

**FAIRFAX COUNTY PLANNING COMMISSION  
TYSONS COMMITTEE  
THURSDAY, JULY 14, 2022**

**PRESENT:** Phillip A. Niedzielski-Eichner, Providence District, Chairman  
John A. Carter, Hunter Mill District, Vice Chairman  
Mary D. Cortina, Braddock District  
John C. Ulfelder, Dranesville District  
Timothy J. Sargeant, Secretary, Commissioner At-Large

**ABSENT:** None

**OTHERS:** Daniel G. Lagana, Lee District  
Candice Bennett, Commissioner At-Large  
Chris Caperton, Deputy Director, Department of Planning  
and Development (DPD)  
John Colby, Guest Speaker  
William Marsh, Tysons Urban Center Coordinator, Land Development Services  
Suzianne Battista, Planner V, DPD  
Beth Elliot, Planner I, DPD  
Brittney Nixon, Transportation Planning Division,  
Fairfax County Department of Transportation  
Jacob Caporaletti, Clerk, Planning Commission

**ATTACHMENTS:**

- A. ADA AND ACCESSIBILITY IN THE DEVELOPMENT REVIEW PROCESS  
POWERPOINT PRESENTATION
- B. JAMES COLBY'S PRESENTATION TO THE COMMITTEE

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Chairman Niedzielski-Eichner called the meeting to order at 7:30 p.m. in the Board of Supervisors Conference Room of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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Chairman Niedzielski-Eichner announced that the meeting tonight would feature John Colby, a guest speaker who has advocated for issues relating to accessibility and the Americans With Disability Act. He also indicated that the meeting was a follow-up to a previous meeting during which Mr. Colby presented his concerns to the Committee and staff had prepared a presentation to provide an update on the status of accessibility in urban areas, such as Tysons and Reston.

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Chairman Niedzielski-Eichner stated that the agenda included the approval of the meeting minutes for the June 16, 2022 Tysons Committee meeting. However, since some Committee members had not had time to review the draft, additional time was needed prior to approval; therefore, Commissioner Ulfelder **MOVED THAT THE TYSONS COMMITTEE DEFER THE APPROVAL OF THE JUNE 16, 2022 MINUTES TO A DATE TO BE DETERMINED.**

Commissioner Sargeant seconded the motion, which carried by a vote of 5-0.

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Chris Caperton, Deputy Director, Department of Planning and Development (DPD); William Marsh, Tysons Urban Center Coordinator, Land Development Services; Suzianne Battista, Planner V, DPD; Beth Elliot, Planner I, DPD; and Brittney Nixon, Transportation Planning Division, Fairfax County Department of Transportation, gave a PowerPoint Presentation entitled "ADA and Accessibility in the Development Review Process," a copy of which is included in Attachment A, which covered the following topics:

- Issues identified with development in Tysons regarding the following:
  - ADA compliance concerns for on-street parking and steep sidewalks;
  - County standards regarding the retention, drainage, and treatment of stormwater runoff;
  - Standards and guidelines for pedestrian paths and streetscapes;
  - drop-off and loading spaces for residents and retail uses.
- Staff's recommendations for incorporating lessons learned in evaluating aforementioned issues, such as the following:
  - Continued coordination with applicants and developers to address issues related to accessibility, streetscapes, stormwater management, and safety;
  - Verifying on-street ADA parking, pedestrian routes, and various other accessibility needs;
  - Accounting for loading spaces near building entrances; and
  - Accommodating other streetscape and pedestrian path elements.

There was a discussion between Mr. Marsh and multiple Committee members on the following issues:

- Concerns regarding instance of parking garages that were inaccessible by shuttles or handicap accessible vehicles due to vehicular height clearance; and
- Concerns regarding the effectiveness of stormwater management policies and bioretention areas located in urban areas, such as Tysons.

John Colby gave a presentation on accessibility in Tysons, a copy of which is included in Attachment B.

There was a discussion between Mr. Colby, Mr. Marsh, Ms. Battista, Mr. Caperton, Ms. Nixon, and multiple Committee members on the following issues:

- The possible mechanisms for addressing the concerns raised by Mr. Colby
- The role of staff in improving the review process to address issues related to accessibility and complying with the standards prescribed by the Americans With Disabilities Act (ADA);
- The possible methods for improving accessibility and ADA compliance in previously approved developments within Tysons;

- The challenges associated with /in implementing additional features to improve accessibility and ADA compliance within existing structures within Tysons;
- The scope of the review process conducted by staff for development in areas like Tysons and the challenges associated with the ability of that process to influence matters related to utilities;
- Concerns regarding the existing accessibility features for various developments throughout Tysons;
- The role of individuals serving as ADA advisors on various Boards and Committees throughout the County on raising awareness and issues related to accessibility;
- Clarification on the existing standards regarding ADA compliance within urban areas, such as Tysons, and the issues associated with complying with those standards;
- Concern regarding the effectiveness and safety hazards of bioretention ditches;
- The existing ADA accessibility standards for crosswalks in the County and potential changes to improve safety;
- Concern regarding the difficulty with implementing streetlights in certain urban areas, such as Reston;
- Concerns regarding the impact of signage and street furniture on ADA accessibility and pedestrian safety;
- Concerns regarding the inadequacy of existing standards for pick-up/drop-off areas in regard urban development and the possibility of creating an improved set of guidelines for such areas;
- The possibility of updating the standards for ADA accessibility policies within a Zoning Ordinance Amendment or a Public Facility Manuals Amendment to provide guidelines for reference during the review process;
- The parts of the existing review process conducted by staff that addressed issues regarding accessibility and ADA compliance;
- The scope of the ADA's impact on the County's development review process;
- Concerns raised by developers and applicants in efforts to improve accessibility and comply with the standards prescribed by the ADA;
- Clarification on the status of ongoing developments within Tysons and the extent to which concerns regarding accessibility and ADA compliance were addressed;
- The County's efforts to clarify to applicants and developers what the requirements were for adequate accessibility and ADA compliance;
- Concerns regarding mechanisms for encouraging and enforcing adequate accessibility with developments that had been approved;
- The challenges associated with transitioning from suburban development to urban development throughout the County and the importance of ensuring adequate accessibility features with such development;
- The importance of ensuring adequate accessibility and ADA compliance measured due to demographic shifts throughout the County;
- The ability of County staff to pursue adequate accessibility features on private roads compared to public roads;
- The role of the Virginia Department of Transportation on ensuring adequate accessibility and ADA compliance on certain roads;
- Concerns regarding the effectiveness of existing urban design guidelines in ensuring that parking located near bioretention facilities did not incur safety hazards;

- Concerns regarding the effect of uneven development within urban areas, such as Tysons and Reston, and the extent to which such development impacted the pedestrian experience; and
- The potential areas of Tysons that would benefit from additional accessibility features.

Chairman Niedzielski-Eichner thanked staff and Mr. Colby for their participation and comments.

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CLOSING

July 14, 2022

The meeting was adjourned at 9:05 p.m.  
Phillip A. Niedzielski-Eichner, Chairman

An audio recording of this meeting is available in the Planning Commission Office,  
12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035.

Minutes by: Jacob Caporaletti

Approved: 11/2/2023

*Jacob Caporaletti*

Jacob Caporaletti, Clerk  
Fairfax County Planning Commission

County of Fairfax  
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of May, 2023, by

*Lesli Leigh Diamond*  
Signature of Notary

Notary registration number: 7685757

Commission expiration: 09/30/2026



