

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, SEPTEMBER 8, 2011**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Jay P. Donahue, Dranesville District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
James T. Migliaccio, Lee District

ABSENT: Frank A. de la Fe, Hunter Mill District
Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
Peter F. Murphy, Jr., Springfield District
Timothy J. Sargeant, Commissioner At-Large

//

The meeting was called to order at 8:33 p.m. by Vice Chairman Walter L. Alcorn, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

//

COMMISSION MATTERS

Commissioner Hart announced that a public workshop before the Planning Commission would be held on Wednesday, September 14, 2011, at 8:15 p.m. in the Board Auditorium, to receive additional input from stakeholders regarding the draft strawman document for the proposed Green Building Policy revisions.

//

Vice Chairman Alcorn announced that the Planning Commission's Tysons Corner Committee had met on Wednesday, September 7, 2011, to hold a listening session on the public's concerns, views, ideas, and/or recommendations regarding transportation funding for Tysons Corner redevelopment. He stated that the Committee would meet again on Thursday, September 22, 2011, at 7:00 p.m., in Conference Rooms 9/10, to discuss the proposed process for the timeframe, outcomes, and benefits of Tysons, and related improvements.

//

Commissioner Lawrence announced his intent to defer the joint public hearing on RZ/FDP 2006-PR-027, TCR Mid-Atlantic Properties, and SEA 00-P-050, Fairfax Ridge Condominium Unit Owners Association, scheduled for Thursday, September 15, 2011, to a date certain of Thursday, October 6, 2011.

//

On behalf of Commissioner Hall, Commissioner Hart MOVED THAT THE PLANNING COMMISSION ACCEPT THE REQUESTED WITHDRAWAL OF APR 09-I-2L, SOUTH COUNTY AREA PLANS REVIEW ITEM.

Commissioner Litzenberger seconded the motion which carried unanimously with Commissioners de la Fe, Flanagan, Hall, Murphy, and Sargeant absent from the meeting.

//

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION APPROVE THE FOLLOWING MINUTES:

JUNE 2, 2010	JUNE 16, 2010	JUNE 17, 2010
JUNE 23, 2010	JUNE 24, 2010	JUNE 30, 2010

Commissioner Hart seconded the motion which carried by a vote of 6-0-1 with Commissioner Migliaccio abstaining; Commissioners de la Fe, Flanagan, Hall, Murphy, and Sargeant absent from the meeting.

//

- FSA-S00-94-1 – AT&T, 9509 Old Burke Lake Road
- FS-Y11-21 – SPRINT, 14708 Mount Olive Road
- FSA-L00-90-1 – AT&T MOBILITY, 6700 Springfield Center Drive
- FSA-L96-1-2 – AT&T MOBILITY, 7701 Loisdale Road
- FSA-S96-78-3 – AT&T MOBILITY, 8900 Burke Road (Braddock District)
- 2232A-S09-17-1 – AT&T MOBILITY, 4904 Mattie Moore Court (Braddock District)

Vice Chairman Alcorn MOVED THAT THE PLANNING COMMISSION APPROVE THE CONSENT AGENDA ITEMS.

Without objection, the motion carried unanimously with Commissioners de la Fe, Flanagan, Hall, Murphy, and Sargeant absent from the meeting.

//

ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. S11-IV-RH – COMPREHENSIVE PLAN AMENDMENT (Lee District)
2. RZ/FDP 2010-PR-014-A – GEORGELAS GROUP, LLC
RZ 2010-PR-014-B – GEORGELAS GROUP, LLC

This order was accepted without objection.

//

S11-IV-RH1 – COMPREHENSIVE PLAN AMENDMENT – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. The proposed Plan Amendment will consider adding an option for a funeral home use. Recommendations relating to the transportation network may also be modified. LEE DISTRICT. PUBLIC HEARING.

Kimberly Rybold, Planning 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 the Amendment.

Vice Chairman Alcorn called the one listed speaker and recited the rules for public testimony.

Sara Mariska, Esquire, with Walsh, Colucci, Lubeley, Emrich, & Walsh, PC, spoke on behalf of the property owner, Jefferson Development, who sought to amend the current use to add a funeral home. She added that a rezoning application had been submitted for implementation upon approval of the Amendment.

