

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, JUNE 2, 2011**

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  
James R. Hart, 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: Suzanne F. Harsel, Braddock District  
Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:19 p.m. by Walter L. Alcorn, Jr., 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 would meet on Wednesday, July 27, 2011, at 7 p.m., in the Board Conference Room, to hold an informal session to obtain stakeholder input regarding the strawman document for proposed changes to the Green Building Policy.

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Vice Chairman Alcorn noted that the Commission's Telecommunications Committee would meet on Thursday, June 16, 2011, at 7 p.m., in the Board Conference Room, to continue discussions on proposed modifications to the Policy Plan regarding telecommunications facilities.

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Vice Chairman Alcorn announced that the Commission's Tysons Corner Committee would meet at 7 p.m. on the following dates in the following locations:

- Wednesday, June 22, 2011, Conference Rooms 4/5, Fairfax County Government Center
- Wednesday, June 29, 2011, Conference Rooms 2/3, Fairfax County Government Center

Vice Chairman Alcorn indicated that all were welcome to attend these meetings.

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Cathy Lewis, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), noted that William Mayland, who had worked as a planner in ZED, DPZ, from 2000 to 2005, had returned to the County. On behalf of the Planning Commission, Vice Chairman Alcorn welcomed Mr. Mayland back.

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RZ 2011-SU-003 – LYLAB HOLDINGS, LLC (Rockland Village)  
FDP 2011-SU-003 – LYLAB HOLDINGS, LLC (Rockland Village) (Decisions Only) (The public hearing on these applications was held on May 26, 2011. A complete verbatim transcript of the decisions made is in the date file.)

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2011-SU-003, SUBJECT TO THE PROFFERS DATED JUNE 1, 2011.

Commissioner Flanagan seconded the motion which carried by a vote of 9-0-1 with Commissioner de la Fe abstaining; Commissioners Harsel and Murphy absent from the meeting.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2011-SU-003, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 OF THE STAFF REPORT.

Commissioner Flanagan seconded the motion which carried by a vote of 9-0-1 with Commissioner de la Fe abstaining; Commissioners Harsel and Murphy absent from the meeting.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE MINIMUM DISTRICT SIZE OF TWO ACRES FOR THE PDH DISTRICT.

Commissioner Flanagan seconded the motion which carried by a vote of 9-0-1 with Commissioner de la Fe abstaining; Commissioners Harsel and Murphy absent from the meeting.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE MINIMUM OPEN SPACE REQUIREMENT FOR THE PDH-8 DISTRICT.

Commissioner Flanagan seconded the motion which carried by a vote of 9-0-1 with Commissioner de la Fe abstaining; Commissioners Harsel and Murphy absent from the meeting.

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PUBLIC FACILITIES MANUAL AMENDMENTS (DESIGN OF PUBLIC STREETS AND SIDEWALKS) (Decision Only) (The public hearing on this item was held on May 5, 2011. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT ADOPT THE PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL, AS RECOMMENDED BY THE ENGINEERING STANDARDS REVIEW COMMITTEE IN ITS LETTER DATED NOVEMBER 22, 2010, WHICH WOULD ALIGN THE COUNTY MINIMUM STREET WIDTHS WITH THOSE ESTABLISHED IN APPENDIX B(1) OF THE VDOT ROAD DESIGN MANUAL, BUT WOULD ALLOW PARKING RESTRICTIONS AS APPROVED BY THE DIRECTOR, WITH THE AMENDMENT TO TAKE EFFECT AT 12:01 A.M. ON JUNE 8, 2011. PLANS SHALL BE GRANDFATHERED, IN ACCORDANCE WITH THE GRANDFATHERING ESTABLISHED BY VDOT REGARDING THE SECONDARY STREET ACCEPTANCE REQUIREMENTS.

Commissioner de la Fe seconded the motion which carried by a vote of 9-0-1 with Commissioner Hall abstaining; Commissioners Harsel and Murphy absent from the meeting.

Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DIRECT APPROPRIATE COUNTY AGENCIES TO EVALUATE WHETHER CURRENT REGULATIONS REGARDING BUILDING CODES AND, WITHOUT LIMITATION, RESIDENTIAL SPRINKLER REQUIREMENTS AND FIRE RETARDANT MATERIALS SHOULD BE UPDATED IN LIGHT OF CURRENT BUILDING TECHNIQUES AND FIRE SPEED, WITH THE OBJECTIVE OF PROMOTING FIRE SAFETY THROUGHOUT THE COUNTY, AND TO REPORT BACK TO THE BOARD AT THE EARLIEST CONVENIENT OPPORTUNITY, AS TO WHAT REGULATORY AMENDMENTS WOULD BE DESIRABLE FOR THE BOARD'S EVALUATION.

