

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MAY 7, 2025**

PRESENT: Phillip A. Niedzielski-Eichner, Chairman, Commissioner At-Large
Evelyn S. Spain, Vice Chairman, Sully District
Jeremy Hancock, Secretary, Providence District
Candice Bennett, Parliamentarian, Commissioner At-Large
Alyssa Batchelor-Causey, Dranesville District
John A. Carter, Hunter Mill District
Walter C. Clarke, Mount Vernon District
Mary D. Cortina, Braddock District
Chris Landgraf, Franconia District
Timothy J. Sargeant, Commissioner At-Large
James Thomas, Springfield District
Alis Wang, Mason District

ABSENT: NONE

OTHERS: Karen Yee, Zoning Evaluation Division,
Department of Planning and Development (DPD)
Graham Owen, Planning Division (PD), DPD
Katrina Newton, PD, DPD
Dr. Benjamin Schwartz, Director, Epidemiology and Population Health,
Department of Health
Randy Chapman, Virginia Department of Environmental Quality
Anna Shapiro, Real Estate Development,
Department of Housing and Community Development
Thomas Burke, Transportation Planning Division,
Fairfax County Department of Transportation (FCDOT)
Leslie Johnson, Division Director, Zoning Administration Division (ZAD), DPD
William Mayland, ZAD, DPD
Nicole Blackwell, Clerk to the Planning Commission, Department of Clerk
Services (DCS)
Michelle Jordan, Deputy Clerk, DCS
Satabdi Samaddar, Administration, 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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Chairman Niedzielski-Eichner opened the Commission business by noting that the evening's agenda included one decision-only item, two public hearings, and a special guest. He introduced County Executive Bryan Hill as the guest speaker, highlighting the significance of welcoming individuals whose roles closely aligned with the Planning Commission's land use mission.

Chairman Niedzielski-Eichner acknowledged Mr. Hill's eight years of leadership as County Executive, overseeing a multi-billion-dollar budget, managing approximately 13,000 employees, and carrying out the Board of Supervisors' policy directives. He emphasized Mr. Hill's management of a broad array of county services, including public safety, health and human services, public works, transportation, climate initiatives, economic development, and land use planning.

Chairman Niedzielski-Eichner commended Mr. Hill's instrumental leadership during the COVID-19 pandemic, noting his role in protecting public health and stabilizing the local economy. As the county now faces economic uncertainties influenced by national conditions, the Chairman expressed confidence in Mr. Hill's continued guidance.

He concluded by welcoming Mr. Hill, thanking him for his time despite his demanding schedule, and invited him to deliver opening remarks before engaging in a discussion with Commissioners.

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County Executive Bryan Hill addressed the Planning Commission and provided an operational perspective on the current state of Fairfax County. He focused on the importance of accelerating development processes, strengthening the local economy, and adapting to shifting challenges such as commercial tax base decline, post-COVID-19 work models, and growing affordability concerns. Mr. Hill further delivered his presentation into the following points:

- Explained that the key feedback from the development community was the necessity for speed in processing and decision-making;
- Highlighted that Fairfax County's tax base was currently composed of approximately 74–75% residential and 25–26% commercial, with commercial development becoming increasingly difficult to sustain;
- Explained the importance of revenue diversification and improved economic responsiveness;
- Announced that he and Jennifer Miller, Deputy County Executive would evaluate how long it would take for the County to accept development plans prior to Planning Commission review, aiming to streamline the process;
- Emphasized that delays in planning resulted in missed economic and tax revenue opportunities, though also explained the County's commitment to quality plans over rushed approvals;
- Reflected on the County's COVID-19 response, while comparing to today's challenges, and noted major operational changes such as the shift to cloud-based systems and flexible work schedules;
- Warned of broader economic impacts stemming from federal-level decisions, citing that approximately 200,000 Fairfax County residents work in government or for government contractors;
- Praised Victor Hoskins and the Economic Development Authority, but noted that 40,000 available jobs still fell short of meeting local employment necessity;
- Reiterated that attracting and retaining businesses was a County responsibility, emphasizing the importance of cross-departmental cooperation under the One Fairfax framework;

