

**MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY OF FAIRFAX
CITY HALL, FAIRFAX, VIRGINIA
June 8, 2020**

The following meeting was held electronically pursuant to Emergency Ordinance No. 2020-07.

Participants attending electronically:

- Chair Janet Jaworski
- Vice-Chair Mark Angres
- Commissioner Tom Burrell
- Commissioner Paul Cunningham
- Commissioner Amir Eftekhari (joined at 7:48 p.m.)
- Commissioner Jim Feather
- Commissioner Matthew Rice

After determining that a quorum was present, Chair Jaworski called the meeting to order at 7:00 p.m.

Staff Attending Electronically: Brooke Hardin, Director, Community Planning and Development; Paul Nabti, Planning Division Chief; Albert Frederick, Planner III and Tina Gillian, Secretary.

1. Pledge of Allegiance.

Ms. Jaworski led the Commission in the Pledge of Allegiance.

2. Discussion/Adoption of Agenda.

MR. CUNNINGHAM MOVED TO ADOPT THE AGENDA AS PRESENTED, SECONDED BY MR. ANGRES, WHICH CARRIED UNANIMOUSLY.

3. Presentations by the public on any matter not calling for a public hearing.

There were no presentations by the public.

4. Consideration of March 9, 2020 Meeting Minutes.

MR. CUNNINGHAM MOVED TO ADOPT THE MINUTES AS PRESENTED, SECONDED BY MR. BURRELL, WHICH CARRIED 5:0 WITH MR. RICE ABSTAINING.

5. Consent Agenda – None.

6. Items Not Requiring a Public Hearing – None.

7. Public Hearings:

- a. Final action and recommendation to the City Council for the proposed Old Town Fairfax Small Area Plan and the proposed Northfax Small Area Plan and final action and recommendation to the City Council on amendments to the City of Fairfax 2035 Comprehensive Plan to reference and coordinate recommendations with the Old Town Fairfax Small Area Plan and the Northfax Small Area Plan.**

Mr. Nabti said the general concept is the same as presented in May with some minor adjustments made based on feedback received. He said the Planning Commission will be taking action tonight on the Northfax and Old Town Small Area Plans and on the proposed amendments to the Comprehensive Plan that are intended to reference the Small Area Plans.

Mr. Nandor Mitrocsak, representative from Cunningham Quill, presented the consultant's final report which has been incorporated into the record by reference.

He reviewed the contents of the consultants report for the Northfax West Area first. He spoke to the plan vision and said there are four key ideas for the area:

1. A New Identity.
2. The Introduction of a Linear Park.
3. A Balanced Activity Center.
4. Bridging Community to Nature.

He said the report includes sub-specific ideas for a Street Block Plan and Retail Frontage Plan (building orientation), as well as plans for public open space and green space. He reviewed their ideas for commercial and residential uses in the Northfax Area, which include townhomes and retail frontages that blend well with the residential component. The report also includes building heights and setbacks that are tailored to the area. He said the report includes larger concepts such as transportation and ideas on enhanced connectivity, pedestrian crossings and facilities for pedestrians and bicycles. He reviewed the section regarding a possible Eaton Place Road Diet. He said the report reflects a sense of realism of development and future planning. He discussed the phasing and economics for the next fifteen years and how the Northfax Area may look. He said the final report anticipates an increase of 1,400

residential units in this area with retention and re-tenating of the existing office space. He said the report anticipates a net increase of 50,000sf of retail uses (this is in addition to the Point 50 development) with the retention and renovation of existing hotels. He said the final report contains recommendations on future Utilities, Zoning Regulations and Implementation of the Key Ideas.

He reviewed the contents of the consultant's report for the Old Town Area next. He spoke to the plan vision and said there are six key ideas for the area:

1. Establish Old Town as a Cultural Destination.
2. Creation of The Arts Walk.
3. Injecting Color Into Downtown.
4. Creation of a Pedestrian Precinct.
5. A Balanced Activity Center.
6. Idea of "The Spine" (Multi-modal Connector).

