

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, FEBRUARY 23, 2022**

PRESENT: Peter F. Murphy, Chairman, Springfield District
John C. Ulfelder, Vice Chairman, Dranesville District
Timothy J. Sargeant, Secretary, Commission At-Large
Mary D. Cortina, Braddock District
John A. Carter, Hunter Mill 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

ABSENT: Julie M. Strandlie, Parliamentarian, Mason District
Daniel G. Lagana, Lee District

//

The meeting was called to order at 7:32 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

//

COMMISSION MATTERS

APPROVAL OF MINUTES: SEPTEMBER – DECEMBER 2021

Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION APPROVE THE FOLLOWING SETS OF MINUTES:

- SEPTEMBER 22, 2021;
- SEPTEMBER 29, 2021;
- OCTOBER 6, 2021;
- OCTOBER 13, 2021;
- OCTOBER 20, 2021;
- OCTOBER 27, 2021;
- NOVEMBER 3, 2021;
- NOVEMBER 10, 2021;
- NOVEMBER 17, 2021;
- DECEMBER 1, 2021; AND
- DECEMBER 8, 2021.

Commissioner Ulfelder and the Chair seconded the motion, which carried by a vote of 10-0. Commissioners Lagana and Strandlie were absent from the meeting.

In addition, Commissioner Sargeant commended the following Planning Commission staff for their work:

- Jacob Caporaletti, Clerk to the Planning Commission;
- Samantha Lawrence, Deputy Clerk, Planning Commission;
- Satabdi Samaddar, Deputy Clerk, Planning Commission; and
- Keisha Strand, Senior Deputy Clerk, Planning Commission.

//

PCA 2009-MV-008 - SCANNELL PROPERTIES #117 AND SCANNELL PROPERTIES #82, LLC

Commissioner Clarke MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR PCA 2009-MV-018, TO A DATE CERTAIN OF MARCH 16, 2022.

Commissioner Cortina seconded the motion, which carried by a vote of 10-0. Commissioners Lagana and Strandlie were absent from the meeting.

//

Commissioner Sargeant announced the Capital Improvement Program (CIP) Committee would meet on Thursday, February 24, 2022, at 7:30 p.m., in the Board Auditorium of the Fairfax County Government Center to review the CIP process and related issues with staff. He noted that the meeting was open to the public.

//

ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. SE 2018-PR-014 - UNITED REAL ESTATE LLC
2. PCA/CDPA/FDPA 2000-SU-012 - BUCKLEY DEVELOPMENT, LLC
3. PA 2018-IV-MV4/PA 2020-00015 - HOLLIN HILLS HISTORIC OVERLAY DISTRICT (HOD) CONCURRENT WITH RZ 2021-MV-00017 AND ZONING ORDINANCE AMENDMENT

This order was accepted without objection.

//

SE 2018-PR-014 - UNITED REAL ESTATE LLC - Appl. to permit uses in floodplain. Located at 6801 Custis Pkwy., Falls Church, 22042 on approx. 20, 437 sq. ft. of land zoned R-4. Tax

Map 50-4 ((5)) 450. PROVIDENCE DISTRICT. PUBLIC HEARING.

David R. Gill, Applicant's Agent, Wire Gill LLP, reaffirmed the affidavit dated January 19, 2022.

There were no disclosures by Commission members.

Catherine Lewis, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD) presented the staff report on behalf of Alexis Robinson, a copy of which is in the date file. She noted that staff recommended approval of application SE 2018-PR-014.

Mr. Gill gave a presentation on the subject application.

There was a discussion between Mr. Gill; Ms. Lewis; Dipmani Kumar, Chief, Watershed Planning and Evaluation Branch, Department of Public Works and Environmental Services; and multiple Commissioners on the following:

- Guidelines, standards, and precedents for permitting the construction of a single-family dwelling unit within a floodplain or a recourse protection area;
- Recent updates to the FEMA Floodplain map and its influence on staff's recommendation;
- The accuracy of the representation of the height of the house and placement on the floodplain study;
- Concerns regarding potential flood risks to surrounding neighbors located 300 feet upstream and downstream; and
- Clarification on the status of the landscape plan and the review process for the applicant's infill grading plan for the site.

The discussion resulted in the applicant's commitment to provide a landscape plan prior to the Board of Supervisor's hearing.