- Highlighted the necessity to continue adapting County operations, referencing the administrative burden of reviewing executive orders and evaluating grant and public safety implications;
- Identified affordability as a growing concern, particularly for residents who were asset-limited, income-constrained, employed, and stressed the necessity that increased affordable housing;
- Shared demographic data showing Fairfax County as a diverse, majority-minority jurisdiction, describing it as a reflection of “what America is.”;
- Discussed the creation of the Department of Economic Initiatives (DEI) during the first term of the current presidential administration, describing it as a small but impactful department supporting business growth;
- Stated that 20% of commercial space in the county remained vacant, contributing to revenue loss and reinforcing the urgency to revitalize the economic base;
- Referenced the recent budget process and high volume of public engagement, noting the importance of speeding up internal processes to improve service delivery;
- Reaffirmed the County’s commitment to breaking down operational silos and promoting cross-sector collaboration.

There was a discussion between Mr. Hill and multiple Commissioners on the following:

- Explanation of the emerging generation of County staff, expressing confidence that they would lead Fairfax into the next 10-15 years;
- Emphasized the necessity to adapt County operations in response to modern challenges, stating that post-COVID conditions and the volume of new federal executive orders present greater complexity than the pandemic;
- Explanation of the recent loss of a \$36 million education grant, underscoring the urgency to budget, educate, and execute differently;
- Explanation that the first step would be to review the site plan acceptance timeline, clarifying how long it took to accept a submission before formal review;
- Explanation of the County’s plans to implement clear metrics for acceptance timeframes, acknowledging that current delays frustrate developers;
- Clarification that poor-quality submissions also slow the process, emphasizing the necessity for balance between speed and safety;
- Explanation of past failures like the building collapse in Florida as a reminder of why quality cannot be compromised;
- Explanation of plans that examined each stage in the development pipeline to identify ways to streamline;
- Clarification that the County may consider increasing staffing or adjusting standards, where appropriate, to improve efficiency;
- Explanation of possibly shifting away from requiring a LEED plaque Gold vs. Silver and instead verifying performance, which could reduce costs for developers while still meeting sustainability goals;
- Explanation that economic competitiveness depended on efficient processing, and improving that was essential to supporting future development;
- Explanation that the County held 47 budget town halls, three of which he led personally;

- Explanation that privacy regulations delayed access to participation data, which the County needed in order to evaluate the program's impact;
- Clarification that with assistance from Deputy County Executive Christopher Leonard, staff analyzed the metrics and advised the Board on funding options;
- Clarification that although Fairfax County funds the Middle School After-School program, it was implemented by Fairfax County Public Schools;
- Clarification that funding was maintained for another year, allowing schools time to assess and plan long-term solutions;
- Explanation of the importance of data-informed decision-making and the County's commitment to transparency and collaboration, supported by public dashboards tracking performance;
- Clarification of the necessity to balance internal promotions with external hires to bring fresh perspectives and innovation;
- Clarification that relying on the same methods would not yield new or better outcomes;
- Explanation of Fairfax County's reputation for effective governance and leadership, including national recognition;
- Explanation of the importance of continuous change and evolution which would maintain excellence;
- Explanation that structural or organizational barriers could limit employee potential and should be addressed;
- Explanation that varied review processes and feedback loops slowed things down;
- Explanation of the inconsistencies in review staffing and communication as a challenge;
- Clarification that while speed matters, doing things correctly was the top priority;
- Explanation that more frequent course corrections were now necessary; and
- Explanation of the urgent necessity for another high school in western Fairfax due to overcrowding.

