

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, FEBRUARY 8, 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

ABSENT: Andres Jimenez, Commissioner At-Large

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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 announced that at the February 1, 2023 Planning Commission meeting, new officers were elected for the 2023 term. This change occurred in response to his predecessor, Commissioner Peter F. Murphy, not seeking reelection after serving as Chairman for the Planning Commission for 33 years. He also noted that Julie Strandlie had stepped down from her role as Parliamentarian and Mason District Commissioner for the Planning Commission.

On behalf of the Planning Commission, Chairman Niedzielski-Eichner thanked Commissioner Murphy for his many years of service as Chairman.

Chairman Niedzielski-Eichner stated that he was looking forward to coordinating with the newly elected officers for the 2023 team, as follows:

- Timothy J. Sargeant, Vice Chairman, Commission At-Large;
- Evelyn S. Spain, Secretary, Sully District; and
- John C. Ulfelder, Parliamentarian, Dranesville District.

Chairman Niedzielski-Eichner noted that Commissioner Lagana was running late due to traffic and Commissioner Jimenez was absent from the meeting due to prior commitments, but indicated that he intends to review this meeting through Fairfax County's video OnDemand.

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PCA 86-W-001-14/CDPA 86-W-001-05 (RZPA 2022-BR-00086) CONCURRENT WITH FDPA 86-W-001-09 (RZPA 2022-BR-00092) – LACM VA, LLC
(Decisions Only) (The public hearing on these applications were held on February 1, 2023.)

Prior to the motion, Commissioner Cortina requested that the applicant confirm for the record their agreement to the development conditions dated February 7, 2023.

Brian J. Winterhalter, Applicant's Agent, DLP Piper LLP, reaffirmed agreement to the development conditions dated February 7, 2023.

Commissioner Cortina MOVED THE FOLLOWING ACTIONS:

- THAT THE PLANNING COMMISSION APPROVE FDPA 86-W-001-09, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED FEBRUARY 7, 2023.
- THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL of PCA 86-W-001-14 AND CDPA 86-W-001-05, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 7, 2023;
- THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE REQUESTED WAIVERS AND MODIFICATIONS CONTAINED IN THE MEMO DATED FEBRUARY 7, 2023.

Commissioner Sargeant seconded the motions, which carried by a vote of 9-0-1. Commissioner Jimenez was absent from the meeting; Commissioner Lagana was not present for the vote; and Commissioner Bennett abstained from the vote.

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SEA 2007-SP-001-02 – COSTCO WHOLESALE CORPORATION
(Decision Only) (The public hearing on this application was held on January 25, 2023.)

Prior to the motion, Commissioner Murphy requested that the applicant confirm for the record their agreement to the development conditions dated February 7, 2023.

David Houston, Applicant's Agent, Bean, Kinney & Korman, P.C., affirmed agreement to the development conditions dated February 7, 2023.

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

- APPROVAL OF SEA 2007-SP-001-02, SUBJECT TO PROPOSED DEVELOPMENT CONDITIONS DATED FEBRUARY 7, 2022; AND
- APPROVAL OF THE REAFFIRMATION OF THE PREVIOUSLY APPROVED MODIFICATION OF TRANSITIONAL SCREENING AND THE WAIVER OF BARRIER REQUIREMENTS ALONG THE EASTERN PROPERTY LINE, IN FAVOR OF THAT SHOWN ON THE SE PLAT AND THAT PREVIOUSLY APPROVED.

Commissioner Ulfelder seconded the motions, which carried by a vote of 10-0. Commissioner Jimenez was absent from the meeting and Commissioner Lagana was not present for the vote.

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Commissioner Lagana arrived at 7:51 p.m.

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SE 2022-MA-00026 – WESLEY HOUSING DEVELOPMENT CORPORATION
(Decision Only) (The public hearing on this application was held on February 1, 2023.)

Prior to the motion, Commissioner Shumate requested that the applicant confirm for the record their agreement to the development conditions dated February 7, 2023.

Sara V. Marisk, Applicant’s Agent, Odin, Feldman & Pittleman, P.C., affirmed agreement to the development conditions dated February 7, 2023.

