

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JULY 20, 2017**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commission 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 8:22 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

On behalf of the Planning Commission, Chairman Murphy commended the Channel 16 staff and personnel for their work. He stated that the staff had set up the necessary equipment for the meeting after having assisted in a concert that had been conducted at the Fairfax County Government Center earlier that evening.

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Chairman Murphy recognized a member of Boy Scout Troop 1137 in the audience, who was attending the meeting as part a community engagement merit badge.

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Commissioner Migliaccio announced that the Planning Commission's Land Use Process Review Committee had met earlier that evening to discuss soils, parking reductions, minor site plan revisions, and various other issues. He then stated that the committee would meet again in September 2017 with a date and agenda that was to be determined.

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Commissioner Hart announced that staff from the Department of Planning and Zoning would conduct an open house on Wednesday, July 26, 2017 in Conference Rooms 106/107 in the Herrity Building at 7:00 p.m. to discuss various pending Zoning Ordinance amendments and planning-related topics, such as short-term rentals and rear-yard coverage.

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Commissioner de la Fe stated that there was an affidavit issued for SE 2017-HM-010, Post Trail, LLC; therefore, HE MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING OF SE 2017-HM-010, POST TRAIL, LLC, TO A DATE CERTAIN OF SEPTEMBER 13, 2017.

Commissioner Hart seconded the motion, which carried by a vote of 12-0.

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2232-V17-16 – T-MOBILE, 9030 Lorton Station Drive, Lorton

(Start Verbatim Transcript)

Commissioner Flanagan: Thank you, Mr. Chairman. Tonight, I have a “feature shown” for T-Mobile. It’s 2232-V17-16 and it’s located at 2030 [sic] Lorton Station Drive in Lorton, Virginia. I have reviewed the application and found it to be – that it meets the Comprehensive Plan for “feature shown” in the guidelines of the telecommunications use found on page – under Objective 44 on pages 40-43, as to location, extent, and character. Therefore, I MOVE THAT THE PROPOSED VERIZON WIRELESS [sic] TELECOMMUNICATIONS FACILITY LOCATED 2030 [sic] LORTON STATION DRIVE, LORTON, VIRGINIA, SHOULD BE CONSIDERED A “FEATURE SHOWN,” PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioners Hedetniemi and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Ms. Hedetniemi. Is there a discussion of that motion? All those in favor of the motion to concur with the “feature shown” determination in 2232-V17-16, 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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RZ/FDP 2016-HM-005 – 1831 MICHAEL FARADAY, LLC (Decisions Only)
(The public hearing on these applications was held on July 13, 2017.)

(Start Verbatim Transcript)

Commissioner de la Fe: Thank you. The second item a decision on Michael – 1831 Michael Faraday Drive application, RZ/FDP 2016-HM-005. We had the public hearing last week and we – I deferred the decision because there were some items that the Department of Transportation wanted to meet with the applicant to, sort of, clarify the – some things that they wanted to talk about. They met earlier this week and the report back is that all of the questions were answered and that there was no need to change any of the proffers. And so the proffers will, you know, would remain the same. And there are no further issues, as far as I can tell. So with that, Mr. Chairman, I would like to move – oh, Mr. Chairman there's somebody with a question.

Chairman Murphy: Ms. Hurley?

Commissioner Hurley: Yes. We had a – one we reason we held it up was for the view of the swimming pool on the roof. And that the drawing we had received was that the pool was going to be one foot, six inches deep in that, you know, once you take off the little bit at the top for space. Anyway, I understand that there was a – there's a slight change to that depth.

Commissioner de la Fe: I – I – I don't – I – staff, I didn't see any.

Joseph Gorney, Zoning Evaluation Division, Department of Planning and Zoning: Yes, Joe Gorney from the Department of Planning and Zoning. I did speak with the applicant about that illustrative. That was not actually part of the plan set. The plan set does identify the area that the pool would occupy. And they did say that yes, that measurement of one foot, six inches was erroneous and, chances are, the pool would be somewhat deeper than that. So and –and they did also look at a few other things. But, in general, those would be updated when they go through the site review process.