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COMMISSION MATTERS

PA 2023-00006 (SSPA 2023-IV-2S) – FRANCONIA TRIANGLE (S-9 BEULAH COMMUNITY PLANNING SECTOR RECOMMENDATION AREA #3) STUDY

(Decision Only) (Public Hearing on this application was held on April 9th and 30th, 2025)

Prior to motion and in keeping with the Virginia State and Local Government Conflict of Interests Act, Section 2.2-3314(F) of the *Code of Virginia*, Commissioner Bennett announced a disclosure regarding the Planning Commission's discussion and vote on the application PA-2023-00006, seeking a plan amendment for Recommendation Area #3 of the S-9 Beulah Community Planning Sector, also known as Franconia Triangle, and made the following statements:

- 1) She was employed as the Deputy Executive Director of Good Shepherd Housing, located at 8253 Backlick Road, Suite L, Lorton, and had a personal interest in the organization. Good Shepherd Housing was a partner in the business entity that was being created in

furtherance of the Franconia Government Center redevelopment project, which was covered by the proposed plan amendment; and

- 2) Out of an abundance of caution, and in the interest of avoiding any appearance of conflict or impropriety, she disclosed the interest and would abstain from the Planning Commission's consideration of the proposed plan amendment.

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Chairman Niedzielski-Eichner noted that the public hearing that addressed this decision only was conducted in two sections. The first section was held on April 9, 2025, and the second following the hearing's conclusion on April 30, 2025. Chairman Niedzielski-Eichner added that the Commission deferred action on the proposed plan amendment until May 7, 2025. Chairman Niedzielski-Eichner recognized Commissioner Landgraf for a decision on the proposed plan amendment.

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There was a discussion between Dr. Benjamin Schwartz, Director, Epidemiology and Population Health, Department of Health; Randy Chapman, Virginia Department of Environmental Quality; Anna Shapiro, Real Estate Development, Department of Housing and Community Development; Tom Burke, Fairfax County Department of Transportation (FCDOT); and multiple Commissioners regarding the following:

- Clarification that the Health Department did not track air quality; instead, they tracked health outcomes, such as cancer;
- Explanation of the 2015 cancer cluster investigation by the Virginia Department of Health;
- Explanation that the department had received community calls and reviewed them for signs of acute benzene toxicity;
- Clarification that the department reviewed 10,000 nurse call line records from 2017–2024;
- Explanation that no calls were consistent with acute benzene toxicity;
- Clarification that three calls mentioned headaches, which were all linked to influenza;
- Clarification that the three references to Franconia were tied to infectious diseases;
- Explanation that the Virginia Environmental Health Division also reviewed PLUS system data from the past two years;
- Explanation that no records showed symptoms of acute benzene toxicity;
- Explanation that staff prior to PLUS implementation did not recall any such related calls either;
- Explanation that the Department of Environmental Quality (DEQ) inspections focused on liquid leaks and leak detection in underground storage tanks (USTs), in line with state and federal regulations;
- Explanation that vapor emissions were addressed via two stages:
 - Stage 1 vapor recovery during tank filling; and
 - Stage 2 systems onboard modern vehicles for vapor recovery during fueling.

