MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JULY 8, 2026

PRESENT: Phillip A. Niedzielski-Eichner, Chair, At-Large
Evelyn S. Spain, Vice Chair, Sully District
Candice Bennett, Parliamentarian, Commissioner At-Large
Alyssa Batchelor-Causey, Dranesville District
Mary D. Cortina, Braddock District
John A. Carter, Hunter Mill District
Walter C. Clarke, Mount Vernon District
Chris Landgraf, Franconia District
Timothy J. Sargeant, Commissioner At-Large
Alis Wang, Mason District

ABSENT: Jeremy Hancock, Secretary, Providence District
James Thomas, Springfield District

OTHERS: Heather Springs, Planning Division (PD), Department of Planning and Development (DPD)
Lia Niebauer, PD, DPD
Kelly Atkinson, Director, PD, DPD
St. Clair Williams, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
William O'Donnell, Branch Chief, ZED, DPD
Sharon Williams, ZED, DPD
Karen Yee, ZED, DPD
David Huaman, Affordable Housing Program Manager, Department of Housing and Community Development (HCD)
Meghan Van Dam, Director, Planning and Inclusionary Housing Programs Division, HCD
Gregory Fuller, Jr., Site Analysis Section, Fairfax County Department of Transportation (FCDOT)
Michael Garcia, Transportation Planning Division (TPD), FCDOT
Danielle Barlow, TPD, FCDOT
Daniel Rizzo, Branch Chief, Land Development Services (LDS);
Nicole Blackwell, Clerk to the Planning Commission, Department of Clerk Services (DCS)
Satabdi Samaddar, Administration, DCS
Catherine Dushin, Deputy Clerk, Planning Commission, DCS

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The meeting was called to order at 7:30 p.m., by Chair Phillip A. Niedzielski-Eichner, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

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Chair Niedzielski-Eichner explained that the agenda of tonight's meeting included commission business, which consisted of one decision only, followed by five public hearings.

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RZ/FDP-2025-DR-00012 CONCURRENT WITH PCA-85-C-008-04 (RZPA-2025-DR-00087) – CPA COPPERMINE 3 LENDER, LLC
(Decision Only) (Public Hearing on these applications was held on June 24, 2026.)

Prior to the motion, Commissioner Batchelor-Causey requested that staff confirm that the applicant collaborated with Fairfax County Department of Transportation (FCDOT) regarding transportation improvements. Gregory Fuller, FCDOT, confirmed that outstanding transportation issues had been resolved.

Commissioner Batchelor-Causey MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING ACTIONS:

- PCA-85-C-008-04; AND

- RZ-2025-DR-00012 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED JULY 2, 2026.

Commissioner Batchelor-Causey MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2025-DR-00012, SUBJECT TO THE BOARD'S APPROVAL OF THE CONCURRENT REZONING APPLICATION.

Commissioners Clarke and Sargeant seconded the motion, which was carried by a vote of 10-0. Commissioners Hancock and Thomas were absent from the meeting.

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Commissioner Bennett announced that on July 8, 2026, Commissioners were emailed copies of the draft minutes for April 8, 2026, April 22, 2026, and April 29, 2026, Planning Commission meetings. She then requested that Planning Commission members review April meeting minutes and submit comments to staff no later than July 13, 2026. Commissioner Bennett announced her intent to move approval of the April 2026 meeting minutes during the Planning Commission meeting on July 15, 2026.

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Commissioner Bennett announced that the Planning Commission's Land Use Process Review Committee would meet on Thursday, July 9, 2026, at 7:30 p.m. in Conference Room 11 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, to discuss Accessory Living Units and Home Day Care Facilities.

Chair Niedzielski-Eichner noted that the meeting would be televised on Channel 16 and welcomed the public to watch.

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ORDER OF THE AGENDA

Commissioner Bennett established the following order of the agenda:

1. CDPA-85-P-002/FDPA-85-P-002-002/PCA-85-P-002-002 (RZPA-2026-PR-00018) – STANDARD HEALTHCARE SERVICES INC.
2. SE-2024-MV-00043 – THOMAS F. PUMPELLY, TRUSTEE
3. SSPA 2023-I-1A (PA-2023-00020) – GALLOWS ROAD
4. PCA/CDPA-2017-DR-012 (RZPA-2022-DR-00149) CONCURRENT WITH FDPA-2017-DR-012 (RZPA-2022-DR-00150) – POMEROY INVESTMENTS INC. AND THE POMEROY COMPANIES INC.
5. SSPA 2023-III-12UP (PA-2023-00048) – 1950 ROLAND CLARKE PLACE

This order was accepted without objection.

Chair Niedzielski-Eichner recited the rules for public testimony.

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Chair Niedzielski-Eichner requested that Vice Chair Spain conduct the public hearing for the following applications. Without objection, he relinquished the Chair to Vice Chair Spain.

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> CDPA-85-P-002/FDPA-85-P-002-002/PCA-85-P-002-002 (RZPA-2026-PR-00018) – STANDARD HEALTHCARE SERVICES INC. – PCA, CDPA and FDPA Appl(s). to amend the proffers, conceptual development plan, and final development plan for RZ-85-P-002 to add a college or university use and modifications to proffers with no change to the approved floor area ratio. Located N. of Leesburg Pike and E. of Rte. 123, on approx. 36,204 sq. ft. of land zoned PDC, HC and SC. Comp. Plan Rec: Residential Mixed-Use. Providence District. Tax Map 29-3 ((1)) 81. PROVIDENCE DISTRICT. PUBLIC HEARING.

David R. Gill, Applicant's Agent, Wire Gill LLP, reaffirmed the affidavits dated May 28, 2026.

