

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MAY 15, 2014**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Ellen J. Hurley, Braddock District
Earl L. Flanagan, Mount Vernon District
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
Janyce N. Hedetniemi, Commissioner At-Large

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

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COMMISSION MATTERS

FS-M14-5 – METRO SITE, INC., 3601 Firehouse Lane

Commissioner Hall: We do have a “feature shown” in the Mason District. The number is FS-M14-5, Metro Site, Inc. It is the Baileys Crossroads Volunteer Fire Department application. I RECOMMEND THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING THAT THE TELECOMMUNICATIONS FACILITY COLLOCATION PROPOSED BY METRO SITE, INC., LOCATED AT 3601 FIREHOUSE LANE, IS IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A “FEATURE SHOWN,” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to concur with the “feature shown” FS-M14-5, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 7-0. Commissioners Flanagan, Hedetniemi, Hurley, Lawrence, and Litzenberger were absent from the meeting.

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FSA-V07-63-2 – VERIZON WIRELESS, 9128 Belvoir Court

Chairman Murphy: WITHOUT OBJECTION, I MOVE THE CONSENT AGENDA ITEM.

The motion carried by a vote of 7-0. Commissioners Flanagan, Hedetniemi, Hurley, Lawrence, and Litzenberger were absent from the meeting.

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ORDER OF THE AGENDA

In the absence of Secretary Hall, Chairman Murphy established the following order of the agenda:

1. RZ/FDP 2009-HM-017 – NUGGET JOINT VENTURE, L.C. AND
PCA C-696-10 – DULLES ROCKHILL PARTNERS LIMITED PARTNERSHIP

This agenda was accepted without objection.

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RZ/FDP 2009-HM-017 – NUGGET JOINT VENTURE, L.C. –
Appls. to rezone from PDC and PRM to PRM to permit mixed-use transit-oriented development with an overall Floor Area Ratio (FAR) of 3.01, including bonus density associated with ADU/WDU, approval of final development plans, and waiver #6848-WPFM-005-1 to permit the location of underground stormwater management. Located on the S. side of Dulles Airport Access Road and W. side of Dulles Station Blvd. on approx. 14.68 ac. of land. Comp. Plan Rec: Transit-Oriented Development. Tax Map 15-2 ((1)) 13pt. and 15-4 ((5)) 5Apt. and 5B. (Concurrent with PCA C-696-10.) DRANESVILLE DISTRICT.

PCA C-696-10 – DULLES ROCKHILL PARTNERS LIMITED PARTNERSHIP – Appl. to amend the proffers for RZ C-696, previously approved for mixed use to delete approximately 22,272 sq. ft. and include in concurrent RZ 2009-HM-017 application. Located in the N.W. quadrant of the intersection of Sayward Blvd. and Dulles Station Blvd. on approx. 4.27 ac. of

land zoned PRM. Tax Map 15-4 ((5)) 5A. (Concurrent with
RZ/FDP 2009-HM-017.) DRANESVILLE DISTRICT. JOINT
PUBLIC HEARING.

David Houston, Esquire, Applicant's Agent, Reed Smith, LLP, reaffirmed the affidavit dated April 17, 2014.

There were no disclosures by the Commissioners.

William O'Donnell, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of applications RZ/FDP 2009-HM-017 and PCA C-696-10 .

Commissioner Ulfelder noted that the gross floor area (GFA) could be shifted among the buildings and asked Mr. O'Donnell how it would be monitored. Mr. O'Donnell explained that Sheet A-100 of the CDP/FDP contained a building data chart which provided the minimum and maximum height and square footage for each building. He said that at each phase, the applicant would be required to show the GFA to ensure that the development met the parameters set forth in the data chart. He added that the applicant must then demonstrate how the GFA be met for each subsequent site plan.

Commissioner Ulfelder asked Mr. O'Donnell to clarify the streetscape issues noted in the staff report. Mr. O'Donnell explained that on the upper part of the main street, the applicant had not provided a streetscape consistent with requirements in the Comprehensive Plan; however, it had been resolved through development conditions. He added that the applicant had not provided shade trees along the street because of sight distance to the proposed access points to the buildings, but the development conditions would ensure that ornamental trees and other decorative vegetation would be provided along the street. He further added that the applicant had agreed to those development conditions and that staff had concurred.

Commissioner Ulfelder asked how the Park Authority might use the funds requested as part of the fair share contribution referenced in the staff report. Mr. O'Donnell explained that the money could go to nearby trail networks and/or athletic fields, such as the one at Hutchinson Elementary School or Alabama Drive Park.

Commissioner Ulfelder noted that the county-owned parking garage had been excluded from having electric vehicle charging stations and asked about the county's policy on electrical vehicle (EV) charging stations. Carey Needham, Building Design and Construction Division, Department of Public Works and Environmental Services (DPWES), said that discussions regarding the county's EV policy were ongoing and stated that DPWES would coordinate with the Fairfax County Department of Transportation (FCDOT), Fairfax County Facilities Management Department, and the Commission's Environment Committee.

