

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MAY 9, 2013**

PRESENT: Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District
Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Janyce N. Hedetniemi, Commissioner At-Large
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
James T. Migliaccio, Lee District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Ellen J. Hurley, Braddock District
Peter F. Murphy, Springfield District

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The meeting was called to order at 8:20 p.m., by Vice Chairman Frank A. de la Fe, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Hart announced that the Planning Commission's Environment Committee had met earlier this evening to discuss the infrastructure for electric vehicle charging stations. He stated that the Committee would meet again at 7:00 p.m. in the Board Conference Room of the Fairfax County Government Center on the following dates:

- Thursday, June 20, 2013 (Presentation on collaboration efforts between Department of Public Works and Environmental Services and the Fairfax County Public Schools regarding stormwater management)
- Thursday, July 11, 2013 (Continued discussion on electric vehicle supply equipment)
- Thursday, July 18, 2013 (Continued discussion on electric vehicle supply equipment)

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On behalf of the Planning Commission, Vice Chairman de la Fe welcomed members of Boy Scout Troop 1983 from Oakton and asked them to stand and be recognized.

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Vice Chairman de la Fe announced that Kara DeArrastia, Clerk to the Planning Commission, was leaving the Planning Commission Office after nine years of service. He noted that she had joined

the Commission staff in 2004 as an Associate Clerk and was subsequently promoted to Deputy Clerk in 2006 and Clerk to the Commission in 2011. He added that she had received two outstanding performance awards during her time with the Commission. In addition, he stated that while working for the Commission, she had earned her Bachelor's Degree in Business and Communication in 2009 from the University of Phoenix and was receiving a Master's Degree in Public Administration from George Mason University on May 15, 2013.

Commissioners Lawrence and Litzenberger also commended Ms. DeArrastia for her contributions to the Commission.

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Commissioner Sargeant MOVED THAT MEMBERS OF THE PLANNING COMMISSION'S PERSONNEL AND BUDGET COMMITTEE GO INTO CLOSED SESSION ON TUESDAY, MAY 14, 2013, THURSDAY, MAY 16, 2013, AND TUESDAY MAY 21, 2013, FOR SPECIFIC PERSONNEL MATTERS RELATED TO OUR STAFF, PURSUANT TO *CODE OF VIRGINIA* SECTION 2.2-3711 (7).

Commissioner Migliaccio seconded the motion which carried by a vote of 10-0. Commissioners Hurley and Murphy were absent from the meeting.

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2232-Y13-1 – MILESTONE COMMUNICATIONS, INC. AND VERIZON WIRELESS
(Decision Only) (The public hearing on this application was held on April 25, 2013. A complete verbatim transcript of the decisions made is in the date file.)

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION FIND THAT 2232-Y13-1 SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT, AS SET FORTH IN *VIRGINIA CODE* SECTION 15.2-2232, AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Flanagan seconded the motion which carried by a vote of 10-0. Commissioners Hurley and Murphy were absent from the meeting.

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RZ/FDP 2011-PR-017 – COMMONS OF MCLEAN L/CAL LLC (Decisions Only)
(The public hearing on these applications was held on May 1, 2013. A complete verbatim transcript of the decisions made is in the date file.)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2011-PR-017, SUBJECT TO THE EXECUTION OF PROFFERS DATED MAY 8, 2013 WITH THE FOLLOWING REVISION:

- MODIFY PROFFER NUMBER 5F, ARCHITECTURAL ELEMENTS, TO INCLUDE LANGUAGE THAT WOULD PERMIT RETAIL AND/OR SERVICE USES

INCLUDED IN SUBSEQUENT FDP SUBMITTALS TO BE LOCATED IN AN EXISTING BUILDING ON THE SUBJECT PROPERTY, PROVIDED THE APPLICANT OWNED THE BUILDING.

Commissioner Flanagan seconded the motion which carried by a vote of 10-0. Commissioners Hurley and Murphy were absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2011-PR-017, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 17, 2013, AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2011-PR-017.

