

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 1, 2023**

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

ABSENT: Candice Bennett, Commissioner At-Large
Daren Shumate, Mason District

OTHERS: Catherine Lewis, Zoning Evaluation Division (ZED),
Department of Planning and Development (DPD)
Sunny Yang, ZED, DPD
Kelly Atkinson, Assistant Director, Planning Division, DPD
Jill G. Cooper, Director, Department of Clerk Services (DCS)
Nasreen Yadullah, 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 appointment and swearing-in of Jeremy Hancock, who was appointed to the Commission on October 24, 2023 by the Board of Supervisors.

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Gerarda Culipher, Deputy Clerk of the Circuit Court, performed the swearing-in ceremony for Commissioner Jeremy Hancock. Commissioner Hancock's term would expire December 31, 2024.

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Commissioner Spain announced her intent to move approval of the September 2023 meeting minutes at the November 15, 2023 Planning Commission meeting. She added that any edits should be forwarded to staff.

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ORDER OF THE AGENDA

Secretary Spain established the following order of the agenda:

1. CSP 2011-PR-023 (RZPA 2023-PR-00063) - RENAISSANCE CENTRO TYSONS MONARCH LLC
2. AFR 2023-SP-00002 (AR 2015-SP-001) - MOLLEDA LOCAL AGRICULTURAL AND FORESTAL DISTRICT RENEWAL
3. RZ-2023-PR-00002/SE-2023-PR-00004 - AMIR J. FILIPOUR, TRUSTEE AND SHARON V. FILIPOUR, TRUSTEE

This order was accepted without objection.

Chairman Niedzielski-Eichner recited the rules for public testimony.

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

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CSP 2011-PR-023 (RZPA 2023-PR-00063) - RENAISSANCE CENTRO TYSONS MONARCH LLC – Appl. for approval of a Comprehensive Sign Plan associated with RZ 2011-PR-023. Located at the N.W. quadrant of the intersection of Westpark Dr. and Jones Branch Dr. in Tysons on approx. 1.91 ac. of land zoned PTC. Tax Map 29-4 ((19)) C and 29-4 ((19)) 1-94. PROVIDENCE DISTRICT. PUBLIC HEARING.

Sunny Yang, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD) presented the staff report, a copy is in the electronic date file. She stated that staff recommended approval of CSP 2011-PR-023.

Bernard Suchicital, Applicant’s Agent, gave a presentation on the subject Comprehensive Sign Plan application.

There was a discussion between Ms. Yang; Catherine Lewis, Assistant Director, ZED, DPD; Mr. Suchicital; and multiple Commissioners regarding the following:

- Staff discussed the importance of the three wayfinding signage, their connection to the Arbor Row development, and the publicly assessable park spaces;
- Staff confirmed the wayfinding signage was part of the previously approved proffers and Comprehensive Sign Plan;

- The applicant provided a wayfinding signage system that assisted, attracted, and informed area visitors and residents of the park locations;
- The applicant confirmed their engagement with staff for the neighboring property and would continue to provide and expand on the proposed wayfinding signage system;
- The applicant reaffirmed their commitment to the installation of a mural sign that enhanced the aesthetics of the building;
- Suggestion that international symbols be implemented into future wayfinding signs; and
- Staff confirmed that when an applicant pulled a permit, a sightline diagram was required to show that the signs did not impede on vehicular sight distance lines.

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, Vice Chairman Sargeant closed the public hearing and recognized Commissioner Niedzielski-Eichner for action on this proposed Comprehensive Sign Plan application.

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Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION APPROVE CSP 2011-PR-023, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 1, 2023.

Commissioner Murphy seconded the motion which was carried by a vote of 10-0. Commissioners Bennett and Shumate were absent from the meeting.

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Chairman Niedzielski-Eichner resumed duties of the Chair.