Commissioners Litzenberger and Flanagan seconded the motion which carried by a vote of 9-0-1 with Commissioner Hall abstaining; Commissioners Harsel and Murphy absent from the meeting.

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FS-L11-5 – VERIZON WIRELESS, 6564 Loisdale Court (Springfield Office Center Building)

Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION FIND THAT FS-L11-5 IS A "FEATURE SHOWN" PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

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FS-P11-14 – FIBERTOWER, 8350 Greensboro Drive (Rotonda Condominiums)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH STAFF'S DETERMINATION AND FIND THE PROPOSED TELECOMMUNICATIONS FACILITY A "FEATURE SHOWN" OF THE COMPREHENSIVE PLAN PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

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ORDER OF THE AGENDA

In the absence of Secretary Harsel, Vice Chairman Alcorn established the following order of the agenda:

1. 2232-M11-2 – WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)  
SE 2010-MA-028 – WMATA
2. SE 2010-MA-031 – HILLBROOK REAL ESTATE HOLDINGS, LLC  
SE 2010-MA-032 – HILLBROOK REAL ESTATE HOLDINGS, LLC
3. PCA 92-P-001-07 – CITYLINE PARTNERS LLC  
SE 2010-PR-023 – CITYLINE PARTNERS LLC
4. SEA 94-P-040 – RP MRP TYSONS, LLC

This order was accepted without objection.

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2232-M11-2 – WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) – Appl. under Sect. 15.2-2232 of the *Code*

*of Virginia* to permit vehicular parking and other outdoor storage at an existing parking area. Located 6851-6853 Industrial Road on approx. 9.45 ac. of land zoned R-2, R-3, I-2, I-6, and HC. Tax Map 80-2 ((1)) 32. (Concurrent with SE 2010-MA-028.) MASON DISTRICT.

SE 2010-MA-028 – WMATA – Appl. under Sects. 3-204, 3-304, and 5-604 of the Zoning Ordinance to permit vehicular parking and other outdoor storage at an existing parking area. Located at 6851-6853 Industrial Road on approx. 9.45 ac. of land zoned R-2, R-3, I-2, I-6, and HC. Tax Map 80-2 ((1)) 32. (Concurrent with 2232-M11-2.) MASON DISTRICT. JOINT PUBLIC HEARING.

Anabela Talaia, agent, WMATA, reaffirmed the affidavit dated April 1, 2010. There were no disclosures by Commission members.

Commissioner Hall asked that Vice Chairman Alcorn ascertain whether there were any speakers for these applications. There being none, she asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Vice Chairman Alcorn closed the public hearing and recognized Commissioner Hall for action on these cases. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2010-MA-028, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED MAY 19, 2011.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE INTERIOR AND PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENTS TO THAT SHOWN ON THE SE PLAT.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION FIND THAT THE FACILITY PROPOSED UNDER 2232-M11-2\*, DOES SATISFY THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT, AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS

OF THE COMPREHENSIVE PLAN. (\*Note: It was later determined that 2232-M11-2 would need to be reheard on July 7, 2011 due to an advertisement error.)

Commissioner de la Fe seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

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SE 2010-MA-031 – HILLBROOK REAL ESTATE HOLDINGS, LLC  
– Appl. under Sects. 4-504, 7-601, and 9-601 of the Zoning Ordinance to permit enlargement and increase in intensity of an existing service station in a Highway Corridor Overlay District and modification in the yard requirements for commercial off-street parking spaces. Located at 6701 Little River Tnpk. on approx. 22,651 sq. ft. of land zoned C-5 and HC. Tax Map 71-2 ((1)) 32 pt. (Concurrent with SE 2010-MA-032.) MASON DISTRICT.

SE 2010-MA-032 – HILLBROOK REAL ESTATE HOLDINGS, LLC  
– Appl. under Sects. 3-204 and 9-601 of the Zoning Ordinance to permit a driveway in a commercial district. Located at 6701 Little River Tnpk. on approx. 6,969 sq. ft. of land zoned R-2 and HC. Tax Map 71-2 ((1)) 32 pt. (Concurrent with SE 2010-MA-031.) MASON DISTRICT. JOINT PUBLIC HEARING.

