

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, DECEMBER 6, 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
Daren Shumate, Mason District
Walter C. Clarke, Mount Vernon District
Jeremy Hancock, Providence District
Peter F. Murphy, Springfield District
Candice Bennett, Commissioner At-Large

ABSENT: None

OTHERS: Mohamed Ali, Planning Division, (PD),
Department of Planning and Development (DPD)
David Stinson, PD, DPD
Mary Ann Tsai, ZED, DPD
Damaris Martinez, Zoning Evaluation Division (ZED), DPD
Kevin McMahan, ZED, DPD
Andrew Stone, ZED, DPD
Karen Yee, ZED, DPD
Sara Morgan, Zoning Administration Division, DPD
Jacob L. Caporaletti, Clerk, 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 last Planning Commission meeting of 2023 would be held on Thursday, December 14, 2023. He stated that the Board of Supervisors' inauguration and reception would be held on Wednesday, December 13, 2023, at 6:00 p.m. in the Board Auditorium of the Fairfax County Government Center. Chairman Niedzielski-Eichner added that the public was invited to attend.

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Commissioner Carter announced that the Planning Commission's Policy and Procedures Committee completed its recommended modifications to the Planning Commission's bylaws. He

added that two in-person meetings were held and were open to the public to assist with the review of the bylaws. Commissioner Carter added that the Committee's written markup with recommendations was provided to the Commissioners and the public at both meetings. He added the Committee established its final recommendation for the bylaws at the November 30, 2023 meeting. Commissioner Carter noted the Office of the County Attorney reviewed the bylaws and recommendations made were included as part of the revision. He added the intent was to review and discuss the recommended changes at the December 14, 2023 Planning Commission meeting. Commissioner Carter also highlighted some of the proposed changes to the bylaws.

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Commissioner Spain shared that she attended the Board of Supervisors meeting on Tuesday, December 5, 2023, during which Chairman McKay recognized both Supervisor Foust and Supervisor Gross for their service as members of the Fairfax County Board of Supervisors. She commended Cable and Consumer Services, Communications Productions (Channel 16) on a video presented of the swearing ceremony that highlighted some of the retiring Supervisors' accomplishments.

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Commissioner Bennett announced that the Planning Commission's Housing Committee would meet with staff from the Department of Housing and Community Development on Thursday, December 7, 2024, at 7:30 p.m. in Conference Room 11 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, to review the Affordable Housing Preservation Administrative Policy Guidelines and receive a presentation on the Workforce Dwelling Unit For-Sale Policy Task Force's recommendations.

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2232-2023-MV-00005 - GUNSTON FIRE STATION

Mohamed Ali, 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 that the proposed construction and replacement of the existing facility be a feature shown of the Comprehensive Plan.

Multiple Commissioners applauded the positive aspects of the proposed feature shown application.

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Commissioner Clarke CONCURED WITH STAFF'S CONCLUSION THAT THE PROPOSED APPLICATION 2232-2023-MV-00005 SATISFIED THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT, AS SPECIFIED IN *VIRGINIA CODE*, SECTION 15.2-2232; THEREFORE, THE PLANNING COMMISSION FINDS THE SUBJECT APPLICATION GUNSTON FIRE STATION A FEATURE SHOWN OF THE COMPREHENSIVE PLAN.

Commissioners Sargeant, Ulfelder, and Murphy seconded the motion which was carried by a vote of 11-0. Commissioner Lagana was not present for the vote.

