

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JANUARY 29, 2020**

PRESENT: Peter F. Murphy, Chairman, Springfield District
Mary D. Cortina, Braddock District
John C. Ulfelder, Dranesville District
John A. Carter, Hunter Mill District
Daniel G. Lagana, Lee District
Julie M. Strandlie, Mason District
Walter C. Clarke, Mount Vernon District
Phillip A. Niedzielski-Eichner, Providence District
Evelyn S. Spain, Sully District
Candice Bennett, Commissioner At-Large
Andres Jimenez, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 7:34 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

The Honorable John T. Frey, Clerk of the Circuit Court, performed the swearing-in ceremony for the following Commissioners appointed by the Board of Supervisors for four-year terms ending December 2024:

- Mary D. Cortina, Braddock District
- Daniel G. Lagana, Lee District
- Evelyn S. Spain, Sully District
- Candice Bennett, Commissioner At-Large
- Andres Jimenez, Commissioner At-Large

Chairman Murphy thanked Mr. Frey for presiding over the swearing-in ceremony.

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ORDER OF THE AGENDA

Chairman Murhpy established the following order of the agenda:

1. CSP 2018-SU-008/CSPA 83-C-021-02 – K. HOVNANIAN HOMES AT PENDER OAKS, LLC

2. PCA 2002-HM-043-04/CDPA 2002-HM-043-03/ FDPA 2002-HM-043-06 – ARROWBROOK CENTRE, LLC
3. RZ/FDP 2019-SU-009/PCA 78-S-063-09/PCA 85-S-061-06/PCA 85-S-039 – ELM STREET COMMUNITIES, INC.

The order was accepted without objection.

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CSP 2018-SU-008 - K. HOVNANIAN HOMES AT PENDER OAKS, LLC – CSP Appl. under Sect. 12-210 of the Zoning Ordinance for approval of a Comprehensive Sign Plan associated with RZ 2018-SU-008. Located on the W. side of Fair Ridge Dr., N. of Lee Jackson Memorial Hwy. on approx. 18.07 ac. of land zoned PDH-12, HC and WS. Tax Map 46-3 ((1)) 15A1 and 15C. (Concurrent with CSPA 83-C-021-02). SULLY DISTRICT

CSPA 83-C-021-02 - K. HOVNANIAN HOMES AT PENDER OAKS, LLC – CSPA Appl. Appl. under Sect. 12-210 of the Zoning Ordinance to amend the previously approved Comprehensive Sign Plan associated with CSP 83-C-021 to permit sign modifications. Located on the N. side of Lee Jackson Memorial Hwy. and W. side of Fair Ridge Dr. on approx. 9.99 ac. of land zoned PDC, HC and WS. Tax Map 46-3 ((1)) 15A3. (Concurrent with CSP 2018-SU-008) SULLY DISTRICT

Sharon Williams, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications CSP 2018-SU-008 and CSPA 83-C-021-02.

Elizabeth Baker, Attorney, Walsh, Colucci, Lubeley & Walsh, P.C., gave a presentation on the subject applications.

There was a discussion between Ms. Baker and multiple Commissioners on the following issues:

- Clarification of the wayfinding signs with respect to aesthetics and design.

The discussion resulted in no changes to the subject application.

Chairman Murphy called for speakers from the audience but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Spain for action on these items.

(Start Verbatim Transcript)

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Commissioner Spain: Yes, I RECOMMEND THAT WE APPROVE, CSP 2018 – I
RECOMMEND THAT WE APPROVE CSP 2019-SU-008 AND CSPA 83-C-021-02.

Commissioner Ulfelder: Second.

Chairman Murphy: Second Mr. Ulfelder. Is there a discussion of the motion? All those in...

Sharon Williams Sharon Williams, Zoning Evaluation Division, Department of Planning and
Development: Excuse...

Chairman Murphy: Excuse me?

Ms. Williams: The applicant needs to agree to the – the development conditions.

Chairman Murphy: Yes, you have a statement there, Ms. Baker?

Elizabeth Baker, Attorney, Walsh, Colucci, Lubeley & Walsh, P.C.: Yes, on behalf of the
applicant, we do agree to the development conditions. Thank you.

Chairman Murphy: Okay. All those in favor to approve these applications, as articulated by Ms.
Spain, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

William O'Donnell, Zoning Evaluation Division, Department of Planning and Development:
Chairman Murphy? Can we also ensure that, as part of the motion, that its approved, the
Comprehensive Sign Plan, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED
JANUARY 14TH, 2020?