Inda Stagg, Senior Land Use Planner, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavits dated March 22, 2011. Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had one pending case with Ms. Stagg’s firm but indicated that there was no financial relationship and it would not affect his ability to participate in this public hearing.

Commissioner Hall asked that Vice Chairman Alcorn ascertain whether there were any speakers for these applications. There being none, she asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Vice Chairman Alcorn closed the public hearing and recognized Commissioner Hall for action on these cases. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2010-MA-031, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JUNE 1, 2011.

Commissioner Litzenberger seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2010-MA-032, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JUNE 1, 2011.

Commissioner Litzenberger seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENTS TO THE SOUTH, IN FAVOR OF THE TREATMENT DEPICTED ON THE SE PLAT, AND AS CONDITIONED.

Commissioner Litzenberger seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRAIL REQUIREMENTS ON LITTLE RIVER TURNPIKE, IN FAVOR OF THE RIGHT-OF-WAY DEDICATION, AS CONDITIONED.

Commissioner Litzenberger seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

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PCA 92-P-001-07 – CITYLINE PARTNERS LLC – Appl. to amend the proffers for RZ 92-P-001 previously-approved for commercial development to permit site modifications with an overall Floor Area Ratio (FAR) of .65. Located on the S. side of Dolley Madison Blvd. on both E. and W. side of Colshire Dr. on approx. 15.95 ac. of land zoned C-3 and HC. Comp. Plan Rec: Office. Tax Map 30-3 ((28)) C1, 4B and 4C. (Concurrent with SE 2010-PR-023.) PROVIDENCE DISTRICT.

SE 2010-PR-023 – CITYLINE PARTNERS LLC – Appl. under Sect. 9-607 of the Zoning Ordinance to permit an increase in building height from 90 ft. to 225 ft. Located at 7598 Colshire Dr. on approx. 2.94 ac. of land zoned C-3 and HC. Tax Map 30-3 ((28)) 4C. (Concurrent with PCA-92-P-001-07.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Elizabeth Baker, Land Use Planner, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavits dated May 11, 2011. Commissioner Hart disclosed that his law firm Hart & Horan, PC, had one pending case with Ms. Baker's firm but indicated that there was no financial relationship and it would not affect his ability to participate in this public hearing.

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

Responding to questions from Commissioner Lawrence, Ms. Lin noted that the proposal sought to permit construction of the proposed office building. She stated that the subject property had been included in a requested rezoning to the Planned Tysons Urban Center (PTC) District, which would make this building part of a mixed-use center near the planned Tysons East Metro station. Commissioner Lawrence and Ms. Lin briefly discussed the pedestrian traffic between the building and the future Tysons East Metro station and the street layout around the building. Ms. Lin pointed out that the street alignments depicted on the Special Exception (SE) Plat were in conformance with the proposed grid of streets for the entire area around the future Tysons East Metro station.

In reply to a question from Commissioner de la Fe, Ms. Lin stated that staff had reviewed the Comprehensive Plan's conceptual grid of streets for the entire Colshire Subdistrict. She explained that the site design would accommodate the future extension of Colshire Meadow Drive. She pointed out that the private driveway connecting to Colshire Drive could ultimately enter the grid of streets as Colshire Meadow Drive (extended), pedestrian connections were provided along this street, and there were some underground stormwater management features in this area. Cathy Lewis, ZED, DPZ, explained that staff had determined that the proposed connection to the southeast would present a challenge due to the topography differences between Colshire Drive and the future Dartford Drive near the existing MITRE 3 and MITRE 4 buildings; therefore, staff had maintained that the two proposed northeastern and northwestern connections would suffice.

In response to questions from Vice Chairman Alcorn, Ms. Lin acknowledged that staff had considered the form-giving function of the street grid, but determined that the proposed connection to the southeast would not be an absolute requirement for this site. She noted that none of the development conditions required a reservation for a future connection in this area.

Commissioner Lawrence noted that Development Condition Number 6 allowed for final alignment adjustments of the streets involved to ensure the desired layout of the sidewalks. He pointed out that because the proposal did not seek to rezone to the PTC District, the applicant was not expected to determine a build-to line, which was a theoretical line on the ground indicating where the facades of buildings should be located; however, this site would be subject to the subsequent PTC rezoning application for the MITRE campus.