He said the report includes an urban design framework for the Old Town area and public open spaces that include pocket parks and trails. He said there are samples of retail oriented streets and new public open spaces included. He said the report includes recommendations for consolidation of retail uses across the area. He said the report includes land use and economic recommendations for commercial and residential uses and the transitioning of the existing neighborhoods to higher commercial uses. The report also includes building height and setbacks that are tailored to the area, which includes an historic portion. He discussed the key transportation ideas of a pedestrian precinct and loop road that connects South Street to West Street and across the Massey Complex. He said their company has looked at the possibility for a redesign of Main Street and for off peak parking on North Street. He reviewed the implementation and details section of the report that includes a possible new parking garage, key properties and their uses, building height restrictions, introduction of new public parks and subdivision of the larger super block into a street block plan. He discussed the phasing and economics for the next fifteen years and how the Old Town area may look. He said the final report anticipates an increase of 1,250 residential units, an approximate net increase of 2,500sf of office space, the activation of currently vacant retail space and an increase of 60,000sf of retail space. The final report also anticipates a boutique hotel and an increase of institutional and arts related spaces.

He said the final report contains recommendations on future Utilities, Zoning Regulations and Implementation of Key Ideas. He said the report includes individual recommendations on four city owned properties. He reviewed the City Context, Historic District and National Register District portions of the report. These sections include the consultant's review of past building studies, summary of community outreach efforts, their economic analysis of the regional marketplace, citywide land use, zoning analysis, history and identity, economic opportunities and constraints and transportation.

Mr. Aditiya Inamdar, representative of the consultant, spoke to the transportation supplement which is a higher level planning analysis that includes their fifteen year projection for the area.

Mr. Lee Quill, consultant from Cunningham Quill, said this was an amazing effort with the Planning Commission and community. He said this report is a working document that is meant to provide information and background for future planning initiatives.

Mr. Nabti said the Planning Commission needs to be aware that only the first piece of the plan is the actual report. He said the appendices contain information that was collected during this process.

Mr. Burrell asked for confirmation this will be a stand-alone document.

Mr. Nabti confirmed this will be a stand-alone document.

Mr. Burrell asked if the implementation items will be separated out from this plan.

Mr. Nabti said the next step will be for staff to assign a schedule for implementation of the recommendations. He said this may be similar to how they handled the implementation guide for the comprehensive plan.

Mr. Burrell is concerned that development in the ecologically sensitive portion of Northfax has not been adequately addressed. He said no discussion has taken place regarding potential incentives as an inducement to develop in accordance with the two plans.

Mr. Nabti said competing interests arise when you go about this type of process. He said there are sites where the City would like to see activity take place, however, the consultants found concerns with height restrictions and redevelopment in those areas. He said staff is asking the Planning Commission for their thoughts on how to balance the need to protect the Historic Core. He said Fairfax County staff and folks from within the city have expressed concerns regarding building heights in the areas around the historic courthouse, jail and downtown. He displayed the map of the sites being discussed and said the sites include the Amoco gravel parking lot (possibly combined with property behind it), the Bank of America property (parking lot area), city owned property located in front of Truro Church and the City Center West properties.

Mr. Mitrocsak and Mr. Quill discussed the following possible uses for the individual properties:

- Amoco lot (possibly combined with property behind it): Boutique Hotel with building heights higher than three stories.
- Bank of America lot: Possible mixed use development with underground parking structure. Site needs five stories to provide residential and mixed used.
- Property in front of Truro Church: Townhomes that front North Street. If consolidated with parking lot owned by the church it will expand possible uses including affordable housing units.
- City Center West: Institutional uses such as art facility, hotel use.

Mr. Burrell asked if the Planning Commission is being asked to incorporate these as part of the Small Area Plans or will the Planning Commission be making a recommendation to study the building heights in that area.

Mr. Nabti said this will depend on the exact recommendations. He said staff will most likely show City Council the consultant's report along with the Planning Commission's recommendations and see what direction comes from that.

Mr. Cunningham asked if Fairfax County will provide assistance with the road structure located around the courthouse.

Mr. Nabti said the current courthouse master plan includes realigning of the entrance so it is in line with the South Street extension. He said Fairfax County has also been in contact with the developer for the City Center West property.

A general discussion followed regarding current and possible building heights in the areas of the courthouse, downtown and city owned properties.