In reply to a question from Commissioner Harsel, Ms. Mariska stated that cremations would not occur in the funeral home and pointed out that it was not permitted.

Ms. Rybold noted that the Comprehensive Plan defined “crematorium” under specific guidelines and noted that such a use was not permitted on this site. Commissioner Hart pointed out that the funeral home’s location precluded the use of a crematorium because the site was too small and added that a Special Permit application would be required.

There being no further speakers for this proposal, Vice Chairman Alcorn called for a rebuttal statement from Ms. Rybold, who declined. There were no further comments or questions from

the Commission; therefore, Vice Chairman Alcorn closed the public hearing and recognized Commissioner Migliaccio for action on this item. (A verbatim excerpt is in the date file.)

//

Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS' ADOPTION OF THE STAFF RECOMMENDATION FOR PLAN AMENDMENT S11-IV-RH1, AS STATED ON PAGE 4 OF THE STAFF REPORT DATED AUGUST 5, 2011.

Commissioner Hart seconded the motion which carried unanimously with Commissioners de la Fe, Flanagan, Hall, Murphy, and Sargeant absent from the meeting.

//

RZ 2010-PR-014-A/FDP 2010-PR-014-A – GEORGELAS GROUP, LLC – Appls. to rezone from I-5 and HC to PTC and HC to permit mixed-use development with an overall Floor Area Ratio (FAR) of 6.33 and approval of the conceptual and final development plans. Located on the E. side of Leesburg Pk. and S. of Spring Hill Rd. approx. 250 ft. W. of its intersection with Greensboro Dr. on approx. 1.56 ac. of land. Comp. Plan Rec: Transit Center Mixed Use and Residential Mixed Use. Tax Map 29-3 ((1)) 48D. PROVIDENCE DISTRICT.

RZ 2010-PR-014-B – GEORGELAS GROUP, LLC – Appl. to rezone from I-5 to PTC to permit mixed-use development with an overall Floor Area Ratio (FAR) of 7.25 and approval of the conceptual development plan. Located on the N. side of Spring Hill Rd. directly opposite its intersection with Greensboro Dr. on approx. 5.51 ac. of land. Comp. Plan Rec: Transit Center Mixed Use and Residential Mixed Use. Tax Map 29-3 ((1)) 60C. PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Elizabeth Baker, Land Use Coordinator, with Walsh, Colucci, Lubeley, Emrich, & Walsh, PC, reaffirmed the affidavit dated August 19, 2011. Commissioner Hart disclosed that his law firm Hart & Horan, PC, had a 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.

Commissioner Lawrence stated that this was the first requested rezoning to the Planned Tysons Corner Urban Center (PTC) District and therefore announced his intent to defer the decision on these applications after the close of the public hearing.

Tracy Strunk, 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 the applications.

In response to questions from Commissioner Hart, Ms. Strunk said that after consulting with the Fairfax County Department of Transportation (FCDOT), staff had determined that reducing the speed limit by 10 miles-per-hour (mph) from 35 mph to 25 mph would enhance the sight line and ensure safety for vehicles on the road.

Michael Davis, FCDOT, and Commissioner Hart briefly discussed urban street design standards, speed limits, and street trees along with their effect on sight lines.

In response to additional questions from Commissioner Hart, Ms. Strunk described how the applicant was meeting the stormwater management requirements as prescribed by the Comprehensive Plan, the Public Facilities Manuel, and as outlined on page 42 of the staff report.

Replying to questions from Commissioner Donahue, Ms. Strunk outlined how the applicant would acquire the necessary land for athletic fields and deferred to the applicant for more information. Commissioner Donahue expressed concern about the athletic fields not being constructed in conjunction with the occupancy of the buildings and its impact on the surrounding areas. He suggested that a half-field be constructed in the interim prior to the construction of a full athletic field.

In reply to a question from Vice Chairman Alcorn, Ms. Strunk stated that the timeframe for the dedication of land for athletic fields varied, noting that it usually occurred during site plan review.

Ms. Baker introduced Aaron Georgelas of the Georgelas Group, who made a brief statement commending staff for their assistance in bringing this project to fruition.

