

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, OCTOBER 5, 2017**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
James R. Hart, 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
Janyce N. Hedetniemi, Commissioner At-Large

ABSENT: Karen A. Keys-Gamarra, Sully District
Timothy J. Sargeant, Commission At-Large

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The meeting was called to order at 8:18 p.m., by Vice Chairman Frank A. de la Fe, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Sargeant announced the Schools Committee would meet on October 19, 2017 at 7:00 p.m. in the Board Conference Room of the Fairfax County Government Center.

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Commissioner Ulfelder announced his intent to defer the decision only for SE 2015-DR-027, Mahlon A. Burnette, III and Mary H. Burnette.

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Commissioner Migliaccio announced the Planning Commission's Land Use Process Review Committee had met earlier that evening to discuss the survey results on short-term lodging and further stated that a workshop would be scheduled to obtain stakeholders input on the same topic.

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APPROVAL OF MAY, JUNE AND JULY 2017 MINUTES

(Start Verbatim Transcript)

Commissioner Hart: Thank you. Mr. Chairman, everyone should have received the minutes for May, June and July, and we were going to approve them a while ago and a meeting got cancelled

and we had deferred it to tonight. I, therefore, MOVE THAT THE COMMISSION APPROVE THE MINUTES FOR THE FOLLOWING DATES: MAY 4, 18 AND 25; JUNE 15, 21, 22, 29; AND JULY 13, 19, 20 AND 27, 2017.

Commissioner Ulfelder: Second.

Vice Chairman de la Fe: Seconded by Commissioner Ulfelder. 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.

The motion carried by a vote of 10-0. Chairman Murphy and Commissioner Hedetniemi were absent from the public hearing.

(End Verbatim Transcript)

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RZ/FDP 2016-MV-030 – WASHREIT RIVERSIDE APARTMENTS, LLC

(Start Verbatim Transcript)

Commissioner Flanagan: Yes. Thank you, Mr. Chairman. The Washington Real Estate Investment Trust had a very large rezoning of a high-rise scheduled for this evening, the Riverside Apartments project. And, they're not going to be able to – we had to cancel that, or moved it to a later date. So, I MOVE THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ 2016-MV-030 AND FINAL DEVELOPMENT PLAN 2016-MV-030 UNTIL OCTOBER 19, 2017, DUE TO AN ERROR IN THE AFFIDAVIT.

Commissioners Hart and Niedzielski-Eichner: Second.

Vice Chairman de la Fe: Seconded by Commissioner Hart and Commissioner Niedzielski-Eichner. Any discussion? All those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Okay.

The motion carried by a vote of 10-0. Chairman Murphy and Commissioner Hedetniemi were absent from the public hearing.

(End Verbatim Transcript)

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Commissioner Niedzielski-Eichner announced his intent to defer the decision only for SEA 99-P-046-02, Flint Hill School, due to the resubmission of the application.

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ORDER OF THE AGENDA

Commissioner Hart established the following order of the agenda:

1. PCA/FDPA 82-S-077-04/PCA/FDPA 94-Y-020 – ARDEN COURTS OF CENTREVILLE VA, LLC

This order was accepted without objection.

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PCA/FDPA 82-S-077-04 – ARDEN COURTS OF CENTREVILLE VA, LLC – Appls. to amend the proffers and final development plan for PCA 82-S-077-02 previously approved for residential and institutional and quasi-public use and associated modifications to permit a medical care facility (assisted living) with an overall Floor Area Ratio (FAR) of 0.249. Located on the E. side of Centreville Rd. S.E. of its intersection with Bradenton Dr. on approx. 5.0 ac. of land zoned PDH-3 and WS. Comp. Plan Rec: Residential 2-3 du/ac. Sully District. Tax Map 65-3 ((1)) 40A. (Concurrent with PCA/FDPA 94-Y-020). SULLY DISTRICT. PUBLIC HEARING.

