondences from the community concerning the potential impact that the vacation of Barney Road would incur on property values and traffic congestion. Mr. Brant explained that the property values of the adjacent parcels would not be impacted due to the access afforded by existing rights-of-way. Mr. Brandt addressed traffic congestion concern by noting the applicant's fulfillment of proffered condition 2B, which stated that the applicant would submit a Trip Generation Analysis (TGA) to the Fairfax County Department of Transportation to demonstrate compliance with the trip generation maximum of 249 peak-hour vehicle trips and no greater than 2,499 daily vehicle trips based on the current version of the Institute of Transportation Engineers Trip Generation Manual.

There was a discussion between Mr. Brant; William O'Donnell, Zoning Evaluation Division, Department of Planning and Development; and multiple Commissioners on the following:

- Clarification on the application of Proffer 11A regarding the extent to which this would allow the applicant to meet Fairfax County requirements for stormwater management;
- Clarification on the quantity and quality of the applicant's right to purchase off-site nutrient credits for the purposes of stormwater management; and
- Explanation of the history of the previously dedicated right-of-way on Barney Road.

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 Niedzielski-Eichner closed the public hearing and recognized Commissioner Spain for action on this case.

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Commissioner Spain MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2022-SU-00010, SUBJECT TO THE

EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED JANUARY 23, 2023, AND THE BOARD'S APPROVAL OF A VACATION AND ABANDONMENT REQUEST TO VACATE PORTIONS OF THE PUBLIC RIGHT-OF-WAY FOR BARNEY ROAD.

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

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PCA 2002-HM-043-005/ CDPA 2002-HM-043-004 (RZPA 2022-DR-00058) - ARROWBROOK CENTRE, LLC - PCA and CDPA Appl(s). to amend the proffers and conceptual development plan for RZ 2002-HM-043, previously approved for the PDC District, to permit mixed use development and associated modifications to proffers and site design modifications at a density of 35.63 dwelling units per acre (du/ac) (Overall Development--16.81 du/ac) and max Floor Area Ratio (FAR) of 3.04 (Overall Development--0.99 FAR). Located on the W. side of Centreville Rd., N. of Fairfield Ridge Ave., and S. of the Dulles Airport Access Rd., on approx. 9.68 ac. of land zoned PDC. Comp. Plan Rec: Mixed Uses/ Public Parks. Dranesville District. Tax Map 16-3 ((20)) 1A2 (pt.), 5, 6 and 7C (pt.); 16-3 ((27)) 11 (pt.). (Concurrent with FDPA 2002-HM-043-007 (RZPA 2022-DR-00059)).

FDPA 2002-HM-043-007 (RZPA 2022-DR-00059) - ARROWBROOK CENTRE, LLC - FDPA Appl. to amend the final development plan for RZ 2002-HM-043 to permit a multifamily residential building and associated changes to development conditions. Located on the W. side of Centreville Rd., N. of Fairfield Ridge Ave., and S. of the Dulles Airport Access Rd. on approx. 4.09 ac. of land zoned PDC. Dranesville District. Tax Map 16-3 ((20)) 5 (pt.), 6 (pt.), 7C (pt.) and 1A2 (pt.). (Concurrent with PCA 2002-HM-043-005/CDPA 2002-HM-043-004 (RZPA 2022-DR-00058)). DRANESVILLE DISTRICT. PUBLIC HEARING.

John C. McGranahan Jr., Applicant's Agent, Hunton Andrews Kurth LLP, reaffirmed the affidavit dated May 11, 2023.

There were no disclosures from the Commission.

Tabatha Cole, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy of which is in the electronic date file. She noted that staff recommended approval of applications PCA 2002-HM-043-005, CDPA 2002-HM-043-004, and FDPA 2002-HM-043-007.

Mr. McGranahan gave a presentation on the subject applications.