Commissioner Hurley: Thank you.

Commissioner de la Fe: Okay. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2016-HM-005 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS, CONSISTENT WITH THOSE DATED JUNE 26, 2017.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2016-HM-005, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Yes, Mr. Ulfelder, the Chair...

Commissioner Ulfelder: Yes, I was absent for the hearing and I'd be recorded as abstained.

Chairman Murphy: And anyone else abstained? Ms. Keys-Gamarra, Mr. Ulfelder, and the Chair abstain, not present for the public hearing.

Commissioner de la Fe: Second, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT THAT WAS GIVEN TO YOU AT THE JULY 13TH, 2017 PUBLIC HEARING, WHICH ARE DATED JULY 13, 2017 AND WHICH WILL BE MADE A PART OF THE RECORD.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same abstentions.

Commissioner de la Fe: And before I move on my next motion, could I have the applicant's representative, please, come forward?

Scott Adams, Applicant's Agent, McGuireWoods, LLP: Good evening. Scott Adams, with McGuireWoods. I – we agree with the development conditions dated June 13th [sic].

Commissioner de la Fe: Okay, I didn't ask you...

Mr. Adams: Is that the question? Sorry.

Commissioner de la Fe: No, that was going to be the question, so...

Mr. Adams: Okay.

Commissioner de la Fe: So please – so you do agree with the development conditions?

Mr. Adams: Yes.

Commissioner de la Fe: Okay. Thank you very much.

Mr. Adams: July 6th? I'm sorry, July 6th is the date now, not the 13th.

Commissioner de la Fe: July 6th is the date. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2016-HM-005, SUBJECT TO THE DEVELOPMENT CONDITION DATED JULY 6, 2017, and the – AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF THE CONCURRENT REZONING APPLICATION.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the motion to approve FDP 2016-HM-005, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: And Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PARKING REDUCTION REQUEST 12650-PKS-001, PURSUANT TO PARAGRAPH 5A OF SECTION 11-102 OF THE ZONING ORDINANCE, BASED ON THE PROXIMITY OF A MASS TRANSIT STATION, SUBJECT TO THE CONDITIONS DATED MARCH 16, 2017, AND CONTAINED IN APPENDIX 16 OF THE STAFF REPORT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Oppose? Motion carries.

Commissioner de la Fe: Thank you very much, Mr. Chairman. And that concludes my item.

Each motion carried by a vote of 9-0-3. Commissioners Keys-Gamarra, Murphy, and Ulfelder abstained from the vote.

(End Verbatim Transcript)

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SE 2017-DR-003 – SUNTRUST BANK (Decision Only)
(The public hearing on this application was held on June 29, 2017.)

(Start Verbatim Transcript)

Commissioner Ulfelder: Thank you, Mr. Chairman. On June 29th, we held a public hearing on a special exception application by SunTrust Bank for a new bank branch.

Chairman Murphy: Is your mic on?

Commissioner Ulfelder: Yes. The light is on. I don't know if my mic is on.

Chairman Murphy: Okay. Thank you.