Responding to questions from Commissioner Lawrence, Ms. Lin stated that the word “substantial” had been removed from Development Condition Number 10 in the Proposed Development Conditions dated June 1, 2011, but this condition did not specify a particular architectural style to enable the applicant to refine the building design and elevations in the future. (A copy of the conditions is in the date file.)

Commissioner Lawrence commented that this proposal would enable The MITRE Corporation to construct the proposed building while working on its pending PTC rezoning application.

In response to questions from Commissioner Hart, Ms. Lin said the references to "Colshire Meadow" in Development Condition Number 6(c) should not be hyphenated. Ms. Lewis stated that there were references to the layout of the proposed future Dartford Drive in the SE Plat and that this drive had been named after an existing street.

Commissioner Hart made the following recommended changes to the development conditions:

- Condition Number 6(d) - Clarify that if a public access easement was necessary, it would be prepared and paid for by the applicant, and specify that any future sidewalk contiguous to the future Dartford Drive would be located on the applicant's property, and the applicant would be responsible for that sidewalk;
- Condition Number 21 – Remove the hyphenation in "dis-aggregated" so that it was consistent with "disaggregated" in Condition Number 22;
- Condition Number 22 - Close the parentheses that began in the third sentence;
- Condition Number 22 - Revise the first sentence to read, "One year after issuance of the non-RUP, and every year on or around that date for the subsequent five years, the applicant [or its successor] shall provide non-proprietary energy and water consumption data for the building"; and
- Condition Number 10 - Clarify that the design and elevations of the proposed building would be compatible with the rest of the campus, and the building materials would be consistent with the other building.

Ms. Lin concurred with these revisions.

Ms. Baker stated that the new office building would be linked to the planned Tysons East Metro station by existing and proposed sidewalks. She noted that the subject property was owned by Cityline Partners LLC, but it was under contract to the MITRE Corporation and the proposed building would provide a fourth office building on the MITRE campus referred to as MITRE 4. She cited the need to consolidate MITRE operations in Tysons Comer into one campus. She explained that the Proffered Condition Amendment (PCA) sought to reassign approved office

gross floor area from one parcel to the subject property and there were no changes in use or increases in intensity proposed with this application. Ms. Baker indicated that the SE application sought to permit an increase in building height to comply with the recommendations for the property in the Tysons Corner Comprehensive Plan. She pointed out that Cityline and MITRE had collaborated with staff on these applications. She noted that the subject property was also included in a rezoning submission to the PTC that had been recently accepted for review by the County. Ms. Baker said it was likely that another building referred to as MITRE 6 would be constructed on this site, which was the subject of the PTC rezoning. She described how the proposal had addressed the following objectives and goals formulated in the new vision for Tysons Corner: 1) grid of street connections, 2) LEED Gold certification, 3) parking redesignation plan, 4) stormwater management controls, 5) streetscape design and sidewalk system, and 6) Transportation Demand Management program. Ms. Baker said she believed this proposal advanced the goals of the Tysons Plan, encouraged economic development, and supported the next phase of redevelopment in this area. She indicated that she had received a letter of support from the Regency (Note: A copy of this letter is not available.)

In reply to questions from Commissioner Lawrence, Ms. Baker explained how the proposed underground cistern system would retain and reuse the first inch of stormwater runoff from the site and excess runoff would be treated for water quality onsite through a filter. She noted that the system would be maintained under a private maintenance agreement and inspected on an annual basis.

Responding to questions from Commissioner Hart, Ms. Baker indicated that the main part of the building would be 225 feet tall, while the associated lecture hall would be 3 stories with a maximum height of 75 feet and contain a green roof. She clarified that the green roof would be accessed by MITRE employees from inside the building. Commissioner Hart and Ms. Baker briefly discussed the building elevations depicted on Sheet 9 of 17 in the staff report.

Replying to questions from Vice Chairman Alcorn, Ms. Baker confirmed that the site was currently developed with a 50,000-square-foot office building. She explained how the existing suburban style office park would be transformed as envisioned in the Tysons Plan.

Vice Chairman Alcorn expressed concern that the integration of huge office buildings into existing suburban office parks was inconsistent with the Comprehensive Plan Urban Design Guidelines for Tysons Comer. Ms. Baker acknowledged the difficulty of incorporating new buildings into existing campuses while supporting a broader vision of urban design.