Commissioners Flanagan and Hart seconded the motion which carried by a vote of 10-0. Commissioners Hurley and Murphy were absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS:

- A MODIFICATION OF PARAGRAPHS 1A AND 1C OF SECTION 2-506 OF THE ZONING ORDINANCE TO ALLOW STRUCTURES LOCATED ON THE BUILDING ROOF TO OCCUPY AN AREA GREATER THAN 25 PERCENT OF THE ROOF, AS PROFFERED;
- A MODIFICATION OF PARAGRAPH 7 OF SECTION 6-505 OF THE ZONING ORDINANCE TO PERMIT OUTDOOR DINING AREAS, AS PROFFERED AND SHOWN ON FUTURE FINAL DEVELOPMENT PLANS;
- A MODIFICATION OF PARAGRAPH 2 OF SECTION 2-506 OF THE ZONING ORDINANCE TO ALLOW A PARAPET WALL, CORNICE, OR SIMILAR PROJECTION TO EXTEND MORE THAN THREE FEET ABOVE THE ROOF, AS PROFFERED AND SHOWN ON FUTURE FINAL DEVELOPMENT PLANS;
- A WAIVER OF PARAGRAPHS 3E AND G OF SECTION 10-105 OF THE ZONING ORDINANCE TO MODIFY THE MAXIMUM FENCE HEIGHT FROM 7 TO 14 FEET AROUND ACCESSORY USES/STRUCTURES LOCATED WITHIN THE REAR YARD FOR AREAS ASSOCIATED WITH SPORTS COURTS, AS PROFFERED AND SHOWN ON FUTURE FINAL DEVELOPMENT PLANS;
- A MODIFICATION OF SECTION 7-0800 OF THE PUBLIC FACILITIES MANUAL (PFM) TO ALLOW THE USE OF TANDEM SPACES TO BE COUNTED TOWARDS REQUIRED PARKING, AS PROFFERED;
- A MODIFICATION OF PARAGRAPH 4 OF SECTION 11-202 OF THE ZONING ORDINANCE REQUIRING A MINIMUM DISTANCE OF 40 FEET OF LOADING SPACE IN PROXIMITY TO DRIVE AISLES TO THAT SHOWN ON THE CDP AND WHEN SHOWN ON AN APPROVED FDP;

- A MODIFICATION OF SECTIONS 11-201 AND 11-203 OF THE ZONING ORDINANCE TO PERMIT A REDUCTION IN THE REQUIRED NUMBER OF LOADING SPACES TO THAT SHOWN ON THE CDP;
- A MODIFICATION OF SECTION 7-0802.2 OF THE PFM TO ALLOW FOR THE PROJECTION OF STRUCTURAL COLUMNS INTO PARKING STALL WITH NO MORE THAN FOUR PERCENT OF THE STALL AREA;
- A WAIVER OF SECTION 11-302 OF THE ZONING ORDINANCE TO ALLOW A PRIVATE STREET (CENTER ALLEY) TO EXCEED 600 FEET IN LENGTH, AS SHOWN ON THE CDP;
- A MODIFICATION OF PARAGRAPH 7 OF SECTION 17-201 OF THE ZONING ORDINANCE TO PERMIT THE APPLICANT TO ESTABLISH PARKING CONTROL, SIGNS, AND PARKING METERS ALONG PRIVATE STREETS WITHIN THE DEVELOPMENT;
- A MODIFICATION OF SECTION 17-201 OF THE ZONING ORDINANCE TO PERMIT THE STREETScape AND ON-ROAD BIKE LANE SYSTEM SHOWN ON THE CDP IN PLACE OF ANY TRAILS AND BIKE TRAILS SHOWN FOR THE SUBJECT PROPERTY ON THE COMPREHENSIVE PLAN;
- A WAIVER OF PARAGRAPH 3 OF SECTION 17-201 OF THE ZONING ORDINANCE TO PROVIDE ANY ADDITIONAL INTERPARCEL CONNECTIONS TO ADJACENT PARCELS BEYOND THAT SHOWN ON THE CDP AND AS PROFFERED;
- A WAIVER OF SECTION 16-403 OF THE ZONING ORDINANCE TO PERMIT A PUBLIC IMPROVEMENT PLAN FOR PUBLIC STREETS AND PARK SPACES WITHOUT THE NEED FOR A FDP;
- A MODIFICATION OF THE 10 YEAR TREE CANOPY REQUIREMENTS IN FAVOR OF THAT SHOWN ON THE CDP AND AS PROFFERED;
- A MODIFICATION OF THE ZONING ORDINANCE AND PFM FOR THE REQUIRED TREE PRESERVATION TARGET AND 10 PERCENT CANOPY COVERAGE ON INDIVIDUAL LOTS/LAND BAYS, TO ALLOW FOR TREE PRESERVATION AND CANOPY TO BE CALCULATED AS SHOWN ON THE OVERALL CDP AREA;
- WAIVER NUMBER 3797-WPFM-003-1, TO ALLOW THE USE OF UNDERGROUND STORMWATER DETENTION FACILITIES IN A RESIDENTIAL DEVELOPMENT, SUBJECT TO THE CONDITIONS DATED FEBRUARY 15, 2013, CONTAINED IN ATTACHMENT A OF APPENDIX 11 OF THE STAFF REPORT;