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ORDER OF THE AGENDA

Secretary Spain established the following order of the agenda:

1. CSPA 2009-HM-019-04 (RZPA 2023-HM-00088) - COMSTOCK RESTON STATION HOLDINGS, LC
2. SE 2023-MV-00021- MARGARET MWIKALI MWONGELA AND THE MONTESSORI SCHOOL OF LORTON LLC
3. 2232-2022-MA-00003 - WEST ANNANDALE FIRE STATION 23 (TEMPORARY STATION)
4. 2232-2022-MA-00002 - WEST ANNANDALE FIRE STATION 23 (PERMANENT STATION)
5. SEA 2002-MA-020 - BOARD OF SUPERVISORS FAIRFAX COUNTY, VIRGINIA AND GLOBAL SIGNAL ACQUISITIONS IV, LLC
6. ZONING ORDINANCE AMENDMENT - LANDSCAPING AND SCREENING
7. RZ/FDPA 2023-PR-00005/PCA-1997-PR-007 (RZPA 2023-PR-00036) - 8221 OLD COURTHOUSE ROAD, L.C.
8. SE 2023-MA-00017 - BRADLICK SUBSIDIARY LLC

This order was accepted without objection.

Chairman Niedzielski-Eichner recited the rules for public testimony.

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CSPA 2009-HM-019-04 (RZPA 2023-HM-00088) - COMSTOCK RESTON STATION HOLDINGS, LC – Appl. to amend the previously approved Comprehensive Sign Plan associated with RZ 2009-HM-019 to permit sign modifications. Located on the S. side of Sunset Hills Rd., W. side of Wiehle Ave., and N. side of Dulles Airport Access Rd. on approx. 9.91 ac. of land zoned PDC. Tax Map 17-4 ((24)) 3, 17-4 ((1)) 17E, and 17-4 ((1)) 17L1 – 17L7. HUNTER MILL DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Kevin McMahan, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy is in the electronic date file. He stated that staff recommended approval of CSPA 2009-HM-019-04.

Samantha Steketee, Applicant’s Agent, gave a presentation on the subject Comprehensive Sign Plan Amendment.

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 Carter for action on this proposed Comprehensive Sign Plan Amendment.

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Commissioner Carter MOVED THAT THE PLANNING COMMISSION APPROVE CSPA 2009-HM-019-04, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 22, 2023.

Commissioner Clarke seconded the motion which was carried by a vote of 11-0. Commissioner Lagana was not present for the vote.

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SE 2023-MV-00021 - MARGARET MWIKALI MWONGELA AND THE MONTESSORI SCHOOL OF LORTON LLC – Appl. to permit a home day care facility. Located at 8017 George Fox Pl., Lorton, 22079 on approx. 3,564 sq. ft. of land zoned PDH-8. Tax Map 107-4 (22) ((2)) 35A. MOUNT VERNON DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Andrew Stone, Planning Division, Department of Planning and Development presented the staff report, a copy is in the electronic date file. He stated that staff recommended approval of SE 2023-MV-00021.

Margaret Mwikali Mwongela, Applicant, opted out from presenting before the Commission.

There was a discussion between Mr. Stone and multiple Commissioners regarding the following:

- Staff confirmed that the size of the play area was adequate for the number of children;
- Staff confirmed there was a nearby playground the children used several times a week;
- Staff confirmed there were no complaints from neighbors regarding the drop-off or pick-up times of the children;
- Staff provided a visual of the designated sleeping area for the children; and
- Staff clarified that the designated sleeping area for the children could also be located in another area of the home day care with an exterior window or door.

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 Clarke for action on this application.

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Commissioner Clarke MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2023-MV-00021, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 22, 2023.

Commissioners Sargeant and Murphy seconded the motion which was carried by a vote of 11-0. Commissioner Lagana was not present for the vote.

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2232-2022-MA-00003 - WEST ANNANDALE FIRE STATION 23 (TEMPORARY STATION) – to consider the proposal by the Department of Public Works and Environmental Services (DPWES) to construct a temporary fire station facility located at 8724 Little River Turnpike, Fairfax, VA 22031. Tax Map: 59-3-((1)) 7. Area II. MASON DISTRICT. PUBLIC HEARING.

David Stinson, Planning Division, Department of Planning and Development, presented the staff report, a copy is in the electronic date file. He stated that staff recommended approval of 2232-2022-MA-00003.

Kamal Mohey, Applicant’s Representative, opted out from presenting before the Commission.

