

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, APRIL 23, 2008**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
Frank A. de la Fe, Hunter Mill District  
Jay P. Donahue, Dranesville District  
Earl L. Flanagan, Mount Vernon District  
Janet R. Hall, Mason District  
Suzanne F. Harsel, Braddock District  
James R. Hart, Commissioner At-Large  
Rodney L. Lusk, Lee District  
Kenneth A. Lawrence, Providence District  
Peter F. Murphy, Jr., Springfield District  
Timothy J. Sargeant, Commissioner At-Large

ABSENT: John L. Litzenberger, Sully District

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The meeting was called to order at 8:16 p.m., by Chairman Peter F. Murphy, Jr. in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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**COMMISSION MATTERS**

Chairman Murphy noted that Commissioners had received a memorandum from Barbara Lipka, Executive Director, Planning Commission Office, requesting volunteers for the Planning Commission's refreshments stand at the annual Fairfax County "Celebrate Fairfax!" Festival scheduled for Friday, June 6, through Sunday, June 8, 2008.

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Chairman Murphy announced that the Planning Commission would hold the screening process for the 2008 BRAC Area Plans Review on Wednesday, April 30, 2008. He noted that the review would be open to the public, but no testimony would be allowed.

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Commissioner de la Fe MOVED THAT THE PUBLIC HEARING ON CPA 86-C-121-2-3, RESTON SPECTRUM LLP, BE DEFERRED TO A DATE CERTAIN OF MAY 21, 2008.

Commissioner Hart seconded the motion which carried unanimously with Commissioner Litzenberger absent from the meeting.

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Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON THE PROPOSED ZONING ORDINANCE AMENDMENT RELATED TO ADVERTISING ON PUBLIC TRANSIT PASSENGER SHELTERS TO A DATE CERTAIN OF APRIL 30, 2008, WITH THE RECORD REMAINING OPEN FOR CONTINUED COMMENT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Litzenberger absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following agenda:

1. PRC 82-C-060 – ATHENA/RENAISSANCE RESTON, LLC & UNIT OWNERS ASSOCIATION OF THE PARCRESTON CONDOMINIUM
2. COUNTYWIDE TRANSPORTATION DEVELOPMENT PLAN BRIEFING

This order was accepted without objection.

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PRC 82-C-060 – ATHENA/RENAISSANCE RESTON, LLC & UNIT OWNERS ASSOCIATION OF THE PARCRESTON CONDOMINIUM – Appl. to approve the PRC plan associated with RZ 82-C-060 to permit residential development. Located E. of Reston Pkwy., N. of Temporary Rd., W. of North Shore Dr., and 900 ft. S. of Baron Cameron Ave. on approx. 23.0 ac. of land zoned PRC. Comp. Plan Rec: PRC High Density. Tax Map 17-2 ((1)) 23, 24 and 24A; 17-2 ((40)) (1) 1-12; 17-2 ((40)) (2) 1-12; 17-2 ((40)) (3) 1-18; 17-2 ((40)) (4) 1-18; 17-2 ((40)) (5) 1-32; 17-2 ((40)) (6) 1-32; 17-2 ((40)) (7) 1-12; 17-2 ((40)) (8) 1-18; 17-2 ((40)) (9) 1-32; 17-2 ((40)) (10) 1-22; 17-2 ((40)) (11) 1-22; 17-2 ((40)) (12) 1-32; 17-2 ((40)) (13) 1-22; 7-2 ((40)) (14) 1-32; 17-2 ((40)) (15) 1-20. HUNTER MILL DISTRICT. PUBLIC HEARING.

Mark Looney, Esquire, Cooley Godward Kronish LLP, representative for the applicant, noted there was no affidavit. There were no disclosures by Commission members.

Suzanne Lin, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the file. She stated that staff recommended approval of the application.

In response to a question from Commissioner de la Fe, Ms. Lin confirmed that the plan was in conformance with the previously-approved Plan Amendment and Proffered Condition Amendment.