- A MODIFICATION OF THE INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS FOR INTERIM SURFACE LOTS ON PRIVATE STREETS TO THAT SHOWN ON THE CDP AND FDP; AND
- A MODIFICATION OF SECTION 12-0515.6B OF THE PFM TO ALLOW TREES LOCATED ABOVE ANY PROPOSED PERCOLATION TRENCH OR BIO-RETENTION AREAS TO COUNT TOWARDS COUNTY TREE COVER REQUIREMENTS, AS DEPICTED ON THE CDP AND FDP.

Commissioners Flanagan and Hart seconded the motion which carried by a vote of 10-0. Commissioners Hurley and Murphy were absent from the meeting.

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. SEA 00-H-028 – THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA AND HIS SUCCESSORS IN OFFICE (ST. MARK’S CATHOLIC CHURCH)
2. 2232-P12-6 – MILESTONE COMMUNICATIONS, INC.
3. SE 2012-MA-018 – AGAPE HEALTH MANAGEMENT, INC.
4. PRCA B-846 – JBG/RIC, LLC AND RIC RETAIL, LLC (Hunter Mill District)

This order was accepted without objection.

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The first public hearing was in the Hunter Mill District; therefore, Vice Chairman de la Fe relinquished the Chair to Secretary Hall.

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SEA 00-H-028 – THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA AND HIS SUCCESSORS IN OFFICE (ST. MARK CATHOLIC CHURCH) – Appl. under Sects. 3-104 and 9-301 of the Zoning Ordinance to amend SE 00-H-028 previously-approved for a place of worship with nursery school, child care center, and private school of general education to permit modifications to development conditions and site design with no change in enrollment. Located at 9970 Vale Road, Vienna, on approx. 19.22 ac. of land zoned R-1. Tax Map 37-4 ((1)) 42. HUNTER MILL DISTRICT. PUBLIC HEARING

Jonathan Puvak, Esquire, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavit dated April 1, 2013. There were no disclosures by the Commissioners.

Mary Ann Tsai, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of application SEA 00-H-028.

Mr. Puvak explained that the existing private school of general education, which had been permitted by a previously-approved Special Exception (SE 00-H-028) in 2001, had conducted annual meetings with the surrounding community and established a neighborhood relations group. He then indicated that the applicant had met with the Hunter Mill Land Use Committee twice and had received favorable responses from the group. In addition, he clarified concerns and confusion in the rebuttal that had been raised by the Fairfax County Department of Transportation, noting that there was not a school zone on the subject property where the speed limit was reduced.

Answering questions from Commissioner de la Fe, Mr. Puvak confirmed that the proposal would only change the hours of operation and the food service options of one day a week for the existing private school. He also said that all other development conditions from SE 00-H-028 would be retained.

Secretary Hall called the first listed speaker and recited the rules for public testimony.