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

- APPROVAL OF SE 2022-MA-00026, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 7, 2023;
- WAIVER OF THE BARRIER REQUIREMENT ON THE SOUTHERN PROPERTY BOUNDARY IN LIEU OF THE REQUIRED BARRIER D, E OR F PER SECT.5108.7.K OF THE ZONING ORDINANCE;
- WAIVER OF THE SERVICE DRIVE REQUIREMENT, PER 8100.7.E.3.A OF THE ZONING ORDINANCE;
- MODIFICATION OF THE FRONTAGE IMPROVEMENTS ALONG LEESBURG PIKE (ROUTE 7) TO PERMIT THAT SHOWN ON THE SE PLAT; AND
- MODIFICATION OF SECTION 4102.5.N.1.B TO ALLOW AN OFFICE WITHIN AN INDEPENDENT LIVING FACILITY IN LIEU OF THE REQUIREMENT TO LOCATE AN

OFFICE IN A RESIDENTIAL DISTRICT WITHIN A SINGLE-FAMILY DETACHED DWELLING.

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

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SEA 95-M-029-02 – MCDONALD’S CORPORATION

Commissioner Shumate MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR SEA 95-M-029-02 TO A DATE CERTAIN OF MARCH 15, 2023.

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

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ORDER OF THE AGENDA

Secretary Spain established the following order of the agenda:

1. SEA 95-Y-024-07 – COSTCO WHOLESALE CORPORATION
2. PCA C-052-10/CDPA-C-052-03/FDPA-C-052-16 – SKYLINE 4 LLC AND 511 LEESBURG LLC
3. RZ/FDP 2022-DR-00006 – FCGP-METRO DEVELOPMENT, LLC

This order was accepted without objection.

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SEA 95-Y-024-07 – COSTCO WHOLESALE CORPORATION–
SEA Appl. to amend SE 95-Y-024, previously approved for an increase in area and height for two freestanding signs, an increase in building height for two hotels and a service station in a Highway Corridor Overlay District, to permit an expansion of the Vehicle Fueling Station and associated modifications to site design and development conditions. Located at 14390 Chantilly Crossing Ln., Chantilly, 20151 on approx. 13.38 ac. of land zoned C-8, AN, HC and WS. Sully District. Tax Map 34-3 ((1)) 41B.
SULLY DISTRICT. PUBLIC HEARING.

David S. Houston, Applicant’s Agent, Bean, Kinney & Korman, P.C., reaffirmed the affidavit dated January 9, 2023.

There were no disclosures from the Commission.

Emma Estes, Zoning Evaluation Division, Department of Planning and Development presented the staff report. She noted that staff recommended approval of application SEA 95-Y-024-07.

Mr. Houston gave a presentation on the subject application.

There was a discussion between Mr. Houston and Commissioner Ulfelder on the possibility of implementing solar panels on the proposed canopy of the service station. Mr. Houston stated that there was some consideration for solar panels during the preliminary stages of the subject application, but the cost verses benefit analysis concluded that the addition was not feasible.

There being no listed speakers, Chairman Niedzielski-Eichner called for speakers from the audience and telephone but received no response. 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 Spain for action on this case.

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Prior to the motion Commission Spain requested that the applicant confirm for the record their agreement to the development conditions dated February 7, 2023.

Mr. Houston affirmed agreement to the development conditions dated February 7, 2023.

Commissioner Spain MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 95-Y-024-07, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 7, 2023.

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

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PCA C-052-10/CDPA-C-052-03/FDPA-C-052-16 – SKYLINE 4 LLC AND 511 LEESBURG LLC– PCA, CDPA and FDPA Appl(s). to amend the proffers, conceptual development plan, and second final development plan for RZ-C-052, previously approved for office use, to permit the repurposing of office buildings to accommodate live/work units and associated modifications to proffers and site design at a 2.49 Floor Area Ratio (FAR). Located approx. 1,000 sq. ft. S.W. of the intersection of Leesburg Pike and South George Mason Dr., on approx. 5.56 ac. of land zoned CRD, PDC, HC and SC. Comp. Plan Rec: Mixed Use.

Mason District. Tax Map 62-3 ((1)) 37B, 39B and 40B1 (pt.).
MASON DISTRICT. PUBLIC HEARING.

Commissioner Shumate disclosed he had economic interest in the subject application; therefore, recused himself from the public hearing. Commissioner Sargeant indicated that he would handle this case.

Gregory A. Riegler, Applicant's Agent, McGuire Woods LLP, reaffirmed the affidavit dated January 27, 2023.