Ms. Jaworski said she is open minded to the idea of a boutique hotel on the corner of Sager and East. She has more concern about increasing building heights to five stories on the Bank of America lot and property near the Truro Church lot.

Questions from Planning Commission on Northfax West

Mr. Feather – Asked if the consultant did not look into the under grounding of the stream more closely because an application was already submitted for this area.

Mr. Quill confirmed that was the case. He said the consultants worked with both Browns Mazda and Mr. Napolitano on this site and said the applicants had made modifications based on those discussions.

Mr. Angres asked for confirmation that drainage from the redevelopment will be dependent on the two storm culverts proposed for this area.

Mr. Quill said some collections will be made from the source point and also handled with pervious pavement located on individual sites to keep from dumping too much into the existing and proposed culverts.

Mr. Burrell asked if stormwater runoff from the new development will be piped into the culverts. His concern is how to improve the quality of water that goes into the culvert so it does not damage the creek.

Mr. Quill said there are BMP collection areas where the townhomes front along Orchard. He said the

goal is to have water collected and treated at the source point.

Mr. Burrell asked if the Small Area Plan is depicting the developer's proposal for the culvert location.

Mr. Quill said the townhouse area and senior building are basically from the developer's plan. He said the consultants asked the developer to work on the environmental components for the linear park.

Mr. Cunningham commends Mr. Quill and his team for proposing a road between the senior center and the undeveloped portion of the site.

Mr. Rice discussed his concerns with disturbing a wetland area and the ability for the current systems to sustain the water load. He has concerns with traffic and questions whether the pedestrian only crossing will work at Orchard Street. The entire vision of the green corridor hinges on the pedestrian crossing working.

Mr. Mitrocsak said a longer term plan introduces a traffic circle at the intersection of Eaton Place and Chain Bridge Road paired with two pedestrian crossings.

Mr. Inamdar explained the plans for pedestrian traffic improvements.

Mr. Angres asked if Ms. Wendy Block-Sanford's (city traffic director) description of the area is consistent with the description provided by the transportation consultants that worked with Cunningham Quill.

Mr. Nabti said Ms. Block-Sanford is supportive of the proposal and believes it will work. He said she agrees this connection is critical to its success.

Mr. Eftekhari said there is a lot of forestry in this area that will be removed. He asked if a Forestry Management Plan will be implemented to ensure vegetation is maintained.

Mr. Quill said since there is an active proposal for this area, the applicant can speak more to the tree management plan for that area.

Mr. Mitrocsak said the introduction of the new street block pattern that connects Orchard Street with Farr Avenue extension will determine how the rest of Northfax West develops.

Questions from Planning Commission on Old Town

Mr. Rice said Courthouse Plaza is not well connected to Old Town Square. He believes people will drive between the two locations instead of walking. He would like to see a pedestrian crossing point on the north side between the library and the commercial building on North and University. This would be a more direct connection. He asked if this pedestrian corridor could be done.

Mr. Mitrocsak said this was considered, however, the commercial building is a private garage connected to an office building. He said the garage could be filled if tenancy goes up in the office building. He said the block size between the new road at Courthouse Plaza and North Street is within the range of an urban block so the consultants felt the distance was reasonable for pedestrians.

A general discussion followed regarding pedestrian connections in the Old Town area.

Mr. Feather would like to see affordable housing mentioned in the Urban Design section of the Small Area Plans.

At this time, Mr. Nabti presented the staff report for the Comprehensive Plan Amendment which has been incorporated into the record by reference.

He reviewed the page changes for the following sections of the Comprehensive Plan:

- Land Use Strategies – Goal 1.
- Future Land Use Categories – Activity Center.
- Activity Center Place Type – Old Town Fairfax.
- Activity Center Place Type – Northfax.
- Transportation Chapter – Map references.

Mr. Burrell has a concern with language stating the Small Area Plans will replace the Comprehensive Plan and would like this reworded or removed. He wants it to be understood they are not creating Small Area Plans that are totally isolated from the Comprehensive Plan.

Mr. Nabti said staff would be okay with rewording the language to include supplement instead of replace.

The Planning Commission agreed on the wording a “primary source of guidance”.