Erik Petersen, 10007 Woodrow Street, Vienna, spoke in support of the application, saying that he met with the applicant and was assured that the proposed changes would not affect enrollment at the private school or increase the amount of trash it produced. However, he noted that the application would not address existing traffic and safety concerns along Vale Road. Mr. Petersen pointed out that the hilly terrain, the 35 miles-per-hour speed limit, and the lack of sidewalks or crosswalks near the subject property created hazardous conditions during peak traffic periods for both the existing private school and Flint Hill Elementary School. He also cited an incident where a crossing guard was struck by a vehicle near Flint Hill Elementary School and indicated that the applicant had expressed a willingness to assist the community in addressing this issue. Mr. Petersen commended staff and the applicant for coordinating with the surrounding community to ensure that its commitments would be monitored and enforced while addressing the community's concerns in a proactive manner.

Commissioner de la Fe commended Mr. Petersen for his testimony and indicated that staff and the Hunter Mill District Supervisors Office would work with the community and the Virginia Department of Transportation to address traffic concerns on Vale Road.

There being no more speakers, Secretary Hall called for a rebuttal statement from Mr. Puvak, who also indicated that the applicant would continue to coordinate with the community to address their concerns.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Secretary Hall 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 THAT THE BOARD OF SUPERVISORS APPROVE SEA 00-H-028, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 29, 2013.

Commissioners Hedetniemi and Sargeant seconded the motion which carried by a vote of 10-0. Commissioners Hurley and Murphy were absent from the meeting.

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At the conclusion of the case, Vice Chairman de la Fe resumed the Chair.

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2232-P12-6 – MILESTONE COMMUNICATIONS, INC. – Appl. under provisions of *Virginia Code* Sects. 15.2-2204 and 15.2-2232, as amended, to consider the proposal by Milestone Communications, Inc. to develop a telecommunications facility located at 3036 Graham Road, Falls Church. Tax Map: 50-3 ((12)) 11A. Area I. Copies of the application and a more specific description of the facility may be obtained from the Department of Planning and Zoning, 7th floor, Herrity Building, 12055 Government Center Parkway, Fairfax, Virginia, 22035.
PROVIDENCE DISTRICT. PUBLIC HEARING

Doug Hansen, Planning Division, Department of Planning and Zoning presented the staff report, a copy of which is in the date file. He noted that staff recommended that the Planning Commission find application 2232-P12-6 substantially in accord with the provisions of the adopted Comprehensive Plan.

In response to questions from Commissioner Lawrence, Mr. Hansen clarified that Fairfax County Public Schools (FCPS) owned the subject property and had given permission to the applicant to file the subject application.

When Commissioner Hart asked about the current use of the subject property, Mr. Hansen said that the location of the proposed telecommunications facility was not currently being utilized.

Frank Stearns, Esquire, Donohue & Stearns, PLC, explained that the proposed telecommunications facility would replace an existing facility that was currently located at the nearby Jefferson Fire and Rescue Station. He noted that the facility would be constructed on public land and the applicant had coordinated with the Fairfax County School Board (FCSB), Providence District Supervisor Linda Smyth, and Commissioner Lawrence on the design of the facility. Ms. Stearns also stated that the services provided by the proposed facility were needed prior to the planned construction at the fire station. In addition, he said that the applicant had conducted substantial outreach with the surrounding community to address their concerns.

In reply to questions from Commissioner Lawrence, Mr. Stearns confirmed that the clock on the proposed telecommunications facility would automatically reset itself after power outages or for daylight savings time to ensure that it showed the correct time. He also stated that the applicant would be responsible for maintaining the facility and this requirement would be articulated in the lease. In addition, he indicated that FCPS had coordinated with the applicant on the design and layout of the facility.

When Commissioner Migliaccio asked how citizens would report a clock malfunction, Mr. Stearns said that citizens would contact the existing FCPS facility on the site in the event of such a malfunction. A discussion ensued between Commissioner Migliaccio and Mr. Stearns wherein Mr. Stearns agreed to install a sign near the facility that included contact information for the Providence District Supervisors Office to report such malfunctions.

Answering questions from Commissioner Flanagan, Mr. Stearns said that the proposed facility would be the first such facility to include a clock tower and telecommunications equipment. He also explained that the five service providers at the existing monopole would be relocated to the proposed facility and each antenna would be located at 10-foot intervals on the structure, adding that the panels obscuring the antennas would not affect the reception of the antennas. Commissioner Flanagan expressed support for the design of the facility.