Ms. Baker delivered a PowerPoint presentation on the proposed Spring Hill Station development, noting that the subject applications comprised the first request to rezone to the PTC District. She indicated that RZ 2010-PR-014 had been divided into three cases: RZ/FDP 2010-PR-014A (Part A), RZ 2010-PR-014B (Part B), and RZ 2010-PR-014C (Part C). She said only Parts A and B were being considered at this time. She described the design, layout, and amenities of the residential development, noting that it addressed the major planning objectives in the new Tysons Corner Comprehensive Plan and offered a multitude of benefits to the community and to Tysons generally. Ms. Baker explained that the following improvements would be provided:

- Inclusion of affordable and workforce housing in conformance with the Comprehensive Plan and the Board of Supervisors' Tysons Corner Urban Center Workforce Dwelling Unit Administrative Policy Guidelines;

- Refined grid of streets to set the tone for the urban block pattern desired in Tysons and provide accessibility for pedestrians, vehicles, and bicyclists;
- Activated and lively streetscapes;
- Construction of a new fire and rescue station to serve the Tysons area;
- Innovative stormwater management;
- Robust Transportation Demand Management (TDM) program;
- Support for future circulator routes;
- Initiation of a funding mechanism to support Tysons-wide road improvements;
- Construction of private service streets (West and East Streets);
- Dedication of right-of-way to construct an interim section of Greensboro Drive and contribution of funds toward the future extension of Greensboro Drive to connect Spring Hill and Tyco Roads, which was contingent on a certain level of development within Tysons;
- Option to allow for retail uses on the ground floor of Building F1 containing approximately 6,000 square feet;
- Construction of Condominium Avenue from Spring Hill Road to the eastern boundary of the subject property in an interim condition to accommodate two travel lanes (one in each direction) and a parking lane on the south side of Condominium Avenue;
- Established parameters for the maximum height and number of units for each of the residential structures in the Conceptual Development Plan (CDP);
- Each building would accommodate a combination of underground and above-grade parking;
- Provisions for on-site public and private parks;
- Acquisition and dedication to the Fairfax County Park Authority (FCPA) for park and potential athletic field development on identified off-site parcels adjacent to Raglan Road Park, noting that if unsuccessful within nine months of approval of the subject applications, then the applicant would submit a written request to Fairfax County to acquire the off-site parcels by means of its condemnation powers; and
- Construction of a half-size athletic field on the site.

Ms. Baker stated that it was anticipated that the ultimate section of Condominium Avenue east of Spring Hill Road would be constructed by others on or before the ultimate section of Condominium Avenue was constructed west of Spring Hill Road. She noted that the applicant intended to start construction on the first building (Building F1) immediately after site plan approval; however, market conditions would largely dictate the subsequent construction of the other four buildings in Part B. She said it was expected to take two years to construct each building following site plan approval; therefore, the applicant would continue to work through the process of acquiring the land, planning it appropriately, and implementing construction before the development would generate the need for a full athletic field. Ms. Baker recommended the following changes to the proposed conditions:

- Revise FDP 2010-PR-014A Condition Number 4 to read, “All tree plantings along streets (public or private) shall provide for a minimum depth of **four** feet before the top of any below grade structure under a tree planting area.”
- Delete CDP 2010-PR-014B Development Condition Number 1, which stated, “No changes to the build-to lines depicted in the CDP shall be permitted that result in a reduction of streetscape dimensions and/or lane widths established in the CDP.”

(A copy of Ms. Baker’s presentation is in the date file.)

Responding to questions from Commissioner Litzenberger, Ms. Baker stated that a 46-space parking structure would serve the fire station.

Commissioner Hart expressed concerns with Proffer Number 16D, which implied that trees at street corners might need to be removed if deemed necessary by FCDOT and the Virginia Department of Transportation (VDOT). He suggested that the applicant work with VDOT to ensure that any trees that were removed would be transplanted to another location.

Commissioner Lawrence assured that this issue would be discussed during the deferral period. He made a related comment about shadows cast by the trees and its potential influence on nearby traffic patterns.

Replying to questions from Commissioner Harsel, Ms. Baker stated that the trees would be approximately 7 feet tall upon planting, and Dan Avrit, with Parker Rodriguez Inc., said that they would take 20 to 25 years to grow to maturity. Mr. Avrit explained how shadows cast by the trees were measured and what effect this would have on sight lines, noting that the reduction in speed limit should minimize potential obstructions.