There was a discussion between Mr. McGranahan; Jeffery Fairfield, Manager, Arrowbrook Center, LLC; Ms. Cole; William O'Donnell, Zoning Evaluation Division, Department of Planning and Development; and multiple Commissioners on the following:

- Clarification on the modifications to the setback of the subject development from the Dulles Toll Road;
- Explanation of the benefits of the usage of private streets throughout the subject area;
- Clarification on which streets were designated as private streets and which streets were public;
- Clarification on plans to implement a bicycle track along Sunrise Valley Drive;
- The applicant's design of the on-site recreation amenities;
- Clarification on the usage of permeable surfaces around the interim use lot;
- Explanation of the back-up interim use dedicated for community garden plots;
- Explanation of the accessibility to water from the community garden plots;
- Explanation that access to community garden plots would be determined by charitable lessee;
- Explanation of the anticipated timeline for development;
- Explanation of the applicant's commitment to working with existing residents to address concerns related to the impact of construction activity, traffic, accessibility, and stormwater management;
- Explanation of the charitable trust that would be utilized by the applicant;
- Explanation of the applicant's efforts to coordinate with potential partners for the interim uses on the site;
- Explanation of the description, accessibility, and function of the proposed elevated courtyard;
- Confirmation that the applicant had fulfilled the request for the use of brick and stone façades;
- Clarification on how delivery vehicles would service residents of the proposed development and the areas of the site such vehicles would utilize; and
- Explanation of the reduction of the number of loading spaces at the site.

The listed speaker was not present and there were no speakers in the audience, therefore Chairman Niedzielski-Eichner called the first speaker on the telephone and recited the rules for public testimony.

Cristina Westernik, 2324 Wind Charm Street, Herndon, voiced concerns regarding the safety and noise disturbances related to the proposed above-ground parking deck. She also inquired as to why the parking garage could not be built underground and the duration of the interim lot use.

In response to Ms. Westernik's concerns, Mr. McGranahan explained that the presence of diabase rock in the subject area of the proposed parking garage would require the use of explosives, thereby increasing the construction cost. In addition, he noted the location of the proposed

parking garage would not be visible from Wind Charm Street and would cause a noise disturbance. Mr. McGranahan stated that the duration of the interim lot use is approved for a minimum of ten years, according to Proffer Number 77.

Mr. O'Donnell added that an additional FDPA would be needed for any future development on the interim use lot.

Jacob Marzouca, 2320 Field Point Ridge, Herndon, asked for further clarification on whether the proposed development would be condominiums or rental units and if there would be income assisted units.

In response to Mr. Marzouca's questions, Mr. McGranahan confirmed that the proposed development of Building R was intended for rental use and would not include any affordable housing units.

Amanda Schwerzer, 13377 Lander Street, Herndon voiced concerns regarding density, the long-term impact on traffic, and parking availability. She also had concerns regarding the loss of open space and walking path and the overall walkability to restaurants and retail shops in the area.

There being no more speakers, Chairman Niedzielski-Eichner called for a rebuttal statement from Mr. McGranahan, who responded to Ms. Schwerzer's concerns as follows:

- Confirmed the applicant's commitment to preserving the Innovation Walking Trail;
- Clarified that the proposed parking garage would be reserved for the use by the residents of Building R; and
- Clarified that 75 percent of the approved retail space was leased.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Niedzielski-Eichner closed the public hearing and recognized Commissioner Ulfelder for action on these cases.

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Prior to the motion. Commissioner Ulfelder requested that the applicant confirm for the record their agreement to the development conditions dated March 10, 2023.

Mr. McGranahan affirmed agreement to the development conditions dated March 10, 2023.

Commissioner Ulfelder MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 2002-HM-043-005 AND CDPA 2002-HM-043-004, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED MAY 8, 2023.

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

Commissioner Ulfelder MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 2002-HM-043-007, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 10, 2023, AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF THE CONCURRENT PCA AND CDPA APPLICATIONS.

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

Commissioner Ulfelder MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE REQUESTED WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DATED MAY 24, 2023.

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

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The meeting was adjourned at 9:25 p.m.
Phillip A. Niedzielski-Eichner, Chairman
Evelyn S. Spain, 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: July 26, 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 4 day of August 2023, by

[Handwritten Signature]
Signature of Notary

Notary registration number: 7164113

Commission expiration: January 31, 2024

