

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JULY 31, 2008**

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

ABSENT: Jay P. Donahue, Dranesville District
Janet R. Hall, Mason District

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The meeting was called to order at 8:15 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 announced that this would be the last Planning Commission meeting before the August recess. He noted that the Commission would reconvene on Thursday, September 11, 2008. Chairman Murphy conveyed his thanks to Commission staff for their support of all Commission activities. He also recognized County staff and the Cable Channel 16 crew for their outstanding work.

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Chairman Murphy noted that Harold Strickland, Chairman of the Fairfax County Park Authority Board, and Virginia Delegate Stephen Shannon (35th District) had sent letters congratulating the Commission on its 70th Anniversary, which had occurred on Sunday, July 6, 2008.

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Commissioner Litzenberger MOVED THAT THE JOINT PUBLIC HEARING ON SEA 2004-SU-027 AND PCA 2004-SU-028, PENSKE AUTOMOTIVE GROUP, INC., BE DEFERRED TO A DATE CERTAIN OF OCTOBER 2, 2008.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

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Commissioner Hart noted that the Planning Commission's Environment Committee had met earlier this evening to receive a staff presentation on the proposed Tree Conservation and Preservation amendments, incorporating new provisions in the *Code of Virginia* and requirements pertaining to by-right development. He said the handouts that had been distributed at the meeting were also available to Commissioners who were not in attendance. Commissioner Hart announced that the Commission public hearing on the proposed amendments was scheduled for Wednesday, September 24, 2008.

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Commissioner Hart indicated that the Environment Committee and Department of Public Works and Environmental Services staff had held meetings on Wednesday, July 23, 2008, and Wednesday, July 30, 2008, to obtain stakeholders' input on the proposed riparian buffer protection amendments. He thanked the following Commissioners who had participated in the meetings: Earl Flanagan, Ken Lawrence, Rodney Lusk, and Tim Sargeant. Commissioner Hart said staff was evaluating the comments received.

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Commissioner Hart noted that Department of Planning and Zoning staff had held a series of public meetings to review proposed new Zoning Ordinance requirements designed to address compatibility of new home construction, including a requirement of a new angle of bulk plane measurement. He announced that a Commission public hearing on this Ordinance amendment was currently scheduled for Wednesday, October 22, 2008.

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Commissioner Hart also noted that a "Committee of the Whole" meeting was tentatively scheduled for 7:30 p.m. on Thursday, October 30, 2008, to discuss with the History Commission the upcoming proposed Comprehensive Plan Amendment, S07-CW-5CP, regarding historic resources. He said the Commission public hearing on this amendment was scheduled for Thursday, November 20, 2008.

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On behalf of Commissioner Donahue, Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON SEA 83-D-030-08, THE MADEIRA SCHOOL, INC., TO A DATE CERTAIN OF SEPTEMBER 18, 2008, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Lawrence and Lusk seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

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Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR RZ 2004-LE-042, JAMES PURYEAR, TO A DATE CERTAIN OF OCTOBER 2, 2008.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

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Chairman Murphy announced that the Planning Commission's Fort Belvoir/Base Realignment and Closure (BRAC) Committee would meet on Wednesday, August 6, 2008, at 6:00 p.m., in the Board Conference Room.

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FS-Y08-32 - AT&T MOBILITY, 13630 Bellerose Drive

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT FS-Y08-32, WHICH IS FOR THE ADDITION OF ANOTHER ANTENNA TO AN EXISTING DOMINION VIRGINIA POWER UTILITY TRANSMISSION TOWER LOCATED AT 13630 BELLEROSE DRIVE IN CHANTILLY, IS IN CONFORMANCE WITH RECOMMENDATIONS OF THE COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioner Alcorn seconded the motion which carried by a vote of 9-0-1 with Commissioner Sargeant abstaining; Commissioners Donahue and Hall absent from the meeting.

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FS-Y08-35 - T-MOBILE NORTHEAST LLC, I-66 and Sully Road

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT FS-Y08-35, WHICH IS FOR THE ADDITION OF ANOTHER ANTENNA TO AN EXISTING TOWER AT THE INTERSECTION OF ROUTE 28 AND I-66 IN CENTREVILLE, IS IN CONFORMANCE WITH RECOMMENDATIONS OF THE COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioner Alcorn seconded the motion which carried by a vote of 9-0-1 with Commissioner Sargeant abstaining; Commissioners Donahue and Hall absent from the meeting.

