

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, OCTOBER 18, 2023**

**PRESENT:** Phillip A. Niedzielski-Eichner, Chairman, Providence District  
Evelyn S. Spain, Secretary, Sully District  
John C. Ulfelder, Parliamentarian, Dranesville District  
Mary D. Cortina, Braddock District  
Daren Shumate, Mason District  
Walter C. Clarke, Mount Vernon District  
John A. Carter, Hunter Mill District  
Candice Bennett, Commissioner At-Large

**ABSENT:** Timothy J. Sargeant, Vice Chairman, Commissioner At-Large  
Daniel G. Lagana, Franconia District  
Peter F. Murphy, Springfield District

**OTHERS:** Daniel Creed, Zoning Evaluation Division (ZED),  
Department of Planning and Development (DPD)  
Leslie Johnson, Director, Zoning Administration Division (ZAD), DPD  
Catherine Lewis, ZED, DPD  
Daquan Zhou, DPD  
Carmen Bishop, Assistant Zoning Administrator, ZAD, DPD  
Tammy Schwab, Fairfax County Park Authority  
Jacob L. Caporaletti, Department of Clerk Services (DCS)  
Teresa Desantis, DCS  
Samantha Lawrence, DCS

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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 the items to be considered during Commission matters and the scheduled public hearings.

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Commissioner Carter announced that the Planning Commission's Policy and Procedures Committee would meet with staff from the Department of Planning and Development on Thursday, October 19, 2023, at 7:30 p.m. in Conference Room 11 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, to review proposed changes to the Planning Commission's bylaws.

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ORDER OF THE AGENDA

Secretary Spain established the following order of the agenda:

1. RZ/FDP 2022-DR-00028 - JAG PARTNERS LLC
2. ZONING ORDINANCE AMENDMENT - OUTDOOR LIGHTING AROUND TURNER FARM PARK OBSERVATORY

This order was accepted without objection.

Chairman Niedzielski-Eichner recited the rules for public testimony.

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RZ/FDP 2022-DR-00028 - JAG PARTNERS LLC – Appls. to rezone from C-3, C-6, SC, HC and CRD to PRM, SC, HC and CRD to permit a mixed use development with an overall Floor Area Ratio (FAR) of 3.12 and approval of the conceptual and final development plan. Located on the N.E. side of Old Dominion Dr. between Ingleside Ave. and Beverly Rd., S.W. side of Elm St. between Moyer Pl. and Beverly Rd., McLean, 22101 on approx. 2.06 ac. of land. Comp. Plan Rec: Office. Tax Map 30-2 ((10)) (8) 3, 4 and 5 and 30-2 ((10)) (7) 3. DRANESVILLE DISTRICT. PUBLIC HEARING.

Daniel Creed, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD) presented the staff report, a copy is in the electronic date file. He stated that staff recommended approval of RZ 2022-DR-00028 and FDP 2022-DR-00028.

Michelle A. Rosati, Applicant’s Agent, gave a presentation on the subject mixed use development.

There was a discussion between Mr. Creed; Catherine Lewis, Assistant Director, ZED, DPD; Daquan Zhou, Office of the Deputy Director, Community Revitalization, DPD; Ms. Rosati; and multiple Commissioners regarding the following:

- The applicant confirmed collaboration with Mars, Incorporated (MARS) and developed a pedestrian mid-block connection that included the existing park space;
- The applicant confirmed that MARS coordinated their design of the urban park space on Old Dominion Drive to merge with the proposed development;
- The applicant confirmed adjustments were made to the MARS building from the common boundary to create additional space for the pedestrian mid-block connection zone;
- The applicant confirmed that the proposed development had multiple ingress/egress points to mitigate traffic impacts;