Ms. Jaworski opened the public hearing and asked for anyone who would like to address the Planning Commission to please call in now.

Caller 1 – Douglas Stewart, 10822 Maple Street, Fairfax, VA. He is representing Fairfax City Citizens for Smarter Growth. They commend the Small Area Plans goals, however, they have concerns on whether there has been sufficient time given for public input before adoption and recommend additional time for review and public comment.

Caller 2 – Chase Wiley, 3506 Cobb Drive. Fairfax, VA. His comments are related to Northfax and he is in favor of the green buildings. He has a concern with the increase to the building heights to five stories. He also has a concern of adequate parking for the proposed housing. He wants to avoid spillover

parking in the surrounding neighborhoods.

Caller 3 – Cathryn and Mickey Johnson, 10132 Springlake Terrace, Fairfax, VA. Mickey stated how important the creek is to wildlife in the area and does not want the eco system to be affected. Cathryn would like a delay to consult with an ecologist and more of the A1 portion saved.

Caller 4 - Erin Frank, 3609 Colony Road, Fairfax, VA. She is speaking on the Northfax Plan. She would like for the A1 section to be saved and to have an independent review conducted by an ecologist.

Ms. Jaworski closed the public hearing.

At this time, **MR. ANGRES MADE A MOTION THAT THE PLANNING COMMISSION ADOPT RESOLUTION NUMBER PC-20-01, APPROVING THE OLD TOWN FAIRFAX SMALL AREA PLAN AND RECOMMENDING THE APPROVAL AND ADOPTION TO CITY COUNCIL IN THE DRAFT DATED JUNE 8, 2020, SECONDED BY MR. CUNNINGHAM.**

Mr. Cunningham is concerned that not enough time has been given to digest what is in the final Small Area Plans - especially since changes were submitted to the Planning Commission just today and discussions were held on building heights during tonight's meeting.

Mr. Burrell agrees there are items that need to be digested further. He asked if the recommendation to City Council can be deferred.

After a general discussion was held on the possibility of deferral, the decision was made to continue with the motion and not defer.

Ms. Jaworski held a roll call vote and the motion was approved unanimously.

At this time, **MR. ANGRES MADE A MOTION THAT THE PLANNING COMMISSION ADOPT RESOLUTION NUMBER PC-20-02, APPROVING THE NORTHFAX SMALL AREA PLAN AND RECOMMENDING THE APPROVAL AND ADOPTION TO CITY COUNCIL IN THE DRAFT DATED JUNE 8, 2020, SECONDED BY MR. CUNNINGHAM.**

Mr. Angres is concerned because the consultant used a developers unapproved application as part of the plan. He made clear to the audience that the Small Area Plan does not destroy or authorize any parts of the Accotink to be culverted or buried. He said an application for that will be at a later date under another application. He said the Small Area Plan adoption does not require the changes as proposed by the developer.

Ms. Jaworski echoed Mr. Angres comments and thinks Mr. Rice is on point regarding the pedestrian connection in this area.

Ms. Jaworski held a roll call vote and the motion was approved unanimously.

At this time, **MR. ANGRES MADE A MOTION THAT THE PLANNING COMMISSION ADOPT RESOLUTION NUMBER PC-20-03, APPROVING THE AMENDMENTS TO CERTAIN PAGES OF THE CITY OF FAIRFAX 2035 COMPREHENSIVE PLAN TO READ AS SHOWN IN THE ATTACHED EXHIBIT AND RECOMMENDING THE APPROVAL AND ADOPTION TO CITY COUNCIL SUBJECT TO THE FOLLOWING MODIFICATIONS AS STATED IN OUR MEETING THIS EVENING ON PAGE 26, SECONDED BY MR. CUNNINGHAM.**

Ms. Jaworski held a roll call vote and the motion was approved unanimously.