Sharon Williams, Zoning Evaluation Division, Department of Planning and Development presented the staff report. She noted that staff recommended approval of applications PCA C-052-10, CDPA-C-052-03, and FDPA-C-052-16.

Mr. Riegler gave a presentation on the subject applications.

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

- Clarification on how the renovation of Buildings 4 and 5 differ from Buildings 1, 2, and 3;
- The increased flexibility that would be incorporated into the interior space of the buildings;
- The amenities that would be incorporated into the proposal;
- Clarification on how Buildings 1, 2, and 3 would be redeveloped under the subject applications compared to how they would be developed under the existing rezoning;
- Clarification on the mix of uses that would be utilized with the proposal;
- Clarification on the extent of the walkability provisions that would be incorporated with the proposal;
- Clarification on the accessibility of the subject property by individuals with disabilities;
- Clarification on the accessibility of the bridge;
- Confirmation that the access to the bridge led to the plaza would be compliant with the provisions of the Americans With Disabilities Act;
- Clarification on the ability for the pedestrians to access the recreational amenities;
- The efforts to blend the exiting underground parking facilities for other residential uses;
- Clarification on the definition and application of live/work features with the proposed development;
- The flexibility with which the residents of the proposed development would be able live and work;
- Confirmation that each residential unit would utilize adequate live/work features;
- The ongoing trends of other jurisdictions in efforts to repurpose office buildings for residential or mixed use;
- The challenges and limitations associated with repurposing office buildings for residential or mixed use;

- The issues associated with repurposing older office buildings for other uses, such as floor plates;
- Clarification on the criteria for evaluating whether an office building could accommodate being repurposed for residential or mixed uses;
- Clarification on the extent to which the applicant had addressed the outstanding issues listed by staff regarding water quality and quantity calculation, and the utilization of bird-friendly design;
- Confirmation that the applicant would address the remaining issues outlined by staff at the time of site plan review;
- Concern regarding the impact of road salt on local water tables and the challenges with removing salt from water supply;
- Clarification on the applicant's stormwater management commitments and the reason for not utilizing bioretention facilities;
- Confirmation that the proposal would reduce the amount of impervious surfaces on the site and permeable pavement would be utilized;
- Clarification on the maintenance responsibilities of the proposed mixed-use development;
- Confirmation that the applicant's stormwater management provisions were consistent with the recommendations of the Comprehensive Plan; and
- Clarification on the role of the applicant's landscaping provisions for mitigating and filtering stormwater runoff generated by the site.

There being no listed speakers, Chairman Niedzielski-Eichner called for speakers from the audience and recited the rules for public testimony.

Aaron Wilkowitz, 6800 Walnut Street, Falls Church, VA spoke in support of the subject applications and praised the efficient strategic approach to increase density in the area.

Commissioner Lagana commented that he supported the proposed repurposing and redevelopment of the site.

William Rountree, 5501 Seminary Road, Unit 2605, Falls Church, VA spoke in support of the subject applications because the proposed amenities would have a positive impact to the character of the area.

There being no more speakers, Chairman Niedzielski-Eichner called for a rebuttal statement from Mr. Riegle, who declined.

Chairman Niedzielski-Eichner asked for clarification on the applicant's agreement to staff's recommendation pertaining to waivers and modifications. Mr. Riegle confirmed that the proposed waivers and modification were than what the applicant sought. Ms. Williams noted that the request for the remaining waivers and modifications recommended would be more appropriate at the time of site plan review.

William O'Donnell, Zoning Evaluation Division, Department of Planning and Development, clarified that the current proposed waivers and modification incorporated all of staff recommendations, as noted in the staff report.

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 Sargeant for action on these cases.

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Prior to the motion, Commissioner Sargeant requested that the applicant confirm for the record their agreement to the development conditions dated January 24, 2023.

Mr. Riegel affirmed agreement to the development conditions dated January 24, 2023.