Commissioner Lawrence commented that the transformation of Tysons from a suburban office park and activity center into a 24/7 urban center, as envisioned in the Plan, would slowly be realized by future development proposals.

Commissioner de la Fe pointed out that constraints imposed on the street network by the topography of the site could be addressed during the PTC rezoning.

In response to questions from Commissioner Flanagan, Ms. Baker stated that there was no workforce housing in the adjacent Commons Apartment Complex. She estimated that approximately 1,100 MITRE employees would work in the new building. She explained that this proposal did not include workforce housing because it concerned only office development, but noted that pending PTC rezoning applications affecting the nearby Cityline, Commons, and Capital One developments all included residential components and would therefore be subject to the 20 percent affordable and workforce requirements.

Commissioner Hart expressed concern that one of the two "Possible Enclosure for Mechanical Equipment" areas depicted on Sheet 4 of 17 in the staff report encroached into a private travel way .

In reply to questions from Commissioner Hart, Ms. Baker explained that the future pedestrian connection depicted on Sheet 4 of 17 required ramps with handrails to comply with Americans with Disabilities Act (ADA) requirements, noting that all pathways but not every sidewalk had to be ADA compliant. She added that a retaining wall would run along the Dartford Drive sidewalk connection, as depicted on Sheet 7 of 17, due to the topography in the area.

Vice Chairman Alcorn called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary.

Commissioner Lawrence suggested that the revisions recommended by Commissioner Hart be incorporated into the development conditions prior to the Board of Supervisors' public hearing on these applications, scheduled for June 7, 2011. Commissioner Lawrence also requested that the applicant recognize that there was an alternative location for the enclosure for mechanical equipment. Ms. Baker and Ms. Lin concurred with these suggestions.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman Alcorn closed the public hearing and recognized Commissioner Lawrence for action on these cases. (A verbatim excerpt is in the date file.)

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 92-P-001-07 AND ASSOCIATED GDPA, SUBJECT TO THE EXECUTED PROFFERS DATED MAY 10, 2011.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2010-PR-023, SUBJECT TO DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JUNE 1, 2011, AND SUBSTANTIVELY AMENDED AS FOLLOWS:

- IN DEVELOPMENT CONDITION NUMBER 6.C., REMOVE THE HYPHENATION FROM "COLSHIRE-MEADOW";
- IN CONDITION NUMBER 6.D., CLARIFY THAT IF A PUBLIC ACCESS EASEMENT IS NECESSARY, IT SHALL BE PREPARED AND PAID FOR BY THE APPLICANT;
- IN CONDITION NUMBER 6.D., SPECIFY THAT "ANY FUTURE SIDEWALK CONTIGUOUS TO THE FUTURE DARTFORD DRIVE" WILL BE LOCATED ON THE APPLICANT'S PROPERTY, AND THE APPLICANT SHALL BE RESPONSIBLE FOR THAT SIDEWALK;
- IN CONDITION NUMBER 21, REMOVE THE HYPHENATION FROM "DIS-AGGREGATED" SO THAT IT IS CONSISTENT WITH "DISAGGREGATED" IN CONDITION NUMBER 22;
- IN CONDITION NUMBER 22, CLOSE THE PARENTHESES THAT BEGINS IN THE THIRD SENTENCE;
- IN CONDITION NUMBER 22, REVISE THE FIRST SENTENCE TO READ, "ONE YEAR AFTER ISSUANCE OF THE NON-RUP, AND EVERY YEAR ON OR ABOUT THAT DATE FOR FIVE YEARS, THE APPLICANT [OR ITS SUCCESSOR] SHALL PROVIDE NON-PROPRIETARY ENERGY AND WATER CONSUMPTION DATA FOR THE BUILDING"; AND
- IN CONDITION NUMBER 10, CLARIFY THAT THE DESIGN AND ELEVATIONS OF THE PROPOSED BUILDING SHALL BE COMPATIBLE WITH THE REST OF THE CAMPUS, AND THE BUILDING MATERIALS SHALL BE CONSISTENT WITH THE OTHER BUILDING.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE THE TRANSITION SCREENING AND BARRIER REQUIREMENTS ALONG THE NORTHEASTERN PROPERTY BOUNDARY, IN FAVOR OF WHAT IS SHOWN ON THE SE PLAT, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE THE FRONT YARD BULK STANDARDS, PER SECTION 2-418, ALONG ALL PROPERTY LINES TO THOSE SHOWN ON THE SE PLAT.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE PARKING REDESIGNATION PLAN TO PERMIT A REDUCTION IN REQUIRED PARKING SPACES PURSUANT TO THE PARKING REDESIGNATION PLAN DATED APRIL 18, 2011, AS ALLOWED BY SECTION 11-10.1 OF THE ZONING ORDINANCE.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY THE LOADING SPACE REQUIREMENTS TO ALLOW TWO LOADING SPACES INSTEAD OF THE REQUIRED FIVE.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

