

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, FEBRUARY 15, 2017**

Present: Peter F. Murphy, Springfield District  
Frank A. de la Fe, Hunter Mill District  
James R. Hart, Commissioner At-Large  
Timothy J. Sargeant, Commissioner At-Large  
Ellen J. Hurley, Braddock District  
John C. Ulfelder, Dranesville District  
James T. Migliaccio, Lee District  
Julie M. Strandlie, Mason District  
Earl L. Flanagan, Mount Vernon District  
Phillip A. Niedzielski-Eichner, Providence District  
Karen A. Keys-Gamarra, Sully District  
Janyce N. Hedetniemi, Commissioner At-Large

Absent: None

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The meeting was called to order at 8:24 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

APPROVAL OF THE LIST OF APPOINTMENTS TO THE FAIRFAX COUNTY PLANNING COMMISSION COMMITTEES

*(Start Verbatim Transcript)*

Chairman Murphy: Please recognize Mr. de la Fe, the Commission Vice Chairman.

Vice Chairman de la Fe: Thank you, Mr. Chairman. If you recall, last week you passed out the PROPOSED LIST OF STANDING AND SPECIAL COMMITTEE MEMBERSHIP for the year 2017 and I WOULD LIKE TO MOVE THAT – THAT LIST.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to ratify the Committee assignments for 2017, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

*(End Verbatim Transcript)*

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Commissioner Flanagan announced that during the next Planning Commission meeting he intended to make a motion on SE 2014-MV-058, Morning Star Day Care, the decision on which had been indefinitely deferred on October 14, 2015.

Addressing Vice Chairman de la Fe's concerns regarding the lapse of time passed since the public hearing on the above application, John Cooper, Clerk, Planning Commission, said that he confirmed with the County Attorney that there were no advertising requirements for cases scheduled for decision only.

In response to Commissioner Hart and Sergeant's questions, William Mayland, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), explained that the development conditions included in the staff report had not changed since the public hearing on the subject application. He added that the questions raised during the public hearing were addressed by the applicant in writing. He concluded by saying that the copies of the staff report and applicant's responses to questions will be redistributed to the Commission members prior to the next Planning Commission meeting.

Commissioner Hart indicated that the new Planning Commission members did not have a chance to review the public hearing materials on the subject application and it would be helpful to review the video recording of the proceedings. Mr. Mayland asked Mr. Cooper to forward the link to the public hearing video recording to the Commission members.

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Commissioner Sargeant announced that the Planning Commission's Capital Improvement (CIP) Program Committee had met earlier this evening to review the program of the joined Planning Commission Public Hearing and CIP Workshop scheduled for March 9, 2017.

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Chairman Murphy announced that the Land Use Process Review Committee would meet at 7 p.m. in the Board Conference Room on Wednesday, March 8, 2017.

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Chairman Murphy announced that Teresa Wang, former Deputy Clerk, accepted a position with the Police Department and her last day with the Planning Commission was Friday, February 17, 2017. On behalf of the Planning Commission members, he expressed appreciation for Ms. Wang's outstanding work.

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Chairman Murphy announced that Inna Kangaroo, Senior Deputy Clerk, and her husband were expecting their first child and Ms. Kangaroo was going on maternity leave.

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. SE 2016-DR-018 – ANUPAMA PRASAI, A/K/A ANUPAMA PRASAI KOIRALA
2. PA 2016-CW-3CP – COMPREHENSIVE PLAN AMENDMENT (EDITORIAL TEXT AND MAP REVISIONS FOR TRANSIT STATION AND OTHER MIXED-USE AREAS)

This agenda was accepted without objection.

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SE 2016-DR-018 - ANUPAMA PRASAI, A/K/A ANUPAMA PRASAI KOIRALA – Appl. under Sects. 6-105 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 2526 Banship Dr., Herndon, 20171 on approx. 1,173 sq. ft. of land zoned PDH-12. Tax Map 16-3 ((10)) 69. DRANESVILLE DISTRICT. PUBLIC HEARING.

Anupama Prasai, a/k/a Anupama Prasai Koirala, Applicant, reaffirmed the affidavit dated September 1, 2016.

There were no disclosures by Commission members.

Casey Gresham, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of application SE 2016-DR-018.