- Explanation that Fairfax County was in an Environmental Protection Agency attainment zone, meaning:
 - The region met federal air quality standards; and
 - DEQ was not required to monitor vapor emissions because modern vehicle fleets and fuel systems effectively captured vapors.
- Explanation that DEQ did not monitor vapor releases, only liquid leaks;
- Explanation that the project was in early stages and specific terms were not finalized;
- Clarification that the project was expected to use Low-Income Housing Tax Credits (LIHTC) as a financing tool;
- Explanation that LIHTC typically supported housing targeted at an average of 60% Area Median Income (AMI).
 - As of current figures:
 - \$98,340/year for a family of four; and
 - \$68,880/year for a single person.
- Clarification that this did not refer to traditional subsidized housing as commonly perceived;
- Explanation of the subsidies in this context as:
 - Private equity through tax credits;
 - County-owned land used to offset costs; and
 - Loans from county, state, or federal sources that were typically repaid.
- Explanation that these financial tools enabled affordability but differ from direct government-subsidized housing programs;
- Explanation that the terms could overlap but depended on:
 - The financing mechanism used LIHTC;
 - Whether households use vouchers; and
 - The planning and entitlement process that defines affordability thresholds.
- Explanation that the Affordable Dwelling Units and Workforce Dwelling Units were created through land use policy and zoning;
- Explanation that low-income housing, in this context, referred to units created by using LIHTC, which targeted residents earning 60% of Area Median Income (AMI);
- Clarification that in the D.C. metro region, 60% AMI was still considered moderate income due to the region's high overall AMI;
- Explanation that definitions varied based on project structure and the population served;
- Concern about the public's reaction to potentially replacing a community-serving government property with residential use;
- Explanation that in response to community feedback, staff evaluated several public use options for the site which would maintain its community-serving character. Two primary alternatives were considered;
- Clarification that one option was to designate the site as a public park as this aligned with language in the adopted Comprehensive Plan, which was a community focal point;
- Explanation that the plan had called for an urban park in this area, but it had never been implemented;
- Clarification that another option evaluated was relocating the adjacent Franconia Volunteer Fire Station to the government center site;
- Explanation that after analysis by the Fire Chief, it was determined that the government center site was not operationally suitable;

- Clarification that the urban park concept was still being actively considered and could be integrated into a future redevelopment scenario for the site;
- Explanation that if combined with the nearby Beulah Street Special Planning Area and other adjacent proposals, a connected open space network could be created that fulfilled the community's desire for public amenities and green space;
- Clarification that affordable housing site selection was strategic and data-driven, not random;
- Explanation that the focus was on high opportunity areas locations with:
 - Access to public transportation; and
 - Proximity to jobs and amenities.
- Explanation that this housing development planning aligned with the Fairfax County Comprehensive Plan and anticipated growth zones;
- Explanation that Virginia Department Of Transportation (VDOT) launched a starter study on the corridor from Alexandria to Telegraph Road;
- Explanation that the study was focused on operations and safety improvements along the entire corridor;
- Clarification that the interchange at Van Dorn and Franconia had been under review for years due to community resistance;
- Explanation that the team was working closely with the community to explore alternative solutions;
- Explanation that the ongoing VDOT study would provide clarity and direction on how to address congestion and safety concerns;
- Clarification that the term option referred to a potential future land use in the Comprehensive Plan;
- Explanation that the existing adopted plan remained in place, but the amendment would add an optional use of up to 120 multifamily units of affordable housing at the Government Center site;
- Clarification that this was not a final decision it was only a policy framework update;
- Explanation that if the plan amendment was adopted, the next step would be a rezoning application for any site-specific redevelopment;
- Clarification that this involved staff review, community engagement, and further analysis of project details;
- Clarification that the final redevelopment would still have required multiple additional steps;
- Concern about proximity to five gas stations and the potential cumulative impact on residents;
- Explanation that benzene exposure could have long-term health effects, including some types of cancer;
- Explanation of the 2015 cancer cluster investigation at the Franconia police station:
 - Of 11 reported cases, only 7 could be evaluated;
 - These involved 5 different cancer types, most of which were common; only one was rare thymus cancer; and
 - Cancers had different risk factors, which did not support the definition of a cluster.
- Clarification that the investigation was conducted by the Virginia Department of Health and the Virginia Cancer Registry;