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FS-B08-6 - FAIRFAX COUNTY PARK AUTHORITY, 4420 Belden Street

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT FS-B08-6, WHICH IS FOR A REVISION PROPOSED BY THE FAIRFAX COUNTY PARK AUTHORITY TO THE FAIRFAX VILLA PARK MASTER PLAN, IS IN CONFORMANCE WITH RECOMMENDATIONS OF THE COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A “FEATURE SHOWN” PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

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

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FS-L08-21 - T-MOBILE NORTHEAST LLC, 5911 Kingstowne Village Parkway

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY T-MOBILE NORTHEAST, LLC, FOR NINE PANEL ANTENNAS AND ASSOCIATED EQUIPMENT CABINETS FOR THE BUILDING ROOFTOP LOCATED AT 5911 KINGSTOWNE VILLAGE PARKWAY, IS IN CONFORMANCE WITH RECOMMENDATIONS OF THE COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A “FEATURE SHOWN” PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

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

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FS-S08-25 - FIBERTOWER, 4643 West Ox Road

Chairman Murphy MOVED THAT THE PLANNING COMMISSION CONCUR WITH CONSENT AGENDA ITEM FS-S08-25, FIBERTOWER, LOCATED AT 4643 WEST OX ROAD.

Without objection, the motion carried unanimously with Commissioners Donahue and Hall absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. S07-CW-6CP - COMPREHENSIVE PLAN AMENDMENT (UNIVERSAL DESIGN)
2. 2232-L07-02 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC./
FRANCONIA VOLUNTEER FIRE DEPARTMENT, INC.
SEA 80-L-127-03 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC./
FRANCONIA VOLUNTEER FIRE DEPARTMENT, INC.
3. SE 2008-MA-008 - RADLEY AUTOMOBILES, INC.
4. RZ 2008-PR-011 - THE MITRE CORPORATION
PCA 92-P-001-05 - THE MITRE CORPORATION

This order was accepted without objection.

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S07-CW-6CP - COMPREHENSIVE PLAN AMENDMENT
(UNIVERSAL DESIGN) - To amend the Policy Plan of the Fairfax County Comprehensive Plan to create more livable communities in the County by encouraging the use of Universal Design to diversify the housing options available for residents of all ages and abilities. The amendment proposes to add a definition of Universal Design, to add a new policy regarding Universal Design to the Land Use section, and to add new policy guidance about Universal Design and affordable housing to the Housing section of the Policy Plan. COUNTYWIDE. PUBLIC HEARING.

Heidi Merkel, Planning Division, 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 proposed Policy Plan Amendment.

Commissioner Harsel pointed out that the first townhouse development to use universal design in the County was located in the Braddock District and had been endorsed by Ronald Christian, Chairman of the Redevelopment and Housing Authority (RHA). She also indicated that the guidelines developed by The Center for Universal Design at North Carolina State University had been incorporated into the development.

In response to a question from Commissioner Harsel, Ms. Merkel explained that the phrase in the definition, “without the need for adaptation or specialized design,” would facilitate the installation of universal design features with a minimal amount of work and cost.

Responding to questions from Commissioner Lusk, Donna Pesto, Zoning Administration Division, DPZ, said the Customer Service Ombudsman who worked in the Permit Application Center in the Department of Public Works and Environmental Services was well-versed on

universal design. She explained that staff was working with the Build for All Committee to develop ways to inform County residents and developers about universal design, such as brochures and a new Web site. Ms. Pesto added that the committee was collaborating with the Virginia Housing Development Authority to host a two-day universal design seminar in November for architects, engineers, builders, and homeowners. She said staff would design two universal design brochures, one for people making renovations to existing homes and one for people who were purchasing a new home.

In response to a question from Commissioner Flanagan, Ms. Merkel said there was not a basic package of features that constituted universal design at this time since the concept encompassed a wide range of accessibility features. She pointed out that there was a nationally-acclaimed universal design certification called the Easy Living concept that focused on the ability of a person with mobility problems to visit a home. Ms. Merkel noted that staff was monitoring the updates being recommended to the Universal Building Code. She said this Policy Plan amendment was a first step in addressing universal design in Fairfax County and explained that staff would develop additional amendments to the Comprehensive Plan and County regulations and policies to identify a set of features that would constitute universal design in the County.

Commissioner Flanagan described the types of features the Virginia Board of Housing and Community Development was considering incorporating into the Virginia Uniform Statewide Building Code (USBC) as the minimum requirement for a universal design facility. He expressed concern that the proposed definition of universal design suggested that initial structures that met universal design would not need further adaptation or specialized design. He, therefore, suggested that the phrase, “without the need for adaptation or specialized design” be modified to “without the need for further adaptation or specialized design.” Ms. Merkel said she did not object to this modification.