There were no disclosures by Commission members.

Karen Yee, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report, a copy is in the electronic date file. She stated that staff recommended approval of the proposed applications.

Mr. Gill gave a presentation on the proposed item.

There was a discussion between William O'Donnell, Branch Chief, ZED, DPD; and Commissioner Carter on the following:

- Comments about permitted uses for the remaining office portion of the subject property and about the current intent of the applicant to use a small portion of the existing building for a college or university use; and

- Explanation from staff that the property was subject to proffered zoning regulations, and some uses were not conditioned to be there.

Following the public hearing, Vice Chair Spain called for speakers. Vice Chair inquired of the Clerk, who confirmed that there were no callers.

With no testimony presented, there being no further comments or questions from the Commission, and staff had no closing remarks; therefore, Vice Chair Spain closed the public hearing and recognized Commissioner Niedzielski-Eichner for action on the proposed applications.

Prior to the motion, Commissioner Niedzielski-Eichner emphasized that the applicant would use approximately 17,391 square feet of the existing building for a college or university use and the remaining 66,159 square feet of the building would be used as office space.

Commissioner Niedzielski-Eichner added that the applicant would offer online and on-site education programs and would have up to 50 students on site at one time.

Commissioner Niedzielski-Eichner stated that staff supported the applications and found the proposed uses consistent with the Comprehensive Plan provisions and Zoning Ordinance standards. He also noted that traffic patterns would not be disrupted, and parking spaces would be available to support the applicant's operations.

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Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-85-P-002-002 AND CDPA-85-P-002, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 29, 2026.

Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION APPROVE FDPA-85-P-002-002.

Commissioners Bennett and Sargeant seconded the motion, which was carried by a vote of 10-0. Commissioners Hancock and Thomas were absent from the meeting.

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Chair Niedzielski-Eichner resumed duties of the Chair.

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SE-2024-MV-00043 – THOMAS F. PUMPELLY, TRUSTEE – SE Appl. to permit a use in the floodplain (one single-family detached dwelling). Located on approx. 3.09 ac. of land zoned R-E. Mount Vernon District. Tax Map 117-2 ((3)) 3A. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Kathleen M. McDermott, Applicant's Agent, Alliance Law Group LLC, reaffirmed the affidavit dated December 10, 2024.

There were no disclosures by Commission members.

St. Clair Williams, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report, a copy is in the electronic date file. He stated that staff recommended approval of the proposed application.

Ms. McDermott gave a presentation on the proposed item.

There was a discussion between Mr. Williams; Ms. McDermott; William O'Donnell, Branch Chief, ZED, DPD; Daniel Rizzo, Branch Chief, Land Development Services (LDS); Patrick Horgan, applicant's engineer, Huska & Horgan Engineering, LLC; Thomas F. Pumpelly, Applicant; and multiple Commissioners on the following:

- Comments about the applicant's preferred option, Option 1, that located the proposed dwelling primarily within the footprint of an existing tennis court and within the floodplain;

- Explanation from staff that a requirement was to build a home above the calculated base flood elevation by 18 inches, and the applicant exceeded that level by approximately one foot;

- Confirmation that staff conducted an evaluation in conformance with the approved Water Quality Impact Assessment (WQIA);

- Confirmation from staff that the applicant was in the process of preparing a resilience assessment as part of WQIA;

- Explanation that the subject area was identified as part of a potential See level Rise and the Storm Surge Impact Area layer incorporated in the site design;
- Comments that an environmental review supported Option 2 which was less impactful to the environment and promoted safer site design features;

- Confirmation from staff that Option 2 was least disruptive to the floodplain due to the less loss of trees on the site and less overall new impervious area on the property;

- Explanation from staff that the proposed dwelling would be located within the footprint of an existing impervious tennis court;

- Confirmation from staff that Option 1 was accepted by the Department of Planning and Development (DPD), as it met the Special Exception and floodplain standards;

- Reference made to Objective 7 of the Environmental memorandum that stated that a goal would be "to minimize the exposure of new development to the potential of flood impacts";

- Explanation that Objective 7 prohibited new residential structures within major and minor floodplains;

- Clarification from the applicant's agent that Option 2 was located partially within the floodplain and partially outside;

- Explanation from the applicant's agent that WQIA did not permit the construction of a dwelling on the proposed lot outside the floodplain;

- Applicant's agent provided visuals that illustrated both Options for the proposed dwelling;

- Clarification from staff that, under Option 2, a portion of the dwelling would be located within the floodplain;

- Clarification that Option 1 located the dwelling within the floodplain and Resource Protection Area (RPA), while Option 2 located a portion of the dwelling within the floodplain;

- Comments that Option 2 would be more preferrable, as it located the dwelling partially outside the floodplain, which would be in keeping with the Comprehensive Plan;

- Reference made to Subsection 5106.6.F of the Zoning Ordinance quoted in the Staff Report that stated that

  "for uses located in a floodplain, the applicant must demonstrate the extent which:
  1) There are no feasible options available to achieve the proposed use;

2) The proposal is the option that is least disruptive to the floodplain; and
3) The proposal meets the environmental goals and objectives of the Comprehensive Plan for the property"

- Comments that a goal of an environmental review was to avoid and to mitigate;

- Staff reiterated that Option 1 would result in less disturbance to the floodplain due to the less loss of trees and less overall new impervious area on the property;

- Explanation from staff that they had RPA considerations that needed to be evaluated together with WQIA, and it was confirmed that Option 2 was significantly more disruptive to the RPA and to a vegetated buffer, including an existing vegetation;

- Confirmation from staff that Option 1 would be less impactful to the proposed lot overall;

- Comments on Option 1 as a self-created situation where most of the property was in the floodplain, and a requirement of a waiver of loss of buildable area would result in the RPA encroachment;