PCA/FDPA 94-Y-020 – ARDEN COURTS OF CENTREVILLE VA, LLC – Appls. to amend the proffers and final development plan for RZ 94-Y-020 previously approved for single family attached residential, institutional and quasi-public use and associated modifications to permit a medical care facility (assisted living) with an overall Floor Area Ratio (FAR) of 0.249. Located on the E. side of Centreville Rd. S.E. of its intersection with Bradenton Dr. on approx. 5.0 ac. of land zoned PDH-3 and WS. Comp. Plan Rec: Residential 2-3 du/ac. Sully District. Tax Map 65-3 ((1)) 40A. (Concurrent with PCA/FDPA 82-S-077-04). SULLY DISTRICT. PUBLIC HEARING.

Mark M. Viani, Applicant's Agent, Venable, LLP, reaffirmed the affidavit dated April 13, 2017.

Sharon Williams, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of PCA/FDPA 82-S-077-04 and PCA/FDPA 94-Y-020.

Commissioner Hart asked in terms of the proffered condition amendments for both cases, would the existing proffers be replaced with new proffers in the addendum. Ms. Williams stated the

proffers would be replaced. Commissioner Hart stated that in Appendix 5 Proffer, Number 9 noted that if blasting was required, and before commencement, certain measures would be in place with respect to houses within 150 feet. There were houses within 150 feet range and blasting would be applicable to those homes. He stated the new proffers did not contain the language which referenced blasting and asked if staff was not aware the applicant would be blasting. Ms. Williams stated staff was not aware of the need for blasting. With respect to the Phase II building, Commissioner Hart asked if any reengineering was conducted to determine whether the soils were improved, which obviated the blasting proffer. He stated the need for the blasting language should remain. Ms. Williams stated staff would confer with the applicant regarding the language, and would be comfortable adding the language back into Proffer Number 9.

Commissioner Keys-Gamarra stated the application went through a rigorous process and asked for the level of community involvement and concerns raised. Ms. Williams stated the community was involved in the process from the early stages. She indicated the applicant had an initial discussion with the Compton Home Owners Association and informed them of the proposed project. Two months thereafter, the applicant met with the Sully District Land Use Committee. The main concern raised was the existence of a child care facility which accommodated an average of 150 children. The facility connected with the style and ambiance of the community. The community voiced concerns with traffic on the Route 28 corridor. As a result of the community's aforementioned concerns, the applicant spoke with staff, and the child care facility was removed from the proposal. Regarding traffic concerns, Ms. Williams provided visuals of the projects egress and ingress, which showed no access to Centreville Road.

Mr. Viani gave a presentation wherein he stated the following:

- The proffer language would be amended to include the blasting condition;
- The project was zoned as part of a larger development of the Planned Development District 3;
- Was under the conceptual development plan, for quasi-public and institutional uses;
- The property housed a church, and the land was owned by the Episcopal Archdiocese of Virginia. This property was up for surplus;
- The proposed use was for a 65-bed memory care facility to assist in the care of people with Alzheimer's or memory problems;
- The residents of the proposed facility did not drive, and visitors and traffic would be at a minimum;
- The day shift was the largest working shift, which totaled 25 employees;

- The facility would be developed in two phases, with the second phase being a density block;
- The Virginia Department of Transportation had plans to widen Route 28;
- There would be a solid board on board fence and landscaping would be incorporated where the facility backed into the townhome community; and
- A full access control security system would be in place, which would allow the residents to enjoy the outdoors. The fully staffed and heavily secured aspects of the facility would balance the competing concerns of being next to a residential community.