There was a discussion between Mr. Stinson; Mr. Mohey; John Walser, Assistant Chief, Department of Fire and Rescue; Katie Atwater, FGM Architects; and multiple Commissioners regarding the following:

- The applicant clarified the anticipated timeframe for the construction of the temporary fire station facility;
- Staff clarified the Building Design Branch within the Department of Public Works and Environmental Services, and the Department of Fire and Rescue evaluated five sites, and determined the proposed site met the criteria for the construction of the proposed temporary fire station facility;
- Concerns regarding the lack of public outreach to the Braddock District;
- The applicant confirmed that construction on the temporary fire station would commence in the Spring of 2024;
- The applicant disclosed that funding to conduct an architectural survey prior to construction of the temporary fire station was not part of the scope of work for the subject application;

WEST ANNANDALE FIRE STATION 23 (TEMPORARY STATION)

- The applicant confirmed a site visit was conducted and pictures of both inside and outside of the site were available;
- The applicant provided a visual depiction of the facility and discussed the temporary curb-cut area along little River Turnpike and Pineland Street, further clarifying that the traffic signals would maintain traffic in that intersection;
- A request was made to obtain the contact information for the proposed site's project manager should issues arise during the construction phase of the project;
- The applicant clarified the number of signals that would be installed and their location;
- Staff clarified the total number of emergency vehicles housed in the temporary facility;
- Staff clarified that one of the signals installed had a traffic signal pre-emptive device and the other located at Prosperity Avenue would be installed; and
- The applicant confirmed that the signals at Prosperity Avenue and Woodburn Road were in sync with each other.

Chairman Niedzielski-Eichner called the first listed speaker.

Logan Perel, 3922 Pineland Street, Fairfax, opposed the proposed temporary facility. A copy of Mr. Perel's, Alex Paison's, and Paul Tran's collective statement is in the date file.

There was a discussion between Assistant Chief Walser, Ms. Atwater, and Chairman Niedzielski-Eichner regarding the following:

- Staff confirmed that there were three emergency vehicles at the permanent facility and two at the temporary facility;
- Staff discussed measures in place to mitigate noise levels at fire stations;
- Staff confirmed the equipment's emergency sirens and lights were tested during morning hours and testing was conducted at the front of the facility; and
- Both staff and the applicant confirmed that light mitigation features complied with the Zoning Ordinance and full cut-off mechanisms limited light spillage to adjacent properties.

William Robinson opposed the temporary facility because of the following:

- Safety concerns and light cut-off mechanism on Prosperity Avenue;

- Pre-emptive devices would not mitigate the traffic issue during the peak hours, impact emergency vehicle response times, and would block exit access for the fire trucks; and
- Recommended that white striping with a top sign should be placed at the intersection of Prosperity Avenue and Guinea Road.

There was a discussion between Assistant Chief Walser and multiple Commissioners regarding the following:

- Staff clarified that the Virginia Department of Transportation approved the stripping of the roadway; and
- Staff confirmed there were no anticipated challenges with changes in response times for the temporary fire station.

Alex Paison, 3922 Pineland Street, Fairfax, opposed the proposed temporary facility. A copy of Mr. Paison's, Mr. Perel's, and Paul Tran's collective statement is in the date file.

There was a discussion between Assistant Chief Walser and multiple Commissioners regarding the following:

- The installation of stripping of the roadway would signal drivers not to block the intersection; and
- The pre-emptive signal was designed to promote traffic flow and would allow the fire apparatus two additional lanes of travel.

Paul Tran, 3921 Pineland Street, opposed the proposed temporary facility. A copy of Mr. Tran's, Mr. Paison's, and Mr. Perel's collective statement is in the date file.

There was a discussion between Mr. Stinson, Assistant Chief Walser, and Chairman Niedzielski-Eichner in response to Mr. Tran's concerns regarding hazardous materials. Staff confirmed a diesel-fueled generator would be housed at the site, would run during a power outage, and periodical monthly testing would be conducted. Staff also confirmed that the Fire Department had no foam that contained any forever chemicals. Foam that was contained in the fire apparatus or in the buckets used to refill the foam cells on the pumpers were free of forever chemicals.