There was further discussion between Mr. Gill; Ms. Lewis; Prutha Rueangvivatanakij, Senior Engineer, Site Development and Inspections Division, Land Development Services; Blake A. Smith, Applicant's Engineer, Smith Engineering, PLLC.; and multiple Commissioners on the following:

- Concerns with the size of the driveway and its location within the floodplain;
- Explanation on the setback requirement for an R-4 Zoning area;
- Considerations for the use of permeable pavement in the construction of the driveway;
- Clarification on the impact Development Condition Number 7, which pertained to the erosion control standards;
- Confirmation that gates around the perimeter of the development site would remain in place until occupancy;
- Confirmation that the floodplain study was completed over an 18-month period;
- Clarification on the unique circumstances of the subject property that permit the construction of a dwelling unit within a floodplain;

- Clarification on the usage of minimally impactful building practices;
- Confirmation that approximately 40 to 50 percent of the lot would be filled to ensure that the house was built 18 inches above the floodplain;
- Confirmation that additional area would be filled to support future additions to the property;
- Confirmation that adequate setback from the existing stormwater easement and cemetery would be further evaluated at the time of site plan review;
- Clarification on the applicant's efforts to improve the existing landscaping on the site with appropriate plantings; and
- Clarification that the existing dwelling on the subject property prompted the development on a floodplain, but did not create a precedent that could be utilized elsewhere in the County.

The discussion resulted in no changes to the subject application.

There being no listed speakers, Chairman Murphy called for virtual speakers, but received no response; therefore, he noted that a rebuttal statement was not necessary.

Ms. Lewis made a closing comment where she thanked Mr. Kumar and Mr. Rueangvivatanakij for their participation in tonight's meeting.

There were no further comments or questions from the Commission therefore, Chairman Murphy closed the public hearing and recognized Commissioner Niedzielski-Eichner for action on this application.

//

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE 2018-PR-014 TO A DATE CERTAIN OF MARCH 2, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Sargeant seconded the motion, which carried by a vote of 10-0. Commissioners Lagana and Strandlie were absent from the meeting.

//

The following application was located in the Springfield District; therefore, Chairman Murphy relinquished duties of the Chair and gavel to Vice Chairman Ulfelder.

//

PCA/CDPA/FDPA 2000-SU-012 - BUCKLEY DEVELOPMENT, LLC - Appl(s). to amend the proffers, conceptual development plan, and second final development plan for RZ 2000-SU-012, previously approved for residential development, to permit modifications to proffers and site design at a density of 2.89

dwelling units per acre (du/ac). Located on the N. side of Lee Hwy. and W. side of Fairfax County Pkwy., on approx. 2.04 ac. of land zoned PDH-4 and WS. Comp. Plan Rec: Residential (4 du/ac) ((Overlay)). Tax Map 55-4 ((17)) 11 and 12.
SPRINGFIELD DISTRICT. PUBLIC HEARING.

John C. Manganello, Applicant's Agent, Buckley Development LLC, reaffirmed the affidavit dated September 3, 2020.

There were no disclosures by Commission members.

Sharon Williams, Zoning Evaluation Division, Department of Planning and Development, presented the staff report, a copy is in the date file. She stated that staff recommended approval of applications PCA/CDPA/FDPA 2000-SU-012.

Mr. Manganello gave a presentation on the subject application.

There was a discussion between Mr. Manganello, Ms. Williams, and multiple Commissioners on the following:

- Confirmation that the onsite stormwater pond was maintained by Fairfax County;
- Confirmation that the easement needed to connect to the storm would be finalized at the time of site plan review;
- Clarification on the provisions of Proffer 14A, pertaining to the installation recreational facilities on-site or within the neighboring Buckley Reserve community;
- Clarification on the provisions of Proffer 10, pertaining to school contributions; and
- Clarification on efforts to mitigate vehicular noise generated by Route 29 to be addressed at the time of final site plan review.

The discussion resulted in no changes to the subject application.

There being no listed speakers, Vice Chairman Ulfelder called for virtual speakers, but received no response; therefore, he noted that a rebuttal statement was not necessary.

Jacob Caporaletti, Clerk to the Planning Commission, indicated that a representative from the Buckley's Reserve Homeowners Association had called in and was available to address any further questions or concerns.

Vice Chairman Ulfelder stated that the applicant was coordinating with the Buckley's Reserve Homeowners Association to incorporate the proposed development into the existing community. When asked what the recourse would be in the event that the applicant could not incorporate the development into the community, Mr. Manganello indicated that a separate homeowners association would be established for the development.