- The applicant confirmed a net reduction in vehicle trips to and from the site on a daily basis for the existing office, retail, and restaurant uses;
- The applicant confirmed the installation of a public access easement for the park, which would be maintained by them;
- The applicant confirmed the building had 2% of the total electric vehicle parking spaces and provided 3% of the related infrastructure for electric vehicles;
- The applicant confirmed a proffer was in place that met the County's standards for long-term and short-term bike parking at the site;
- The applicant confirmed that the 12-foot wide sidewalk on Old Dominion Road would accommodate bikes and pedestrians;
- The applicant confirmed that the sidewalks would be within the public right-of-way for the adjacent streets;
- The applicant confirmed that the open space was calculated based on the current site;
- The applicant confirmed that the Urban Park Standards guidelines were met for the site;
- The applicant confirmed there were no foreseeable issues for improvements in the right-of-way, no access management exception was required, and did not anticipate any issues with the Virginia Department of Transportation (VDOT) at site plan;
- The applicant provided clarification on plans for the overflow path for stormwater runoff between the two sites to accommodate the overland relief;
- Staff confirmed that Fairfax County Department of Transportation or VDOT would maintain the central median of the Old Dominion Drive property;
- Staff confirmed that the County allocated funds for the proposed site's public street maintenance;
- The applicant confirmed they proffered a condition for contributions for improvements identified in a Pilot Study for Old Dominion Drive;
- The applicant confirmed that, as part of the design guidelines, staff recommended that the pedestrian and bike lanes have two separate functions on a non-divided path;
- Staff clarified the County's position on the unresolved issues with the Old Dominion Drive median;
- The applicant confirmed that the address of the proposed building had not been determined;

- The extent to which the proposed development consolidated with the redevelopment efforts of neighboring properties;
- The applicant confirmed that the initial proposal had a pedestrian entrance on Old Dominion Drive with a drop-off area, but was removed from the plan for a more visible residential entrance; and
- The applicant confirmed that a Lay-By was included inside the Old Dominion Drive entrance to accommodate pick-up and drop-off of pedestrians.

There being no listed speakers, no speakers from the audience, no rebuttal from the applicant, no 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 this rezoning.

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

- APPROVAL OF RZ 2022-DR-00028, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED OCTOBER 17, 2023;
- THE PLANNING COMMISSION APPROVE FDP 2022-DR-00028; AND
- APPROVAL OF A MODIFICATION OF THE LOADING SPACE REQUIREMENTS TO THAT SHOWN ON THE CDP/FDP.

Chairman Niedzielski-Eichner and Commissioner Clarke seconded the motion which was carried by a vote of 8-0. Commissioners Sargeant, Lagana, and Murphy were absent from the meeting.

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Following the motion, Commissioner Carter made further comments on the rezoning and suggested that the Urban Park Standards be discussed during a future Urban Development and Placemaking special committee meeting.

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ZONING ORDINANCE AMENDMENT - OUTDOOR LIGHTING  
AROUND TURNER FARM PARK OBSERVATORY – An

amendment to the Zoning Ordinance of the 1976 Code of the County of Fairfax, as follows:

- (1) Add new regulations for outdoor lighting on properties within one-half mile of the Turner Farm Park Observatory (“one-half mile area”).

(2) On single-family lots within the one-half mile area, fixtures that are exempt from certain other lighting regulations are limited to the following:

- (a) Motion activated lighting fixtures of 1,500 lumens or less;
- (b) Lighting fixtures at an exterior door or garage of 1,500 lumens or less; and
- (c) Other lighting fixtures of up to 20 lumens.

(4) Limit uplights or spotlights within the one-half mile area to 300 lumens.

(5) Editorial revisions to clarify when previously existing lighting fixtures may remain and add new provision to allow lawfully existing fixtures within one-half mile around the Observatory to remain..

DRANESVILLE DISTRICT. PUBLIC HEARING.

Carmen Bishop, Zoning Administration Division, Department of Planning and Development, presented the staff report, a copy is in the electronic date file. She stated that staff recommended approval of Zoning Ordinance Amendment – Outdoor Lighting around Turner Farm Park Observatory.