- Statement made that due to the location of a floodplain, a house could not be shifted in any direction, and concerns that RPA could be less impacted if the house was moved;

- Reference made to the Chesapeake Bay Preservation Area that restricted construction within 100-foot floodplain area to prevent encroachment into the RPA;

- Reference made to a provision from the guidance by the Department of Environmental Quality (DEQ) that stated that the property owner could request an administrative waiver for the loss of buildable area to place a home with a large footprint on a small lot or when the property owner wished to be closer to water;

- Reference made to a provision that stated that the local government should not approve an administrative waiver, and a formal special exception request should be considered;

- Confirmation from staff that the application met all the requirements for administrative review, and the property would not be located within 15 feet of the edge of a floodplain;

- Explanation from staff that the proposed dwelling was under all disturbance and impervious area thresholds strengthened by the fact that the applicant chose to develop a dwelling within an existing impervious tennis court;

- Explanation from staff that during the review of the application the goal was to remove an existing impervious area to offset an impact;

- Commissioner Cortina's explanation of reasons why she would not be able to support Option 1;

- Commissioner Cortina expressed safety concerns for the residents in the event of flooding;

- Explanation from staff that site-specific delineation was conducted as part of an initial GIS flood plan;

- Explanation from Mr. Horgan that the proposed dwelling would be constructed on stilts, and the design would be reviewed during the building permit process;

- Clarification that houses could be built on stilts of much higher feet than the proposed dwelling;

- Reference made to Barcroft development that designed their buildings on concrete stilts due to poor soil quality;

- Confirmation from the applicant's engineer that an entire lot would be located within the floodplain, and the proposed driveway for both options would be in the floodplain;

- Clarification from the applicant's engineer that a dwelling would have a set of stairs and a porch in front;

- Safety concerns expressed in relation to the current design of the lot;

- Confirmation from staff that they performed an analysis concerning tree save, and that a driveway would have an impact on vegetation;

- Concerns that Option 1 might result in liability in the event of flooding;

- Clarification from staff that they recommended the approval of both options, and staff was not opposed to Option 1;

- Clarification from the applicant's agent that the construction would be more impactful if the tennis court remained with an existing impervious surface;

- Explanation from the applicant's agent that Fairfax County had a legal document, Hold Harmless Agreement, subject to the execution by the applicant and the County, as specified in the development conditions;

- Confirmation from staff that the application was not a precedent, as the property would be categorized under special exception with a permitted use;

- Confirmation from the applicant's agent that the proposed dwelling could not be built outside a floodplain, and either Option 1, or Option 2 were possible;

- Explanation from the applicant's agent that an original intent was to build a dwelling next to a tennis court;

- Explanation from staff that, historically, there were previously approved special exception applications for properties within the floodplain;

- Explanation from staff that the County adopted a policy for flood mitigation buyout program approved by the Board of Supervisors on June 16, 2026 that came into effect on July 1, 2026;

- Under this program, property owners could apply for the program, and the County would determine whether the property would be marketable;

- Confirmation from staff that the adopted program was voluntary and served existing properties;

- Explanation from staff that special exception allowed for construction in the floodplain, and the legislative regulation applied to the location of floodplain lines;

- Explanation from staff that safety and environmental impact were the two issues that usually were considered for construction in the floodplain;

- Clarification from staff that the Zoning Ordinance had a section relating to the allowable factors of construction within the floodplain;

- Clarification from staff that construction within a floodplain might impact floodplain elevation;

- Confirmation from staff that stilt housing might mitigate environmental impact by allowing water to flow freely;

- Explanation from staff that they evaluated applications based on special exception use standards, and the current application was in conformance with those standards;

- Comments that the right to build a residence had its limitations;

- Comments that there were conditions that determined whether a property owner could use another lot outside a floodplain;

- Comments about existing floodplain regulations that stated to what extent encroachments into a floodplain were permissible;

- Commissioner Cortina's resolution that Option 1 did not meet those considerations;

- Comments about the loss of buildable area provision that would require the least amount of encroachment;

- Option 2 with less floodplain space would be more advisable if the application was approved;

- Testimony from the applicant who stated that they owned the property since 1974;

- Confirmation from the applicant that the area was never flooded and the applicant took responsibility;

- Confirmation from the applicant that the usage of a tennis court space would benefit the surrounding area; and

- Explanation from the applicant that Option 2 would place the dwelling next to a neighbor's house with a negative impact.

Following the public hearing, which included a testimony from 2 speakers, Chair Niedzielski-Eichner inquired of the Clerk, who confirmed that there were no callers wishing to speak.

There being no further comments or questions from the Commission, and staff had no closing remarks; therefore, Chair Niedzielski-Eichner closed the public hearing and recognized Commissioner Clarke for action on the proposed application.

Prior to the motion, Commissioner Clarke requested that the applicant confirm for the record their agreement to the development conditions dated June 25, 2026, as contained in the staff report.

Kathleen McDermott, Applicant's Agent, Alliance Law Group LLC, affirmed agreement to the development conditions dated June 25, 2026.

Prior to the motion, Commissioner Clarke stated that the Mount Vernon District was an environmentally sensitive area.

Commissioner Clarke MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING ACTIONS:

- OPTION 1, AS SPECIFIED IN SE-2024-MV-00043, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 25, 2026, AS CONTAINED IN THE STAFF REPORT; AND

- WAIVER OF THE MINIMUM LOT WIDTH REQUIREMENT PURSUANT TO SUBSECTION 5100.2.K(2).

Commissioners Sargeant and Spain seconded the motion.