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

//

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

- APPROVAL OF PCA 2000-SU-012 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, CDPA 2000-SU-012, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED FEBRUARY 2, 2022; AND
- APPROVAL OF MODIFICATION OF THE MAJOR PAVED TRAIL REQUIREMENT IN FAVOR OF THE EXISTING TRAIL AND RIGHT-OF-WAY DEDICATION, AS SHOWN ON THE CDPA/FDPA AND AS PROFFERED.

Commissioner Sargeant seconded each motion, which carried by a vote of 10-0. Commissioners Lagana and Strandlie were absent from the meeting.

Commissioner MURPHY MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 2000-SU-012, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED FEBRUARY 8, 2022, AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF THE CONCURRENT PCA APPLICATION.

Commissioner Sargeant seconded the motion, which carried by a vote of 10-0. Commissioners Lagana and Strandlie were absent from the meeting.

//

Chairman Murphy resumed the duties of the Chair and gavel.

//

PA 2018-IV-MV4/PA 2020-00015 - HOLLIN HILLS HISTORIC OVERLAY DISTRICT (HOD) CONCURRENT WITH RZ 2021-MV-00017 AND ZONING ORDINANCE AMENDMENT - PA 2018-IV-MV4 concerns approx. 291.27 ac. Generally bounded by Fort Hunt Road to the east, Paul Spring Stream Valley to the north and Sherwood Hall Lane to the south: Tax Maps 93-1, 93-3, 93-4 and 102 1 (Hollin Hills), in the Mount Vernon District. The amendment would retain the planned uses of the properties and proposes modifications to the Area IV, Mount Vernon Planning District, section of the Comprehensive Plan to (1) add a notation for the Hollin Hills Historic Overlay District listing on the

Inventory of Historic Sites table; (2) modify the Area IV, Mount Vernon Planning District Heritage Resources Figure 5: Inventory of Historic Sites, Mount Vernon Planning District, General Locator Map, to update the boundary of the Hollin Hills Inventory of Historic sites district to match the boundary for the proposed historic overlay district; 3) modify language in the Area IV, Mount Vernon Planning District, MV5- Groveton Community Planning Sector, Heritage Resources to remove language referencing the Hollin Hills neighborhood being listed on the Inventory of Historic Sites and remove language about encouragement of preservation of the community; and 4) add language to the M5- Groveton Community Planning Sector, Heritage Resources, referencing the Hollin Hills Historic Overlay District, including a reference to required Architectural Review Board review and/or approval, and providing that the Hollin Hills Historic Overlay District's zoning regulations take precedence over Plan text in the event of a conflict. MOUNT VERNON DISTRICT. PUBLIC HEARING.

ZONING ORDINANCE AMENDMENT – HOLLIN HILLS
HISTORIC OVERLAY DISTRICT (HOD) – To amend Chapter
112 (the Zoning Ordinance) of the 1976 Code of the County of
Fairfax, as follows:

- (1) Amend Section 3101 Historic Overlay Districts by adding a new Subsection 11 to establish the Hollin Hills Historic Overlay District and re-number all affected subsections.
- (2) Add a new District-Specific Purpose provision to, among other things, protect the Hollin Hills neighborhood against destruction, encourage development standards that will lead to its continuance, conservation, and improvement, prevent creation of environmental influences adverse to these purposes; and assure that new structures, additions and uses within the district will be in keeping with the historic and architectural character to be preserved and enhanced.
- (3) Create regulations to allow all uses permitted by right, by special permit, or by special exception in the underlying zoning districts, subject to applicable standards.
- (4) Establish Additional Standards to require that any new improvement and addition must be in substantial conformance with the Hollin Hills Historic Overlay District's design guidelines and must be designed to be compatible with the architectural and character-defining features of the neighborhood.

- (5) Set a maximum building height of 35 feet for all principal structures.

COUNTYWIDE. PUBLIC HEARING.

RZ 2021-MV-00017 – THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY – Appl. to add a Historic Overlay District on properties zoned R-1, R-2 and R-4 and located generally on the East side of Fort Hunt Road, South of Paul Spring and Devonshire Roads and North of Sherwood Hall Lane, 492 parcels on approx. 291.27 ac. of land (known as Hollin Hills). The underlying zoning will not change. Comp. Plan Rec: Private Open Space, Residential at 2-3 dwelling units per acre, Public Parks, and Private Recreation uses. Tax Maps 93-1, 93-3, 93-4 and 102-1. (Concurrent with PA 2018-IV-MV4 and a Zoning Ordinance Amendment) MOUNT VERNON DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Laura Arseneau, Planning Division, Department of Planning and Development (DPD) presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of PA 2018-IV-MV4, PA 2020-00015, and the proposed Zoning Ordinance Amendment. In addition, she stated that staff recommend approval of RZ 2021-MV-00017.