- Explanation that the cancer rates in the three relevant census tracts were either similar or lower than Fairfax County and Virginia overall;
- Clarification that no cancer cluster existed and no further investigation were warranted;
- Clarification on 2015 Cancer Investigation at the Franconia Police Station, of the 11 cancer cases referenced, only 7 were evaluated due to data limitations;
- Explanation that two cases occurred in Maryland, but the Virginia Cancer Registry could not obtain sufficient information from that state;
- Clarification for the remaining two Virginia cases, only the individuals' names were available, with no details on cancer type or other essential information needed for assessment;
- Clarification that while the inability to evaluate four of the 11 cases introduced some uncertainty, the professional assessment based on the seven evaluated cases strongly indicated there was no cancer cluster at the Franconia Police Station;
- Clarification that if benzene exposure had been a factor, a common pattern of blood and bone marrow cancers would be expected. However, the observed cases included colorectal, prostate, brain, and thymus cancers indicating no cancer cluster linked to benzene;
- Clarification that if benzene exposure had contributed to cancer cases, a pattern of blood and bone marrow cancers would be expected. However, among the cases reviewed only one involved bone marrow, which did not support the presence of a benzene-related cancer cluster;
- Clarification of the analysis of cancer rates in the census tract containing the government center and two adjacent tracts found rates to be similar to or lower than those in Fairfax County and Virginia overall;
- Clarification that no increase in blood or bone marrow cancers was observed, indicating no community-wide benzene-related health impact;
- Clarification that during the fuel loading process, the tanker truck had a vapor recovery system that captures the vapors released from the underground tank;
- Explanation that these vapors were then directed back into the tanker truck, effectively preventing them from escaping into the atmosphere;
- Clarification that the vapor recovery systems were not 100% effective. There were brief moments when vapors could escape, much like the small vapor release when fueling a car;
- Explanation that the systems typically capture 85% or more of vapors during unloading. In addition, onboard vapor recovery systems built into modern vehicles further reduce emissions;
- Explanation that the overall, air quality in Virginia had significantly improved since the 1990s due to fleet upgrades and these technologies, contributing to lower ozone levels;
- Clarification that the benzene vapors in open air become diluted in the surrounding atmosphere, reducing their concentration and health impact;
- Explanation that DEQ focused more on indoor air quality risks, especially in buildings near contaminated groundwater where vapors could accumulate;
- Explanation that in outdoor settings like gas stations, dilution greatly minimized concern;
- Clarification that if a tank was closed, DEQ would conduct a site-specific risk assessment based on future land use, evaluating factors such as building placement, foundation depth, groundwater proximity, and necessary corrective actions;

- Explanation that there was a known underground storage tank on the property that had to be addressed during the site planning phase;
- Clarification that testing and remediation would be required per County guidelines if the site moved forward;
- Explanation that DEQ would begin testing at the known source and expand outward depending on the development plan;
- Explanation that DEQ's risk-based program tailored the assessment based on potential human health risks;
- Clarification that DEQ would not proactively test adjacent gas station sites unless evidence during perimeter testing suggests off-site contamination;
- Clarification that border sampling and further investigation if signs of off-site migration appeared;
- Clarification that DEQ was already working closely with Fairfax County staff on similar environmental assessments related to the Richmond Highway BRT project, and anticipates the Planning Commission would face similar evaluations there;
- Clarification that the study compared two scenarios:
 - Future conditions with the current comprehensive plan which included more office use; and
 - Future conditions with the proposed plan amendment focused on residential use.
- Explanation that the proposed plan was projected to generate fewer vehicle trips than the current plan, making it less impactful overall on traffic;
- Clarification that a rezoning process would include a new transportation analysis;
- Explanation that the focus would shift to existing traffic conditions vs. future projected impacts; and
- Clarification that the rezoning-level review provided a more detailed, case-specific analysis of traffic impacts.

Commissioner Landgraf MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF PLAN AMENDMENT SSPA-2023-IV-2S AS SHOWN IN THE PLANNING COMMISSION HANDOUT DATED MAY 7, 2025.

Chairman Niedzielski-Eichner and Commissioners Batchelor-Causey and Hancock seconded the motion, which was carried by a vote of 10-1. Commissioner Thomas voted in opposition. Commissioner Bennet recused herself and was not present for the vote.