Commissioner Bennett aligned herself with Commissioner Cortina and announced that she did not support the proposed application. She expressed safety concerns for residences within the floodplain.

Commissioner Cortina concurred with Commissioner Bennett. She added that the proposed property would be located within a 30-year coastal inundation area. She stated that she would recommend Option 2 for the Board of Supervisors' approval.

Commissioner Wang concurred with Commissioner Bennett and Cortina, and announced that she would abstain from the vote.

Commissioner Batchelor-Causey announced that she would abstain from the vote. She noted that major climate changes might have an impact on safety of the residents. She also noted that certain environmental quality issues might arise during the implementation of the proposal. She added that she would have supported Option 2.

Chair Niedzielski-Eichner stated that he supported both options in the proposal and was persuaded by the staff's analysis. He recognized the risk factor and noted that risk management was adequately addressed by the applicant. He added that staff addressed those issues appropriately.

The motion was carried by a vote of 5-3-2. Commissioners Cortina, Carter, and Bennett voted in opposition. Commissioners Batchelor-Causey and Wang abstained from the vote. Commissioners Hancock and Thomas were absent from the meeting.

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PLAN AMENDMENT SSPA 2023-I-1A (PA-2023-00020) – GALLOWS ROAD concerns approximately 8.11 acres generally located on the south side of Gallows Road, approximately 600 feet east of the Capital Beltway (Interstate 495) (Tax Map 59-2 ((1)) 29A, 29B, 30-36, 41, 42, 43 and 43A) in the Mason Supervisor District. The area is planned for residential use at 1-2 dwelling units per acre (du/ac). The amendment will consider adding an option for residential use at 3-4 du/ac. Recommendations relating to the transportation network may also be modified.
MASON DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Lia Niebauer, Planning Division (PD), Department of Planning and Development (DPD), presented the staff report, a copy is in the electronic date file. She stated that staff recommended adoption of the Plan Amendment SSPA 2023-I-1A.

Kathryn Taylor, Agent for Nominator, Walsh, Colucci, Lubeley & Walsh P.C., delivered a presentation on the proposed site-specific plan amendment.

There was a discussion between Ms. Niebauer; Kelly Atkinson, Director, PD, DPD; Michael Garcia, Transportation Planning Division, Fairfax County Department of Transportation; Russell

Rosenberger, President, Madison Homes Nominator; David McElhaney, P.E., Principal, Urban, Ltd; and multiple Commissioners regarding the following:

- Explanation from staff that the Gallows Road Transportation Study ("Study") commenced in 2023 with an extensive community engagement;
- Explanation from staff that an evaluation was focused on a 7-mile-long the Southern Segment of Gallows Road from Tysons to Annandale;
- Explanation from staff that a major goal was to finalize the project by Fall 2026;
- Clarification from staff that they evaluated operational efficiency and deficiencies of the Southern Segment;
- Explanation from staff that they evaluated a rectangular rapid flashing beacon (RRFB) as a pedestrian-activated crosswalk device and conducted a pedestrian safety assessment for vehicular non-compliance;
- Explanation from staff that conducted a specific assessment of traffic lights at Aston Street and Hemlock Drive to enhance safety to achieve an operational improvement of Gallows Road;
- Clarification from staff that they would install a connected signal that would operate two traffic lights;
- Explanation from staff that the proposed study evaluated Gallows Road on the west-east side, Hemlock Drive on the northern side, and Aston Street on the southern side;
- Explanation from staff that an intersection formed by those roadways would be operated by one controller;
- Explanation from staff that Virginia Department of Transportation (VDOT) conducted the similar evaluation and issued warrants;
- Explanation from staff that VDOT did not complete the evaluation, because the construction of a signal was not fully funded;
- Explanation from staff that they recommended that the installation of a controlled signal be prioritized with adequate funding and implementation;
- Explanation from staff that an initial intent was to create a fourth leg at the intersection, but that would disrupt the purpose of coordinated paired signals creating operational challenges;

- Explanation from staff that the applicant, FCDOT, and VDOT had discussions and decided the most efficient solution would be to create a signalized intersection at Aston Street and Hemlock Drive without adding a fourth peg at the intersection;

- Confirmation that emergency access was located only off at Hemlock Drive;

- Confirmation from staff that transportation improvements would enhance pedestrian safety and stabilize the vehicular flow on Gallows Road;

- Explanation from the nominator's agent that they collaborated with FCDOT and VDOT, and were currently conducting the rezoning process;

- Clarification from the nominator's agent that an intent to create a fourth leg at the intersection required additional parcel consolidation;

- Explanation from the nominator's agent that an additional connection across from Hemlock Drive was required, and the property owners in the area were informed;

- Explanation from the nominator's agent that the applicant consolidated five parcels per staff's revised guidance;

- Clarification from the nominator's agent that the provision of inter-parcel connections made access to Gallows Road more limited;

- Explanation from the nominator's agent that there were no issues related to electric circuits in the old and new residences in the subject area;

- Explanation from staff that Woodburn Elementary School would see an increase of 9 students based on a 5-year school projection;

- Comments about existing conditions related to stormwater management in the area with an existing intermittent stream;

- Comments that a stream ran underneath Raintree portion of the lot, possibly through a parking lot, curved around and between the townhouses, and came back to the main stream down to the Accotink Creek watershed;

- Comments that topography might impact the construction of Raintree segment within a stream area;

- Concerns about aligning topography with current transportation conditions with potential flooding considerations;

- Confirmation from the nominator's agent that an emergency access road was eliminated during the rezoning process following the meeting with a fire marshal, who indicated that he did not need that emergency access;

- Explanation from the nominator's agent that there would be one access point with open space;