There was a discussion between Ms. Bishop; Tammy Schwab, Park Authority; and multiple Commissioners regarding the following:

- Staff provided details and results of the outreach efforts conducted within the affected area of the community;
- Staff provided details on some of the changes made from the original drafted proposal to the current, based on some of the comments received from the community;
- Explanation of the timeline for the authorization, review process, public outreach process, and public meetings conducted on the proposed amendment;
- The Great Falls Citizens Association Land Use and Zoning Committee’s support for the proposal;
- Staff confirmed that the Fairfax County Police Department attended the second townhall meeting and the department’s position on the proposal;
- Clarification of the crime rate for the Great Falls area compared to other areas;
- Clarification of VDOT and FCDOT’s position on the regulatory aspect of the proposal;
- The allocation of the Park Authority’s bond funds for the construction of the Observatory and the various funding sources for the telescopes;

- Outreach efforts conducted by the Park Authority that educated the public on dark sky lighting;
- Staff provided the history of the original structure located at the site;
- Staff confirmed there were no limits on the number of lights property owners could install on their property at full cutoff;
- Staff confirmed the adoption date of the proposed Zoning Ordinance Amendment, Article 14-Outdoor Lighting and Related Provisions;
- Staff confirmed that one of the recommended changes added to the proposal was the type of coach lighting fixture allowed on each side of an exterior doorway;
- Staff clarified provisions in the Zoning Ordinance that addressed cutoff times for outdoor fixtures that reduced light trespass and light pollution;
- Staff clarified the intent of the outdoor lighting proposal;
- The Zoning Ordinance provisions that addressed regulations for outdoor lighting within an area one-half mile around observatories;
- Concerns regarding whether lighting fixtures that minimized glare and light pollution provided adequate lighting; and
- Staff clarified the safety and security aspects of the proposal at full cutoff.

Chairman Niedzielski-Eichner called the first listed speaker.

Jennifer Falcone, 10323 Georgetown Pike, Great Falls, representing Great Falls Citizen Association, supported the proposed amendment. A copy of Ms. Falcone’s statement is in the date file.

There was a discussion between Commissioner Ulfelder and Ms. Falcone regarding the community’s concerns for the associations support of the proposal. Ms. Falcone provided details on the association’s involvement in the proposal and other countywide activities, explained publicity and notification process, and clarified the community’s outreach efforts on current and future events.

Laszlo Zsidai, Great Falls, representing Foxvale Farm Homeowners Association, opposed the amendment. A copy of Mr. Zsidai’s statement is in the date file.

There was a discussion between Chairman Niedzielski-Eichner and Mr. Zsidai regarding his concerns surrounding the negative impacts of the proposal. Mr. Zsidai address the safety and

security concerns of the residents in his area. He also stated that there were no added benefits of implementing the proposal.

Eileen Karagie, 1876 Foxstone Drive, Vienna, representing Dark Sky Friends, supported the proposed amendment because of the following:

- Dark Sky Friends was created to help preserve, reclaim, protect the shared heritage of pristine night skies, and other facets of communities affected by light pollution and light trespass;
- Dark Sky Friends advocated for the strictest lighting ordinances at the local, state, regional, and national level;
- Supported the staff's recommendations for the proposal;
- Light pollution was part of Fairfax County's environmental goals;
- Suggested that artificial lighting was linked to major illnesses;
- The State of Virginia had the largest number of dark sky parks in any state east of the Mississippi;
- The technology and lighting fixtured has evolved that prevent light spill and light trespass;
- There was a need for public education on light spill and light trespass; and
- Light Emitting Diodes created an exponential growth of artificial light at night.

Peter Plavchan, 4400 University Drive, MS 3F3, Fairfax, Professor of Physics and Astronomy at George Mason, presented his credentials to the Commission, and stated the reasons why he supported staff's proposal.

There was a discussion between Mr. Plavchan and multiple Commissions regarding the following:

- The impact of the one-half mile area around observatory in relation to Tysons Urban Center; and
- Consultation on a proposed amendment that addressed the impact of digital signage in the County.