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ORDER OF THE AGENDA

Secretary Hancock established the following order of the agenda:

1. SE 2024-HM-00009 – COLUMBIA RETAIL DULLES LLC
2. ZONING ORDINANCE AMENDMENT – PROPOSED ZONING ORDINANCE AMENDMENT RE: SECONDARY USES IN PLANNED DEVELOPMENT HOUSING AND PLANNED DEVELOPMENT COMMERCIAL DISTRICTS, AND SUBMISSION REQUIREMENTS FOR FINAL DEVELOPMENT PLAN

This order was accepted without objection.

Chairman Niedzielski-Eichner recited the rules for public testimony.

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SE 2024-HM-00009 – COLUMBIA RETAIL DULLES LLC

Appl. to permit a drive-through financial institution. Located on approx. 27,443 sq. ft. of land zoned C-6. Tax Map 16-3 ((1)) 15B (pt.).HUNTER MILL DISTRICT. PUBLIC HEARING.

Commissioner Carter asked that Chairman Niedzielski-Eichner ascertain whether there were any speakers for this application. There being none, he asked if any Commissioners had any questions on the application. Commissioner Spain stated she had a pending question; therefore, Chairman Niedzielski-Eichner moved forward with the public hearing.

Elmer F. Tolle III, Applicant's Agent, Development Services Group, Inc., reaffirmed the affidavit dated April 2, 2025.

There were no disclosures by Commission members.

Karen Yee, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy is in the electronic date file. She stated that the staff recommended approval of SE 2024-HM-00009.

Mr. Tolle III deferred to give a presentation on the subject application.

There was a discussion between Ms. Yee; Mr. Tolle III; and multiple Commissioners regarding the following:

- Concern about pedestrian safety within the shopping center where the proposed Chase Bank was located;
- Clarification that Chase Bank made improvements only within their portion of the site when opening the branch, and could not alter the overall shopping center layout due to site restrictions;
- Explanation that Chase typically addressed pedestrian connectivity from adjacent right-of-way and directly to the bank itself but could not reconfigure the broader center;
- Clarification that the branch already included an ATM vestibule accessible by foot and that the proposed change was to add a drive-through ATM which enhanced customer service;
- Concerns about traffic flow, specifically the difficulty of making a left-hand turn into the Chase Bank area;
- Explanation that major traffic flow modifications would have required reconstruction of the entire shopping center, which was beyond the scope of Chase Bank's project; and
- Explanation that the new branch would actually reduce drive-through traffic compared to what had previously existed on the site.

There were no listed speakers, no speakers from the public, no comments or further 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 application.

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Prior to the motion Commissioner Carter requested that the applicant confirm for the record their agreement to the development conditions dated April 23, 2025. Mr. Tolle III affirmed agreement to the development conditions dated April 23, 2025.

Commissioner Carter MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2024-HM-00009, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED APRIL 23, 2025.

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

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ZONING ORDINANCE AMENDMENT – PROPOSED ZONING ORDINANCE AMENDMENT RE: SECONDARY USES IN PLANNED DEVELOPMENT HOUSING AND PLANNED DEVELOPMENT COMMERCIAL DISTRICTS, AND SUBMISSION REQUIREMENTS FOR FINAL DEVELOPMENT PLAN - To consider changes to the additional standards for the Planned Development Housing (PDH) and Planned Development Commercial (PDC) Districts and the submission requirements for a Final Development Plan (FDP). The changes as specifically set forth in the staff report may include, without limitation: (1) in the PDH District: (i) revising the secondary use standards to improve readability, (ii) removing the limitation on office gross floor area, and (iii) allowing the Board to modify the secondary use standards; (2) in the PDC District: (i) requiring 20 percent open space when residential development, an independent living facility, or a continuing care facility is proposed, and (ii) revising the secondary use standards to limit the gross floor area of all secondary uses to a maximum of 75 percent of the gross floor area of the development (option from 49 up to 75 percent), unless modified by the Board; (3) in the PDH and PDC Districts: requiring that any outdoor component of a commercial use be shown on an FDP; and (4) adding provisions to require a legal description for FDP applications. COUNTYWIDE. PUBLIC HEARING.