Commissioner Ulfelder: We held a public hearing on a special exception application by SunTrust Bank for a new bank branch on Walker Road in Great Falls with a drive-through lane for a remote ATM and a waiver of the minimum lot sized requirement. Representatives of the Great Falls Citizens Association, or GFCA, testified that while a number of changes and improvements have been made to the application in result of ongoing meetings with the applicant, they were still having discussions about some final critical details concerning the use of some of the new bank's windows for the permanent display of local images representative of Great Falls. In order to provide additional time for the GFCA representatives and the applicant to try and resolve these final critical details, the Commission agreed to defer the decision on this application until this evening's meeting. I would add that this site is at the corner of Columbine and Walker Road in the Village area of Great Falls. It's the first property at the edge of the commercially zoned area of Great Falls, as we come north on Walker Road from Colvin Run and Route 7. So it's a prominent corner. It's also the last significant piece of the village center area to be developed and is across the street from the Great Falls Center and is part of the Village Center. Therefore, it has significant prominence for the community it needs to be done right. It also is adjacent to the only entrance into the Village Center developed area from Walker Road. And, therefore, the community has spent a lot of attention and time looking at this and wanted to get it right. And they have. A set of revised proposed development conditions dated July 19th, 2017, along with the revised architectural elevation sheets dated June 29th, 2017, were distributed to you electronically yesterday and again this evening in paper. These revisions represent the successful conclusion of the discussion between the GFCA representatives and the applicant concerning the display windows, as well as some other minor revisions. In addition, the President of the GFCA submitted a letter dated today asking the Planning Commission to recommend approval of this application based on these changes and all the revisions to the application. Could I ask the representative of the applicants?

Robert Brant, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC: Good evening, Mr. Chairman, Commissioner Ulfelder, and members of the Commission. I'm Robert Brant from the law firm of Walsh Colucci, on behalf of the applicant.

Commissioner Ulfelder: I would ask you whether you can confirm for the record to the approval of the proposed development conditions now dated July 19th, 2017.

Mr. Brant: Yes, the applicant has reviewed and is in agreement with the development conditions dated July 19th, 2017.

Commissioner Ulfelder: Thank you.

Mr. Brant: Thank you.

Commissioner Ulfelder: Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2017-DR-003, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY 19TH, 2017.

Commissioner Migliaccio: Second.

Commissioner Ulfelder: I – I also – oh, okay. Let's do that one first.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2017-DR-003, say aye.

Commissioners: Aye.

Chairman Murphy: Oppose? Motion carries.

Commissioner Ulfelder: I ALSO MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVERS AND MODIFICATIONS, AS LISTED IN THE HANDOUT DATED JULY 20TH, 2017, THAT WAS PROVIDED TO YOU TODAY AND WHICH SHALL BE MADE A PART OF THE RECORD OF THIS CASE.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion? I abstain on that motion too. I was out of the – not at the public hearing. All those in favor of the motion to approve the...

Commissioner Ulfelder: Recommend to the Board, approval of the waivers and modifications...

Chairman Murphy: Yeah, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, abstain – Chair abstains.

Each motion carried by a vote of 11-0-1. Commissioner Murphy abstained from the vote.

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. FDPA 82-P-069-6-14/FDPA 82-P-069-12-4/FDPA 82-P-069-11-6 – COGNAC FAIR LAKES, LLC (Springfield District)
2. PCA 91-V-003 – SUMNER CROSSING HOMEOWNERS ASSOCIATION, INC.
3. PA 2016-III-FC2 – COMPREHENSIVE PLAN AMENDMENT (12723 LEE HIGHWAY)

This order was accepted without objection.

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The first public hearing was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman de la Fe.

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FDPA 82-P-069-6-14 – COGNAC FAIR LAKES, LLC – Appl. to amend the final development plan for FDP 82-P-069-6 to allow site modifications, to permit construction of a parking structure and associated changes to development conditions. Located on the S. side of Fair Lakes Circle approx. 1,250 ft. E. of Fairfax County Pkwy. on approx. 3.14 ac. of land zoned PDC and WS. Tax Map 55-2 ((1)) 14 A (pt.). (Concurrent with FDPA 82-P-069-12-4 and FDPA 82-P-069-11-6). SPRINGFIELD DISTRICT.

FDPA 82-P-069-12-4 – COGNAC FAIR LAKES, LLC – Appl. to amend the final development plan for FDP 82-P-069-12 to allow site modifications, to permit construction of a parking structure and associated changes to development conditions. Located on the S. side of Fair Lakes Circle approx. 1,250 ft. E. of Fairfax County Pkwy. on approx. 3.88 ac. of land zoned PDC and WS. Tax Map 55-2 ((1)) 14 A (pt.). (Concurrent with FDPA 82-P-069-06-14 and FDPA 82-P-069-11-6). SPRINGFIELD DISTRICT.