- b. Proposed amendments to the Code of the City of Fairfax, Chapter 110 (Zoning) to amend portions of articles and sections contained therein, including, but not limited to: Zoning Districts and Regulations, Decision-Making Bodies and Officials, Development Review, Enforcement and Penalties, and Definitions to include provisions for affordable dwelling units.**

Mr. Hardin presented the staff report which has been incorporated into the record by reference. He reviewed the process to date for the affordable housing program. He said the Planning Commission has held two work sessions over the past year and a half on the Affordable Dwelling Unit ordinance that is before them tonight. He said staff is also seeking additional input from the Planning Commission tonight. He stated the Affordable Dwelling Unit (ADU) Program includes:

- ADU Zoning Ordinance Amendment: Zoning requirements for new residential developments.
- Administrative Regulations: Day-to-day operation of ADU program.
- Memorandum of Understanding: Framework between City of Fairfax and Fairfax County Redevelopment & Housing Authority to administer ADU program.

Mr. Hardin said tonight's public hearing is to consider adoption of the Zoning Ordinance Amendment. He said the ADU Zoning Provisions apply to:

- Land Use Applications and Administrative Approvals: Rezoning & Planned Developments, Special Use Permits & Special Exceptions and Administrative Approvals (subdivisions and site plans).
- Applicable Income Levels: Ownership Units = Households with maximum income of 70% of Area Medium Income and Residential Units = Households with income 60% or less of Area Medium Income. Note: Current year 2020 AMI is \$126,000. Seventy percent would be \$88,200 and sixty percent would be \$75,600.
- Size Threshold for New Developments – Minimum number of 30 units for ADU regulations to

apply. Includes single family detached, townhouses and multifamily units.

- Additional density – Ordinance allows up to 20% more residential density (units per acre) for all residential and mixed-use zoning districts.
- ADU requirements for new developments – Detached/Townhouse: 10% of units; Multifamily: 6% of units; Mixed-use: Same proportions as detached/townhouse or multifamily depending on type of units constructed.

Mr. Hardin then reviewed the dimensional table that lists the current development standards and the proposed ADU development standards for each zoning district. He said modifications to the requirements are permitted with the approval of City Council with the following:

- Separate application with required public hearing.
- Applicant must demonstrate why modification is necessary and preferable to standard requirements.
- Allows contribution of cash or land to reduce the number of ADUs.
- Required number of ADUs cannot be reduced by more than 50%, except for student housing which may request more than 50%.

Mr. Hardin then reviewed a few examples of cash contribution/land dedication calculations to the Planning Commission. He then reviewed four options staff made to the comparability provisions based on input from the Planning Commission work sessions. He said the ADU ordinance would be administered by the City of Fairfax before construction and by Fairfax County after construction. He reviewed the administrative cost estimate which is as follows:

- MOU provides for annual reimbursement for reasonable administrative costs for the number of units that exceeds 50 units.
- FCRHA estimate of per unit cost: \$725 per rental unit; \$1,450 per ownership unit.
- Estimated value to the City for the first 50 units: \$50,750 (annually).

Mr. Hardin said staff is requesting support of their motion to approve and also seeks the Planning Commission's recommendation on which of the four comparability provision options to forward to City Council.

Mr. Burrell asked for confirmation that section I of page 17 (zoning permits for use and occupancy) will apply to all four comparability options.

Mr. Hardin replied yes.

Mr. Burrell asked if Mr. Hardin can show the incremental administrative costs for ADU units above the

50 units. Are they approximately \$1k per unit?

Mr. Hardin said the costs by unit are \$725 per rental unit and \$1,450 per ownership unit.

Mr. Burrell asked if the incremental costs will be insignificant until 150 or so units are reached (based on the value the City receives from the first 50 units).

Mr. Hardin said Fairfax County will revisit this at the time that threshold is reached.

Mr. Cunningham asked how many ADU units would be created in a six story building. He is referencing the Small Area Plans report and the suggestion for the construction of an affordable housing building on city property located near the Truro Church property.

Mr. Hardin approximates the building would have 200 units and twelve ADUs.

Mr. Cunningham said it was suggested in the Small Area Plans for this building to be 100% ADUs.

Mr. Cunningham asked how many ADU units could we expect from 2,200 housing units.

Mr. Hardin said approximately 150 units.

Mr. Cunningham asked if the ADU costs are budgeted costs or will the ADU program help subsidize the costs.

Mr. Hardin said monies received by the City for affordable housing can be used toward the program. He said costs will also be a future budget requirement.