In response to questions from Commissioner Sargeant, Mr. Stearns stated that there were no other viable sites on public land in area. He added that the applicant had assessed a nearby commercial site for the facility, but this was deemed inappropriate because it would require the removal of parking spaces. A discussion ensued between Commissioner Sargeant and Mr. Stearns regarding the County's policy regarding the placement of telecommunication facilities on public land, the prevalence of underground fiber networks in the area, and the extent to which the existing FCPS facility would utilize the proposed facility.

Commissioner Hart pointed out that the clock tower on the proposed facility would replace another clock that had previously been located on a pole sign near the site.

Commissioner Hart expressed concern about the visibility of the clock due to the color pallet depicted on the clock tower elevation on Sheet Number Z-4 in the staff report. Mr. Stearns pointed out that the black-and-white depiction on Sheet Number Z-4 was not accurate and indicated that the colors of the panels would provide sufficient visibility.

When Commissioner Hart asked a question about the clock tower's visibility, Mr. Stearns confirmed that the clock tower would be visible to vehicles on Route 50.

Commissioner Hedetniemi expressed support for the design of the clock tower and cited the success of another clock tower located near the Virginia Railway Express Station in Burke.

Vice Chairman de la Fe called the first listed speaker.

John Chapman Petersen, 4010 University Drive, Suite 200, Fairfax, representing Surovell, Isaacs, Petersen & Levy, PLC, stated that he was speaking on behalf of the Kingsley Commons

community and voiced opposition to the application because the proposed telecommunications facility was too tall and the site was too constrained. He described the surrounding community, noting that the size of the houses and the nearby commercial developments were significantly smaller than the proposed facility. Mr. Petersen also pointed out that when the FCSB voted to close the elementary school that had previously operated on the site, it made a commitment to utilize the vacant building for community programs, but no such programs had been implemented. He recommended that the Commission defer decision on the application until the FCSB submitted a proposal to fulfill these commitments. (A copy of Mr. Petersen's statement is in the date file.)

Commissioner Hall reiterated, with subsequent confirmation from Mr. Stearns, that the proposed telecommunications facility would replace an existing facility at the Jefferson Fire and Rescue Station. She then asked Mr. Petersen if he knew of a more suitable location. Mr. Petersen said that areas within the nearby industrial and commercial sites in the area would be more appropriate. A discussion ensued between Commissioner Hall and Mr. Petersen regarding the FCSB's commitments to provide recreational activities on the site wherein Commissioner Hall stated that the proposed facility would not preclude such developments.

There was a discussion between Mr. Petersen and Commissioner Hedetniemi regarding the possibility of incorporating the proposed telecommunications facility into an integrated development for the site and the possibility of additional coordination between the applicant and the community in addressing this issue.

When Commissioner Hart asked Mr. Petersen to clarify how he believed the proposal did not meet the appropriate criteria for a 2232 application or would preclude future improvements to the site, he stated that while the proposal would not preclude such improvements, he reiterated that the proposed telecommunications facility was significantly taller than the surrounding structures.

Commissioner Lawrence explained that in response to Mr. Petersen's written statement, he had received a message from FCSB indicating that discussions regarding the use of the existing building on the site were not relevant to the subject application. He also referred to the letter from Robert Cordova from FCPS in Attachment F in the staff report, which stated that the proposed facility would not conflict with any school uses on the site. In addition, he stated that FCPS had indicated that the proposal would not preclude additional uses for the site. Commissioner Lawrence then stated that he concurred with this assessment and with staff's analysis of the height of the structure, noting that issues between the County and FCPS regarding the use of the existing buildings were outside the scope of the subject application.

There being no more speakers, Vice Chairman de la Fe called for a rebuttal statement from Mr. Stearns, who declined. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Lawrence for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION FIND THAT 2232-P12-6 SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT, AS SET FORTH IN *VIRGINIA CODE* SECTION 15.2-2232, AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Flanagan seconded the motion which carried by a vote of 10-0. Commissioners Hurley and Murphy were absent from the meeting.