Jim Franklin, 3919 Pineland Street, Fairfax opposed the proposed temporary facility because of the impact to the neighborhood and its close proximity.

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

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Commissioner Shumate MOVED THAT THE PLANNING COMMISSION APPROVE APPLICATION 2232-2022-MA-00003 BASED ON THE FOLLOWING FINDINGS AND REASONS:

- THE PROPOSED TEMPORARY FIRE STATION LOCATED AT 8724 LITTLE RIVER TURNPIKE SATISFIES THE CRITERIA OF GENERAL LOCATION OR APPROXIMATE LOCATION, CHARACTER, AND EXTENT OF THE ADOPTED COMPREHENSIVE PLAN, AS SPECIFIED IN THE *VIRGINIA CODE* SECTION 15.2-2232, FOR THE REASONS SET FORTH IN THE STAFF REPORT DATED NOVEMBER 22, 2023.

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

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2232-2022-MA-00002 - WEST ANNANDALE FIRE STATION 23 (PERMANENT STATION) – to consider the proposal by the Department of Public Works and Environmental Services (DPWES) to construct a permanent replacement fire station facility and relocate an existing telecommunications equipment compound. The facility is located at 8914 Little River Turnpike, Fairfax VA 22031. Tax Map: 58-4 ((1)) 62. Mason District. Area II. MASON DISTRICT. PUBLIC HEARING.

David Stinson, Planning Division, Department of Planning and Development, presented the staff report, a copy is in the electronic date file. He stated that staff recommended approval of 2232-2022-MA-00002.

Kamal Mohey, Applicant’s Representative, opted out from presenting before the Commission.

Commissioner Shumate made preliminary comments on the application.

Multiple Commissioners expressed their appreciation for the staff, the existing facility’s response times, the construction of a new facility, the staff’s planning for the future fire stations in terms of Leadership in Energy and Environmental Design (LEED) design goals, and rooftop solar power systems.

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 Shumate for action on this proposed item.

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Commissioner Shumate MOVED THAT THE PLANNING COMMISSION APPROVE APPLICATION 2232-2022-MA-00002 BASED ON THE FOLLOWING FINDINGS AND REASONS:

- THE PROPOSED REPLACEMENT FIRE STATION RELOCATION AND EQUIPMENT COMPOUND OF EXISTING FIRE STATION FACILITY, SATISFY THE CRITERIA OF GENERAL LOCATION OR APPROXIMATE LOCATION, CHARACTER, AND EXTENT OF THE ADOPTED COMPREHENSIVE PLAN, AS SPECIFIED IN THE *VIRGINIA CODE* SECTION 15.2-2232, FOR THE REASONS SET FORTH IN THE STAFF MEMORANDUM DATED NOVEMBER 22, 2023.

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

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SEA 2002-MA-020 - BOARD OF SUPERVISORS FAIRFAX COUNTY, VIRGINIA AND GLOBAL SIGNAL ACQUISITIONS IV, LLC – Appl. to amend SE 2002-MA-020 previously approved for a public benefit association and telecommunications facility with a monopole on the site of the existing West Annandale Fire Station to permit the relocation of telecommunication equipment storage and associated modifications to site design and development conditions. Located at 8914 Little River Tpke., Fairfax, 22031 on approx. 1.70 ac. of land zoned R-1. Tax Map 58-4 ((1)) 62. (Concurrent with 2232-2022-MA-00002). MASON DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Kamal Mohey, Applicant's Agent, Project Manager, Building Design Branch, Department of Public Work and Environmental Service, reaffirmed the affidavit dated September 27, 2023.

Damaris Martinez, Zoning Evaluation, Department of Planning and Development presented the staff report, a copy is in the electronic date file. She stated that staff recommended approval of SEA 2002-MA-020.

Mr. Mohey opted out from presenting before the Commission.