FDPA 82-P-069-11-6 – COGNAC FAIR LAKES, LLC – Appl. to amend the final development plan for FDP 82-P-069-11 to allow site modifications, to permit construction of a parking structure and associated changes to development conditions. Located on the S. side of Fair Lakes Circle approx. 1,250 ft. E. of Fairfax County Pkwy. on approx. 1.34 ac. of land zoned PDC and WS. Tax Map 55-2 ((1)) 14 A (pt.). (Concurrent with FDPA 82-P-069-06-14 and FDPA 82-P-069-12-04). SPRINGFIELD DISTRICT. JOINT PUBLIC HEARING.

Sara Mariska, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC, reaffirmed the affidavit dated June 6, 2017.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had multiple cases where attorneys in Ms. Mariska's firm were representing adverse parties. However, he noted that this matter and those parties were not related to these cases and there was no business or financial relationship; therefore, it would not affect his ability to participate in the public hearing.

Commissioner Murphy asked that Vice Chairman de la Fe ascertain whether there were any speakers for this application. There being none, she asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Murphy for action on this case.

(Start Verbatim Transcript)

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Commissioner Murphy: Thank you, Mr. Chairman. This is a very straightforward application. The request is for permission to construct an additional parking structure on an 8.36 acre property in Land Bay 5B of Fair Lakes Development, which will provide additional parking capacity for an existing 10-story building. This is in conformance with the Comprehensive Plan, with the Zoning Ordinance, and the applicable standards of the Fair Lakes, Fair Oaks, and Fairfax Center area. So, Mr. Chairman, I'm going to move approval of this application and I'm going to ask Ms. Mariska to please come forward and make a statement regarding the development conditions.

Sara Mariska, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC: We have reviewed and are in agreement with the development conditions. I believe they're dated July 14th, 2017.

Vice Chairman de la Fe: Thank you very much.

Chairman Murphy: Okay. Thank you very much. I'm going to make the motions now. I'm going to ask staff to please check. I think I'm missing one FDPA on the motion you gave me. Would you check and make sure I got the right ones here? I'm going to do the CDPA first and then I've got FDP 82-17 and that's the only one I have.

Kristen Abrahamson, Zoning Evaluation Division, Department of Planning and Zoning: You should three FDPAs.

Commissioner Hart: There's no CDPA.

Vice Chairman de la Fe: There's no CDPA.

Commissioner Murphy: There's no CDPA?

Ms. Abrahamson: There's no CDPA. It's just FDPAs.

Commissioner Hart: These are the three.

Commissioner Murphy: Yeah, that's what I thought. Well what's this? They just gave me this.

Commissioner Hart: That's the wrong case.

Ms. Abrahamson: We'll give you another one.

Vice Chairman de la Fe: That's the wrong case.

Commissioner Hart: It's Cognac, not Five Oaks property.

Vice Chairman de la Fe: It's Cognac.

Commissioner Murphy: All right. I got two. Kris, do you have that copy? Thank you. My mistake.

Vice Chairman de la Fe: We have – even though we're now electronic, we have too much paper.

Commissioner Murphy: Yeah, right. Okay, and I thought I was up-to-date after you gave me that one. Okay, I MOVE THE PLANNING COMMISSION APPROVE CONCURRENT APPLICATIONS FDPA 82-P-069-6-14, FDPA 82-P-069-11-6, AND FDPA 82-P-069-12-14 [sic], ALL SUBJECT TO DEVELOPMENT CONDITIONS DATED JULY 14TH, 2007 [sic]. And so – I so move.

Commissioner Sargeant: Second.

Vice Chairman de la Fe: Seconded by Commissioner Sargeant. Any discussion?