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

- APPROVAL OF PCA C-052-10 AND CDPA C-052-03, SUBJECT TO THE EXECUTION OF THE PROFFERED CONDITIONS DATED JANUARY 24, 2023;
- MODIFICATION OF SECTION 2105.4.C.1.A OF THE ZONING ORDINANCE TO ALLOW THE GROSS FLOOR AREA OF DWELLINGS AS A SECONDARY USE TO EXCEED 50 PERCENT OF THE DEVELOPMENT IN ACCORDANCE WITH THE USES SHOWN ON THE CDPA/FDPA AND PROFFERED CONDITIONS;
- MODIFICATION OF SECTION 6100.4 TO ALLOW FOR A REDUCED NUMBER OF PARKING SPACES IN FAVOR OF THAT SHOWN ON THE CDPA/FDPA;
- MODIFICATION OF MINIMUM LOADING SPACE REQUIREMENT SET FORTH IN SECTION 6101.3 OF THE ZONING ORDINANCE TO PERMIT THE EXISTING FOUR LOADING SPACES TO REMAIN;
- WAIVER OF SECTION 5107.3.A.3 OF THE ZONING ORDINANCE TO ALLOW PRIVATE STREETS IN EXCESS OF 600 FEET IN LENGTH;
- MODIFICATION OF SECTION 5108.6 OF THE ZONING ORDINANCE FOR TRANSITIONAL SCREENING AND BARRIER USES WITHIN THE SITE AND BETWEEN ADJACENT PROPERTY LINES IN FAVOR OF THAT SHOWN ON THE CDPA/FDPA;
- WAIVER OF SECTION 5108.5.A AND 5108.5.B OF THE ZONING ORDINANCE FOR INTERIOR PARKING LOT AND PERIPHERAL LANDSCAPING IN FAVOR OF THAT SHOWN ON THE CDPA/FDPA;

- MODIFICATION OF SECTION 8100.7.E.2 OF THE ZONING ORDINANCE REQUIRING THE CONSTRUCTION OF A MINOR TRAIL/WALKWAY ALONG SOUTH GEORGE MASON DRIVE IN FAVOR OF MAINTAINING THE EXISTING SIDEWALK AS SHOWN ON THE CDPA/FDPA; AND
- MODIFICATION OF SECTION 8100.7.E.2 OF THE ZONING ORDINANCE REQUIRING FURTHER DEDICATION AND CONSTRUCTION OF SOUTH GEORGE MASON DRIVE BEYOND THAT SHOWN ON THE CDPA/FDPA.

Commissioner Lagana seconded the motion, which carried by a vote of 10-0. Commissioner Jimenez was absent from the meeting and Commissioner Shumate recused himself from the public hearing.

Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION APPROVE FDPA C-052-16, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 24, 2023, AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF THE CONCURRENT PCA APPLICATION.

Commissioner Lagana seconded the motion, which carried by a vote of 10-0. Commissioner Jimenez was absent from the meeting and Commissioner Shumate recused himself from the public hearing.

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RZ/FDP 2022-DR-00006 – FCGP-METRO DEVELOPMENT, LLC– RZ and FDP Appls. to rezone from R-30, R-1 and HC to PRM and HC to permit multifamily residential, single-family attached residential, office, and retail uses at a 0.96 Floor Area Ratio (FAR) and approval of the conceptual and final development plan. Located S. of Interstate 66, W. of Haycock Rd., N. of and including Falls Church Dr. on approx. 23.99 ac. of land. Comp. Plan Rec: Public Facilities and Mixed Use. Dranesville District. Tax Map 40-3 ((1)) 83 and 84; 40-4 ((1)) 13; 40-4 ((2)) 1 and 2. DRANESVILLE DISTRICT. PUBLIC HEARING.

Andrew A. Painter, Applicant's Agent, Walsh Colucci Lubeley & Walsh PC, reaffirmed the affidavit dated January 25, 2023.

There were no disclosures from the Commission.

Catharine Lewis, Zoning Evaluation Division, Department of Planning and Development presented the staff report on behalf of Bryan Botello, who participated remotely. They noted that staff recommended approval of applications RZ/FDP 2022-DR-00006.

Mr. Painter gave a presentation on the subject applications.

Commissioner Ulfelder announced his intent to defer decision only on the subject applications for one week to, a date certain of February 8, 2023.