- Explanation from the nominator's agent that the applicant met with the members of the Mason District Land Use Committee and with community members to discuss transportation issues, including left turns on Gallows Road into streets which might slow down a traffic flow;

- Confirmation from the nominator's agent that they were collaborating with VDOT and FCDOT during the rezoning process about potential waivers;

- Confirmation from staff that Hemlock Drive and Aston Street would form one signalized intersection under one controller;

- Explanation that Hemlock Drive would be considered a north leg, Aston Street would be a south leg, and Gallows Road would be an east-west leg;

- Explanation from staff that currently a private street had a fourth leg at the intersection, and there were two signalized intersections;

- Explanation from staff that vehicles coming north on Aston Street and taking left on Gallows Road would turn red onto Aston Street, then Hemlock Drive, and then Aston Street on green;

- Explanation from staff that they had concerns about the vehicular flow and pedestrian safety at this intersection, especially during school time;

- Explanation from staff that the nominator would have one access that would protect operational integrity and safety of the corridor;

- Explanation that Gallows Road had many uses (school, senior living center, etc.) that were equipped with many access points and turns;

- Explanation from the nominator's agent that three of the homes located in the subject area were vacant;

- Explanation from the nominator's agent that property owners were informed of the development and were ready for the plan amendment to be adopted;

- Clarification from the nominator's agent that property owners that were not included in the parcel consolidation were not part of the development, and they did not show interest in becoming part of the consolidation;

- Clarification from the nominator's agent that the potential inter-parcel connection for the three parcels outside the study area would be possible during the redevelopment;

- Reference made by staff regarding the special exception for the combination of single-family homes, town homes, and multi-family buildings that required the consideration of stormwater management principles and transportation improvements in the area;

- Explanation from the nominator's agent that Libeau Lane was a 15-foot-wide privately maintained driveway;

- Clarification from the nominator's agent that Libeau Lane would be eliminated, and landscaping along its border would be created;

- Explanation from the nominator's agent that an initial intent was to install retaining walls to address topography issues, but, for better compatibility with the Raintree community, retaining walls would not be installed;

- Explanation from Mr. Rosenberger, the nominator, that they collaborated with engineers to ensure that a design concept was compatible with the site's topography;

- Clarification from the nominator that retaining walls were not compatible with the site's adjacent properties and new design types for the proposed site area were created;

- Explanation from Mr. McElhaney, the nominator's engineer, that they conducted the evaluation of drainage challenges and proposed a large underground detention system that would help facilitate substantial reduction in the run-offs around the Raintree community;

- Explanation from the nominator's engineer that the proposed vault would be located partially in the existing drainage area, and a portion of the drainage area would be preserved;

- Clarification from the nominator's engineer that the stormwater vault would be placed in the lowest portion to maximize the amount of collected run-off before it came down to the downstream;

- Explanation from staff that a specific plan amendment language that recognized topography would be more added during the consideration of zoning applications;

- Explanation from staff that the development would be well-designed and provide buffers, such as vegetated screening, along Gallows Road;

- Clarification from staff that the development would aim at preserving trees and a vegetated buffer;

- Clarification from staff that compatibility between the existing and proposed property lines would be analyzed during rezoning;

- Explanation from staff that a goal was to ensure that open space was sufficient, and buffers between backyards and residential properties provided better transition between neighborhoods;

- Confirmation from staff that the proposed plan amendment would generate 167 additional daily trips as compared to the current adopted plan;

- Explanation from staff that the proposed area would not consider adding bike lanes along Gallows Road;

- Explanation from staff that Gallows Road was limited in right-of-way, and the community did not encourage widening of Gallows Road;

- Explanation from staff that, when Gallows Road was widened from 2 to 4 lanes, lots of houses on the northern segment of Gallows Road lost considerable frontage area and became closer to a roadway;

- Explanation from staff that they evaluated Gallows Road to allow for a road diet, and one 3-block segment located to the south of the school was considered; and

- Clarification from staff that the proposed plan supported limited right-of-way and a potential 8-foot-wide or 6-foot-wide sidewalk with a considerable buffer of approximately 4 or 6 feet.

Following the public hearing, which included testimony from 5 speakers.

Commissioner Cortina received clarification on the following:

- Confirmation that Brightview Senior Living Community, located on the south side of Gallows Road collaborated with the Homeowners Association regarding a façade design;

- Discussions were held about the engagement with the community on identifying and incorporating the elements of the architectural design relating to Holmes Run Acres area to achieve compatibility;

- Confirmation that Holmes Run Acres community did not have sufficient votes to adopt a Historic Overlay District (HOD) proposal; and

- Explanation that the HOD report contained useful information that could benefit the applicant and the community.

Mr. Garcia, FCDOT, addressed the following transportation concerns:

- Confirmation from staff that they would provide the Hemlock Drive intersection with a traffic signal together with Aston Street;

- Explanation that a traffic signal solely at Hemlock Drive was not supported by VDOT;

- Adding Aston Street to the intersection would help meet transportation needs for the area;

- Explanation from staff that there was an existing uncontrolled crosswalk with a Rapid Flashing Beacon pedestrian mechanism which was ineffective, as motorists frequently failed to yield even when pedestrians were using it; and

- Explanation from staff that a signalized intersection would contribute to pedestrian safety.

Ms. Atkinson, PD, DPD stated that plan amendments were planning studies, and the intent of staff was to provide flexibility within a planning process. The use of "should" instead of "shall" provided flexibility to work with applicants at time of development review after the more detailed engineering review had been complete in the context of the rezoning application.

Chair Niedzielski-Eichner inquired of the Clerk, who confirmed that there were no callers wishing to speak.

There being no further comments or questions from the Commission, and staff had no closing remarks; therefore, Chair Niedzielski-Eichner closed the public hearing and recognized Commissioner Wang for action on the proposed plan amendment.