Commissioner Hart: Mr. Chairman?

Vice Chairman de la Fe: Yes, Mr. Hart.

Commissioner Hart: 2017, not 2007.

Commissioner Murphy: 2017, thank you.

Vice Chairman de la Fe: Okay. Thank you for the correction. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

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Commissioner Murphy: All right. We have another addition. If I may go back to the Cognac case.

Vice Chairman de la Fe: It's a previous case.

Commissioner Murphy: I WANT TO MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A REAFFIRMATION OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENTS TO THE SOUTH, IN FAVOR OF THE EXISTING LANDSCAPING.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Oppose? The motion carries.

Each motion carried by a vote of 12-0.

(End Verbatim Transcript)

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At the conclusion of the case, Chairman Murphy resumed the Chair.

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PCA 91-V-003 – SUMNER CROSSING HOMEOWNERS ASSOCIATION, INC. – Appl. to amend the proffers for RZ 91-V-003 previously approved for residential development to permit parking and associated modifications to proffers and site design. Located on Old Pohick Way at the intersection of Telegraph Rd. on approx. 3.11 ac. of land zoned R-8 and HD. Comp. Plan Rec: 5-8 du/ac. Tax Map 108-1 ((13)) A. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Cathleen Turner, Applicant/Title Owner, Sumner Crossing Homeowners Association, Inc., reaffirmed the affidavit dated May 8, 2017.

There were no disclosures by Commission members.

Commissioner Flanagan asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, she asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Flanagan for action on this case.

(Start Verbatim Transcript)

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Commissioner Flanagan: Thank you, Mr. Chairman. With that, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING: APPROVAL OF PCA 91-V-003 AND THE ASSOCIATED GENERALIZED DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioners Migliaccio and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Migliaccio. Is there a discussion of that motion? All those in favor of the motion, 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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The final public hearing was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman de la Fe.

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PA 2016-III-FC2 – COMPREHENSIVE PLAN AMENDMENT
(12723 LEE HIGHWAY) – Plan Amendment #2016-III-FC2
concerns approx. 6-ac. generally located at 12723 and 12725 Lee Highway, Fairfax, VA, 22030; Tax map parcel #'s 55-4 ((1)) 30 and 31 in the Springfield Supervisor District. The area is planned for residential use at a density of 1 dwelling unit per acre at the baseline level and residential use at a density of 2 dwelling units per acre at the overlay level. The Amendment will consider adding an option at the overlay level for residential use at a density up to 4 dwelling units per acre for senior housing with conditions related to buffering and screening, compatible architecture and building height. Recommendations relating to the transportation network may also be modified. PA 2016-III-FC2 is concurrently under review with Rezoning application RZ/FDP 2017-SP-017.
SPRINGFIELD DISTRICT. PUBLIC HEARING.

Aaron Klibaner, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended adoption of PA 2016-III-FC2.

Vice Chairman de la Fe called the first listed speaker and recited the rules for public testimony.

Andrew Teeters, 201 North Charles Street, Suite 220, Baltimore, MD, representing Shelter Development/Brightview Senior Living, stated that he was speaking on behalf of the contract purchaser of the subject property. He then voiced support for the proposed amendment and explained the following:

- The organization and contract purchaser he represented, Shelter Development/Brightview Senior Living, operated two existing assisted living facilities in the County;
- The demand for senior housing in the County was increasing and securing suitable sites for such development was difficult;
- The subject property was an appropriate site for a senior housing development and Shelter Development/Brightview Senior Living had been pursuing such a development on the subject property since Fall 2016, having met with the surrounding community and organizations in the process;
- The existing development on the site included a motel and there was significant community support for removing that use;
- The surrounding community did not support traditional residential development on the subject property due to concerns regarding the impact on public schools and traffic; and
- The design, architecture, and features of a senior housing development on the site had not been finalized, but Shelter Development/Brightview Senior Living had submitted a rezoning to permit such a development on the site in Spring 2017.