There was a discussion between Ms. Arseneau; Lily Yegazu, Zoning Administration Division, DPD; and multiple Commissioners on the following issues:

- Clarification on boundaries of the proposed Historic Overlay District (HOD);
- Clarification that 38 out of the 492 properties were non-contributing to the HOD;
- Confirmation that the proposed plan amendment was subject to review by the Architectural Review Board (ARB);
- Clarification on the process for a resident to restore a property within the HOD to a previous state and how such a restoration was recorded with the County;
- The extent to which the Hollin Hills neighborhood represented the work of a master, as defined by the Zoning Ordinance requirements for HOD designation;
- Clarification on the potential implications for new development within an HOD;
- Clarification on the impact of establishing an HOD on property values and tax assessment;
- Confirmation that ARB approval would be needed prior to demolition and development within a HOD;
- Confirmation that neighboring property owners could dispute potential ARB decisions to the Board of Supervisor;
- Clarification on design guidelines for development within an HOD;
- Clarification on the process for permitting accessory uses and accessory dwelling units on a site located within an HOD;

- Explanation of the public survey results for the proposal, which indicated that 47 percent of participants were not in support;
- The concerns voiced by neighboring residents on stormwater runoff generated by the site and whether the proposal significantly impacted issues pertaining to runoff;
- The historical significance of the subject property;
- Confirmation that an HOD could be reversed through a subsequent plan amendment and rezoning;
- Clarification that fences were not under ARB purview;
- Clarification on stream restoration efforts conducted by the Department of Public Works and Environmental Services;
- Clarification on the role and duty of civic associations on resolving issues of safety, design, and maintenance within an HOD; and
- Clarification on the location and maintenance of conservation easements for individual property owners.

The discussion resulted in no changes to the proposed plan amendment.

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

J.G. Harrington, 7221 Beechwood Road, Alexandria, VA spoke in support of the proposed plan amendment and zoning ordinance amendment. He emphasized the importance of the HOD in the preservation of the integrity of the Hollin Hills Community.

Barbara Ward, 2207 Paul Spring Road, Alexandria, VA, spoke in support of the proposed plan amendment and zoning ordinance amendment. She stated she served as the co-chair for the Hollin Hill Advisory Committee and strongly believed that it was vital for the community to preserve the architectural character through establishing an HOD. A copy of Ms. Ward's written testimony is in the date file.

Ms. Ward responding to a question from Commissioner Ulfelder regarding her meeting with the previous homeowners who had resided on the subject property.

Patrick Kelly, 1600 Paul Spring Road, Alexandria, VA, representing the Civic Association of Hollin Hills, spoke in support of the proposed plan amendment and zoning ordinance amendment. He stated that this step was necessary to aid in the future of the architectural integrity of the community. Mr. Kelly commended Ms. Ward and her work with the Hollin Hills Advisory Committee and for property owners to get information on non-permitted dwelling changes in a manner that was easily accessible.

There being no more listed speakers, Chairman Murphy called for speakers from the audience.

Ry Bruscoe, 2007 Marthas Road, Alexandria, VA, spoke in support of the proposed plan amendment and zoning ordinance amendment, but voiced concerns about the community

becoming a museum and the clarity of the design guidelines of the HOD for current and future homeowners.

Commissioner Niedzielski-Eichner asked Ms. Ward to speak to Mr. Bruscoe comment pertaining to Charles M. Goodman's vision for mid-century modern architecture.

Ms. Ward commented that she concurred with Mr. Bruscoe that she and the Hollin Hills community did not want to see the area become a museum. She then reassured Mr. Bruscoe that a covenant was in place and that the HOD would not impede on the creativity or innovation for future builds. She also indicated that there were appropriate processes and standards in place to permit appropriate modifications to structures within the community.

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 Clarke for action on these cases.