William Mayland, Zoning Administration Division (ZAD), Department of Planning and Development (DPD), presented the staff report, a copy is in the electronic date file. He stated that staff recommended adoption of the Zoning Ordinance Amendment.

Commissioner Bennett deferred making preliminary comments on the application.

There was a discussion between Mr. Mayland; Leslie Johnson, Division Director, Zoning Administrative Division; and multiple Commissioners regarding the following:

- Explanation that the current ordinance splits secondary uses into residential and all other secondary categories, with the total limit effectively around 49%;
- Clarification that maintaining the 49% cap would provide slightly more flexibility than the current structure;
- Clarification that under the existing ordinance, only about 35% of development could be done without requiring modifications;
- Explanation that increasing the cap to 75% for secondary uses would significantly reduce the number of required waivers or modifications during redevelopment;
- Clarification that waivers could occur either at the initial rezoning or during subsequent amendments;
- Explanation that in large developments, original approvals may meet commercial-to-residential ratios, but over time, as office demand declined, rezoning amendments often shifted toward more residential use;
- Explanation that these cumulative changes over time tend to push developments further from the original commercial intent and closer to a residential majority, triggering the necessity for additional modifications;
- Explanation that urban park standards typically apply in activity centers and transit station areas, locations where higher intensity development was expected;
- Explanation that in such cases, park expectations would be evaluated as part of the development review, particularly for Planned Development Commercial (PDC) and Planned Residential Mixed-Use projects;
- Clarification that while the zoning ordinance allowed up to 75% residential use, Comprehensive Plan expectations still guided what was appropriate on a site;
- Explanation that the Planning Commission could continue to evaluate open space and design elements beyond just percentages, as part of the review process;
- Clarification that the process depended on the specifics of the original zoning approval;
- Explanation that converting a principal use to a secondary use would have likely required a Proffered Condition Amendment (PCA) and an amendment to the Conceptual Development Plan (CDP), rather than just a Final Development Plan (FDP);
- Clarification that minor changes might be handled through an FDP, but significant changes to use types typically required broader amendments;
- Clarification that any rezoning amendment would continue to be reviewed for consistency with the Comprehensive Plan and would allow for appropriate proffer negotiations;
- Clarification that the amendment under discussion was focused specifically on removing the necessity for a modification solely due to secondary use percentages not on changing the broader review or mitigation process;

ZONING ORDINANCE AMENDMENT – PROPOSED ZONING
ORDINANCE AMENDMENT RE: SECONDARY USES IN
PLANNED DEVELOPMENT HOUSING AND PLANNED DEVELOPMENT
COMMERCIAL DISTRICTS, AND SUBMISSION REQUIREMENTS FOR FINAL
DEVELOPMENT PLAN