There was a discussion between Ms. Martinez and Commissioner Shumate regarding the following:

- Staff confirmed that the flagpole monopole would remain in the existing location and the equipment cabinets were being relocated.

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 Shumate for action on this proposed application.

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Commissioner Shumate MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 2002-MA-020, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 20, 2023.

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

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ZONING ORDINANCE AMENDMENT - LANDSCAPING AND SCREENING

- (1) Repeal Section 5108 in its entirety and replace it with new landscaping and screening requirements applicable to all structures and uses.
 - a. Address effective and functional landscaping; placemaking; ecological and social or recreational spaces; and health-related impacts from extreme heat in the purpose statement of Section 5108.
 - b. Applicability and Administration
 - i. Identify the Director of Land Development Services (Director) as the responsible party for administration of this section and that these provisions only apply to developments subject to site plans.
 - c. General Landscaping Standards
 - i. Planting, including height and caliper requirements and maintenance of trees and shrubs must be in accordance with the Public Facilities Manual (PFM).
 - ii. Suitable existing vegetation, as determined by the Director, will be used to meet the landscaping requirements with preference given to native species and environmentally tolerant species.
 - iii. Add reference to the landscaping and screening requirements for properties located in the Commercial Revitalization Districts and the Planned Tysons Corner Urban District.
 - iv. Add requirements for location of new utility easements within landscaping areas.
 - v. Add requirements for when a landscaping plan must be submitted and what is included in the plan.
 - d. Street Frontage Landscaping
 - i. Require ten-foot-wide landscaping strip (**eight to ten feet**) parallel to all street lines of a public or private street.
 - ii. Require trees within the street frontage landscaping strip.
 - e. Add exceptions for lots developed with single-family dwellings, internal drive aisles within a development, or along a railroad, interstate highway, the Dulles International Airport Access Highway, and the combined Dulles International Airport Access Highway and Dulles Toll Road.
 - f. Parking Lot Landscaping
 - i. Require interior and peripheral parking lot landscaping covering a minimum of ten percent (**five to 20 percent**) on any lot containing ten

- ii. or more parking spaces (**up to 20 parking spaces**) including surface lots.
- iii. Require interior parking lot landscaping for surface parking spaces only.
- iv. Allow shade structures with solar collection systems to satisfy up to half of the interior parking lot landscaping requirement.
- v. Calculation of interior parking lot landscaping must be in accordance with the PFM and does not include landscaping within six feet of a building, required as peripheral parking lot landscaping, or transitional screening.
- vi. Establish a distribution requirement for interior parking lot landscaping planting areas, as defined in the PFM, to be an average of one planting area for every ten contiguous parking spaces (**eight to 20 parking spaces**).
- vii. Landscaping materials in parking lots cannot impede access to ADA compliant parking spaces.
- viii. Add distance requirement between light poles and required trees of 15 feet (**15 to 20 feet**).
- ix. Interior parking lot landscaping is not required for storage yards.
- x. Parking structures with an exposed surface containing ten or more parking spaces (**up to 20 parking spaces**) must include shade structures covering a minimum of ten percent (**five to 20 percent**) of the total area of the exposed portion of the parking structure. Alternatively, required percent of shade may be provided through shade trees or combination of trees and shade structures.
- xi. Shade structures must be permanent and may include canopies, solar collection systems, or similar structures, and may exceed the maximum height by 16 feet.
- xii. If the shade structure is a solar collection system, five percent (**up to half of the requirement in subsection 5108.4.B(1)**) of the total area of the exposed portion of the parking structure must be covered.
- xiii. Require shrubs to be planted within the peripheral parking lot landscaping strip when the parking lot abuts the street right-of-way.
- xiv. Require distance between the center of a tree planting and a restrictive barrier when the parking lot does not abut the street right-of-way.
- xv. Require trees within the peripheral parking lot landscaping strip.
- xvi. Require a ten-foot-wide landscaping strip when the property abuts the street right-of-way.
- g. Transitional Screening & Barriers
 - i. Require transitional screening and barrier on the lots based on the transitional screening and barrier table which utilizes the use classifications and specific uses.
 - ii. In Planned Districts, transitional screening and barriers are applied to the boundaries of the development and do not apply to individual lots and uses interior to the development.
 - iii. The Board of Supervisors (the Board) or Board of Zoning Appeals (BZA) may require transitional screening and barriers during the