Mr. Pat Taves, Attorney for Greehan, Taves & Pandak, addressed the Planning Commission. He recommends for the City to provide the funding through a budgetary process.

Mr. Angres asked if monies received from the cash-in-lieu option will generate enough money to make a dent in the costs for affordable housing.

Mr. Hardin said cash-in-lieu would not generate the amount of dollars needed for the City to use those funds exclusively to construct affordable housing.

Mr. Angres asked if the ordinance allows the developer to choose whether to provide cash-in-lieu.

Mr. Hardin said the ordinance allows for the request to be made, however, there are considerations that have to be made as to why the request can be approved.

Mr. Taves said a developer cannot waive or receive a modification for more than half of the units. He said every development will provide some number of ADU units. He said a developer can make the request, however, the ultimate approval will be in the hands of the City Council. He said the City would prefer to see housing units built vs. money to support the affordable units.

There followed a general discussion by the Planning Commission on which of the four comparability provision options to forward to City Council.

Mr. Hardin said staff is recommending Option 1.

Mr. Burrell supports Option 1.

Mr. Feather supports Option 1.

Mr. Rice supports Option 1.

Ms. Jaworski supports Option 1.

Ms. Jaworski opened the public hearing and asked for anyone who would like to address the Planning Commission to please call in now.

Caller 1 – Mr. Mark Looney, Cooley LLC, Reston, VA. He is in support of comparability option 1. He made a suggestion to delete the last sentence from section F of option 1 and rely on the language in section B3 instead.

Ms. Jaworski, Mr. Hardin and Mr. Taves discussed the suggestion made by Mr. Looney. Ms. Jaworski is okay with keeping the language as proposed by city staff.

Ms. Jaworski closed the public hearing.

At this time, **MR. CUNNINGHAM MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE CITY COUNCIL APPROVE THE PROPOSED ORDINANCE AMENDING CHAPTER 110, ZONING, OF THE CODE OF THE CITY OF FAIRFAX, VIRGINIA, TO AMEND PORTIONS OF ARTICLES AND SECTIONS CONTAINED THEREIN TO INCLUDE PROVISIONS FOR AFFORDABLE DWELLING UNITS; THE PLANNING COMMISSION RECOMMENDS THE LANGUAGE IN OPTION ONE ON PAGE FOURTEEN, SECONDED BY MR. BURRELL.**

Ms. Jaworski held a roll call vote and the motion was approved unanimously.

- c. Request from EYA Development LLC, applicant, by Cooley, LLP, agent/attorney, for consideration of a change to the Comprehensive Plan Place Type from Social and Civic Network to Townhouse/Single-Family Attached Neighborhood, a Zoning Map Amendment (Rezoning) pursuant to City Code Sections 110-6.4 and 110-6.6, from RL Residential Low to PD-R Planned Development Residential while retaining the**

Architectural Control Overlay District (ACOD), and approval of a Master Development Plan with modifications and commitments, pursuant to Section 3.8 (Planned Development Districts); to allow the development of townhouses on the premises known as 3500 Pickett Road and more particularly described as Tax Map Parcel 58-1-02-021; and, Consideration of the vacation of a trail easement, granted to the City pursuant to Deed of Easement recorded in Deed Book 7278, at Page 0585 among the land records of Fairfax County, Virginia. Said trail easement is located generally on the south side of property currently owned by Celebration Church of Jacksonville, Inc. and which is subject to the above development application. Consideration of the vacation shall occur at the same meeting as consideration of the development application.

Mr. Burrell said he had discussions with the applicant prior to being appointed to the Planning Commission. On advice of counsel he recused himself at this time and left the meeting (11:50 p.m.).