May 7, 2025

- Explanation that over 60% of PDC applications in the past decade already included modifications allowed additional secondary uses;
- Explanation that adding residential use would have required a rezoning;
- Clarification that such a change would necessitate a Proffered Condition Amendment (PCA), as it constituted a change in use;
- Clarification that the PCA process would allow evaluation of the proposed change, including mitigation for potential impacts, while considering any previously approved conditions;
- Explanation that the choice between PDH and PRM generally depended on the intensity of development:
 - PDH was limited to 40 dwelling units per acre; and
 - PRM typically started at 40 DU/acre and could reach 100+ DU/acre, particularly in activity centers and near transit.
- Clarification that PRM and PDC were not directly comparable due to significant differences in allowable uses and intensity;
- Clarification that PDC allowed for certain uses not permitted in PRM, such as:
 - Drive-throughs; and
 - Data centers
- Explanation that PRM required a minimum of 50% of the site to be multifamily residential, and typically required open space and white space components;
- Explanation that zoning staff often worked closely with applicants to determine whether PDC or PRM made more sense for a particular site based on existing conditions, mixed-use, and Comprehensive Plan guidance;
- Explanation that the proposed amendment to PDC secondary use limits could lead more applicants to consider PDC over PRM, but emphasized this would be a case-by-case evaluation;
- Explanation that 49% to 75% represented the range of options in the staff report, but the Commission could choose any percentage in between;
- Clarification that 60% of PDC applications in the past 10 years had sought modifications to exceed current secondary use limits;
- Explanation that some applications approved by the Board included developments with:
 - Up to 80% of the site as residential/secondary use; and
 - In some cases, even 100% when live/work units were involved.
- Explanation that current ordinance capped functional secondary use at around 42%, so the proposed 75% limit aligned with historical practice and reduced the necessity for repeated modifications;
- Clarification that the idea of collapsing all P districts into one was considered during the zoning moderation process;
- Explanation that due to 30–40 years of existing P district zoning, such a change would have created widespread nonconformities and complications;
- Explanation that the current amendment was a step forward toward better alignment;
- Clarification that most new developments today tend toward Planned Residential Mixed-Use, due to a decline in large-scale commercial development; and

ZONING ORDINANCE AMENDMENT – PROPOSED ZONING
ORDINANCE AMENDMENT RE: SECONDARY USES IN
PLANNED DEVELOPMENT HOUSING AND PLANNED DEVELOPMENT
COMMERCIAL DISTRICTS, AND SUBMISSION REQUIREMENTS FOR FINAL
DEVELOPMENT PLAN

May 7, 2025

- Explanation that zoning evaluation staff would continue to guide applicants to the most appropriate zoning district based on project characteristics.

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

- ADOPTION OF THE ZONING ORDINANCE AMENDMENT FOR SECONDARY USES IN PLANNED DEVELOPMENT HOUSING AND PLANNED DEVELOPMENT COMMERCIAL DISTRICTS, AND SUBMISSION REQUIREMENTS FOR FINAL DEVELOPMENT PLAN AS SET FORTH IN THE STAFF REPORT DATED APRIL 11, 2025, WITH THE STAFF RECOMMENDED OPTIONS;
- THAT THE FOLLOWING BE ADDED IN APPENDIX 1, PROVISIONS RELATING TO PREVIOUS APPROVALS:

“APPLICATIONS FOR AN AMENDMENT TO A PDC DISTRICT AND ASSOCIATED DEVELOPMENT PLANS ARE SUBJECT TO A MINIMUM 15 PERCENT OPEN SPACE REQUIREMENT IF THE PDC DISTRICT WAS APPROVED BEFORE THE EFFECTIVE DATE OF THIS AMENDMENT, EXCEPT THAT ANY AMENDMENT THAT PROPOSES ADDING NEW RESIDENTIAL DEVELOPMENT, AN INDEPENDENT LIVING FACILITY, OR A CONTINUING CARE FACILITY, MUST MEET THE MINIMUM OPEN SPACE REQUIREMENT OF 20 PERCENT ON THE AREA OF THE AMENDED APPLICATION;” AND
- THAT THE AMENDMENT BECOME EFFECTIVE AT 12:01 A.M. THE DAY FOLLOWING ADOPTION.

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

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The meeting was adjourned at 9:47 p.m.
Phillip A. Niedzielski-Eichner, Chairman
Jeremy Hancock, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035.

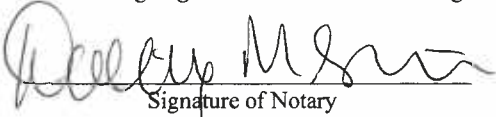
Minutes by: Michelle Jordan
Approved on: October 8, 2025



Nicole Blackwell, Clerk to the
Fairfax County Planning Commission

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 14 day of October 2025, by Nicole Blackwell.


Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2028