Chairman Murphy: Okay. WITHOUT OBJECTION, SO ORDERED. Thank you very much.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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PCA 2002-HM-043-04/CDPA 2002-HM-043-03 –
ARROWBROOK CENTRE, LLC – PCA and CDPA Appl(s). to
amend the proffers and conceptual development plan, for RZ 2002-
HM-043, previously approved for mixed-use development, to
permit site design modifications and revisions to proffers at a Floor
Area Ratio (FAR) of 3.01(Overall Development-FAR 0.99).
Located on the W. side of Centreville Rd., N. of Arrowbrook
Centre Dr. and S. of Dulles Airport Access Rd., on approx. 3.37 ac.

of land zoned PDC. Comp. Plan Rec: Mixed-Use. Dranesville District. Tax Map 16-3 ((20)) 5 (pt.), 7C (pt.), 4A and 16-3 ((20)) (1) D(pt.). (Concurrent with FDPA 2002-HM-043-06). Dranesville District

FDPA 2002-HM-043-06 – ARROWBROOK CENTRE, LLC –
FDPA Appl. to amend the final development plan for RZ 2002-HM-043, previously approved for mixed-use development, to permit modifications to site design and revisions to proffers at a Floor Area Ratio (FAR) of 1.44 (Overall Development – FAR 0.99). Located on the W. side of Centreville Rd., N. of Arrowbrook Centre Dr. and S. of Dulles Airport Access Rd., on approx. 1.46 ac. of land zoned PDC. Comp. Plan Rec: Mixed-Use. Tax Map 16-3 ((20)) 4A (pt.) and 16-3 (1) D (pt.). (Concurrent with PCA 2002-HM-043-04 and CDPA 2002-HM-043-03). Dranesville District

John McGranahan, Applicant's Agent, Hunton Andrews Kurth, LLP, reaffirmed the affidavit dated January 13, 2020.

Zachary Fountain, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of applications PCA 2002-HM-043-04, CDPA 2002-HM-043-03, and FDPA 2002-HM-043-06.

Mr. McGranahan gave a presentation on the subject applications.

There was a discussion between Mr. McGranahan; David Steigler, Land Planning Engineer, Pennoni Associates Inc.; Jeffrey Fairfield, Applicant and Title Owner, Arrowbrook Centre, LLC; William O'Donnell, ZED, DPD; and multiple Commissioners on the following issues:

- Clarification on the presence of affordable dwelling units (ADU) and workforce dwelling units (WDU);
- Clarification on the percentage of Area Median Income for the ADUs and WDUs;
- Environmental suggestions that included provisions such as additional trees 25 to 30 feet apart, additional green roof areas, the use LEDs for site lighting, electric vehicle charging stations, and accommodating solar panels;
- Clarification on the definition of the term "under construction" in Proffer Number 23;
- Clarification on Proffer Number 47 and achieving a 50-percent on-site phosphorus removal rate;
- Clarification on the amount of parking for the development;
- Clarification on the amount of residents in the proposed development; and
- Clarification on duplicate stormwater proffers with the nearby Stanley Martin development.

The discussion resulted in no changes to the subject applications.

Chairman Murphy called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Ulfelder for action on this item.

(Start Verbatim Transcript)

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Commissioner Ulfelder: Thank – thank you, Mr. Chairman. Is this on? Yeah, thank you, Mr. Chairman. In light of the fact that a few things have been raised that we could possibly address further, I'm going to defer for a week. So that we can take a look at some of these suggestions and see if there's anything in addition we can add to the application. So, Therefore, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PCA 2002-HM-043-04 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, TO A DATE CERTAIN OF FEBRUARY 5TH.

Commissioner Niedzielski-Eichner: Second.

Commissioner Ulfelder: And I would also...

Chairman Murphy: Who seconded? Oh, Mr. Niedzielski-Eichner seconded the motion. Is there a discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I ALSO MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR FDPA 2002-HM-043-06 TO A DATE CERTAIN OF FEBRUARY 5TH.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded Mr. Niedzielski-Eichner. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: Thank you.

Each motion carried by a vote of 12-0.

(End Verbatim Transcript)

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RZ/FDP 2019-SU-009 – ELM STREET COMMUNITIES, INC. -
Appls. to rezone from I-3, AN and WS to PDH-8, AN and WS to permit residential development with an overall density of 7.88 dwelling units per acre (du/ac) including density associated with affordable housing and approval of the conceptual and final development plan. Located on the E. of Parkstone Dr. and S. of Conference Center Dr., immediately S. of 14800 and 14850 Conference Center Dr. on approx. 19.92 ac. of land. Comp. Plan Rec: Mixed Uses. Tax Map 43-4 ((1)) 16. (Concurrent with PCA 78-S-063-09, PCA 85-S-061-06 and PCA 86-S-039). SULLY DISTRICT.

PCA 78-S-063-09 – ELM STREET COMMUNITIES, INC. -
Appl. to amend the proffers for RZ 78-S-063 previously approved for light intensity industrial uses to permit deletion of land area and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.435. Located on the E. of Parkstone Dr. and S. of Conference Center Dr., immediately S. of 14800 and 14850 Conference Center Dr. on approx. 11.07 ac. of land zoned I-3, WS and AN. Comp. Plan Rec: Mixed Uses. Tax Map 43-4 ((1)) 16 (pt.). (Concurrent with RZ/FDP 2019-SU-009, PCA 85-S-061-06 and PCA 86-S-069). SULLY DISTRICT.