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AFR 2023-SP-00002 (AR 2015-SP-001) - MOLLEDA LOCAL AGRICULTURAL AND FORESTAL DISTRICT RENEWAL – Appl. authorized by Chapter 115 (County Code), effective June 30, 1983, to permit renewal of a previously approved agricultural and forestal district. Located at 6500 Clifton Rd., Clifton, 20124 on approx. 23.17 ac. of land zoned R C and WS. Please call the Planning Division at 703-324-1380 after November 1, 2023, to obtain the A&F District Advisory Committee and Planning Commission recommendations. Tax Map 75-1 ((1)) 3Z. SPRINGFIELD DISTRICT. PUBLIC HEARING.

MOLLEDA LOCAL AGRICULTURAL AND FORESTAL DISTRICT RENEWAL

William Nance, Planning Division (PD), 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 AFR 2023-SP-00002.

Heather Scott-Molleda, Applicant, gave a presentation on the subject agricultural and forestal district renewal.

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 Murphy for action on this agricultural and forestal district renewal application.

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF AFR 2023-SP-00002 AND AMEND APPENDIX F OF THE COUNTY CODE TO RENEW THE MOLLEDA LOCAL AGRICULTURAL AND FORESTAL DISTRICT, SUBJECT TO THE ORDINANCE PROVISIONS DATED OCTOBER 18, 2023, WHICH WERE CONTAINED IN THE STAFF REPORT.

Commissioners Clarke and Ulfelder seconded the motion which was carried by a vote of 10-0. Commissioners Bennett and Shumate were absent from the meeting.

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

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RZ-2023-PR-00002 - AMIR J. FILIPOUR, TRUSTEE AND SHARON V. FILIPOUR, TRUSTEE – Appl. to rezone from R-1 to R-2 to permit 3 single-family detached dwellings with a total density of 1.31 dwelling units per acre (du/ac). Located on the N. side of Chain Bridge Rd., 350 ft. W. of intersection with Oak Valley Dr. on approx. 2.29 ac. of land. Comp. Plan Rec: Residential, 1-2 du/ac. Tax Map 48-1 ((1)) 17 and 23. (Concurrent with SE 2023-PR-00004). PROVIDENCE DISTRICT. PUBLIC HEARING.

SE-2023-PR-00004 - AMIR J. FILIPOUR, TRUSTEE AND SHARON V. FILIPOUR, TRUSTEE – Appl. to permit a waiver of minimum lot width requirements. Located at 2758 Chain Bridge Rd., Vienna, 22181 on approx. 2.29 ac. of land zoned R-2. Tax Map 48-1 ((1)) 17 and 23. (Concurrent with RZ 2023-PR-00002). PROVIDENCE DISTRICT. PUBLIC HEARING

There were no disclosures by Commission members.

Michael D. Van Atta, Applicant's Agent, reaffirmed the affidavit dated August 8, 2023.

Catherine Lewis, Zoning Evaluation 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 RZ-2023-PR-00002 and SE-2023-PR-00004.

There was a discussion between Ms. Lewis; Mr. Van Atta; Edmund J. Ignacio, VIKA Virginia, LLC; and multiple Commissioners regarding the following:

- The applicant clarified the area median income percentage for the purchase option for the proposed Workforce Dwelling Units (WDU);
- The applicant clarified the differences between references made to the Affordable Dwelling Units (ADU) versus the for-sale WDUs;
- Staff confirmed the lot sizes of the new homes were bigger in comparison to lots within the Oak Valley Court development;
- The applicant confirmed that five dwelling units were permitted on a single driveway;
- The applicant confirmed that the lot sizes were comparable to the adjacent lots and met the R-2 District minimum setback requirements;
- The applicant confirmed that the proposed rezoning was the first example in the County where historic preservation was combined with affordable housing;
- The applicant confirmed the stormwater runoff from the site was captured in two onsite bioretention facilities and a dry swale;
- The applicant confirmed the existing conditions for water quality at the site versus the percent of phosphorus reduction achieved under the proposal;
- The applicant clarified the reason for requesting a deviation of the tree preservation for the site;
- The applicant confirmed that the tree preservation requirements were met for the site;
- The applicant clarified the current state of the stormwater runoff leaving the site that flowed into the Oak Valley Court community; and
- Staff confirmed there had been no flood complaints from neighboring properties.

Vice Chairman Sargeant called the first listed speaker.

Mel Peters, 9512 Oak Valley Court, Vienna, opposed the rezoning. A copy of Mr. Peters statement is in the date file.