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

Kevin Stroble, 14498 Pittman Court, Centreville, stated he was not aware there were any community meetings held. He stated he was aware of the communications of various members of the community the president of the homeowner's association communications and staff. Mr. Stroble stated he was concerned about the details of the childcare facility and its effect on the entrance and exit of Bradenton Drive. He stated his concerns about the traffic issues on Route 28 and as a result, it was very difficult for the residents to exist Bradenton Drive, and that the added facility would create further traffic issues. Mr. Stroble questioned the proposed location of the egress and ingress on Compton Village Drive, rather than on Route 28. Increased traffic at that location during the pick-up and drop-off hours for elementary, middle and high school students would be perilous. He asked that the Commission revisit the proposed location. Mr. Stroble addressed the proximity of the facility to the residential community, and the noise factor during construction.

Commissioner Keys-Gamarra informed Mr. Stroble the child care facility was no longer a factor. She stated the applicant would have to seek approval from the Planning Commission to move forward with phase 2 of the project. The community would then have another opportunity to participate in that process. Commissioner Keys-Gamarra informed Mr. Stroble of the Sully District's Land Use Committee monthly meetings. She encouraged Mr. Stroble to also voice his concerns and observations with the committee and Supervisor Kathy Smith.

Commissioner Hart stated he attended one of the meetings at Supervisor Smith's office, and many of the residents of Compton Village community were in attendance. The citizens were fully engaged, asked several questions, and because of those discussions, the idea of child care facility was dissolved. Commissioner Hart echoed Commissioner Keys-Gamarra's guidance of attending the monthly scheduled land use committee meetings. Commissioner Hart and Mr. Stroble discussed the County's meeting notification process and the methods used for posting notifications.

Commissioner Migliaccio noted there was no language in the proffers to address traffic during construction, and recommended to add language to address the safety of the children and community.

Ron Hess, 14506 Pittman Court, Centreville, reverberated Mr. Stroble's concerns regarding the traffic. He addressed the reasons why he purchased the property, some of which included the view in the back yard, privacy and the community's appeal. He stated the type of proposed use would take away from the community. Mr. Hess addressed the possibility of decline in property value and appeal for his home, should the proposed use be approved. He addressed the noise factor during construction, and the possibility of emergency vehicles going to and from the facility.

Gwendolyn M. Adams, 14300 Stonewater Court, Centreville, spoke in opposition to the proposed use. Ms. Adams stated her concerns with the current use and the parking issues. She reverberated Mr. Hess's concerns regarding the possible decline in property value and noise volume. Ms. Adams stated her father passed away from complications of Alzheimer's and addressed her concerns regarding the security of the residents and the probability of wondering into the high-traffic area.

Mr. Viani in his rebuttal testimony stated the applicant had extensive communications with the leadership of Compton Village community and they were very involved in the process. The applicant had several meetings with the Board of Directors and gave a presentation at their annual membership meeting. Mr. Viani stated the lines of communication with the community would remain open during all phases of the project, should it be approved. In terms of traffic, Mr. Viani reiterated the decrease in potential traffic from the previous use to current. The security at the facility would be forcefully controlled with security cameras, locked doors and control panels in place. Regarding the alignment of the entrance way, Mr. Viani stated this was agreed upon, the design worked with the community, and there was no sinister intent behind the location of the entrance way. Regarding construction noise, Mr. Viani stated the applicant would work with the community and would have appropriate traffic mitigation in place during construction. He echoed Commissioner Migliaccio's suggestion to create a proffer that would address those concerns, and would also address during the site plan as part of the construction permits. Mr. Viani noted there was a County Noise Ordinance in place. In terms of the proposed use driving down property values, Mr. Viani referred to the Fair Oaks facility located next to a townhome community, built twenty-one years ago, where there were no concerns with the decline of property value.

Commissioner Keys-Gamarra asked about the landscaping between the proposed use and the residential community. Daniel Langston, Applicant's Landscape Architect, Christopher Consultants, stated the width of the required buffer was 35 feet. By the County requirements, there was a certain number of trees per linear feet of required plantings. Within the 35-foot buffer of the proposed use, was an extensive number of plantings, in addition, there were plantings on the other side of the buffer that would be buffered by a wall. A 7-foot privacy fence would prevent the wondering out of any potential residents. Mr. Viani echoed and agreed with Mr. Langston.