Mr. Frederick presented the staff report which has been incorporated into the record by reference. He reviewed the development review process to date and said the Planning Commission held a work session on April 27, 2020 on this project. He reviewed the applicants request for a Comprehensive Plan Amendment, Rezoning and Major Certificate of Appropriateness. He displayed photos of the site location and stated it is located in a mixed use corridor. He reviewed the current and proposed zoning districts. He displayed the Master Development Plan filed in November 2019. He said the plan calls for 50 townhouse units on approximately 3.69 acres of land, with 13 dwelling units per acre. He said all but one of the units will be a maximum height of four stories. One unit will be limited to three stories. The units are all of varying widths. He said five units will be affordable dwelling units. He said the plan calls for 170 total parking spaces which exceeds the required parking spaces of 100. He reviewed the pedestrian connection and entrance/exit ways for the site. He said the applicant has provided two open space areas for 22% of the site. He reviewed the modifications required to the following sections of the zoning ordinance: Section 3.5.1.C.2 (Variation in setback); Section 4.4.4.A1 (Sidewalks); Section 4.5.6.B (Street tree spacing); and Section 4.5.5.C.2.B1 (Transitional yards). He said the applicant has made the following commitments:

- Four foot right-of-way dedication along Pickett Road.
- Contribution of \$122,000 towards the extension of Daniels Run Trail.
- Five affordable dwelling units (or contribute \$325,000 to the City's Affordable Housing Trust Fund.
- Provide initial purchasers information on local transportation services.
- Provide initial purchasers prepaid transit card with value of \$25.00.
- Stagger front facades of units 39-50.

Mr. Frederick said staff recommends the Planning Commission provide a recommendation of approval of the request for a Comprehensive Plan Amendment and Rezoning with the following recommendations:

1. Development should be in conformance with the Master Development Plan with modifications and commitments submitted by the applicant on May 18, 2020.
2. Lots 39-50, in Exhibit A, shall meet the front yard setback requirement as stated in Section 3.5.1.C3 (Townhouses) of the Zoning Ordinance.

Mr. Aakash Thakkar, representative for EYA, presented the applicants report which has been incorporated into the record by reference. He stated the project has undergone the following updates since the April work session:

- Updated trail easement contribution.
- Additional pedestrian path.
- BAR recommendation of approval.
- Revised building setbacks.
- Five affordable dwelling units.

He reviewed the outreach efforts that EYA has made with Barrister's Keepe. He stated the project benefits include the following:

- Positive fiscal impact of up to \$211,000.
- High-quality for-sale housing.
- Implementing draft ADU ordinance.
- Appropriate density.
- Increased contribution for trail construction.
- Enhanced stormwater management.
- Site plan revisions to gain staff and Barrister's Keepe support.

Mr. Rice asked if the applicant intends on allowing the public to use the open space that borders Pickett Road. If so, will the applicant be willing to grant a public easement adjacent to the trail.

Mr. Thakkar said yes the applicant would be willing to provide an easement to the public.

Mr. Cunningham asked for the purpose of the easement that was vacated.

Mr. Thakkar said the easement was for an extension of the Daniels Run Trail. Since it has been concluded that the trail would be better suited to the south of the applicant's property, the City is willing to vacate the current easement.

Mr. Feather said he would like to see the five affordable dwelling units built. He asked if the total number of units would be reduced to 45 (down from 50) should the City accept the cash-in-lieu contribution from the applicant.

Mr. Thakkar said the units would remain at 50 with all being at market rates.

Ms. Jaworski asked if the decorative fence proposed along the northern property line between the applicant's property and Barrister's Keepe remains a part of the plan. If so, will trees be disturbed by construction of the fence.

Mr. Thakkar said the fence remains as part of the plan with the goal to keep as many trees as possible.

Ms. Jaworski opened the public hearing and asked for anyone who would like to address the Planning Commission to please call in now.

Caller 1 – no audio during the first part of the callers comment. Chair identified the caller as previous City of Fairfax Mayor John Mason. Mr. Mason is in support of the project.

Ms. Jaworski closed the public hearing.

At this time, MR. FEATHER MOVED THAT THE PLANNING COMMISSION ADOPT RESOLUTION PC-20-04 RECOMMENDING AMENDMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF FAIRFAX, VIRGINIA, FROM SOCIAL AND CIVIC NETWORK TO TOWNHOUSE/SINGLE-FAMILY ATTACHED NEIGHBORHOOD ON THE FUTURE LAND USE MAP FOR THE PROPERTY IDENTIFIED AS CITY OF FAIRFAX TAX MAP PARCEL 58-1-02-021, SECONDED BY MR. ANGRES.