//

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

- ADOPTION OF THE HOLLIN HILLS HISTORIC OVERLAY DISTRICT AS ADVERTISED AND AS SET FORTH IN THE STUDY REPORT DATED FEBRUARY 2, 2022, TO INCLUDE:
 - APPROVAL OF THE ESTABLISHMENT OF THE HOLLIN HILLS HISTORIC OVERLAY DISTRICT (HOD) TO INCLUDE THE 492 PROPERTIES WITHIN TAX MAPS 93-1, 93-3, 93-4, AND 102-1 IN THE MOUNT VERNON DISTRICT, AS SHOWN ON THE MAP IN ATTACHMENT 10 OF THE STUDY REPORT;
 - ADOPTION OF THE PROPOSED ZONING ORDINANCE TEXT AMENDMENT, WHICH ESTABLISHES REGULATIONS FOR STRUCTURES AND PROPERTY LOCATED WITHIN THE HOLLIN HILLS HOD BASED ON THE DEFINING HISTORIC FEATURES OF THE PROPERTIES WITHIN THE DISTRICT AS SET FORTH IN ATTACHMENT 3 OF THE STUDY REPORT;
 - ADOPTION OF THE PROPOSED COMPREHENSIVE PLAN AMENDMENT PA 2018-IV-MV4, WHICH PROPOSES TO UPDATE PLAN LANGUAGE AND FIGURES TO IDENTIFY THE PROPOSED HOD AS SET FORTH IN ATTACHMENT 4 OF THE STUDY REPORT; AND

- AMENDMENT OF THE ZONING ORDINANCE MAP TO ADD THE PROPOSED HOLLIN HILLS HISTORIC OVERLAY DISTRICT BOUNDARY, AS PROPOSED IN REZONING APPLICATION RZ 2021-MV-00017.
- TO INCLUDE THE FOLLOWING DETERMINATION AND DECLARATIONS IN ADOPTING THE PROPOSAL:
 - A DETERMINATION UNDER ZONING ORDINANCE SUBSECTION 3101.3.A THAT THE PROPOSED HOLLIN HILLS HOD EMBODIES THE DISTINCTIVE CHARACTERISTICS OF A TYPE, PERIOD, OR METHOD OF CONSTRUCTION, REPRESENT THE WORK OF A MASTER, POSSESS HIGH ARTISTIC VALUES, OR REPRESENT A SIGNIFICANT AND DISTINGUISHABLE ENTITY WHOSE COMPONENT MAY LACK INDIVIDUAL DISTINCTION;
 - A DECLARATION UNDER ZONING ORDINANCE SUBSECTION 3101.3.D THAT THE BUILDINGS, STRUCTURES, OR SITES TO BE PRESERVED ARE OF HISTORICAL, ARCHITECTURAL, ARCHAEOLOGICAL, OR CULTURAL SIGNIFICANCE WORTHY OF PROTECTION AGAINST DESTRUCTION AND ENCROACHMENT; AND
 - A DECLARATION THAT 454 PROPERTIES IDENTIFIED IN THE STUDY REPORT BE LISTED AS CONTRIBUTING TO THE PROPOSED HOLLIN HILLS HOD AND THAT 38 PROPERTIES IDENTIFIED IN THE STUDY REPORT BE LISTED AS NON-CONTRIBUTING TO THE PROPOSED HOLLIN HILLS HOD, AS IDENTIFIED IN ATTACHMENT 10 OF THE STUDY REPORT.
- THAT, IN ADOPTING THE PROPOSAL, THE BOARD OF SUPERVISORS INCLUDE AN EFFECTIVE DATE OF FOR THE 12:01 A.M. ON THE DAY FOLLOWING THE ADOPTION WITH THE FOLLOWING EXCEPTION:
 - APPLICATIONS FOR BUILDING PERMITS, SITE PLAN, AND ANY SITE-RELATED PLAN (GRADING, CONSERVATION PLANS OR HOUSE LOCATION PLATS) SUBMITTED AND ACCEPTED FOR REVIEW BEFORE THE EFFECTIVE DATE, WOULD NOT BE SUBJECT TO ARCHITECTURAL REVIEW BOARD REVIEW PURSUANT TO THE PROVISIONS OF SECTION 3101 PROVIDED SUCH PLANS OR PLATS ARE (A) APPROVED WITHIN TWELVE MONTHS OF THE RETURN OF THE INITIAL SUBMISSION TO THE APPLICANT OR AGENT, (B) THE PLAN OR PLAT REMAINS VALID, (C) BUILDING PERMITS FOR THE STRUCTURES SHOWN ON THE APPROVED PLAN OR PLAT ARE ISSUED WITHIN SIX MONTHS OF APPROVAL AND (D) THE STRUCTURES AND USES ARE CONSTRUCTED IN ACCORDANCE WITH SUCH BUILDING PERMITS.

Each Commissioner in attendance seconded the motions, which carried by a vote of 10-0.
Commissioners Lagana and Strandlie were absent from the meeting.

//

The meeting was adjourned at 9:47 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, Virginia 22035.

By Satabdi Samaddar
Approved on: May 4, 2022

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 16 day of May, 2022, by
Jacob Caporaletti.

[Signature]
Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

