

Planning Commission Meeting
October 17, 2012
Verbatim Excerpt

PCA 88-D-005-07 – CITYLINE PARTNERS LLC
RZ/FDP 2011-PR-023 – CITYLINE PARTNERS LLC
FDP 2011-PR-023-02 – THE ASSOCIATION FOR MANUFACTURING TECHNOLOGY
FDP 2011-PR-023-03 – CITYLINE PARTNERS LLC

Decision Only During Commission Matters
(Public Hearing Held on September 27, 2012)

Chairman Murphy: And – Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. With your permission, before we go on verbatim for this motion I have a couple of things I need to do. If that is all right with you, I would like to do them.

Chairman Murphy: Please.

Commissioner Lawrence: Tonight, we have a decision on a whole bunch of things, which is Arbor Row. And Commissioners got the most recent set of proffers I think within the last day or so. And that's – well, that's not too thick. That's about an eighth of an inch thick of proffers. You will recall that the staff report – and here is the staff report – looks like this. And then, of course, we have the addendum which was done and it looks like this. Now this is a large and complex Tysons application with multiple owners. And we have an FDP as well as the CDP for what we are about to do. We've got it sorted out, but I do think in the interest of being – and making an informed decision, I'm going to ask Mr. Ladd of staff to give us a very brief summary of what it was that got sorted – the key issues – the biggies. Would you please, Mr. Ladd?

Matthew Ladd, Planning Division, Department of Planning and Zoning: Yes, thank you, Commissioner Lawrence. Matt Ladd with the Department of Planning and Zoning. There were six changes to the proffers that were made after the staff report addendum was published to address issues that were raised in the staff report addendum. The first is Proffer 50D, which concerns stream bank restorations. This proffer was revised to provide additional details regarding the scope of work of off-site stream restoration improvements and also to edit language to address some of the staff's concerns. Proffer 51 regards athletic field construction. This was revised to address staff concerns that the off-site athletic fields will be constructed by the date specified in the proffers. In Proffer 78, there was a typo that was corrected. In Proffer 94, regarding stormwater management, we added language to the proffers to be consistent with the Conceptual Development Plan. There were some notes that were added previously and we copied those over into the proffers. In Proffer 100, regarding the limits of clearing and grading – those were revised to add a reference to Proffer 97, which regarded the RPA boundary. And in Proffer 112, regarding condemnation, those were revised to detail the process by which the applicant will request condemnation for public improvements in the event that off-site easements cannot be acquired for certain public improvements and that was to address the Commission's concerns raised at the public hearing.

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Commissioner Lawrence: Thank you, Mr. Ladd. I do want to acknowledge the work of Commissioner Hart, who was responsible for finding what we needed to do with the stream restoration language that Matt Ladd mentioned early in his presentation. Thank you very much, Jim. And I also want to mention that even today, in the interest of full disclosure, something else turned up. And we didn't know about it until we found out about it, for which apologies to the applicant. We couldn't know what we didn't know. But I have every reason to believe – and thank you very much to the applicant for their cooperation – that we're going to be able to get it sorted before we get to the Board. And it's very important that we do, in fact, get to the Board so I do intend to move this forth. Mr. Chairman, I'm ready to go on verbatim and make the motions.

Chairman Murphy: Okay. Mr. Lawrence, please.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2011-PR-023, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 16, 2012, AS AMENDED.

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Flanagan and Mr. Hart. Is there a discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2011-PR-023.

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? And Mr. Flanagan. All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2011-PR-023-02.

Commissioners Flanagan and Hart: Second.

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Chairman Murphy: Seconded by Mr. Hart and Mr. Flanagan. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2011-PR-023-03.

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Flanagan and Mr. Hart. Is there a discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 88-D-005-07, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 14, 2012 [sic].