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SE 2012-MA-018 – AGAPE HEALTH MANAGEMENT, INC. –
Appl. under Sect. 3-204 of the Zoning Ordinance to permit an adult day care center with a total maximum enrollment of 150 participants. Located at 6349 and 6353 Lincolnia Road, Alexandria, on approx. 2.94 ac. of land zoned R-2. Tax Map 72-1 ((1)) 50A and 50B. MASON DISTRICT. PUBLIC HEARING.

Peter Rigby, Paciulli, Simmons & Associates, Ltd., reaffirmed the affidavit dated November 5, 2012. There were no disclosures by the Commissioners.

Commissioner Hall stated that this application had been presented to the Mason District Land Use Committee and a number of deficiencies were identified, which staff would outline in its presentation. She indicated that the applicant was currently working on addressing these issues and said that she intended to defer the decision only on this application after the public hearing.

Joseph Gorney, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended denial of application SE 2012-MA-018 because it did not adequately address the provision of usable open spaces for supervised participant outdoor activities, compatibility with the surrounding uses, forest resources, stream valley resources, stormwater management, site remediation, heritage resources, and parking.

Commissioner Hall informed the Commission that a staff report addendum would be issued during the deferral period and nobody from the surrounding community spoke in opposition to the proposal at the Mason District Land Use Council meeting. She also noted that the proposed development would replace a school for special needs children and since this previous use had incurred significant traffic, there would not be a significant increase in traffic or noise.

When Commissioner Hart pointed out that the architectural elevations mentioned in Development Condition Number 10, Building Materials and Designs, were not included in the staff report, Mr. Gorney stated that they would be integrated into the plan during the deferral period.

Commissioner Hart also pointed out that the floor area ratio (FAR) would be excessive if the lower level of the proposed adult daycare center did not fit the requirements for a cellar under the Zoning Ordinance and asked for clarification on how shifting the building would affect these measures. Mr. Gorney explained that the proposed daycare center would be demolished and

moved approximately 5 or 10 feet from its current foundation, but this would not alter the condition of the cellar or excessively increase the FAR.

Responding to additional questions from Commissioner Hart, Mr. Gorney said that the applicant would remove a certain amount of impervious surface from the Resource Protection Area. He also noted that there was a concrete spillway that fed into Turkeycock Run that the applicant would not agree to remove, but staff rescinded this request because doing so would cause significant disruptions. However, Mr. Gorney indicated that the applicant had committed to stream restoration measures within this portion of Turkeycock Run, which included removing invasive plants and adding indigenous plants. In addition, he said that retaining the concrete ditch would not count toward the forested area, noting that the applicant was working with staff to refine the stream restoration plan.

Answering questions from Commissioner Flanagan, Mr. Gorney confirmed that the canopied entrance on the main level depicted on page 6 of the staff report would provide vehicular access and that some of the elderly individuals served by the facility would be disabled. He also indicated that the lower level would only be accessed by employees and the elevator was not intended for use by the disabled. In addition, Mr. Gorney stated that while there was at-grade access at the rear of the building from the cellar floor, there would be no vehicular access on this side of the structure. A discussion ensued between Commissioner Flanagan and Mr. Gorney regarding the use of the cellar level and the criteria for labeling it as such wherein Mr. Gorney explained that the grade on the site changed significantly and each side of the cellar level was more than 50 percent below grade, thus making it consistent with the Zoning Ordinance.

Mr. Rigby said that the applicant had recently resubmitted plans to address the concerns raised by staff and supported Commissioner Hall's intent to defer the decision only for the subject application.

Vice Chairman de la Fe called the first listed speaker.

Timothy Osburne, 4441 Burnt Pine Court, Alexandria, representing Ridges of Alexandria Homeowners Association, spoke in opposition to the application because it would increase traffic along Lincolnia Road. He pointed out the entrance to his community, which was approximately 100 yards from the entrance of the proposed adult daycare center. Mr. Osburne then described the current traffic patterns and safety concerns in the area and recommended that a traffic signal be installed near the subject property to alleviate congestion.