Commissioner Lawrence suggested that “with minimal adaptation or specialized design” be added to the definition. He indicated that the Commission had received an e-mail dated July 31, 2008, from John Nicholas, a Providence District resident who had given him and Providence District Supervisor Linda Smyth a demonstration of the types of universal design features for people who were confined to a wheelchair. (A copy of the e-mail is in the date file.) Commissioner Lawrence recommended that staff visit with Mr. Nicholas to gather this information for the universal design seminar.

Commissioner Sargeant expressed concern about the proposed language being included in the Policy Plan prior to achieving consensus on a level of identifiable options for universal design. Ms. Merkel acknowledged this concern, but explained that by including this language in the Policy Plan at this time, staff could begin engaging the development community in discussions about increasing universal design options available to consumers, educating consumers, and raising visibility in the building community and the community at-large. She said the next step for staff was to develop implementation strategies to encourage the production of universally-designed housing.

Responding to a question from Commissioner Sargeant, Ms. Merkel explained that the Universal Design Development Process Work Group had met with representatives from the building community and learned that there was not a great demand from consumers for universal design. She said the group had suggested that builders offer to perspective homebuyers a universal design package with a choice of options. She noted that the Build for All Committee was developing strategies and activities to educate consumers and increase demand.

Chairman Murphy pointed out that the Virginia Association of Realtors would be able to provide staff with more accurate information on the demand for universal design than the building industry. Ms. Merkel said the Work Group had not met with any realtors yet, but indicated that a representative from the realtor community served on the Build for All Committee.

Commissioner Flanagan urged Commissioners to visit the Spring Hill community in the Mount Vernon District because all of the residential units met the universal design concept.

Commissioner Litzenberger reported that the RHA had adopted a set of guidelines for universal design elements in new County-funded housing projects and recommended that staff request a copy of the guidelines from the RHA. Ms. Merkel agreed with this recommendation.

Commissioner Hart said universal design standards and incentives needed to be developed to facilitate public comprehension and awareness.

In response to a question from Commissioner Hart, Ms. Merkel said that since commercial buildings were covered by the American with Disabilities Act, there were limited additional provisions that could be encouraged by the County. She requested that ideas and suggestions regarding universal design in commercial or nonresidential buildings be forwarded to staff for consideration.

Commissioner de la Fe pointed out that the Commission's Redevelopment and Housing Committee had already discussed the issues that had been raised during this public hearing. He said he believed the purpose of this amendment was to add a definition of universal design to the Glossary of the Comprehensive Plan and that it was only a first step and should not be delayed in anticipation of an entire set of universal design standards. Commissioner de la Fe suggested that the four-page list of universal design elements that Commissioners had received be distributed to citizens at the Permit Application Center.

Commissioner Harsel commented that greater public awareness of universal design elements would increase demand. She recommended that staff promote universal design to senior housing builders.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Bernadette Manara, Principal of Landmark Atlantic, LLC, 2700 South Nelson Street, Arlington, read a letter dated July 30, 2008, from John Thillmann, President of planning and design,

Landmark Atlantic, to the Planning Commission, expressing support for the amendment as an initial step in encouraging development of universal design housing in the County. He said it was extremely expensive to build such units today and without significant changes to the existing system and an incentive program, it would be impossible to do so in the future. (A copy of the letter is in the date file.) She reported that Landmark Atlantic was currently building Project Independence at Oak Leather Knoll community, eight townhomes on Oak Leather Drive in Burke, which would incorporate universal design features, including elevators in all units. She said Landmark Atlantic would hold one of the completed units open to the public for a period of time to demonstrate that universal design could be done in a vertical building and to also educate the public. Ms. Manara commented that the concept of universal design must first be addressed at the land development stage to ensure that people of all ages and abilities could access the housing unit from the outside.

Ms. Manara responded to a question from Commissioner Sargeant about retrofitting existing homes with universal design features.

Jeannie Cummins, member of the Board of Directors of the Coalition for Housing Opportunities In the Community for Everyone, Inc. (CHOICE), 2666 Military Road, Arlington, said the proposed amendment only “encouraged” universal design and suggested that it would make more sense to set objectives that increased the number of affordable unites that met commonly accepted accessibility standards. She also pointed out that developers needed incentives to build accessible homes. (A copy of her remarks is in the date file.)

Fran Wallingford, 3311 Mantua Drive, Fairfax, commended the County for taking a step toward addressing universal design and said that new homes should be required to be built so they could easily be retrofitted with universal design features.