In response to questions from Commissioner Hart, Ms. Baker confirmed that four feet of soil would accommodate the proposed street trees and the six feet noted by staff was to allow utility space. Ms. Strunk added that staff could add language to the proffers that would clarify the four-foot soil depth requirements. Commissioner Hart and Ms. Baker briefly discussed the importance of the trees to the streetscape.

Commissioner Lawrence commended the applicant for its commitment to affordable housing.

Commissioner Lawrence explained that he and Ms. Baker had spoken prior to tonight’s meeting about a list of questions he had for the applicant to address during the deferral period, a copy of which is in the date file. Ms. Baker and staff responded to several of the questions, noting again that additional concerns would be addressed during the deferral period:

- Ms. Baker described the façade along Condominium Avenue, which would include vegetation to enhance the pedestrian walkway;

- When asked about the blank walls on a parking garage that would be located on Condominium Avenue, Ms. Baker explained that the applicant envisioned artistic displays along the walls to enhance visual appeal;
- Ms. Strunk confirmed that the street trees would be affected by the circulator right-of-way, but noted that the applicant had committed to provide additional space for the trees to prevent potential problems;
- Ms. Strunk confirmed that providing right-of-way for the circulator was a general expectation;
- Mr. Davis confirmed that private developers would be responsible for constructing connections within the street grid and explained how these connections would benefit residents along Greensboro Drive;
- Mr. Davis and Ms. Strunk explained why they believed Tysons Corner could support higher than recommended density, maintaining that since the proposed development was residential, there would be an overall reduction of vehicular trips because it would reduce the need to commute into the area;
- Ms. Strunk confirmed that concerns regarding the relationship of Building G to the buildings west of Merchant Street, as described in page 29 of the staff report, had been resolved;
- Ms. Baker maintained that a study on the feasibility of charging stations for electric cars, as stipulated by Proffer Number 14C, could be conducted without installation of the necessary equipment;
- Ms. Strunk stated that the applicant had not responded to staff's suggestions regarding water consumption efficiency; and
- Ms. Baker agreed that the language of the land deeds should ensure that the management of sidewalk space was not overly prohibitive.

In reply to a question from Commissioner Migliaccio, Ms. Baker clarified that Proffer B on page 40 of the staff report would allow greater flexibility in determining how much workforce housing would be implemented in each building. Commissioner Migliaccio expressed concern about the possibility of concentrating workforce housing into one building rather than integrating it into each building.

Vice Chairman Alcorn called the first listed speaker.

Paula Roberts, 1726 Pine Valley Drive, Vienna, expressed concerns regarding the applicant's plan to acquire land for athletic fields. She read an excerpt from a letter she had received from the applicant, which explained its development plans. She stated that the increased traffic incurred by the athletic fields would negatively affect her neighborhood and therefore endorsed constructing the athletic fields on other parts of the proffered land.

Shane Robinson, 1760 Old Meadow Road, Suite 500, McLean, supported the proposal on behalf of Tysons Tomorrow, citing the applicant's commitments to environmentally friendly building practices and the inclusion of workforce housing as positive additions to Tysons Corner.

Ken Quincy, 8225 Bucknell Drive, Vienna, Providence District representative on the Fairfax County Park Authority (FCPA) Board, expressed support for the proposed development. He stated that the expansion of Raglan Road Park would benefit Tysons Corner. He described how FCPA would work with the applicant to develop Raglan Road Park and receive input from the surrounding community.

Responding to questions from Commissioner Hart, Mr. Quincy confirmed that the applicant's proposal was restricted to acquiring the land for athletic fields and FCPA would implement its own procedures in developing the land.

In response to a question from Commissioner Lawrence, Mr. Quincy assured that FCPA would maintain buffering requirements for future park developments in accordance with the Comprehensive Plan.

Vice Chairman Alcorn stated that Stewart Schwartz, Executive Director, Coalition for Smarter Growth, and Stella Koch, representing the Audubon Naturalist Society, were not able to attend the public hearing, but had provided written testimony in support of the applications, copies of which are in the date file.

Robert Diedrich, 3322 Prince William Drive, Fairfax, representing the Virginia chapter of the Sierra Club, spoke in support of the applications, but expressed concerns about the lack of retail in the area and the limited provisions for park land. He listed a number of environmental concerns regarding a potential reduction of tree canopy and a lack of recycling facilities. He also encouraged greater transparency on this and future developments.