Prior to the motion, Commissioner Wang provided the following closing comments:

- She stated her agreement with the plan amendment's consideration of an option to allow for residential use at 3-4 du/ac;
- The proposed plan amendment offered an opportunity to enhance pedestrian safety and comfort, to mitigate off-site and downstream flooding, and to provide onsite amenity space for the residents;
- An appropriate density was proposed for the site; and
- Quality stormwater facilities would be installed on-site which would resolve flooding issues.

Commissioner Wang MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF STAFF RECOMMENDATIONS FOR THE PLAN AMENDMENT 2023-I-1A, AS FOUND ON PAGES 16 AND 17 OF THE STAFF REPORT DATED JUNE 16, 2026.

Chair Niedzielski-Eichner and Commissioners Clarke and Spain seconded the motion which was carried by a vote of 10-0. Commissioners Hancock and Thomas were absent from the meeting.

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PCA/CDPA-2017-DR-012 (RZPA-2022-DR-00149) – POMEROY INVESTMENTS INC. AND THE POMEROY COMPANIES INC. – PCA and CDPA Appls. to amend the proffers and conceptual development plan, for RZ-2017-DR-012, previously approved for mixed use development, to permit additional development options and associated modifications to proffers and site design at a 1.15 Floor Area Ratio (FAR) (inclusive of bonus density). Located on the N. side of Frying Pan Rd., E. of its intersection with Sunrise Valley Dr., on approx. 39.43 ac. of land zoned PRM. Comp. Plan Rec: Mixed Use. Dranesville District. Tax Map 15-4 ((1)) 26B and 24-2 ((1)) 5. (Concurrent with FDPA-2017-DR-012 (RZPA-2022-DR-00150)). DRANESVILLE DISTRICT. PUBLIC HEARING.

FDPA-2017-DR-012 (RZPA-2022-DR-00150) – POMEROY INVESTMENTS INC. AND THE POMEROY COMPANIES INC. – FDPA Appl. to amend the final development plans for RZ-2017-DR-012 to permit additional development options and associated changes to development conditions. Located on the N. side of Frying Pan Rd., E. of its intersection with Sunrise Valley Dr. on approx. 24.33 ac. of land zoned PRM. Dranesville District. Tax Map 15-4 ((1)) 26B (pt.) and 24-2 ((1)) 5 (pt.). (Concurrent with PCA/CDPA-2017-DR-012 (RZPA-2022-DR-00149)). DRANESVILLE DISTRICT. PUBLIC HEARING.

Scott E. Adams, Applicant's agent, McGuireWoods LLP, reaffirmed the affidavits dated May 20, 2026.

There were no disclosures by Commission members.

Sharon Williams, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report, a copy is in the electronic date file. She stated that staff recommended approval of the proposed applications.

Mr. Adams gave a presentation on the proposed item.

There was a discussion between Mr. Adams; Ms. Williams; Meghan Van Dam, Assistant Division Director, Department of Housing and Community Development (HCD); David Huaman, HCD; Peter Riner, applicant's engineer, VIKA Virginia, LLC; Danielle Barlow, Transportation Planning Division, Fairfax County Department of Transportation (FCDOT); Gregory Fuller, Site Analysis Section, Chief, FCDOT; William O'Donnell, Branch Chief, ZED, DPD; and multiple Commissioners on the following:

- Confirmation from the applicant's agent that the applicant received positive results from the market review regarding the proposed Land Bay C;

- Explanation a portion of the Independent Living Facility in Land Bay C would be replaced by either townhouses or stacked town homes;

- Confirmation from the applicant's agent that the applicant reserved their right to phase development of the property;

- Explanation from the applicant's agent that the applicant removed previously approved textual provisions for an Affordable Dwelling Units (ADUs) portion of the agreement to prevent excessive concentration;

- Staff commented regarding the following issues:
    - Discussion about the percentage of Workforce Dwelling Units (WDUs) in the rental component of the application;
    - The Dulles Suburban Center, where the property was located, utilized a sliding scale fee program;
    - Confirmation that the applicant proposed to provide 12% ADUs and 12% WDUs, but proffers proposed only 8% rental WDUs;
    - According to a bedroom equivalency table, a goal was to create larger WDUs;
    - Explanation that the 2024 Fairfax County WDU policy updates addressed the issue that WDUs should be proportional in their bedroom mix to the market rate units;
    - Staff evaluated for-sale units, and the review confirmed that the project would remain viable if proportionality was achieved with exceptions for larger (4-5 bedroom) units; and
    - Explanation that adopting a bedroom equivalency table would result in fewer total units on the site with the percentage below an anticipated level.

- Explanation from staff that they could not reach an agreement regarding a sliding scale program;

- Clarification from staff that there was a change in calculations to the previous approval without changing density;

- Explanation that, according to the 2025 Countywide WDU, during the rezoning or the proffered conditions amendment any changes in number of units, conversions from office to residential, or changing unit types would be updated to conform to the new policy;

  Confirmation from staff a new development would meet urban park space standards, and there were not enough amenities in the parks to regard them as part of park space per urban park space framework;

- Explanation that staff proposed a draft proffer language for the refined acoustical analysis for submission at the time of site plan to ensure adequate indoor noise levels;

- Clarification from the applicant's agent that a noise study was completed in 2025 and confirmed that there was no noise impact on-site;

- Explanation from the applicant's agent that "universal design" wasn't in the last iteration of proffered conditions but he would discuss with the applicant;

- Explanation from the applicant's agent that the applicant was committed to provide 12% of for-sale units at a range of 70, 80 and 100 percent Area Median Income (AMI);