In conclusion, Mr. Teeters said that he supported the recommended text articulated in the staff report, adding that Shelter Development/Brightview Senior Living would continue coordinating with the surrounding community during the review process for the pending rezoning application.

Commissioner Murphy commended Mr. Teeters for his coordination on the proposed amendment and the pending rezoning application, adding that he intended to move to approve the amendment.

Commissioner Hurley asked for additional information regarding the potential location for the ingress/egress of a senior housing development on the site. Mr. Teeters indicated that the issue had been discussed by Shelter Development/Brightview Senior Living, pointing out that staff favored language recommending that access to the site be located along Lee Highway.

Jeffrey Saxe, 12728 Heatherford Place, Fairfax, stated that he was the Chairman of the Springfield District Land Use Committee (SDLUC). He then stated that the SDLUC voted unanimously to support the proposed amendment at its meeting on June 19, 2017. However, Mr. Saxe noted that the SDLUC did not support permitting vehicular access to the site from Tractor Lane or Crouch Drive and favored incorporating language that articulated that provision.

Commissioner Murphy commented Mr. Saxe for his testimony. He added that the Commission had received the letter regarding the proposed amendment that he had submitted prior to the public hearing and the letter had been entered into the record. (A copy of Mr. Saxe's letter is in the date file.)

Commissioner Hart pointed out that there was a narrow parcel located along the northwestern portion of the subject property, which was identified in the staff report as Parcel 36B. He then asked for additional information regarding that parcel. Kelly Atkinson, Zoning Evaluation Division, DPZ, stated that she was the staff coordinator for the pending rezoning application for the site and explained that Parcel 36B was a privately-owned outlet road that was beyond the purview of the proposed amendment. A discussion ensued between Commissioner Hart and Meghan Van Dam, PD, DPZ, regarding the usage of Parcel 36B, the manner in which the proposed amendment would impact the parcel, and the possibility that Parcel 36B could be utilized as another access to the subject property wherein Ms. Meghan Van Dam stated the following:

- The parcel identified as Parcel 36B was privately owned;
- The parcel identified as Parcel 36B was part of Land Unit D and subject to the applicable Comprehensive Plan recommendations; and
- The potential impact that a redevelopment that incurred modifications on Parcel 36B would be evaluated during the rezoning application for the subject property.

Claudette Ward, 5270 Tractor Lane, Fairfax, spoke in support of the proposed amendment because it would contribute towards meeting the growing demand for senior housing within the County. She added that senior housing would generate less traffic than a traditional residential development and would not incur a significant impact on the local school systems or recreational facilities. Ms. Ward also aligned herself with remarks from Mr. Saxe, stating that she favored prohibiting vehicular access to the site from Tractor Lane and Crouch Drive. In addition, she described the historical significance of the area around the subject property, noted the possibility that artifacts might be found on the site during construction. Ms. Ward concurred with the proposed amendment's recommendations that a pedestrian trail be constructed along Lee Highway and a connector bus route be installed in the area. She also addressed Commissioner Hart's concern regarding the usage of Parcel 36B, stating that she was a co-owner of that parcel.

David Warren, 5339 Summit Drive, Fairfax, voiced opposition to the proposed amendment because the recommended density for the site was excessive at four dwelling units per acre. He pointed out that the community had previously opposed to higher-density developments on nearby lots. Mr. Warren expressed concern that the potential number of units for a senior housing development on the site would incur a significant traffic impact along Lee Highway, noting that there was no existing left turn into the site and vehicles traveling west were required to do a U-turn at the intersection with Willowmeade Drive.

Jocelyn Colvin-Donald, 5264 Tractor Lane, Fairfax, addressed the concerns raised by Commissioner Hart regarding Parcel 36B, stating that the parcel functioned as an access road to ensure that Parcel's 29 and 29A could access Lee Highway. In addition, she pointed out that Parcel 36B abutted her property, which was identified as Parcel 19, and her neighbor's property, which was identified as Parcel 18. Ms. Colvin-Donald added that she and the owner of Parcel 18

were co-owners of Parcel 36B and the road contained an existing fence to screen the neighboring residential development from traffic.