Mr. Looney explained that in March of 2007, an amendment to the Zoning Ordinance had been adopted requiring the Board of Supervisors' (BOS) approval for PRC plans, which previously had been administratively approved by the Department of Public Works and Environmental Services (DPWES). He said since the PRC plan for this application had been approved administratively the same day as the amendment had been adopted, it needed BOS approval. He stated that it was inappropriate for the County to impose additional conditions or to request proffers that were not part of the approval of the original application, as explained in a letter to the Department of Planning and Zoning from Brian Winterhalter, Cooley Godward Kronish, LLP, dated March 25, 2008, contained in the staff report. He requested that the proposed development condition addressing the soil depth for trees planted over the underground parking areas be deleted and said this condition would be noted on the PRC plan prior to action by the BOS.

In response to a question from Commissioner de la Fe, Ms. Lin concurred that the condition concerning soil depth would be enforceable if it were placed on the PRC plan.

Responding to a questions from Commissioner Lawrence, Cathy Lewis, ZED, DPZ, said that the applicant was not required to commit to "green" building techniques. Mr. Looney added that there were already "green" elements incorporated into the design of the building and, due to market demand, others would most likely be added, such as EnergyStar appliances.

Responding to a question from Commissioner Harsel, Mr. Looney said the orientation of the building had been established when the application had been originally approved and would not be changed.

Commissioner Hart expressed concern that a note on a PRC plan was not enforceable and suggested instead of deleting the development condition concerning soil depth, revising it to say, "The development shall be in accordance with the PRC plan." Ms. Lewis said she would let him know if this could be done. Commissioner Hart recommended the County Attorney's Office be consulted about this issue. Mr. Looney pointed out that DPWES was unlikely to approve the site plan unless it conformed to the notes on the PRC plan.

Commissioner de la Fe stated that a number of "green" elements had been incorporated into the original application. He added that the original proffers for affordable housing included a \$200,000 contribution to the Housing Trust Fund which was later enhanced to provide 23 units

of affordable housing. He said proffers relating to transportation and urban forestry had been achieved through communication and compromise with the Reston Association, whose covenants were generally more stringent than those of the County. Commissioner de la Fe pointed out that when the PRC Ordinance had been adopted, the standards for review and approval of PRC plans had not changed and the issues raised by staff had been discussed extensively in connection with the rezoning and proffers, which had been approved by the BOS. He added that the PRC plan was not the appropriate vehicle to attempt to renegotiate them.

Ms. Lewis and Commissioner de la Fe responded to a question from Commissioner Sargeant about the purchase price of workforce housing units.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PRC 82-C-060, SUBJECT TO THE APPLICANT PLACING THE LANGUAGE OF THE DEVELOPMENT CONDITION SET FORTH IN APPENDIX 1 OF THE STAFF REPORT AS A NOTE ON THE PRC PLAN IF SUCH A MOVE WOULD NOT IN ANY WAY PRECLUDE THE CLARITY OF ENFORCEMENT OF THAT CONDITION.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Litzenberger absent from the meeting.

Commissioner de la Fe MOVED THAT THE PREVIOUSLY-APPROVED MODIFICATION OF THE TRANSITIONAL SCREENING ALONG THE NORTHERN PROPERTY LINE, WAINWRIGHT DRIVE, IN FAVOR OF THE EXISTING VEGETATION, BE REAFFIRMED.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Litzenberger absent from the meeting.

Commissioner de la Fe MOVED THAT THAT THE PREVIOUSLY-APPROVED WAIVER OF THE BARRIER REQUIREMENT ALONG THE NORTHERN PROPERTY LINE, WAINWRIGHT DRIVE, BE REAFFIRMED.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Litzenberger absent from the meeting.

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COUNTYWIDE TRANSPORTATION DEVELOPMENT  
PLAN BRIEFING

April 23, 2008

COUNTYWIDE TRANSPORTATION DEVELOPMENT

PLAN BRIEFING – Staff from the Department of Transportation and its consultant will brief the Commission on the Countywide Transportation Development Plan. Questions will be taken from the Commission members but no public testimony will be allowed at this time. COUNTYWIDE. BRIEFING.

Rollo Axton and Randy White with the Fairfax County Department of Transportation and Lora Byala, consultant with ATCS, briefed the Planning Commission on the Countywide Transportation Development Plan regarding Metrobus and Fairfax Connector service over the next 10 years.

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The meeting was adjourned at 10:08 p.m.  
Peter F. Murphy, Jr., Chairman  
Suzanne F. Harsel, Secretary

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

Minutes by: Jeanette Phillips

Approved: September 24, 2009

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Linda B. Rodeffer, Clerk to the  
Fairfax County Planning Commission