PCA 85-S-061-06 – ELM STREET COMMUNITIES, INC. -
Appl. to amend the proffers for RZ 85-S-061 previously approved for light intensity industrial uses to permit deletion of land area and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.435. Located on the E. of Parkstone Dr. and S. of Conference Center Dr., immediately S. of 14800 and 14850 Conference Center Dr. on approx. 0.53 ac. of land zoned I-3, WS and AN. Comp. Plan Rec: Mixed Uses. Tax Map 43-4 ((1)) 16 (pt.). (Concurrent with RZ/FDP 2019-SU-009, PCA 78-S-063-09 and PCA 86-S-069). SULLY DISTRICT.

PCA 86-S-039 – ELM STREET COMMUNITIES, INC. - Appl. to amend the proffers for RZ 86-S-039 previously approved for light intensity industrial uses to permit deletion of land area and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.435. Located on the E. of Parkstone Dr. and S. of Conference Center Dr., immediately S. of 14800 and 14850 Conference Center Dr. on approx. 6.18 ac. of land zoned I-3, WS and AN. Comp. Plan Rec: Mixed Uses. Tax Map 43-4 ((1)) 16 (pt.). (Concurrent with RZ/FDP 2019-SU-009, PCA 78-S-063-09 and PCA 85-S-061-06). SULLY DISTRICT.

Gregory Reigle, Applicant's Agent, McGuireWoods, LLP, reaffirmed the affidavit dated January 17, 2020.

There were no disclosures by Commission members.

Emma Estes, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications RZ/FDP 2019-SU-009, PCA 78-S-063-09, PCA 85-S-061-06, and PCA 85-S-039.

Mr. Riegler gave a presentation on the subject applications.

There was a discussion between Mr. Reigle; William O'Donnell, ZED, DPD; and multiple Commissioners on the following issues:

- Clarification on the provisions for the retaining wall and noise mitigation;
- Suggestions that multiple applicants coordinate to find land for a school;
- Clarification on the number of affordable dwelling units and workforce dwelling units in the proposed development;
- Suggestions for additional environmental provisions, such as tree spacing, the use of LED lighting, and electric vehicle charging stations;
- Clarification on flight maps for Dulles International Airport being disclosed;
- Clarification on enhancements to the stormwater pond; and
- Clarification on the building materials that would be utilized;

The discussion resulted in the following changes to the subject applications:

- The applicant agreed to evaluate the proffers to see if there were opportunities to enhance the environmental improvement provisions.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Keith Meurlin, 44701 Propeller Court, Suite 100, Dulles, VA, representing the Washington Airports Task Force spoke in opposition of the subject applications for the following reasons:

- The amount of noise that would impact the development;
- The location of the developing being in the line of flight paths; and
- Citizen complaints that force additional regulations on the airports.

David Mould, 1 Aviation Circle, Washington, DC, Vice President of Communications and Government Affairs for the Metropolitan Washington Airports Authority, spoke in opposition of the subject applications, echoing remarks from Mr. Meurlin.

Bill Keech, 10111 Tate Ct, Oakton, VA, representing the Westfields Business Owners Association spoke in support of the subject applications for the following reasons:

- Development would benefit the thriving neighborhood of Westfield; and
- Would create mixed-use space.

Carol Hawn, 6500 Harvest Mill Court, Centreville, VA, Chair of the Fairfax County Airports Advisory Committee, spoke in opposition of the subject applications for the following reasons:

- The expected noise impact; and
- The need for approval of new noise contours.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Riegle, who responded to the testimony from the speakers as follows:

- The revised contours the applicant would utilize would be based on records from the Metropolitan Washington Airports Authority; and
- The proposal was consistent with the county policy.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Spain for action on these cases.

(Start Verbatim Transcript)

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Commissioner Spain: Thank you. I want to thank all of you. This is our first night for a number of us and what an exciting event.

Chairman Murphy: That's why we gave you an easy case.

Commissioner Spain: Oh my gosh! Well, but – but based on the information that we've received tonight and the opportunities for improvements, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ/FDP 2019-SU-009, PCA 78-7-063-09 [sic], PCA 85-S-061-06, PCA 86-7-039 [sic], TO A DATE CERTAIN OF FEBRUARY 12th, 2020.

Commissioner Niedzielski-Eichner: Second

Chairman Murphy: February what?

Commissioner Spain: 12th.

Chairman Murphy: February 12th. I think we have a correction.

William O'Donnell, Zoning Evaluation Division, Department of Planning and Development: Yeah. Commissioner Murphy there were two case numbers where she mentioned seven instead of S. Could you just clarify that?

Chairman Murphy: Okay. Without objection. Alright. Thank you very much. All those in favor of the motion to defer decision on these applications as articulated by Ms. Spain, to a date certain of February 20th[sic], with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Ulfelder. The 20th?

Chairman Murphy: 12th. I'm sorry, February 12th. We gotta amend that too, yeah. Say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion Carries. Thank you very much.

The motion carried by a vote of 12-0

(End Verbatim Transcript)

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CLOSING

January 29, 2020

The meeting was adjourned at 10:33 p.m.
Peter F. Murphy, Chairman
Timothy J. Sargeant, 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: Keisha Strand

Approved on: May 20, 2020

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 15 day of June 2020 by
Jacob Caporaletti.

Dorothy M. Steele
Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