Thomas Reinert, 3849, Farrcroft Drive, Fairfax, representing Dark Sky International supported the proposed amendment. A copy of Mr. Reinert's statement is in the date file.

ZONING ORDINANCE AMENDMENT  
OUTDOOR LIGHTING AROUND TURNER FARM PARK OBSERVATORY

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Christina Tyler Wenks, 922 Holly Run Court, Great Falls, representing Analemma Society supported the proposed amendment. A copy of Ms. Wenks' statement is in the date file.

Commissioner Cortina commended the Analemma Society and its volunteers for their work on the Observatory.

Amy Paladini, 865 Forestville Meadows Drive, Great Falls, opposed the proposal. A copy of Ms. Paladini's statement is in the date file.

Jordan Sembower, 10734 Wynkoop Drive, Great Falls, opposed the proposal. A copy of Mr. Sembower's statement is in the date file.

Jennifer Callahan, 10800 Lockmeade Court, Great Falls, opposed the proposal. A copy of Ms. Callahan's statement is in the date file.

Gary Lanzara, 898 Van Dusen Court, Great Falls, opposed the proposal. A copy of Mr. Lanzara's statement is in the date file.

Helen Lanzara, 898 Van Dusen Court, Great Falls, opposed the proposal. A copy of Ms. Lanzara's statement is in the date file.

There was a discussion between Ms. Bishop and multiple Commissioners regarding the following:

- The level of outreach conducted and staff's prospective on the disconnect between the community's support and the public opposition that had been expressed for the proposal;
- Disclosures provided by the County to new homeowners regarding updates to the new Zoning Ordinance outdoor lighting regulations;
- Staff confirmed that an outside independent lighting consulted was not hired to consult with County staff on the proposal;
- The Zoning Ordinance's existing regulation on full cutoff lighting; and
- Staff's clarification on the limits of lights at full cutoff.

Ruth Glorioso, 935 War Admiral Street, supported the proposed amendment because of the research conducted, the safety and security aspects of the proposal, and the recommended changes had minimal impact on the community.

There was a discussion between Commissioner Niedzielski-Eichner and Ms. Callahan regarding lighting and security system cameras. Ms. Callahan clarified that she had a motion sensor camera that was an integrated unit. However, because she lived within one-half mile of the observatory, it would be considered non-compliant.



ZONING ORDINANCE AMENDMENT  
OUTDOOR LIGHTING AROUND TURNER FARM PARK OBSERVATORY

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Commissioner Clarke inquired whether a special exception would be required for Ms. Callahan's situation. In response Ms. Bishop stated there were provisions in the Zoning Ordinance for existing lights to remain until they needed to be maintained or replaced.

There being no additional speakers, no additional 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 this proposed amendment.

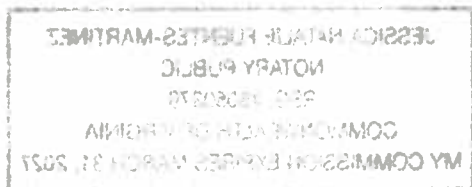
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Commissioner Ulfelder MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING ACTIONS:

- ADOPTION OF THE PROPOSED ZONING ORDINANCE AMENDMENT FOR OUTDOOR LIGHTING AROUND TURNER FARM PARK OBSERVATORY, AS SET FORTH IN THE STAFF REPORT DATED SEPTEMBER 12, 2023; AND
- THE AMENDMENT BECOME EFFECTIVE AT 12:01 A.M. THE DAY FOLLOWING ADOPTION.

Commissioners Bennett and Cortina seconded the motion which was carried by a vote of 8-0. Commissioners Sargeant, Lagana, and Murphy were absent from the meeting.

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The meeting was adjourned at 11:15 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, VA 22035.

Minutes by: Samantha Lawrence

Approved on January 10, 2024

Jacob L. Caporaletti, Clerk to the  
Fairfax County Planning Commission

County of Fairfax  
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of January 20, 2024, by

  
Signature of Notary

Notary Seal

Notary registration number: 8050379

Commission expiration: 03/31/2027