There was a discussion between Mr. Painter; Michael Davis, Parking Program Manager, Fairfax County Department of Land Development Services; Maria C. Lashinger, Gorove/Slade Associates, Inc.; Catherine Lewis, ZED, DPD; Evan A. Goldman, ME Homes Associates LLC; Travis P. Brown, Walter L. Phillips, Incorporated; Marc Dreyfuss, Fairfax County Department of Transportation; and multiple Commissioners on the following:

- The concerns raised by the residents of neighboring communities on the subject applications regarding the preservation and cost of the existing easement;
- The outstanding issues related to maintaining and dredging the existing stormwater pond;
- The efforts of the applicant, the neighboring residents, and Metropolitan Area Transit Authority;
- Concerns regarding the applicant's parking reduction request;
- The existing parking garage on the site and the maintenance responsibilities of that garage;
- Confirmation that the parking garage would not count towards the parking spaces for the proposed development;
- Clarification on the review process for a parking reduction request;
- Confirmation that the applicant's parking reduction request would be subject to an administrative approval by the Board of Supervisors;
- Clarification on the extent to which staff and the applicant for a parking reduction coordinated to determine whether the reduction was appropriate and feasible;
- Clarification on the timeline for the review and approval of a parking reduction request;
- Clarification on the status of the applicant's parking reduction request and whether this request had been shared with the McLean Citizens Association (MCA);
- Clarification on the applicant's justification for requesting a parking reduction request;
- The applicant's transportation demand management (TDM) program, which encouraged public transit and work-from-home provisions;
- Clarification on the goals of the applicant's TDM program and the methods for achieving that goal;
- The extent to which the applicant's TDM program discouraged the use of single-occupancy vehicles;
- Explanation of Phases 1, 2A, 2B, 3, and 4 of the proposed development;
- Clarification on the timeline for each phase of development;
- The concerns raised by the MCA regarding the impact of the proposed development on the local schools;
- Concerns regarding the applicant's process for calculating the amount of students that would be generated by the proposed development;
- The existing formula utilized by the County for determining the student impact of a development on the local school system and concerns regarding the adequacy of this formula in certain areas of the County;

- Clarification on how the applicant calculated the amount of office space that would be included with the proposal;
- Explanation of the viability of the proposed office space due to the proximity to a Metrorail Station;
- Confirmation that the proposed office space with the proposed development could be adequately converted to other uses;
- Concern regarding the proximity of the tree pits to the curb;
- Concern regarding the adequacy of the drop-off and loading space areas for the proposed developments;
- Concern regarding the extent of the applicant's parking reduction request and the potential impact of not having adequate parking;
- The goals of the Comprehensive Plan with respect to reducing parking and traffic at transit station areas;
- Confirmation that the applicant would comply with the parking provisions of the Zoning Ordinance;
- Clarification of the applicant's stormwater management commitments during each phase of construction;
- Clarification on the applicant's efforts to improve the condition of the existing stormwater management pond and the maintenance responsibilities of the pond;
- The various issues that arose during the review of the previously approved Comprehensive Plan Amendment for the site;
- The applicant's commitment to fund an off-site pedestrian bridge over I-66;
- Clarification on the applicant's commitment to install bicycle lanes and the options for implementing these lanes;
- Clarification on staff and the Virginia Department of Transportation's support for each option for installing the bicycle lanes;
- The extent to which the proposed bicycle lanes would properly integrate with neighboring properties and jurisdictions;
- The existing ridership of the West Falls Church Metrorail Station and the extent to which the proposed development would increase ridership;
- Clarification on the existing condition of the stormwater pond on the site; and
- The importance of concentrating high-density development in transit station areas located around Metrorail Stations.

During the discussion, the applicant did not object to sharing the status of their parking reduction request with the MCA.

Chairman Niedzielski-Eichner called the first listed speaker.

Aaron Wilkowitz, 6800 Walnut Street, Falls Church, spoke in support of the subject applications. A copy of Mr. Wilkowitz written statement is in the date file.

The next listed speaker was not present for testimony.

Cheryl Sim, 6700 Beacon Lane, Falls Church, spoke in opposition of the subject applications because of the proposed development's potential traffic impact, the inadequacy of the applicant's

commitments for pedestrian safety, the impact of the applicant's parking reduction request, and the inadequacy of the applicant's affordable housing commitments.

Adrienne Whyte, 6704 West Falls Way, Falls Church, representing the Mount Daniel Civic Association (MDCA), voiced opposition to the subject applications because of concerns regarding traffic impact, pedestrian safety, character compatibility, inadequate parking provisions, inadequate loading spaces, and potential noise impacts. However, she did acknowledge the applicant's proffered commitments to off-site improvements and utilizing bird friendly design for the proposed building. She also did not support the MCA's resolution. A copy of Ms. Whyte's statement is in the date file.