Al Horvath, 9809 Oak Valley Court, Vienna, opposed the rezoning because of the following:

- The community would become excessively dense with the additional homes; and
- The proposed rezoning would set a precedent for additional rezoning on two parcels north of the proposed site.

Commissioner Lagana asked Mr. Horvath to clarify the zoning of the Oak Valley Court community. Mr. Horvath indicated his community was zoned R-1. Staff confirmed the Oak Valley Community was zoned R-2. Mr. Horvath informed Commissioner Lagana that he would like his community to remain as is.

Douglas Bath, 2710 Oak Valley Drive, Vienna, opposed the rezoning and stated the following:

- The community was recently notified of the rezoning and did not have an opportunity to review the proposal;
- His concerns mirrored the questions asked by the Commissioners;
- He lived adjacent to the proposed site;
- Suggested educating the community on WDUs and ADUs, what they entailed, and the differences between them;
- Concerns regarding the option to demolish the adjacent historic site;
- Concerns regarding the option to refurbish the existing building located at the site;
- Concerns regarding the applicant's request for a waiver on the tree canopy requirements; and
- Concerns regarding noise pollution and the impact on the community from rezoning.

There was a discussion between Commissioner Niedzielski-Eichner, Mr. Bath, and Ms. Lewis regarding possible options if the site was developed by-right. Mr. Bath indicated that his understanding of the application was combining two different parcels of land to be developed by-right. Commissioner Niedzielski-Eichner explained the differences between a possible by-right option versus the protections under the proposed rezoning. Ms. Lewis confirmed that the applicant had to meet the minimum requirements for a by-right development. She added that the applicant proffered a noise wall along one of the proposed homes to provide noise mitigation

along Chain Bridge Road and would not be required to do so under by-right development. Commissioner Niedzielski-Eichner asked that Mr. Bath and the community consider the agreed-upon proffered protections proposed in the interest of the community.

There being no further speakers, Vice Chairman call for speakers from the public.

There was a discussion between Mr. Van Atta; Dennis D. Dixon, VIKA Virginia, LLC; and multiple Commissioners regarding the following:

- The applicant clarified their intent for tree preservation commitments on the site;
- The applicant confirmed there were some invasive trees on the site that would be removed;
- The applicant confirmed the location of the invasive species were widespread in the areas toward the road area and where one of the homes were being developed;
- The applicant confirmed that the quality trees on site were not covered with a lot of invasive species and the quality of those trees were being protected;
- The applicant confirmed that some of the areas being preserved would be supplemented with additional trees;
- The applicant confirmed that they went door-to-door to the surrounding neighborhood to notify them of the development;
- The applicant acknowledged that the layout of the site evolved over time and that some members of the community may not have seen the updated layout;
- Staff confirmed the date of the first contact regarding the updated layout of the development;
- The applicant confirmed their commitment to meet with the community and educate them on the revised development plan; and
- The applicant confirmed their commitment to addressing staff's concerns.

There being no additional comments or questions from the Commission, no rebuttal from the applicant, and staff had no closing remarks; therefore, Vice Chairman Sargeant closed the public hearing and recognized Commissioner Niedzielski-Eichner for action on this proposed rezoning.

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Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING ACTIONS:

- APPROVAL OF RZ-2023-PR-00002, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED OCTOBER 9, 2023;
- APPROVAL OF SE-2023-PR-00004, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED OCTOBER 18, 2023; AND
- RECOMMEND THAT THE SIDE YARD SETBACK FOR THE EXISTING DWELLING BE WAIVED TO THAT SHOWN ON THE GDP/SE PLAT.

Commissioners Lagana and Ulfelder seconded the motion which was carried by a vote of 10-0. Commissioners Bennett and Shumate were absent from the meeting.

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Chairman Niedzielski-Eichner resumed duties of the Chair.

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CLOSING

November 1, 2023

The meeting was adjourned at 8:59 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 24, 2024*

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 24 day of January 2024, by

Jessica Fuentes-Martinez
Signature of Notary

Notary Seal

Notary registration number: 8050379

Commission expiration: 03/31/2027