Commissioner Hart and Mr. Viani discussed the location of school bus stop and construction entrance. Mr. Viani stated that based on the community's concerns and feedback received, the school bus stop area and permanent entrance were the same. He stated that at some point the

entrance way would be constructed, and the applicant would work with the builder to create a different access point.

Commissioner Flanagan inquired about the 20-foot drop in the grade from Route 28 to Compton Village Drive, and asked if the applicant intended to level their side of the facility. He also inquired about the retaining wall, elevation and fill. Mr. Viani stated the 10-foot retaining wall would be located on the applicant's property with layers of landscaping. A 7-foot fence would surround the property from the side, going around the perimeter. This would allow the residents to have access and enjoy the outdoor area. Commissioner Flanagan inquired about the security of the gate at the front, east side, of the property and the other located on the Route 28 side of the facility. Mr. Viani stated those gates would remain locked with electronic security in place.

Commissioner Niedzielski-Eichner inquired about the security of the residents and the likelihood of them leaving the facility unattended. Mr. Viani reiterated the facility was fully secured. A code was required for entry into the facility. A receptionist would be stationed inside the building's main entryway, allowing visitors with no access code entry into the facility. There were cameras on the property and lock codes to gain access to the facility's side exit doors. Commissioner Niedzielski-Eichner inquired about the current use, parking spaces and the contrast in traffic volume. Ms. Williams stated the current use was a church, with 280 parking spaces. She stated a traffic comparison was not conducted; however, the traffic generated from the proposed use would decrease significantly.

Commissioner Hurley inquired about the location of the bus stop and the possibility of relocation. Mr. Viani stated the school system would have to authorize the relocation. He noted the area was surrounded from the south and east by a large townhome community, and relocating the school bus stop might be an issue. The school bus stop area was a natural aggregation area in the community. Mr. Viani stated the applicant would find a way to stage traffic during pick-up and drop-off hours.

There being no additional speakers, further comments or questions from the Commission, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Keys-Gamarra for action on this application.

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(Start Verbatim Transcript)

Commissioner Keys-Gamarra: Well first of all I would like to thank staff and our applicant for working so hard. I know that some of the members of the community may feel that they haven't been able to be a part of some of the discussions, but I – I know that a lot of discussion has taken place. The only remaining concern I have, I think, is with respect to the location of the bus stop and that certainly is not part of our jurisdiction at this dais, and I – I believe we would have a commitment from the applicant to work with the community to make sure that the children would be safe. Nobody wants to read about that in the newspaper and we certainly want our children to be safe. I don't - I think that we talked a little bit about the blasting proffer, and I believe we have a commitment to put that – to add that, and I believe that was the bulk of our

concerns. There was some concern about the entrance being on Route 28 and I have been a part of these discussions and that's just not something that's possible. So, I will say that I'm – I am actually pleased with the progression of this application. This represents a great deal of hard work. I'd like to see, you know, continued discussions with the community. I'd like to encourage some of the folks who spoke today to get involved in the Land Use Committee, we can certainly use your voice. And so with that, Mr. Chairman, I believe I will make some motions.

Vice Chairman de la Fe: Okay.

Commissioner Keys-Gamarra: Mr. Chair, I request that the applicant – you've already confirmed the record? Okay – Okay. I move that the Planning Commission. . .

Secretary Hart: He still has to . . .

Vice Chairman de la Fe: You – no, he has to . . .

Secretary Hart: Development conditions.

Commissioner Key-Gamarra: Okay.

Vice Chairman de la Fe: For the development conditions.

Commissioner Keys-Gamarra: Okay. I think you need – you have to do it again.