There being no more speakers, Chairman Murphy called for concluding staff remarks from Ms. Merkel, who declined. There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lusk for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE PROPOSED POLICY PLAN LANGUAGE REGARDING UNIVERSAL DESIGN, AS SHOWN ON PAGES 3 AND 4 OF THE STAFF REPORT DATED JULY 17, 2008.

Commissioners Lawrence, Alcorn, and Flanagan seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

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2232-L07-02 and SEA 80-L-127-03 - NEXTEL
COMMUNICATIONS OF THE MID-ATLANTIC, INC./
FRANCONIA VOLUNTEER FIRE DEPARTMENT, INC.

July 31, 2008

2232-L07-02 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC./FRANCONIA VOLUNTEER FIRE DEPARTMENT, INC. - Appl. under Sects. 15.2-2204 and 15.2-2232 of the *Code of Virginia* to permit a telecommunications facility. Located at 6304 Beulah St. on approx. 2.76 ac. of land zoned R-3 and HC. Tax Map 81-3 ((5)) 20 and 20A. (Concurrent with SEA 80-L-127-03.) LEE DISTRICT.

SEA 80-L-127-03 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC./FRANCONIA VOLUNTEER FIRE DEPARTMENT, INC. - Appl. under Sect. 3-304 of the Zoning Ordinance to amend SE 80-L-127 previously-approved for a public benefit association to permit a telecommunications facility and associated modifications to site design. Located at 6304 Beulah St. on approx. 2.76 ac. of land zoned R-3 and HC. Tax Map 81-3 ((5)) 20 and 20A. (Concurrent with 2232-L07-02.) LEE DISTRICT. JOINT PUBLIC HEARING.

Catherine Blue, Esquire, with Donohue & Blue PLC, reaffirmed the affidavit dated June 28, 2007. There were no disclosures by Commission members.

St. Clair Williams, 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 that the Planning Commission find 2232-L07-02, substantially in accord with provisions of the adopted Comprehensive Plan. He also noted that staff recommended approval of SEA 80-L-127-03.

Ms. Blue stated that Sprint-Nextel sought to construct a 107-foot treepole located in the far corner of the Franconia Volunteer Fire station parking lot. She explained that the site was an appropriate location for the telecommunications facility because it would provide Nextel-Sprint service coverage to the fire station and the surrounding commercial and residential areas and the rent paid for the site would go toward the Franconia Volunteer Fire Department. She said the applicant concurred with staff's findings and thanked Commissioner Lusk for his participation and guidance in the applications.

Chairman Murphy called for speakers but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lusk for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Lusk MOVED THAT THE PLANNING COMMISSION FIND THAT THE FACILITY PROPOSED UNDER 2232-L07-02 SATISFIES 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.

Commissioners Lawrence and Alcorn seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 80-L-127-03, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 17, 2008.

Commissioners Lawrence and Alcorn seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE TRANSITIONAL SCREENING REQUIREMENTS ALONG THE NORTHERN AND EASTERN PROPERTY LINES.

Commissioners Lawrence and Alcorn seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

Commissioner Lusk MOVED THAT THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE BARRIER REQUIREMENT ALONG THE EASTERN PROPERTY LINE.

Commissioners Lawrence and Alcorn seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

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Chairman Murphy indicated that Commissioner Sargeant would handle the next case on behalf of Commissioner Hall.

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SE 2008-MA-008 - RADLEY AUTOMOBILES, INC. - Appl. under Sects. 4-804 and 9-622 of the Zoning Ordinance to permit a vehicle major service establishment and modifications and waivers in a Commercial Revitalization District. Located at 5900 Seminary Rd. on approx. 41,968 sq. ft. of land zoned C-8, CRD, HC, and SC. Tax Map 61-2 ((20)) 3A, 4, and 15. MASON DISTRICT. PUBLIC HEARING.

Jane Kelsey, with Jane Kelsey & Associates, Inc., reaffirmed the affidavit dated May 13, 2008. Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had ended a case last year for which Ms. Kelsey had been hired as a consultant and an expert witness. He indicated that since this financial relationship had occurred more than 12 months ago, it would not affect his ability to participate in this case.

Commissioner Sargeant asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Sargeant for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2008-MA-008, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 24, 2008.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRAILS AND STREETScape REQUIREMENTS ALONG SEMINARY ROAD AND CENTER LANE, IN FAVOR OF THAT SHOWN ON THE SPECIAL EXCEPTION PLAT.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

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RZ 2008-PR-011 - THE MITRE CORPORATION - Appl. to rezone from C-3 and HC to C-3 and HC with new proffers and to permit an additional office building which would result in an FAR of 1.0 within the application property. Located at the S. terminus of Colshire Dr., S. of Dolley Madison Blvd., and W. of Anderson Rd. on approx. 19.61 ac. of land. Comp. Plan Rec: Office. Tax Map 30-3 ((28)) 3A1 and 4A3. (Concurrent with PCA 92-P-001-05.) PROVIDENCE DISTRICT.

