



PLANNING COMMISSION SUMMARY OF ACTIONS

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May 27, 2010

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PRESENT: Commissioners Alcorn, de la Fe, Donahue, Flanagan, Harsel, Hart, Lawrence, Litzenberger, Lusk, Murphy, Sargeant

ABSENT: Commissioner Hall

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The meeting was called to order at 8:15 p.m. by Peter F. Murphy, Jr., Chairman.

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COMMISSION MATTERS

Commissioner de la Fe MOVED TO DEFER THE PUBLIC HEARING FOR PRC A-502-02, FAIRWAYS I AND II RESIDENTIAL LLC, FROM THURSDAY, MAY 27, 2010 TO THURSDAY, JULY 15, 2010.

Commissioner Hart seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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Commissioner Donahue MOVED TO DEFER THE PUBLIC HEARING FOR SE 2010-DR-002, DISTRICT OF COLUMBIA WATER & SEWER AUTHORITY, FROM THURSDAY, MAY 27, 2010 TO THURSDAY, JULY 22, 2010.

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

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FS-B10-15 – T-MOBILE NORTHEAST LLC, 7171 Wimsatt Road

FSA-B06-64-1 – CLEARWIRE, 5637 Guinea Road

FS-M09-165 – CLEARWIRE, 6335 Little River Turnpike

FSA-D09-47-1 – NEW CINGULAR WIRELESS D/B/A AT&T MOBILITY, 1580 Beulah Road

Chairman Murphy MOVED CONSENT AGENDA ITEMS FSA-B06-64-1, CLEARWIRE, 5637 GUINEA ROAD; FS-M09-165, CLEARWIRE, 6335 LITTLE RIVER TURNPIKE; FSA-D09-47-1, NEW CINGULAR WIRELESS D/B/A AT&T MOBILITY, 1580 BEULAH ROAD; AND FS-B10-15, T-MOBILE NORTHEAST LLC, 7171 WIMSATT ROAD.

Without objection, the motion carried unanimously with Commissioner Hall absent from the meeting.

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FS-H10-10 – CLEARWIRE, 11400 South Lakes Drive

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT FS-H10-10, CLEARWIRE, IS IN SUBSTANTIAL 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 seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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AREA PLANS REVIEW ITEM 09-IV-24MV

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION ACCEPT THE WITHDRAWAL OF AREA PLANS REVIEW ITEM 09-IV-24MV.

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

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ST05-CW-1CP – COMPREHENSIVE PLAN AMENDMENT (TYSONS CORNER)

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENT FOR THE TYSONS CORNER URBAN CENTER, ST05-CW-1CP, AS SET FORTH IN THE DRAFT DATED MARCH 24, 2010, WITH (EDITORIAL CHANGES MADE BY THE COMMISSION THIS EVENING AND) THE REVISIONS SPECIFIC TO INTENSITY ALTERNATIVE 3A, AS PRESENTED IN THE MAY 27, 2010 DOCUMENT ENTITLED, “TRANSFORMING TYSONS, JOINT MOTION TO MARK UP THE MARCH 24 DRAFT.”

Commissioners de la Fe and Lawrence seconded the motion which carried by a vote of 10-1, with Commissioner Donahue opposed; Commissioner Hall absent from the meeting.

Commissioner de la Fe MOVED THAT THE FIRST PARAGRAPH ON PAGE 49 OF THE DRAFT AMENDMENT SHOULD READ: “NON-RESIDENTIAL DEVELOPMENT THROUGHOUT TYSONS SHOULD CONTRIBUTE A MINIMUM OF \$3 PER NON-RESIDENTIAL SQUARE FOOT, ADJUSTED ANNUALLY BASED ON THE CONSUMER PRICE INDEX, OR AT LEAST 25 CENTS PER NON-RESIDENTIAL SQUARE FOOT, OVER A PERIOD OF TIME TO BE DETERMINED AT THE TIME OF REZONING, TO A HOUSING TRUST FUND THAT WILL BE USED TO CREATE AFFORDABLE AND WORKFORCE HOUSING OPPORTUNITIES IN TYSONS.

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

Commissioner Sargeant MOVED TO MODIFY THE FOURTH SENTENCE IN THE FIRST PARAGRAPH ON PAGE 25 OF THE DRAFT AMENDMENT TO SAY: "THIS ITERATION OF THE TYSONS PLAN FOCUSES ON A 20-YEAR PERIOD OF REDEVELOPMENT WHILE PROVIDING A FRAMEWORK FOR GROWTH BEYOND THE YEAR 2030." ADDITIONALLY, ADD A FOOTNOTE TO THE BOTTOM OF THE PAGE TO SAY: "IT IS ESTIMATED THAT BY THE YEAR 2030 TYSONS COULD HAVE APPROXIMATELY 167,000 JOBS AND 44,000 RESIDENTS."