- iv. special exception or special permit process for uses such as agritourism; campground; cemetery; farm winery, limited brewery, or limited distillery; group household; marina (commercial or private noncommercial); office in a residential district; and riding or boarding stable.
- v. Transitional screening and barriers are not required for an agricultural operation or between different dwelling unit types with an affordable dwelling unit development.
- vi. A public use is subject to the requirements of the most similar use.
- vii. Establish three types of transitional screening with varying width and planting requirements.
- viii. Allow an alternative mixture of evergreen and deciduous trees for transitional screening if it results in no less than 50 percent (**30 to 70 percent**) evergreen trees, and at least 25 percent (**15 to 35 percent**) of the transitional screening area contains existing vegetation and/or new native trees.
- ix. Allow perpendicular crossing of transitional screening for sidewalk, trail, or share use path up to ten feet in width.
- x. Allow the transitional screening yard width and planting requirements to be reduced when a wall is provided.
- xi. Allow barriers to be located at the property boundary.
- xii. Require the faced or finished side of the barrier to face the adjacent use.
- xiii. Establish barrier types based on height, material and planting requirements.
- xiv. Allow the Director to allow the use of an earth berm or a more specialized barrier material in certain circumstances.
- h. Waivers and Modifications
 - i. Establish waivers and modifications that may be approved by either the Board, BZA, or Director.
- i. Maintenance
 - i. Identify the owner as the responsible party for maintenance, repair, and replacement of all required landscaping materials and barriers.
 - ii. Require plant material to be kept in a healthy growing condition.
 - iii. Require fences and walls to be maintained in good repair.
 - iv. Allow the Director to require openings within barriers for accessibility purposes.
 - v. Allow the homeowner to add, remove, or relocate landscaping when tree conservation is required.
 - vi. Require landscaping to be in substantial conformance with any proffered conditions or with any approved development plan, PRC plan, special exception, special permit, or variance.
 - vii. Require Director approval to remove or place landscaping shown on an approved site plan.
 - viii. Require the owner to replace any landscaping that was removed or placed with the Director's written permission.

- (2) Update and modify other landscaping and screening-related provision to correlate with proposed Section 5108, including, without limitation in subsection 3102.3 (Commercial Revitalization Districts standards) to:
 - a. Update Zoning Ordinance references.
 - b. Reduce the number of parking spaces required to trigger parking lot landscaping from 20 spaces to ten spaces.
 - c. Update references to the Comprehensive Plan to reference the Urban Design Guidelines.
 - d. Clarify that the caliper requirements are for deciduous trees.
 - e. Remove decorative tubular steel or aluminum fence as a barrier option.
 - (3) Add provisions related to previous approvals in Appendix 1.
- COUNTYWIDE. PUBLIC HEARING.

Sara Morgan, Zoning Administration Division (ZAD), Department of Planning and Development (DPD), presented the staff report, a copy is in the electronic date file. She stated that staff recommended adoption of the proposed amendment.

There was a discussion between Ms. Morgan; Carmen Bishop, Assistant Zoning Administrator, ZAD, DPD; and multiple Commissioners regarding the following:

- Staff discussed the County's process for the enforcement of the landscaping maintenance requirements;
- Concerns regarding the allowable location of new utility easements at a site;
- Staff confirmed that landscaping was excluded from single family dwelling units because there was no enabling legislation that allowed for this requirement;
- Staff did not object to revising the language that addressed the native and environmentally tolerant landscaping species;
- Staff confirmed that the use of 15 percent of solar energy systems would also be used on the parking structure;
- Staff confirmed that the proposed height of plantings that covered the vehicle headlight glare from trucks, sedans, and SUVs was incorporated into the plan;
- Staff discussed how the One Fairfax Policy was incorporated into the plan; and
- Staff discussed the reasons for the removal of the transitional screening requirement from the special exception process.