There being no more speakers, Vice Chairman de la Fe called for a rebuttal statement from Mr. Rigby, who declined. 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 Hall for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON SE 2012-MA-018 TO A DATE CERTAIN OF MAY 22, 2013, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioners Hart and Lawrence seconded the motion which carried by a vote of 10-0. Commissioners Hurley and Murphy were absent from the meeting.

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The next public hearing was in the Hunter Mill District; therefore, Vice Chairman de la Fe relinquished the Chair to Secretary Hall.

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PRCA B-846 – JBG/RIC, LLC AND RIC RETAIL, LLC – Appl.
to amend the PRC Plan associated with RZ –B-846 to permit mixed-use development with a total Floor Area Ratio (FAR) of 2.8. Located on the W. side of Sunrise Valley Dr., approx. 900 Ft. N.W. of its intersection with Reston Pkwy. on approx. 9.96 ac. of land zoned PRC. Comp. Plan Rec: PRC. Tax Map 17-3 ((3)) 1C and 1D. HUNTER MILL DISTRICT. PUBLIC HEARING

Nicholas Rogers, Zoning Evaluation Division, Department of Planning and Zoning presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of application PRCA B-846.

Mr. Rogers replied to a question from Commissioner Hart regarding potential development and interparcel access on Outlot A, saying that it was associated with right-of-way for an alignment of Reston Avenue. He then deferred to the applicant for more information on this issue.

Responding to questions from Commissioner Sargeant, Mr. Rogers deferred to the applicant for additional details regarding Development Condition Number 5, which permitted a maximum of 498 residential units and 573,225 square feet of non-residential gross floor area. He also deferred to the Fairfax County Department of Transportation (FCDOT) for information on the applicant's 20 percent trip reduction commitment, which was articulated in Development Condition Number 27, Transportation Demand Management (TDM). (A copy of the revised development conditions dated May 6, 2013 is in the date file.)

When Commissioner Sargeant asked for additional information regarding the budget for the TDM plan, Mr. Rogers said that the budget would be submitted at the plan's initial submission, which would occur prior to site plan approval.

In reply to questions from Commissioner Hedetniemi, Mr. Rogers indicated that another northbound lane would be added to Reston Parkway and a pedestrian crossing spanning each lane would be installed. He also stated that the crossing was not part of the proposal, but FCDOT had advised staff and the applicant to account for this crossing. In addition, Commissioner de la Fe pointed out that the Reston Metrorail Access Group (RMAG) had been studying this issue to ensure pedestrian access to the future Reston Town Center Metrorail Station. He added that the signalized intersection at Reston Parkway and the Dulles Toll Road was already utilized by

pedestrians and there was ongoing concern about the current speed limits and traffic patterns on Reston Parkway.

Replying to questions from Commissioner Sargeant, Mr. Rogers said that the development conditions, including the TDM plan, would be retained if the property was sold and there would be opportunities to clarify the language at a later time.