Joseph Schiarizz, 321 Gundry Drive, Falls Church, spoke in support of the subject applications because it would incur a positive environmental impact on the surrounding area, improve the character of the site, enhance the pedestrian experience, encourage the usage of mass transit, and reduce the overall traffic impact.

There was a discussion between Mr. Schiarizzi and Commissioner Ulfelder regarding the future of bus rapid transit services throughout the area.

Mostafa ELNahass, 7000 Falls Reach Drive, Apt. 207, Falls Church, provided a [YouTube](#) video testimony wherein he voiced his support for the subject applications. A copy of Mr. EL Nahass's written statement is in the date file.

Paul Rothstein, 7024 Falls Reach Drive, Falls Church, expressed concerns regarding pedestrian safety and the inadequate efforts to preserve the stormwater easement to a pond on the subject site. A copy of Mr. Rothstein's written statement is in the date file.

In response to Mr. Rothstein, Commissioner Ulfelder stated that the Planning Commission was required by state law to make decision on a case within 100 days and could not defer decision until an agreement regarding the stormwater easement was finalized.

Jordan Hurley, 6990 Falls Reach Drive, Apt 312, Falls Church, spoke in support of the subject applications, echoing remarks from previous speakers regarding the need for housing around Metrorail Stations and the positive impact on the character on the surrounding area. He also expressed support for the applicant's parking reduction request, noting that parking demand reduced considerably in areas located near Metrorail Stations.

Sonya Breehey, 2902 Marshall Street, Falls Church, representing the Coalition for Smarter Growth spoke in support of the subject applications. A copy of a joint statement from the Coalition for Smarter Growth and Fairfax Healthy Communities Network is in the date file.

Chris Fraccaro, 2316 Highland Terrace, Falls Church, spoke in opposition of the subject applications, echoing remarks from previous speakers regarding the impact of the proposed development on traffic, pedestrian safety, and the overall character of the neighboring residential development.

There were no more listed speakers. Chairman Niedzielski-Eichner called for speakers from the audience.

Gifford R. Hampshire, spoke in opposition to the subject application because of concerns regarding the applicant's stormwater management commitments. He also echoed concerns regarding the lack of an agreement to preserve the existing stormwater easement and favored deferring decision of the proposal until the agreement was secured.

There was a discussion between Mr. Hampshire and Commissioner Ulfelder regarding the following:

- The timeline for securing an agreement to preserve the existing stormwater easement;
- The process for securing such an agreement;
- The challenges associated with finalizing an agreement;
- The maintenance responsibility of the stormwater easement; and
- The importance of ensuring the operation of the stormwater management pond during the construction of the proposal.

Meredith Allard, 7023 Haycock Road, Falls Church, spoke in support of the subject applications because it would increase in housing opportunities in the area, improve the character on the surrounding area, reduced the overall traffic impact, and increase ridership at the Metrorail Station. She also indicated that the proposal would provide additional economic opportunities for the area. She went on to share that future Metro expansion in Fall Church was a determining factor for her and her husband to invest in their first home.

Rachelle Barimany, 3745 North Tazwell Street, Arlington, spoke in support of the subject applications, aligning herself with remarks from previous speakers regarding the benefits of the proposal for the surrounding area..

There being no more speakers, Chairman Niedzielski-Eichner called for a rebuttal statement from Mr. Painter, who responded to the testimony from the speakers as follows:

- The applicant would continue to coordinate with neighboring residents to secure an agreement on the stormwater easement;
- The applicant would meet the County's requirements for affordable housing;
- The applicant would provide adequate parking;
- The density of the proposed development was appropriate for the proximity to a Metrorail Station; and
- The applicant had committed to improving the pedestrian experience throughout the site.

There was a final discussion between Ms. Lewis and multiple Commissioners on the following:

- Clarification on the scope of the final development plan and conceptual development plan;
- Clarification on the role of the Commission in approving certain elements and phases of the proposal; and

- Clarification on the role of the Board of Supervisors in approving certain elements and phases of the proposal.

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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Commissioner Ulfelder MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ/FDP 2022-DR-00006 TO A DATE CERTAIN OF MARCH 8, 2023, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

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

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The meeting was adjourned at 11:33 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: March 29, 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 30 day of March 2023, by

[Handwritten Signature]
Signature of Notary

Notary registration number:

7114113

Commission expiration:

January 31, 2024