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SEA 94-P-040 – RP MRP TYSONS, LLC – Appl. under Sects. 4-304, 9-607, and 9-620 of the Zoning Ordinance to amend SE 94-P-040 previously-approved for increase in building height, radio and television broadcasting facilities, microwave facilities, satellite earth stations, helistop, and waiver of certain sign regulations to permit a hotel, additional uses, and associated modifications to site design and development conditions. Located at 7940 Jones Branch Dr. on approx. 7.67 ac. of land zoned C-3. Tax Map 29-2 ((15)) C2. PROVIDENCE DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavit dated May 9, 2011. Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had one pending case with Ms. Strobel's firm but indicated that there was no financial relationship and it would not affect his ability to participate in this public hearing.

Commissioner Lawrence stated that a technical issue had been discovered regarding the recordation of the exact number of acres in the application; therefore, he announced his intent to defer the decision on this application at the end of the public hearing.

Suzanne Lin, 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 deferral of the decision on the application to refine the development conditions and amend the application.

Commissioner Hart recommended that Development Condition Number 24 in the Proposed Development Conditions dated June 1, 2011 be revised to clarify that public access easements would be prepared and paid for by the applicant, and specify that those easements would be limited to the applicant's property. Ms. Lin concurred with this recommendation. (A copy of the conditions is in the date file.)

Responding to questions from Commissioner Lawrence, Ms. Lin confirmed that the grade of Jones Branch Drive would be raised to connect to the Dulles Airport Access Road. She acknowledged that this would impact the applicant's property.

Replying to a question from Commissioner de la Fe, Ms. Lin stated that she would verify the legality of the prohibition of "satellite earth stations" depicted in Development Condition Number 14.

Commissioner Flanagan pointed out that property owners could elect not to have communication antennas and suggested that a condition be added to prohibit tenants of the proposed development from installing antennas.

Ms. Strobel presented a brief history of the application and identified the location of the subject property. She said the application did not seek a change in the current zoning or an increase in the approved gross square footage. She explained that the applicant would dedicate portions of the property necessary to complete the High Occupancy Toll (HOT) lane connection to Jones Branch Drive and accommodate the future circulator route along the Jones Branch Connector. Ms. Strobel stated that changes in the market had forced the applicant to consider alternative development plans for the property. She reviewed the proposed three development options, which included 1) a single office building, 2) two office buildings, and 3) a hotel and an office building. She noted that all the right-of-way issues had been resolved. She pointed out that the applicant's plans were acceptable to the Virginia Department of Transportation (VDOT), Fairfax County Department of Transportation, and other County agencies. She said she believed that the

proposed design was consistent with the adopted vision for Tysons Corner although it was not for a rezoning to the Planned Tysons Urban Center (PTC) Zoning District.

Commissioner Lawrence noted that the proposed parking structure would be located very close to the right-of-way for the exit ramp from the Dulles Airport Access Road to the Capital Beltway due to the reduction in the amount of developable area on the site for this improvement. Ms. Strobel concurred with this assessment and pointed out that the parking structure would be setback at least 66 feet from the roadway improvements so it would not pose any danger.

Vice Chairman Alcorn called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman Alcorn 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 DEFER THE DECISION ONLY FOR SEA 94-P-040 TO A DATE CERTAIN OF JUNE 16, 2011, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioners Harsel and Murphy absent from the meeting.

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The meeting was adjourned at 10:22 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, Virginia 22035.

Meeting taken by: Kara A. DeArrastia

Minutes by: Jacob Caporaletti

Approved on: April 18, 2012

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Kara A. DeArrastia, Clerk to the  
Fairfax County Planning Commission