Steven Bruckner, 8620 Polk Street, McLean, discussed energy concerns related to the proposal and similar developments in Northern Virginia. He described new technology that would incorporate ice thermal energy storage and how it could serve buildings similar to those proposed by the applicant. He encouraged the Planning Commission to endorse this new technology for this and future developments. (A copy of Mr. Bruckner's remarks is in the date file.)

Replying to a question from Commissioner Harsel, Mr. Bruckner said that the ice thermal energy system would utilize a fixed amount of water but would not incorporate stormwater.

Commissioner Lawrence commended Mr. Bruckner on his presentation and described how this system could be incorporated into energy policies for future developments.

Commissioner Hart encouraged Mr. Bruckner to attend meetings of the Planning Commission's Environment Committee and provide testimony on the County's current and future environmental policies.

Pamela Kondè, 1736 T-West Lane, Vienna, President of the Greater Tysons Green Citizen Association, opposed the proposal to expand Raglan Road Park. She argued that the land was not suitable for athletic fields and therefore should not be used as a basis to satisfy the athletic field requirements. She encouraged the applicant to expand the existing park facilities and utilize other land within Tysons Corner to construct athletic fields. Ms. Kondè echoed concerns about the increase in traffic that new athletic fields would incur, describing the limited accessibility to the area during peak traffic hours. She criticized the possibility of the County condemning a property as a means of acquiring the necessary park land. (A copy of Ms. Kondè's statement is in the date file.)

Commissioner Donahue reiterated that the provisions in the applications were a means of facilitating the acquisition of land for athletic fields before they became too difficult to acquire.

Mark Zetts, 6640 Kirby Court, Falls Church, representing the McLean Citizens Association (MCA), stated that the MCA supported the proposal, but he personally expressed concerns about the financing of the development and the increase in traffic that the Spring Hill Metro Station would incur. He argued that the penalties for not meeting TDM goals were too lenient. He requested further clarification regarding how the stormwater management system would store and reuse water. He echoed concerns about limited park land and encouraged development of additional recreation areas.

Commissioner Hart and Mr. Zetts discussed the extent to which the MCA supported the applications with respect to sources of funding.

Vice Chairman Alcorn called for speakers from the audience.

Rob Whitfield, 10740 Parkridge Boulevard, Suite 110, Reston, representing the Dulles Corridor User Group, echoed concerns about the increased traffic that the proposal would incur. He cited the corridor at Route 7 and Spring Hill Road as major points of congestion. He suggested new requirements for publicizing information about the potential traffic impact of a new development. He also expressed concerns about the impact that an influx of new residents would have on the local school system and requested that the applicant and staff conduct a study on the potential impacts of the development on public facilities in the area. He concurred with the concerns previous speakers had raised about the applicant's plan to acquire park land.

Paul Browne, 2015 North Buchanan Court, Arlington, Board member of Affordable Housing Opportunity Means Everyone (AHOME), supported the proposal because it would accommodate the growing demand for housing in Tysons Corner. He also commended the applicant's commitment to implement workforce housing.

There being no more speakers, Vice Chairman Alcorn called for a rebuttal statement from Ms. Baker.

Ms. Baker stated that she would work with staff to address the concerns raised by the speakers and Commissioners. She addressed traffic concerns by noting that a Chapter 527 Traffic Impact Analysis had been approved by VDOT.

Vice Chairman Alcorn noted that page 49 of the staff report addressed the impact the proposal would have on local schools.

Responding to a question from Commissioner Harsel, Ms. Strunk clarified that part of Raglan Road Park was located within the border of Tysons Corner, but two parcels were not.

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 applications. (A verbatim excerpt is in the date file.)

//

Commissioner Lawrence MOVED TO DEFER THE DECISION ONLY ON RZ 2010-PR-014-A, RZ 2010-PR-014-B, AND FDP 2010-PR-014-A TO A DATE CERTAIN OF SEPTEMBER 21, 2011, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioners Hart and Migliaccio seconded the motion which carried unanimously with Commissioners de la Fe, Flanagan, Hall, Murphy, and Sargeant absent from the meeting.

//

The meeting was adjourned at 11:49 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

CLOSING

September 8, 2011

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 and
Jeanette Nord

Approved on: June 28, 2012

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