Commissioner Bennett stated her intent to address concerns regarding the proposed amendment during her motion.

Chairman Niedzielski-Eichner called the first listed speaker.

Carmen Smith, 7408 Tower Street, Falls Church, addressed concerns regarding the removal of a requirement that provided transitional screening at the frontage of streets. A copy of Ms. Smith's statement is in the date file.

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

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

- ADOPTION OF THE PROPOSED ZONING ORDINANCE AMENDMENT FOR LANDSCAPING AND SCREENING WITH THE STAFF RECOMMENDED OPTIONS AND THE PROPOSED AMENDMENTS TO APPENDIX 1 RELATING TO PREVIOUS APPROVALS, AS SET FORTH IN THE STAFF REPORT DATED NOVEMBER 15, 2023; AND
- RECOMMEND TO THE BOARD THAT THE AMENDMENT BECOME EFFECTIVE AT 12:01 A.M., THE DAY FOLLOWING ADOPTION.

Commissioner Lagana seconded the motion.

Commissioner Cortina offered an amendment and MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF ALTERNATIVE TEXT IN SUBSECTION 5108.2.B(2) TO GIVE PREFERENCE TO ENVIRONMENTALLY TOLERANT SPECIES WHERE APPROPRIATE FOR SITE CONDITIONS, AS SET FORTH IN THE HANDOUT DATED DECEMBER 6, 2023, WHICH WAS DISTRIBUTED TO THE PLANNING COMMISSION.

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

Commissioner Hancock offered an amendment and MOVED THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF ALTERNATIVE TEXT IN SUBSECTION 5108.5.A(10) TO REQUIRE LIGHT UTILITY FACILITY, HEAVY UTILITY FACILITY, AND USES IN THE INDUSTRIAL USES CLASSIFICATION TO PROVIDE TRANSITIONAL SCREENING WHEN LOCATED ACROSS THE STREET FROM LAND USED OR ZONED FOR USES INDICATED ACROSS THE TOP OF TABLE 5108.2, AS SET FORTH IN THE HANDOUT DATED DECEMBER 6, 2023, WHICH WAS DISTRIBUTED TO THE PLANNING COMMISSION.

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

The amended motion was carried by a vote of 12-0.

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RZ/FDP 2023-PR-00005 - 8221 OLD COURTHOUSE ROAD, L.C. –
Appls. to rezone from C-3 to PRM District to permit the repurposing of an office building to allow 55 residential units with an overall density of 27.5 dwelling units per acre (du/ac) and approval of the conceptual and final development plan. Located 8221 Old Courthouse Rd., Vienna, 22182 on approx. 2.00 ac. of land. Comp. Plan Rec: Office. Tax Map 39-1 ((9)) 30B1. (Concurrent with PCA 1997-PR-007 (RZPA 2023-PR-00036)). PROVIDENCE DISTRICT. PUBLIC HEARING.

PCA 1997-PR-007 (RZPA 2023-PR-00036) - 8221 OLD COURTHOUSE ROAD, L.C. – Appl. to amend RZ 1997-PR-007 previously approved for office and hotel use to permit the deletion of the office land area from the rezoning Located on the S.E. corner of the intersection of Old Courthouse Rd. and Lord Fairfax Rd. in Vienna on approx. 2.00 ac. of land zoned C-3. Comp. Plan Rec: Office. Providence District. Tax Map 39-1 ((9)) 30B1. (Concurrent with RZ/FDP 2023-PR-00005). PROVIDENCE DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Robert D. Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the affidavit dated March 6, 2023 for PCA 1997-PR-007 and January 9, 2023 for RZ/FDP 2023-PR-00005.

Karen Yee, Zoning Evaluation, 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-00005, FDP 2023-PR-00005, and PCA 1997-PR-007.