Without objection, the motion carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Donahue MOVED TO MODIFY THE LAST SENTENCE IN THE SECOND PARAGRAPH ON PAGE 99 OF THE DRAFT AMENDMENT TO READ: "A GOAL OF 20 NEW ATHLETIC FIELDS WITHIN TYSONS SHOULD BE ACHIEVED THROUGH DEVELOPMENT CONTRIBUTIONS OF LAND AND FACILITIES. ENHANCEMENTS TO AND REDESIGN OF NEARBY SCHOOL AND PARK FIELDS TO INCREASE CAPACITY COULD ALSO BE STRATEGIES FOR SERVING INCREASED SPORTS NEEDS IN TYSONS."

Commissioner Harsel seconded the motion which failed by a vote of 3-8, with Commissioners Donahue, Harsel, and Sargeant in favor; Commissioners Alcorn, de la Fe, Flanagan, Hart, Lawrence, Litzenberger, Lusk, and Murphy opposed; Commissioner Hall absent from the meeting.

Commissioner Alcorn MOVED TO MODIFY THE THIRD BULLET ON PAGE 30 OF THE DRAFT AMENDMENT TO SAY: "BALANCE BETWEEN LAND USE AND TRANSPORTATION, INCLUDING THE PROVISION OF INFRASTRUCTURE AND ACHIEVEMENT OF PROVISION OF INFRASTRUCTURE AND ACHIEVEMENT VEHICLE TRIP REDUCTION LEVELS IDENTIFIED FOR THE YEAR 2030 AND TDM PERFORMANCE THAT EXCEEDS THE TARGETS OUTLINED IN TABLE 6."

Without objection, the motion carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Litzenberger MOVED TO ADD A SEVENTH BULLET ON PAGE 49 OF THE DRAFT AMENDMENT TO SAY: "FACILITIES FOR POPULATIONS WITH SPECIAL NEEDS, INCLUDING THOSE WHO ARE HOMELESS, SHOULD ALSO BE CONSIDERED."

Without objection, the motion carried unanimously with Commissioner Hall absent from the meeting.

ADD-ON MOTIONS

Commissioner Lawrence MOVED THAT, AS THE PLANNING COMMISSION STRONGLY BELIEVES THAT PUBLIC AND PRIVATE REINVESTMENT INTO TYSONS IS BOTH CRITICAL AND RESPONSIBLE FOR ENSURING THAT TYSONS CONTINUES TO BE THE ECONOMIC ENGINE FOR THE COUNTY, THE PORTION OF REVENUE STEMMING FROM GROWTH AT TYSONS THAT IS APPLIED IN TYSONS SHOULD TAKE INTO ACCOUNT THE PAST AND CONTINUING CONTRIBUTION OF TYSONS TO THE COUNTY'S ECONOMY.

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

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT STAFF TO PREPARE A PLAN FOR BOARD CONSIDERATION TO IMPLEMENT THE NECESSARY ARRANGEMENTS FOR FINANCING THE

PUBLIC SHARE OF TYSONS INFRASTRUCTURE IMPROVEMENTS TO FACILITATE COOPERATIVE FUNDING AGREEMENTS WITH THE PRIVATE SECTOR.

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

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT STAFF TO WORK WITH STAKEHOLDERS TO PRODUCE THE NECESSARY ORGANIZATIONAL AND RESOURCE REQUIREMENTS FOR THE TYSONS PARTNERSHIP SO THAT IT IS POSITIONED TO BE IN PLACE PRIOR TO ANY REDEVELOPMENT ACTIVITY IN TYSONS. THIS SHOULD INCLUDE THE ASPECTS OF THE PARTNERSHIP PRESENTED PREVIOUSLY, SUCH AS B.I.D.-LIKE FUNCTIONS, TRANSPORTATION MANAGEMENT ASSOCIATION FUNCTIONS, AND DEVELOPMENT ADVISORY SERVICES.

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

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS CONSIDER INCLUDING ON ITS LEGISLATIVE AGENDA ITEMS RELATED TO THE IMPLEMENTATION OF THE TYSONS PLAN, AND OTHER TYPES OF FINANCIAL INCENTIVES THAT CAN OFFSET THE COST AND HELP TO ENCOURAGE GREEN BUILDINGS, ESPECIALLY AT THE LEED OR EQUIVALENT GOLD AND PLATINUM LEVELS. THESE INCLUDE THE ABILITY TO USE TAX ABATEMENT AS A POSSIBLE INCENTIVE TO DEVELOP GREEN BUILDINGS AND, SIMILAR TO THE REQUEST MADE BY FAIRFAX COUNTY OVER THE PAST DECADES, THE AUTHORITY TO REQUIRE ADEQUATE PUBLIC FACILITIES AS A CONDITION FOR DEVELOPMENT IN URBAN AREAS LIKE TYSONS.