Mark M. Viani, Applicant's Agent, Bean, Kinney & Korman, P.C.: On behalf of the applicant, I – I confirm the development conditions, including, you know, the commitment to add the proffer back in there for blasting. Including a commitment to work with the community to address the school bus issue and I believe it might be...

Commissioner Keys-Gamarra: And we're talking about development conditions, dated September 19th, 2017. . .

Mr. Viani: Exactly.

Commissioner Keys-Gamarra: And proffers, dated September 14, 2017.

Mr. Viani: Yes.

Vice Chairman de la Fe: Plus the changes the he's...

Commissioner Keys-Gamarra: Plus the changes that we discussed.

Vice Chairman da la Fe: Right.

Mr. Viani: Right.

Vice Chairman de la Fe: Okay. Thank you.

Commissioner Key-Gamarra: Okay? Alright. With that, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING: APPROVAL OF PCA 82-S-077-04, SUBJECT TO THE OF THE PROFFERS CONSISTENT WITH THOSE DATED, SEPTEMBER 14TH, 2017. Approval of PCA... I'm sorry do we want to vote one at a time?

Vice Chairman de la Fe: Let's do them one at a time.

Commissioner Keys-Gamarra: Okay. Do I have a second?

Commissioner Ulfelder: Second.

Vice Chairman de la Fe: Seconded by Mr. Ulfelder. Any discussion? All those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries.

Commissioner Keys-Gamarra: APPROVAL OF PCA 94-Y-02, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 14TH, 2017.

Commissioner Ulfelder: Second.

Vice Chairman de la Fe: Seconded by Mr. Ulfelder. 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.

Commissioner Keys-Gamarra: APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU THIS EVENING, DATED OCTOBER 3RD, 2017, WHICH WILL BE MADE A PART OF THE RECORD. Oh, I'm sorry. Mine says October – October 5th – OCTOBER 5TH.

Vice Chairman de la Fe: Okay.

Commissioner Keys-Gamarra: Okay.

Vice Chairman de la Fe: Is there a second?

Commissioner Ulfelder: Second.

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

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries.

Commissioner Keys-Gamarra: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 82-S-077-04, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 19TH, 2017, AND SUBJECT TO THE BOARD OF SUPERVISORS APPROVAL OF THE CONCURRENT PCA APPLICATION.

Commissioner Ulfelder: Second.

Vice Chairman de la Fe: Seconded by Mr. Ulfelder. 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.

Commissioner Keys-Gamarra: I further MOVE THAT THE PLANNING COMMISSION APPROVE FDA 95-Y-020 [sic], SUBJECT TO THE DEVELOPMENT CONDITIONS, ALSO DATED SEPTEMBER 19TH, 2017, AND SUBJECT TO THE BOARD OF SUPERVISORS APPROVAL OF THE CONCURRENT PCA APPLICATION.

Sharon Williams, Zoning Evaluation Division, Department of Planning and Zoning. Excuse me, excuse me, Commissioner...

Vice Chairman de la Fe: 94-B-4.

Ms. Williams: 94 – It's 94-Y. FDPA 94-Y-020. Not 90...

Commissioner Keys-Gamarra: I don't know what I said. FDPA 94-Y-020. Okay.

Commissioner Ulfelder: Second.

Vice Chairman de la Fe: Seconded by Mr. Ulfelder. 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. Anything else? We did the waivers... Okay. Thank you very much.

The motion carried by a vote of 10-0. Chairman Murphy and Commissioner Hedetniemi were absent from the public hearing.

(End Verbatim Transcript)

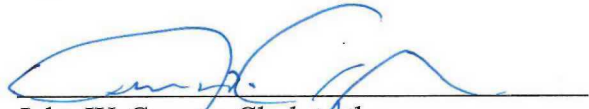
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The meeting was adjourned at 9:25 p.m.
Frank A. de la Fe, Vice Chairman
James R. Hart, Secretary

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: Samantha Lawrence

Approved on: December 6, 2017



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