Benjamin Tompkins, Esquire, Reed Smith LLP, addressed Commissioner Hart's questions regarding Outlot A, saying that this parcel was right-of-way that had been reserved prior to the construction of Reston Parkway and was currently owned by an affiliate of the applicant. He added that the applicant had no plans to develop this parcel. He also addressed concerns about the pedestrian crossing at Reston Parkway, noting that the applicant had been coordinating with RMAG on this issue. Mr. Tompkins concurred with Commissioner de la Fe's remarks regarding ongoing concerns about pedestrian crossings at the Reston Parkway and pointed out that the applicant would construct a pedestrian path to the Wiehle Avenue Metrorail Station, which would open prior to the Reston Town Center Metrorail Station. He then described the existing development on the subject property, which included a commercial condominium. He also indicated that the proposal would amend a previously-approved Planned Residential Community plan to better integrate the planned development with the surrounding community. Mr. Tompkins explained that the plan would reduce the heights of the buildings along Sunrise Valley Drive, install amenities that would reorient the building frontages around a central open space, and modify the land plan based on the input from the Reston Planning and Zoning Committee and the Reston Design and Review Board (RDRB), noting that both organizations supported the proposal. He added that after consultation with RDRB, the applicant's revised land plan would orient the taller buildings along Reston Parkway and the Dulles Toll Road, thus permitting a significant streetscape along Sunrise Valley Drive. In addition, he said that land plan would provide approximately one acre of open space to accommodate a variety of uses. Mr. Tompkins stated that applicant would install pedestrian paths from Sunrise Valley Drive to the Reston Parkway and, ultimately, to the Reston Town Center Metrorail Station. He indicated that the applicant had met with the Reston Association, Reston Interfaith, and the Initiative for Public Art in Reston (IPAR) and they each supported the proposal. He also explained that the applicant had conducted a traffic study of the area and concluded that surrounding road network could accommodate the proposed development. He added that the applicant had agreed to provide a traffic signal at the central access along Sunrise Valley Drive. Mr. Tompkins stated that the applicant had also agreed to designate 12 percent of the dwelling units as workforce dwelling units, install public art in consultation with IPAR, and implement a robust TDM plan. He also noted that the applicant's TDM commitments exceeded those of other recently approved PRC plans and were similar to the requirements for a rezoning application. In addition, he pointed out that the applicant would also implement a shared-use trail along Sunrise Valley Drive and a robust bicycle program, which included 280 bicycle parking spaces. Mr. Tompkins reiterated that the applicant would construct the necessary pedestrian paths to connect with planned RMAG improvements and added that a shuttle service to the Wiehle Avenue Metrorail Station and the Reston Town Center Metrorail Station would also be provided. He also indicated that applicant had committed to attaining LEED Silver certification for the office buildings and ENERGY STAR for the residential units. In addition, he noted that universal design would also be incorporated into certain residential units.

When Commissioner Flanagan asked about the distance between the proposed development and the Wiehle Avenue Metrorail Station, Mr. Tompkins said that Building E was approximately one mile from this station.

A discussion ensued between Mr. Tompkins and Commissioner de la Fe regarding issues about public access easements on the trail along Sunrise Valley Drive wherein Mr. Tompkins stated that the applicant would ensure that there would be no obstructions to these easements.

Answering questions from Commissioner Sargeant, Mr. Tompkins reiterated that the height of the buildings along Sunrise Valley Drive would be tapered. He also indicated that Building A would be residential. In addition, he clarified that Building E was the existing Reston International Conference Center and would not be altered under this proposal.

When Commissioner Sargeant asked for the calculated trip reduction figures for the TDM plan, Michael Workosky, M.J. Wells & Associates, LLC, stated that the TDM plan would reduce both the a.m. and p.m. peak-hour trips by approximately 250.

Secretary Hall called the first listed speaker.

Richard Newlon, 12001 Sunrise Valley Drive, Reston, representing the RDRB, spoke in support of the proposal. He stated that the RDRB had conducted multiple workshops and public hearings with the applicant where they addressed concerns regarding the proximity of the buildings to Sunrise Valley Drive, the massing of the buildings, and the appearance of the parking garage. He said that the proposal would establish a vibrant community that would promote pedestrian traffic, encourage mass transit, and provide a variety of amenities to both residents and the greater Reston community. (A copy of Mr. Newlon's statement is in the date file.)

Michael Scheurer, 11150 Sunset Hills Road, Reston, representing Reston Interfaith, voiced support for the proposal because it would contribute to the growth of Reston. In addition, he expressed support for the applicant's workforce housing commitment. He also noted that the applicant was a supporter of Reston Interfaith.

Responding to a question from Commissioner Lawrence, Mr. Tompkins stated that the proposal's current parking provisions met the minimum requirements under the Zoning Ordinance and the applicant planned to request a parking reduction at a later stage of the development.

There being no more speakers for this application, Secretary Hall called for a rebuttal statement from Mr. Tompkins, who declined. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Secretary Hall 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 DEFER THE DECISION ONLY ON PRCA B-846 TO A DATE CERTAIN OF MAY 22, 2013, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioner Lawrence seconded the motion which carried by a vote of 10-0. Commissioners Hurley and Murphy were absent from the meeting.

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At the conclusion of the case, Vice Chairman de la Fe resumed the Chair.

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The meeting was adjourned at 10:56 p.m.
Peter F. Murphy, Chairman
Janet R. Hall, Secretary

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

Minutes by: Jacob Caporaletti

Approved on: June 11, 2014



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