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

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS PROVIDE STAFF WITH ADEQUATE RESOURCES TO TRACK AND MONITOR THE TYSONS PLAN, AND THAT THE BOARD DIRECT STAFF TO REPORT ANNUALLY, OR AS REQUESTED, TO THE BOARD OF SUPERVISORS AND THE PLANNING COMMISSION. THIS MONITORING WILL PROVIDE BOTH BODIES WITH THE INFORMATION NEEDED TO DETERMINE WHEN IT IS APPROPRIATE TO INCREASE THE INITIAL DEVELOPMENT LEVELS FOR OFFICE USES SET FORTH IN THE COMPREHENSIVE PLAN. THIS DETERMINATION SHOULD BE BASED ON THE CRITERIA OUTLINED IN THE PLAN AS WELL AS THE PACE OF ACTUAL REDEVELOPMENT. IT IS HOPED THAT ANY REPLANNING WOULD BE DONE ON AN EXPEDITED BASIS SO AS NOT TO HAMPER FUTURE REDEVELOPMENT.

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

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS SEEK AND SECURE FUNDING FOR TRANSIT SYSTEMS, PARTICULARLY FUNDING FOR METRORAIL SINCE THIS COMPREHENSIVE PLAN AMENDMENT DEPENDS ON A FUNCTIONING METRORAIL SYSTEM.

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

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT STAFF AND PROVIDE THE NECESSARY RESOURCES TO BEGIN WORK IMMEDIATELY ON THE PLANNING OF THE TRANSIT FACILITIES LISTED IN TABLE 8 OF THE DRAFT PLAN REQUIRED TO SUPPORT THE GROWTH OF TYSONS BEYOND THE YEAR 2030.

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

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT STAFF TO WORK WITH REPRESENTATIVES OF COMMUNITIES ADJACENT TO TYSONS TO FORMULATE POLICIES AND PROCEDURES FOR ADDRESSING TRAFFIC CONGESTION WITH MEASURABLE STRATEGIES TO BE INCLUDED AS PART OF THE OVERALL PLAN MONITORING. IN ADDITION, THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS PROVIDE STAFF WITH RESOURCES TO APPLY THESE POLICIES AND PROCEDURES ON AN AS-NEEDED BASIS.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS CONTINUE TO SUPPORT THE CRITICAL ANALYSIS AND CONCEPTUAL DESIGN NECESSARY TO DETERMINE FUTURE ACCESS INTO AND WITHIN TYSONS.

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

Commissioner Lawrence MOVED THAT THE BOARD OF SUPERVISORS CONTINUE TO SUPPORT THE WORK ALREADY BEGUN ON OPERATIONAL ANALYSIS OF THE GRID OF STREETS, PARTICULARLY IN THE VICINITY OF THE INTERSECTION OF GREENSBORO DRIVE AND SPRING HILL ROAD.

Commissioner Hart seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT AN OFFICIAL MAP OF STREETS CONCURRENTLY WITH THE FIRST REZONING TO THE PLANNED TYSONS CORNER URBAN CENTER (PTC) DISTRICT. THE OFFICIAL MAP SHOULD INCLUDE EXISTING STREETS AND FUTURE STREET ALIGNMENTS THAT HAVE BEEN CONCEPTUALLY ENGINEERED. THE OFFICIAL MAP SHOULD BE AMENDED WITH SUBSEQUENT REZONINGS TO INCLUDE THE ALIGNMENTS OF NEW OR MODIFIED STREETS THAT HAVE BEEN CONCEPTUALLY ENGINEERED.

Commissioner Hart seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT AN OFFICIAL MAP OF PUBLIC FACILITIES CONCURRENTLY WITH THE FIRST REZONING TO THE PLANNED TYSONS CORNER URBAN CENTER, PTC DISTRICT. THE OFFICIAL MAP SHOULD INCLUDE THE LOCATIONS OF EXISTING AND PLANNED PUBLIC FACILITIES, INCLUDING PARKS AND ATHLETIC FIELDS THAT HAVE BEEN IDENTIFIED WITHIN THE DISTRICT OR SUB-DISTRICT OF THE REZONING APPLICATION. THE OFFICIAL MAP SHOULD BE AMENDED WITH SUBSEQUENT REZONINGS AS THE LOCATIONS OF ADDITIONAL PUBLIC FACILITIES ARE IDENTIFIED.