- Explanation from the applicant's agent that there would be 8% rental units according to the Countywide WDU Policy;

- Reference made to the Dulles Suburban Center recommendations that met the requirements of the policy and yet required 12%, which presented textual discrepancy;

- Explanation from the applicant's agent that the applicant made a commitment to the Countywide WDU Policy;

- Explanation from staff the area-wide policy supersedes other policies, and staff took into consideration a sliding scale for the percentages of WDUs within the project;

- Explanation from staff that they consistently followed the requirements of the policy in other areas that had a sliding scale scheme, such as Reston area;

- Explanation from staff that they did not agree with the proposed 8% of rental units;

- Clarification from the applicant's agent that there was discrepancy in the language between percentages recommended by Countywide policy and by the Dulles Suburban Center;

- Explanation from the applicant's agent that the applicant would not be able to increase the percentage of retail units from 8% to 12%;

- Comments that a bus stop would be a positive improvement by the applicant;

- Comments about a previous property design with large-size retaining walls;

- Clarification from the applicant's agent that vehicular on-site gates were previously approved by FDPs;

- Explanation from the applicant's agent that gates closed off the parking areas and did not affect the overall circulation;

- Staff highlighted the precise location of gates proposed by the applicant;

- Explanation that Land Bay D2 contained multi-family buildings, but it was not originally part of FDP;

- Confirmation that there were no gates on any of the pedestrian access points throughout the site;
- Comments about the gates that contradicted with urban design guidelines and standards of Fairfax County;

- Explanation from staff that there was a tree preservation area in the subject area, and a trail was located behind a multi-family building without any amenities;

- Explanation from staff that there were concerns from Fairfax County Park Authority that some areas could not be categorized as park space because of the lack of amenities;

- Explanation from staff that in the Site Circulation Plan there was larger park space behind a clubhouse in Land Bay A, but it decreased in size;

- Explanation from staff that publicly assessable places might feel more private due to a layout of the development;

- Concerns from staff that the presence of gates might have an impact on the public perception of parks as publicly accessible places;

- Explanation from staff that park space between Land Bay A and Land Bay D1 decreased in size with a shift of the clubhouse's location;

- Explanation from staff that they tried to balance the proposed options and collaborated with the applicant regarding park space conditions;

- Confirmation from the applicant's agent that park space areas would be developed by phases;

- Explanation from the applicant's agent that there was a significant park space area in one of the corners of the site;

- Explanation from the applicant's agent that most likely a larger park space area would be developed within Land Bay A;

- Clarification from the applicant's agent that an onsite park space area would be developed to meet park space needs;

- Clarification from the applicant's agent that the previously approved configuration of park space in Land Bay B remained intact since 2019;

- Explanation from the applicant's agent that a trail that ran through the tree save area in Land Bay A could be considered an amenity;

- Explanation from the applicant's engineer that an existing trail created a loop around residential buildings and provided pedestrian opportunities;
- Explanation from staff that the previous approval for the site included a public street with three roundabouts;

- Explanation from staff that Virginia Department of Transportation (VDOT) conducted a review and determined that a roundabout located closest to Land Bay A with the two legs in the base option did not qualify as an intersection;

- Explanation from staff that VDOT would not support the public acceptance of the road;

- Clarification that Option 1 of the development that included a large multifamily building had a third leg on the roundabout in Land Bay A and would count as an intersection with an eligibility for public acceptance;

- Explanation from staff that they did not receive a response to their request submitted to VDOT;

- Comments that the applicant included $25,000 HOA contribution for private street maintenance;

- Concerns about maintenance operations required for the proposed road network;

- Explanation from the applicant's agent that VDOT did not accept the public dedication of the street;

- Concerns that a private street would create a maintenance burden for future homeowners and would not provide safe and adequate access throughout the development;

- Explanation from the applicant's agent that the applicant intended to keep a road publicly accessible, but VDOT did not support the road configuration;

- Clarification from the applicant's agent that the applicant would change road conditions from private to public, if VDOT would reconsider their decision;

- Discussions about promoting neighborhood and community values by adding open space and bringing public art, and concerns about gates that would close off certain portions of community areas;

Following the public hearing, there was a testimony from 1 speaker.

Following the speaker's testimony, there was a brief discussion between staff and Chair Niedzielski-Eichner regarding the following:

- Explanation from staff that they did not have any timeline information about the construction of a new elementary school;

- Staff added that the applicant would contribute $14,956 per new student projected to be generated by the proposed development;

- Explanation from staff that the applicant would contribute $1,250 per new residential dwelling unit towards the construction of a new elementary school;

- Explanation from staff that Skyview High School reserved the right to access boundary changes associated with the development; and

- Skyview High School would re-distribute student capacity arrangements at elementary, middle, and high schools.

Chair Niedzielski-Eichner inquired of the Clerk, who confirmed that there were no callers wishing to speak.

Commissioner Bennett stated that some private streets within developments could be appropriately managed by HOA.

There being no further comments or questions from the Commission, and staff had no closing remarks; therefore, Chair Niedzielski-Eichner closed the public hearing.

Prior to recognizing Commissioner Batchelor-Causey for action on the proposed applications, Chair Niedzielski-Eichner addressed staff and inquired whether the date for the Board of Supervisors' hearing on these applications was scheduled. Staff explained that no date was scheduled.

Prior to the motion, Commissioner Batchelor-Causey made the following closing comments, and there was a brief discussion between staff and herself:

- She noted that the issue of discrepancy in the amount of WDUs was critical and asked staff to calculate a net effective rate for WDUs;

- She stated that the development should meet housing standards of Fairfax County;

- She stated that the development should follow the guidance of the urban park space framework and equip certain open park spaces with essential open park features;

- She added that negotiations with VDOT should be conducted regarding a road that was transitioned from public to private; and

- Staff performed calculations during the discussion, and 12% resulted in 84 WDUs, and 8% resulted in 55 WDUs.