Addressing Commissioner Ulfelder's concerns regarding the availability of adequate space at the applicant's basement to care for twelve children, Ms. Gresham said the following:

- The applicant requested approval to increase the maximum attendance of her home child care facility to twelve children and hired two assistants for this purpose;
- Under the state standards the maximum permitted number of children for the family child care center is twelve; and

- Virginia Department of Social Services standards does not stipulate the allowed square footage per child for a home child care facility and a determination on the permitted maximum number of children is made on a case-by-case basis;

In response to Commissioner Hurley's question, Ms. Gresham stated that the Development Condition Number 6 incorporated the Development Condition Number 9 and the later should be removed. Ms. Gresham supported Commissioner Hurley's suggestion to modify the hours of operation in the Development Condition Number 4 to reflect an earlier opening time of the facility.

In response to question from Commissioner Niedzielski-Eichner regarding the parking availability, Ms. Gresham said that she personally witnessed that the parking spaces were available during drop off and pick up times. She added that there were five visitor spaces located within twenty feet from the entrance to the applicant's child care center and they could be utilized in case the parents arrive at the same time. She further indicated that two of the applicant's neighbors were in agreement to provide their reserve spaces if needed. Ms. Gresham mentioned that a call was received from a neighbor who expressed concerns regarding parking availability in their community which prompted the staff to add the Development Condition Number 14 that prescribed that the child care center staff utilize the street parking in front of the applicant's dwelling.

Commissioner Ulfelder questioned whether the size of the outdoor and indoor space was able to accommodate twelve children in addition to three staff members. He further expressed his intention to defer the decision only on the subject application upon conclusion of the public hearing in order to allocate additional time for the applicant to finalize the number of children to be cared for in the home child care facility.

Commissioner Hart echoed Commissioner Ulfelder's concerns and indicated that the floor plan appeared to be not to scale for the requested number of children.

Answering questions from Commissioner Hart and Flanagan, Ms. Prasai responded the following:

- The big room in her home child care facility was utilized for napping and the small room was utilized for children's activities;
- Depending on the age, the children were separated in groups and were taken to play outside at different times; and
- The applicant was currently taking care of five children including her own daughter.

In response to Commissioner Flanagan's question, Ms. Gresham said that the applicant installed interlocking foam flooring in the outdoor play area.

Responding to questions from Commissioners Strandlie and Keys-Gamarra, Ms. Prasai said the following:

- The children cared for at her home child care facility were twelve-months to three-year old;
- The napping mats were kept stocked up in the corner of the room; and
- She was going to purchase infant cribs which would be placed along the wall in the napping room.

Chairman Murphy called for speakers from the audience, but received no response. 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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Chairman Murphy: Public hearing is closed. Recognize Mr. Ulfelder.

Commissioner Ulfelder: Thank you, Mr. Chairman. Let me ask Mr. Cooper. Are we meeting March 2<sup>nd</sup>?

John Cooper, Clerk, Planning Commission: Yes, we do.

Commissioner Ulfelder: Okay. Thank you. Mr. Chairman, I MOVE we defer the decision only in this matter, if I can find my motions. I will do it properly. DEFER DECISION ONLY ON SE 2016-DR-018 TO A DATE CERTAIN OF MARCH 2<sup>ND</sup>, 2017...

Commissioner Keys-Gamarra: Second.

Commissioner Ulfelder: ...WITH THE RECORD REMAINING OPEN FOR COMMENTS.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hurley. Did you second?

Commissioner Hart: Ms. Keys-Gamarra.

Chairman Murphy: Oh, okay. Ms. Keys-Gamarra. And someone over here?

Commissioner Hedetniemi: Yeah.

Chairman Murphy: Ms. Hedetniemi. Is there a discussion of the motion? All those in favor of the motion to defer decision on this application SE 2016-DR-018 to a date certain of March 2<sup>nd</sup>, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

*(End Verbatim Transcript)*

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PA 2016-CW-3CP – COMPREHENSIVE PLAN AMENDMENT  
(EDITORIAL TEXT AND MAP REVISIONS FOR TRANSIT  
STATION AND OTHER MIXED USE AREAS) – To consider  
proposed revisions to the Comprehensive Plan for Fairfax County,  
VA, in accordance with the Code of Virginia, Title 15.2, Chapter  
22. This Amendment proposes to 1) add text to clearly articulate  
that Plan text is flexible in nature and should not be interpreted to  
suggest, request, or require any proffered condition; 2) provide a  
new map and list of the fifteen mixed-use small areas exempt from  
the recently adopted Virginia Code §15.2 2303.4; 3) modify  
existing small area boundaries to fully encompass the respective  
existing or planned Metrorail station; 4) relocate the Innovation  
Center Transit Station Area from the Upper Potomac Planning  
District section to the Dulles Suburban Center section; and 5)  
update Plan definitions and add a new definition of “Small Area  
Plan” to the Fairfax County Comprehensive Plan.  
COUNTYWIDE. PUBLIC HEARING.