Mr. Cunningham has deep concerns with residential developments being located immediately adjacent to heavy industrial uses. For this reason his vote tonight is not against the quality of the project but is a vote on the location of the project.

Ms. Jaworski said this project has come a long way since last summer. She hears the concerns that Mr. Cunningham has regarding the location of the project. She will be voting in favor of the project tonight. She believes the developer has worked with the City and community and has been willing to subject itself to the ADU requirements before the ordinance is approved.

Ms. Jaworski held a roll call vote with the following votes received:

Chair Jaworski	<u>AYE</u>
Mr. Angres	<u>AYE</u>
Mr. Cunningham	<u>NAY</u>
Mr. Eftekhari	<u>AYE</u>
Mr. Feather	<u>AYE</u>
Mr. Rice	<u>AYE</u>

The motion was approved 5:1.

At this time, MR. FEATHER MOVED THAT BASED ON THE PUBLIC CONVENIENCE, WELFARE AND GOOD ZONING PRACTICE, WITH RESPECT TO REZONING APPLICATION Z-19-00831, WHICH HAS BEEN FILED FOR THE LAND KNOWN AS 3500 PICKETT ROAD AND MORE PARTICULARLY DESCRIBED AS TAX MAP PARCEL 58-1-02-021, THE PLANNING COMMISSION RECOMMEND APPROVAL OF REZONING APPLICATION Z-19-00831 TO REZONE THE SUBJECT PROPERTY FROM RL – RESIDENTIAL LOW TO PD-R – PLANNED DEVELOPMENT RESIDENTIAL WHILE RETAINING THE ARCHITECTURAL CONTROL OVERLAY DISTRICT (ACOD) TO ALLOW THE DEVELOPMENT OF THE SUBJECT PROPERTY IN COMPLIANCE WITH THE MASTER DEVELOPMENT PLAN, WHICH HAS BEEN PREPARED AND SUBMITTED BY THE APPLICANT IF THE MASTER DEVELOPMENT PLAN IS SUFFICIENTLY AND SATISFACTORILY REVISED AS FOLLOWS:

1. Development should be in conformance with Master Development Plan and Commitments.
2. Lots 39-50, in Exhibit A, shall meet the front yard setback requirement as stated in Section 3.5.1.C3 (Townhouses) of the Zoning Ordinance.

MOTION WAS SECONDED BY MR. RICE.

Ms. Jaworski held a roll call vote with the following votes received:

Chair Jaworski	<u>AYE</u>
Mr. Angres	<u>AYE</u>
Mr. Cunningham	<u>NAY</u>
Mr. Eftekhari	<u>AYE</u>
Mr. Feather	<u>AYE</u>
Mr. Rice	<u>AYE</u>

The motion was approved 5:1.

8. Staff Report

Mr. Nabti updated the Planning Commission on the following items:

- June 22, 2020 – Planning Commission regular meeting for final recommendation to City Council on the Northfax West project.
- June 23, 2020 – City Council hearings on Northfax West proposal, Mazda proposal and street projects proposed for Farr and Orchard.

- City Hall is now open by appointment only. Staff is waiting for information on when/if in person meetings may begin again.

Mr. Feather asked for information on meetings scheduled for July.

Mr. Nabti said there may be a work session on the next steps for the Small Area Plans and a possible midyear review of the Implementation Guide.

9. Commission Comments

Mr. Cunningham – Although he has enjoyed participating electronically, he looks forward to being able to return to the dais to conduct the Planning Commission meetings.

Mr. Rice – Congratulated the students graduating this year and said he is disappointed he could not share in the graduation ceremonies with all his students.

Mr. Feather – No comments.

Mr. Angres – No comments.

Mr. Eftekhari – Congratulated his son who graduated from eighth grade today. He participated in the peaceful protests at Town Hall. He said it was a very well organized protest and he thanked the City's Police Department and the City for organizing such a well-run event.

Ms. Jaworski – Thanked the Planning Commission and staff for staying past midnight for tonight's meeting.

10. Adjournment.

Meeting Adjourned at: 12:59 a.m.

ATTEST: *Tina Gillian*
Tina Gillian, Secretary