Commissioner Hart referenced Proffer Number 49, Electrical Vehicle Charging, and noted that it had been discovered that it was impossible to retrofit one of the buildings that had been fitted for

additional conduits because the vault that had been built to contain the building's electrical equipment was not large enough to add the additional equipment required to provide power to the conduits. He suggested that applicants consider this during the design stage of development to prevent the same problem in the future. In addition, he noted that the words, "in the future" should be removed from the end of the paragraph to clarify that the conduits would be installed with the building, while the charging stations would be installed in the future. Commissioner Hart then referenced the first sentence in Proffer Number 61, Telecommunications Equipment, and asked if the proffer would exempt these buildings from the application process for those components. Mr. O'Donnell said that it would not, adding that staff wanted to maintain control over what went on the rooftops, ensuring that the applicant stayed in conformance with the Zoning Ordinance. Commissioner Hart suggested adding the words, "subject to..." with the appropriate Zoning Ordinance references that staff might wish to add.

Commissioner Sargeant commended the 45 percent TDM goal and asked what the current traffic estimates were. Elizabeth Iannetta, Transportation Planning Division, FCDOT, noted that the goal was the county's highest target, adding that the subject site's proximity to the Metro would help set the standard in meeting that goal. Mr. O'Donnell added that the goal would be reached in phases as each building was constructed. Ms. Iannetta concurred and said that the target would be monitored through each phase. She added that incentive and penalty funds were built into the plan to ensure that the applicant reached those goals and, if not, the county would help find a way to ensure that the goal was met.

Mr. Houston noted that the applicant owned the property since the late 1960s and would remain to see this project through to its completion. Addressing Commissioner Hart's question, he said that the proffer language regarding telecommunications facilities had come directly from the Comprehensive Plan and stated that he would modify it if clarification was needed. He also said that he would modify Proffer Number 49 as Commissioner Hart had suggested. He said that the project, in partnership with the county, was very strong and offered many benefits, in addition to building significant associated improvements, such as parks.

Commissioner Ulfelder asked Mr. Houston if the applicant could provide additional Park Authority funding or offsite park improvements. Mr. Houston said that the applicant was willing to continue discussions; however, he pointed out that during the application process significant onsite improvements had been made to the park areas, at a cost totaling between \$3 million and \$4 million. He added that the funds committed for these uses should be considered part of the fair share agreement and pointed out that the applicant had committed \$500,000 for offsite park areas in its proffers.

Commissioner Sargeant referenced the third paragraph in the letter from the Virginia Department of Transportation, dated February 16, 2014, in Appendix 13 of the staff report, and asked if the numbers provided therein were the current traffic numbers. Robin Antonucci, Vice President, Wells and Associates, explained that the 45 percent TDM was calculated from a base of ITE (Institute of Transportation Engineers), 9th Edition, trip generation rates for the uses. When Commissioner Sargeant asked how the TDM goal on this site would fit into the surrounding area,

Ms. Antonucci said that the goal was reasonable and realistic, particularly given the site's proximity to the Metro.

Chairman Murphy called for speakers from the audience, but received no response. 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 Hart for action on this item.

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Chairman Murphy: The public hearing is closed; recognize Mr. de la Fe [*sic*].

Commissioner de la Fe: No.

Chairman Murphy: Oh, Mr. Ulfelder. Oh, I thought this was this was –

Commissioner de la Fe: No. This was – yes, this was – it will be mine again, in a few years.

Chairman Murphy: I never could keep them straight.

Commissioner Ulfelder: – in about six years.

Commissioner de la Fe: – in about six years, yes, and we'll trade again.

Commissioner Ulfelder: But yes, it's moved around a bit. Thank you, Mr. Chairman. I guess this site has been waiting a while and, hopefully, the wait will soon be over. There's a couple of – couple of steps that have to proceed here and I would make a motion. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2009-HM-017, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 13, 2014. I also move – shall I go ahead with the other –

Chairman Murphy: No, let's do the rezoning.

Commissioner Ulfelder: Let's do the rezoning first, yes.

Chairman Murphy: Is there a second?

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2009-HM-017, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF CDP 2009-HM-017, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 30, 2014.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve the CDP, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF PCA C-696-10, SUBJECT TO THE BOARD'S APPROVAL OF THE CONCURRENT REZONING APPLICATION.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve the PCA C-696-10, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2009-HM-017, SUBJECT TO THE BOARD'S APPROVAL OF THE CONCURRENT REZONING APPLICATION.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to approve FDP 2009-HM-017, subject to the Board's approval the rezoning and the Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: And there was a list of the waivers and modifications dated May 15th, 2014, that was handed out this evening, and I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE LIST OF MODIFICATIONS AND WAIVERS DATED

MAY 15, 2014, THAT WERE PROVIDED TO YOU AND THAT THIS LIST BE MADE A PART OF THE RECORD OF THIS CASE.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to approve – recommend to the Board of Supervisors that they approve all them there modifications, say aye.

Commissioners: Aye.

Chairman Murphy: Motion carries.

Each motion carried by a vote of 7-0. Commissioners Flanagan, Hedetniemi, Hurley, Lawrence, and Litzenberger were absent from the meeting.

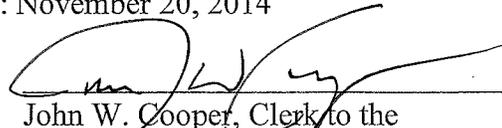
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The meeting was adjourned at 9:01 p.m.
Peter F. Murphy, Chairman
Janet R. Hall, Secretary

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: Jeanette Nord

Approved on: November 20, 2014



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