Mr. Brant gave a presentation on the subject applications.

There was a discussion between Ms. Yee; Mr. Brant; Walter L. Phillips, Walter L. Phillips, Incorporated; and multiple Commissioners regarding the following:

- The applicant confirmed that the proposed development would generate up to six Workforce Dwelling Units (WDUs) and was in conformance with the WDU guidelines;
- The applicant discussed the community's concerns regarding parking and parking minimum requirement for the various types of dwelling units;
- The applicant confirmed the number of proposed parking spaces depicted on the Conceptual Development Plan and Final Development Plan would not be reduced;

- The applicant discussed mitigation measures to reduce traffic, a traffic impact analysis that was conducted, a reduction in the number of trips generated during the peak hours, enhancements and public improvements, and the access to the hotel and office building at the proposed site;
- The applicant discussed their commitment for stormwater runoff retention on-site and a proffered commitment to obtaining stormwater LEED credit;
- The applicant confirmed that the existing wall was part of the proposed site and the applicant intended to retain and continue its maintenance;
- The community's concerns regarding the intensity of pick-up and drop-off times between the school and the existing community during development of the proposed site were addressed;
- The applicant confirmed there would be eight additional striped on-street parking spaces located in the right-of-way on Lord Fairfax Road;
- The applicant confirmed a dedicated loading space was located on site;
- The applicant confirmed that the total number of 66 parking spaces provided would be located on the proposed site;
- The applicant confirmed that the proposed parking spaces were available to residents and guests;
- The applicant confirmed that no electric vehicle charging stations would be installed on the public street in the right-of-way;
- The applicant confirmed that the proposed electric vehicle charging stations would be located on the site's parking lot;
- Staff confirmed that the Urban Centers Section of the Department of Planning and Development and the Fairfax County Department of Transportation supported a waiver for the bike lane which would be requested at site plan;
- Staff confirmed there no schedule improvements on Old Courthouse Road; and
- The applicant confirmed a traffic analysis was not required due to the low number of trips generated.

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 Hancock for action on these proposed applications.

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

- APPROVAL OF PCA-1997-PR-007;
- APPROVAL OF RZ-2023-PR-00005 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED NOVEMBER 21, 2023;
- APPROVAL OF THE REQUESTED WAIVERS AND MODIFICATIONS CONTAINED IN A HANDOUT DATED DECEMBER 1, 2023, WHICH WOULD BE MADE PART OF THE PUBLIC RECORD; AND
- THE PLANNING COMMISSION APPROVE FDP 2023-PR-00005.

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

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SE 2023-MA-00017 - BRADLICK SUBSIDIARY LLC – Appl. to permit a waiver of sign regulations to permit an increase in sign area and height, by replacing two existing freestanding pylon signs. Located at 6930 Bradlick Shopping Ctr., Annandale, 22003 on approx. 11.96 ac. of land zoned C-6. Tax Map 71-4 ((1)) 27. MASON DISTRICT. PUBLIC HEARING.

Noah B. Klein, Applicant’s Agent, Venable LLP, reaffirmed the affidavit dated October 24, 2023.

There were no disclosures by Commission members.

Damaris Martinez, 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 SE 2023-MA-00017.

Mr. Klein gave a presentation on the subject application.

Commissioner Shumate made preliminary comments on the application.

There was a discussion between Ms. Martinez, Ms. Tsai, Mr. Klein, and multiple Commissioners regarding the following:

- Staff discussed the history of the shopping center, which included signage that was installed prior to the adoption of the Zoning Ordinance;

- Staff confirmed the sign was a legally nonconforming sign and the overall area of this sign was being decreased; and
- The applicant confirmed there were no plans for tree removal at the site.

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 Shumate for action on this proposed application.

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Commissioner Shumate MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2023-MA-00017, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 17, 2023.

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

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The meeting was adjourned at 10:36 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:



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

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 9th day of May 2024, by


Signature of Notary

Notary Seal

Notary registration number: 8050379

Commission expiration: 3/31/2027