Commissioner Batchelor-Causey MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PCA/CDPA/FDPA 2027-DR-012 TO JULY 16, 2026 OR THE NEXT APPROPRIATE DATE WITH THE RECORD REMAINING OPEN FOR COMMENTS.

Commissioners Wang and Bennett seconded the motion, which was carried by a vote of 10-0. Commissioners Hancock and Thomas were absent from the meeting.

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PLAN AMENDMENT SSPA 2023-III-12UP (PA-2023-00048) – 1950 ROLAND CLARKE PLACE concerns approx. 3.5 ac. generally located at 1950 Roland Clarke Place in the Wiehle-Reston East Transit Station Area [Tax Map #17-4((14))(1A)2A] in the Hunter Mill Supervisor District. The area is planned for Residential Planned Community designated as Residential Mixed Use with a 75% residential 25% nonresidential split at an intensity up to a 3.55 FAR. The amendment will consider adding an option for single-family attached residential up to 20 dwelling units per acre. Recommendations relating to the transportation network may also be modified.
HUNTER MILL DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Heather Springs, Planning Division (PD), Department of Planning and Development (DPD), presented the staff report, a copy is in the electronic date file. She stated that staff recommended adoption of the Plan Amendment SSPA 2023-III-12UP.

Amanda Williams, Agent for Nominator, Cooley LLP, delivered a presentation on the proposed site-specific plan amendment.

Prior to a discussion, Commissioner Carter listed the following items from the yield study that were not part of the SSPA:

- Open space;
- Vehicular connections;
- Pedestrian connections;

- Setbacks from the existing town homes; and
- Traffic calming devices along Roland Clarke Place.

There was a discussion between Ms. Springs; Ms. Williams; Michael Garcia, Transportation Planning Division, Fairfax County Department of Transportation; Kelly Atkinson, Director, PD, DPD; and multiple Commissioners regarding the following:

- Explanation from staff that a high-rise condominium was proposed for residential use and would have a significant height along with a hotel;

- Explanation from staff that town homes located in the south would have approximately 4 floors, and apartment buildings would have approximately 6 to 7 floors;

- Clarification that an office building would have 5 floors;

- Explanation from staff that the updated Policy Plan language included guidance for noise, and the more detailed noise analysis would be part of the rezoning application;

- Staff expressed confidence that the Policy Plan language was adequate to ensure that noise mitigation measures would be taken;

- Comments that the proposed SSPA might include the reference to the noise mitigation policy due to the development's proximity to the Dulles Toll Road;

- Clarification from staff that the Environment segment of the staff report referenced noise mitigation requirements;

- Explanation from staff that they conducted an extensive Policy Plan update, revised several policies as part of the Policy Plan, and removed duplications;

- Among staff's Policy Plan update, the site-specific stormwater text in area plans was revised;

- Clarification that that SSPA requirements were covered by the existing Policy Plan and would be addressed with the future rezoning application;

- Explanation from staff that the proposed plan amendment emphasized a need to meet the standards of the Urban Park Framework in the Plan option;

- Explanation from staff that a previous application accommodated parks space portions for an off-site property;

- Clarification from staff that, whereas the priority would be to establish park space on-site, there was an opportunity for an off-site space;

- Comments a growing need to accommodate standards for open park spaces together with a need for housing to meet necessary requirements;

- Explanation from staff that the initial overall intensity of 3.55 Floor Area Ratio (FAR) was much higher than in other Reston developments and was carried over from the older versions of the Plan;

- Explanation from staff the proposed residential density equated to an intensity of 1.15 FAR would be consistent with residential uses throughout a Transit Station Area (TSA);

- Explanation from the agent for nominator that site had space constraints, and the proposed 1.15 FAR was more appropriate for adjacent communities with a focus on pedestrian safety; and

- Comment that the process of establishing density should be optimized with the development within the TSA.

Following the public hearing, which included a testimony from 2 speakers, Chair Niedzielski-Eichner inquired of the Clerk, who confirmed that there were no callers wishing to speak.

There being no further comments or questions from the Commission, and staff had no closing remarks; therefore, Chair Niedzielski-Eichner closed the public hearing and recognized Commissioner Carter for action on the proposed plan amendment.

Prior to the motion, Commissioner Carter noted that during the consideration of the proposed plan amendment open space requirements should not be waived, and density and pedestrian connections issues should be addressed adequately in a timely manner. He added that testimonies would be beneficial during the development process.

Commissioner Carter MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF A PLANNING COMMISSION ALTERNATIVE FOR SSPA 2023-III-12UP, AS SHOWN IN THE HANDOUT DATED JULY 8, 2026.

Commissioner Carter explained that the following sentence was eliminated:

> *In addition to the above redevelopment conditions, provisions for off-site park space to offset the balance of urban park space may be appropriate, however on-site parks should first be provided to the extent possible.*

Commissioners Batchelor-Causey and Spain seconded the motion which was carried by a vote of 10-0. Commissioners Hancock and Thomas were absent from the meeting.

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The meeting was adjourned at 11:38 p.m.
Phillip A. Niedzielski-Eichner, Chair
Jeremy Hancock, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035.

Minutes by: Catherine Dushin
Approved on: November 4, 2026

Nicole Blackwell, Clerk to the
Fairfax County Planning Commission

County of Fairfax
Commonwealth of Virginia
The foregoing instrument was acknowledged before me this 9 day of November 2026, by Nicole Blackwell

Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2028

Notary Seal