There being no more speakers, Vice Chairman de la Fe asked for closing remarks from Mr. Kilbaner, who declined. There were no further comments or questions from the Commission; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Murphy for action on this item.

(Start Verbatim Transcript)

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Commissioner Murphy: Thank you, Mr. Chairman. I want to thank everyone who spoke this evening for coming out. I know there has been a lot of interest in this parcel. Those of you who were involved in the Fairfax Forward portion of the program knew that this land was looked at at the time. The Committee recommended two to three dwelling units per acre. We settled on a two to three only if the three units to the acre would bring in a senior housing facility. And I was going to make that motion at the time, but, unfortunately, I was told by the staff – incorrectly so – that I could not make that motion because it wasn't advertised that we would – and consider senior housing on this parcel. So we knew it was going to come back in one form or another, which it did come back, with now a correct venue to make a motion that would include an uptick in the – in the residential zoning category with units up for – exclusively for senior housing. I want to thank Jeff Saxe and the Land Use Committee for their participation. Also, I want to thank Claudette Ward, who has been the master-at-arms of this property for a long time to make sure it's developed correctly. And this is a great opportunity, also, for revitalization of that area and, quite frankly, getting rid of this motel that's been an eyesore and a source of some problems in that area for many, many years. So this proposal provides an opportunity to replace an existing non-conforming use along Lee Highway with a use that is more compatible with the surrounding neighborhoods. However, there is a strong need for adequate buffering and transitions, combined with right-of-way needs for planned improvements to Lee Highway. Should an appropriately-scaled age-restricted facility be developed, this facility will further County policies by providing additional housing for an older population. And the most – the fastest growing demographic in Fairfax County right now is ages 60 to 65, and so we need senior housing. And that doesn't mean every application that comes in is going to be approved because we need senior housing. It'll still have to go through the process. We'll have to look at the Comprehensive Plan. We'll have to look at the Zoning Ordinances and see if it actually fits into the scheme of things for property development in the County. It has come to my attention that the existing neighbors along Crouch Drive, which will dead end at the subject property line with the redevelopment of the parcels to the south similar to Tractor Lane, do not support any connection to the property with this proposed plan option. Therefore, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF THE STAFF RECOMMENDATION FOR PLAN AMENDMENT 2016-III-FC2, FOUND ON PAGE 8 OF THE STAFF REPORT DATED JULY 10, 2017, WITH A SLIGHT MODIFICATION IN THE FIFTH BULLET THAT STATES, "NO CONNECTION TO THE SUBJECT PROPERTY FROM CROUCH DRIVE OR TRACTOR LANE." THE AMENDMENT WOULD ADD AN OPTION FOR RESIDENTIAL USE AT A DENSITY UP TO 4 DWELLING UNITS PER ACRE

FOR AN INDEPENDENT LIVING AND/OR ASSISTED LIVING FACILITY WITH CONDITIONS RELATED TO COMPATIBLE ARCHITECTURE, BUFFERING, AND SCREENING, LANDSCAPING, BUILDING HEIGHT, AND VEHICULAR ACCESS. AND I SO MOVE.

Commissioners Hart and Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart and Ms. Hedetniemi. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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At the conclusion of the case, Chairman Murphy resumed the Chair.

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The meeting was adjourned at 9:12 p.m.

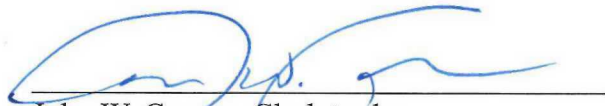
Peter F. Murphy, Chairman

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: Jacob Caporaletti

Approved on: October 5, 2017



John W. Cooper, Clerk to the
Fairfax County Planning Commission