PCA 92-P-001-05 - THE MITRE CORPORATION - Appl. to delete 19.61 acres of land from RZ 92-P-001 previously approved for commercial development and the proffers associated with that approval. Located at the S. terminus of Colshire Dr., S. of Dolley Madison Blvd., and W. of Anderson Rd. on approx. 19.61 ac. of land

zoned C-3 and HC. Comp. Plan Rec: Office. Tax Map 30-3 ((28))
3A1 and 4A3. (Concurrent with RZ 2008-PR-011.) PROVIDENCE
DISTRICT. JOINT PUBLIC HEARING.

Antonio Calabrese, Esquire, with Cooley Godward Kronish LLP, reaffirmed the affidavit dated June 27, 2008. There were no disclosures by Commission members.

Peter Braham, 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 the applications.

Commissioner Lawrence noted his intent to defer the decision on these applications to allow the applicant time to further revise the proffers.

Mr. Calabrese delivered a presentation on the proposed development, which showed the future Metrorail stations in Tysons Corner, an aerial overview of the site and surrounding uses, and the illustrative site plan. He described the amenities that would be provided to MITRE employees to entice them to remain on the campus during the workday. He noted that the applicant had not requested additional Metrorail-related density and that the development would be consistent with the longstanding Tysons Corner Land Use Task Force deliberations. Mr. Calabrese reviewed the public access easement, road connections, stormwater management improvements, environmental enhancements, Leadership in Energy and Environmental Design (LEED) certification commitment, Transportation Demand Management (TDM) program, green building practices, reduced parking ratio, and Future Tysons Sustainability Program. He said significant contributions would be made to the Tysons Transportation Fund and for a shuttle/circulator system, athletic field improvements in the Providence and Dranesville Districts, and workforce housing. He indicated that the applicant had agreed to prohibit additional office space in the cellar of the new building, as requested by Providence District Supervisor Linda Smyth. (A copy of the presentation is in the date file.)

Commissioner Lawrence recognized the work of Mr. Braham; Michael Jollon, with the Fairfax County Department of Transportation; County staff; and the applicant's team on these applications.

In response to questions from Commissioner Lawrence, Mr. Calabrese noted that the applicant had met with West*Group representatives, who had expressed support for the proposal. He said the applicant had assured West*Group that the 348,256 square feet of remaining entitled but un-built density associated with its property would not be impacted by the applications. Mr. Calabrese also indicated that the applicant had met with residents of the adjacent The Commons of McLean apartment buildings. He then described the location of the proposed public access pedestrian route through the MITRE campus to the future Tysons East Metro Station.

Commissioner Lawrence said Proffer Number 14, MITRE Plaza Signage, would be refined to indicate that after the Tysons East Metro Station opened, the applicant would re-examine the

signage to ensure that it was appropriate. Commissioner Alcorn said he supported this proffer, noting that pedestrian access to Metro stations needed to be safe, intuitive, and interesting.

Responding to a question from Commissioner Harsel, Mr. Calabrese said MITRE would be responsible for maintenance of the public easement, including snow removal.

Commissioner Lawrence commented on proffers that addressed the rail mode split, stormwater management, and the Future Tysons Sustainability Program.

Commissioner Hart suggested the following corrections to the revised set of proffers dated July 24, 2008:

- Proffer Number 22B, Post Construction Tree Remediation – change “of” to “or” at beginning of first sentence.
- Proffer Number 23, Treatment of Cellar Space – duplicate set of A, B, C, and D.
- Proffer Number 26D, Green Building Practices – numbering convention inconsistent.
- Proffer Number 27, One-Time Field Contribution – correct spelling of Dranesville.

Commissioner Lawrence requested that Commissioners forward their comments and suggestions regarding these applications to him or Mr. Braham.

Chairman Murphy called for speakers 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, Chairman Murphy closed the public hearing and recognized Commissioner Lawrence for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DEFER THE DECISIONS ONLY ON RZ 2008-PR-011 AND PCA 92-P-001-05, TO A DATE CERTAIN OF SEPTEMBER 18, 2008, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Lusk, Sargeant, and Alcorn seconded the motion which carried unanimously with Commissioners Donahue and Hall absent from the meeting.

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The meeting was adjourned at 10:12 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

CLOSING

July 31, 2008

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: Kara A. DeArrastia

Approved on: November 19, 2009

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