Kristen Hushour, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of PA 2016-CW-3CP.

Commissioner Hart asked the staff whether the proposed amendment influenced the ongoing work performed by the Dulles Suburban Center Planning Study Taskforce. Ms. Hushour

responded that staff briefed the Dulles Suburban Center Planning Study Taskforce on the Land Unit L and the Taskforce had no related questions or concerns.

Commissioner Niedzielski-Eichner inquired about the practical effect of the Plan Amendment. Ms. Hushour responded that the purpose of the proposed amendment was to align the Plan text language with the Virginia State Code. Commissioner Niedzielski-Eichner further asked about the criteria that were applied to create the small area plans. Ms. Hushour explained the Plan Amendment included a definition of the small areas but did not modify their shapes on the map.

A conversation ensued between Commissioner Sargeant and Ms. Hushour regarding the purpose of the proposed Plan Amendment wherein Ms. Hushour indicated that, per the Board of Supervisor's direction, no language in the Comprehensive Plan as well as in any County documents should be construed as a request for a proffer and the proposed amendment was intended to reiterate this statement. Marianne Gardner, PD, DPZ, added that the goal of the proposed amendment was to reinforce the existing provisions stipulated in the Comprehensive Plan.

Commissioner Ulfelder presumed that the Dulles Suburban Center Planning Study Taskforce had not included the Land Unit A1 located in the Dranesville District since there were no representatives from the Dranesville District on the Taskforce. He further suggested to insure the Dranesville District representation on the Taskforce.

Referring to the proposed modifications set forth on Page 40 of the staff report, Commissioner Keys-Gamarra inquired about the impact of the optional uses on the traffic in the area. Ms. Gardner explained that the language related to the optional uses previously existed in the Comprehensive Plan and further added that the Plan Amendment language applied to the area to the south of the Dulles Toll Road.

Referring to the future development map depicted on Page 8 of the staff report, Commissioner de la Fe asked the staff whether the metro station proposed at Wolf Trap should still be included. Ms. Hushour responded that the icon of the metro station still existed on the Comprehensive Plan baseline map.

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 Hart for action on this item.

*(Start Verbatim Transcript)*

PA 2016-CW-3CP  
COMPREHENSIVE PLAN AMENDMENT  
(EDITORIAL TEXT AND MAP REVISIONS  
FOR TRANSIT STATION AND OTHER MIXED USE AREAS)

February 15, 2017

Chairman Murphy: Public hearing is closed. Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. First, let me – let me thank our staff team for their fine work on this amendment. As you can see from the size of the staff report, there had to be many-many sections of the plan reviewed to bring everything up to 2017. And I think that they have done a fine job and we – we did this without a lot of drama. I want to thank particularly Ms. Hushour, Ms. Sistla, Ms. Gardner and also Mr. Stoner for having it wait to the last case on a – on a week night. I think that the questions have been answered. I think this is ready to go. And, therefore, Mr. Chairman, as – as – as staff indicated, the County has fifteen small area plans that are technically exempt from the recent Virginia proffer legislation; however, in an abundance of caution, this amendment to the Comprehensive Plan memorializes these exempt areas in large and some small area boundaries to fully include metro rail station platforms, reorganizes plan text logically and provide - provides supplementary text changes and additions. It has staff's favorable recommendation with which I concur. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF PLAN AMENDMENT 2016-CW-3CP FOR THE DRAFT TEXT AND MAPS IN THE STAFF REPORT DATED FEBRUARY 1, 2017.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio, Ms. Hedetniemi. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt PA 2016-CW-3CP, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

*(End Verbatim Transcript)*

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The meeting was adjourned at 9:37 p.m.  
Peter F Murphy, Chairman  
James R. Hart, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,  
12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Inna Kangarloo

Approved on: July 13, 2017



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John W. Cooper, Clerk  
Fairfax County Planning Commission