Commissioners Flanagan and Hart seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT STAFF TO EVALUATE TWO POSSIBLE CHANGES TO THE POLICY PLAN: ONE TO MODIFY THE COUNTY'S WORKFORCE HOUSING POLICY TO ENCOURAGE MONETARY CONTRIBUTIONS TO AFFORDABLE AND WORKFORCE HOUSING FROM FUTURE NON-RESIDENTIAL DEVELOPMENT, AND THE OTHER TO MODIFY THE TRANSIT-ORIENTED DEVELOPMENT POLICY TO INCORPORATE SPECIFIC CONDITIONS RELATED TO WALKING DISTANCE FROM STATION ENTRANCES RATHER THAN STATION PLATFORMS.

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

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS EXPEDITE THE DEVELOPMENT OF A COUNTYWIDE PROGRAM THAT SECURES A FUNDING CONTRIBUTION FOR HOUSING FROM NONRESIDENTIAL DEVELOPMENT PROJECTS THROUGHOUT FAIRFAX COUNTY.

Without objection, the motion carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DEVELOP A PROCESS FOR CONSIDERING CONCURRENT COMPREHENSIVE PLAN AMENDMENTS AND REZONINGS FOR REDEVELOPMENT PROPOSALS THAT MAY HAVE MERIT BUT ARE NOT CONSISTENT WITH THE PLAN. THE PLANNING COMMISSION SUGGESTS THAT SUCH A PROCESS SPECIFICALLY ADDRESS THE PUBLIC AND PRIVATE SECTOR'S ABILITY TO FUND THE INFRASTRUCTURE NECESSARY TO SUPPORT SUCH PROPOSALS.

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

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE TYSONS PARTNERSHIP INITIATE A PROCESS TO REVIEW AND POTENTIALLY CHANGE DISTRICT NAMES TO ENHANCE COMMUNITY CHARACTER AND IDENTITY.

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

ZONING ORDINANCE AMENDMENT (PTC - PLANNED TYSONS CORNER URBAN DISTRICT)

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED ZONING ORDINANCE AMENDMENT TO ESTABLISH THE PLANNED TYSONS CORNER (PTC) URBAN DISTRICT, AS SET FORTH IN THE STAFF REPORT DATED MARCH 23, 2010, WITH THE FOLLOWING REVISIONS AS PRESENTED IN THE MAY 27, 2010 DOCUMENT ENTITLED: "TYSONS ZONING ORDINANCE AMENDMENT ALTERNATE TEXT, VERSION 2."

- REVISE PARAGRAPH 5, LINES 39-45 ON PAGE 14, AND LINES 1-5 ON PAGE 15 OF THE STAFF REPORT WITH REVISION 1, OPTION 2, REGARDING CELLAR SPACE.
- REVISE PARAGRAPH 9B, LINES 36-41, ON PAGE 16 OF THE STAFF REPORT, WITH REVISION 2, REGARDING CLARIFYING TEXT FOR INOPERATIVE VEHICLES.
- REVISE PARAGRAPH 1B (2), LINES 4-10 ON PAGE 22 OF THE STAFF REPORT WITH REVISION 3 REGARDING MINIMUM NUMBER OF PARKING SPACES.
- REVISE THE TEXT AS SET FORTH IN THE STAFF REPORT AND THE ZONING ORDINANCE IN ACCORDANCE WITH REVISION 4 TO ESTABLISH A SPECIAL EXCEPTION FOR AN INCREASE IN FAR IN THE PTC DISTRICT.

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

Commissioner Alcorn MOVED THAT PARAGRAPH 1 OF SECTION 6-508, ON LINE 45 OF PAGE 19 IN THE MARCH 23 STAFF REPORT, BE MODIFIED TO CHANGE THE LAST SENTENCE TO SAY: "...UNLESS OTHERWISE MODIFIED BY THE BOARD FOR THE PURPOSES OF ACCOMMODATING ACTIVE RECREATION FACILITIES."

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

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PCA/FDPA 95-V-013 – FAIRFAX COUNTY PARK AUTHORITY

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 95-V-013 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, SUBJECT TO THE EXECUTION OF THE PROFFERS DATED MAY 27, 2010.

Commissioner Sargeant seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION APPROVE FDPA 95-V-013, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF PCA 95-V-013 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT.

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

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S10-III-BR1 – REVISION TO THE CENTREVILLE HISTORIC OVERLAY DISTRICT
RZ 2010-SU-001 – BOARD OF SUPERVISORS' OWN MOTION

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF COMPREHENSIVE PLAN AMENDMENT S10-III-BR1, AS SHOWN IN THE STAFF REPORT DATED MAY 12, 2010.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE BOARD'S OWN MOTION, RZ 2010-SU-001.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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The meeting was adjourned at 12:45 a.m.
Peter F. Murphy, Jr., Chairman