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Flanagan. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I also have a series of modifications and waiver requests, which apply to RZ 2011-PR-023. First, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT MODIFY SECTION 2-506, PARAGRAPH 2 OF THE ZONING ORDINANCE IN ORDER TO PERMIT THE PROPOSED ROOF/ROOF SCREEN FEATURE ELEMENT IN BLOCK F, AS DEPICTED ON THE CDP/FDP.

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Flanagan and Mr. Hart. Is there a discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Without objection, you can do these seriatim. Just go through the list.

Commissioner Lawrence: Good. That I will now do:

– I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE SECTION 16-403 OF THE ZONING ORDINANCE IN ORDER TO PERMIT A PUBLIC IMPROVEMENT PLAN FOR FRONTAGE IMPROVEMENTS ALONG WESTPARK AND WESTBRANCH DRIVE TO BE FILED WITHOUT THE NEED FOR AN FDP.

– I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE SECTION 6-505, PARAGRAPH 7 OF THE ZONING ORDINANCE IN ORDER TO PERMIT OUTDOOR DISPLAYS AND SEATING ASSOCIATED WITH A PERMITTED USE WITHOUT THE NEED FOR AN FDP.

– I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 10-104, PARAGRAPH 3E AND G OF THE ZONING ORDINANCE TO PERMIT THE MAXIMUM FENCE HEIGHT ASSOCIATED WITH OUTDOOR RECREATION/SPORTS COURTS ON BLOCK TO BE BETWEEN 7 AND 14 FEET HIGH AS DEPICTED ON THE CDP.

Commissioner Hart: Second. Oh –

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 11-102, PARAGRAPH 12 OF THE ZONING ORDINANCE AND SECTION 7-0800 OF THE PUBLIC FACILITIES MANUAL TO PERMIT TANDEM AND VALET SPACES TO BE COUNTED TOWARD THE REQUIRED PARKING ONLY IN THOSE INSTANCES CONTAINED IN THE PROFFERS.

– I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 11-201 AND 11-203 OF THE ZONING ORDINANCE TO PERMIT THE MINIMUM REQUIRED LOADING SPACES TO BE TWO SPACES PER BUILDING AS DEPICTED ON THE CDP.

– I MOVE THAT the building – THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 11-202, PARAGRAPH 4 OF THE ZONING ORDINANCE TO PERMIT THE LOADING SPACE IN BUILDING A-2 TO BE AS SHOWN ON THE CDP.

– I MOVE THAT the building – THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 13-202, PARAGRAPH 8 OF THE ZONING ORDINANCE TO PERMIT THE DEPICTED TRELLISES AND/OR VEGETATED ARBORS, AS SHOWN ON THE CDP, IN LIEU OF THE REQUIRED INTERIOR PARKING LOT LANDSCAPING.

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- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 13-202, PARAGRAPH 8 OF THE ZONING ORDINANCE TO PERMIT THE EXISTING PARKING LOT LANDSCAPING, AS DEPICTED ON THE CDP AND AS DESCRIBED IN THE PROFFERS, TO SERVE AS THE INTERIOR PARKING LOT LANDSCAPING ON AN INTERIM BASIS.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 13-202, PARAGRAPH 8 OF THE ZONING ORDINANCE TO PERMIT THE LANDSCAPING WITHIN THE AMENITY COURTYARD OF BLOCK E IN LIEU OF THE INTERIOR PARKING LOT LANDSCAPING REQUIREMENT.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 13-203, PARAGRAPH 5 OF THE ZONING ORDINANCE TO PERMIT THE LANDSCAPING DEPICTED ON THE ABOVE-GRADE PARKING STRUCTURES AND WITHIN THE INTERIM SURFACE PARKING LOTS, AS SHOWN ON THE CDP AND DESCRIBED IN THE PROFFERS.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 17-201, PARAGRAPH 2 AND 4 OF THE ZONING ORDINANCE TO PERMIT THE INTERIM ROAD IMPROVEMENTS ALONG THE BLOCK F FRONTAGE AS SHOWN ON THE CDP.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE SECTION 17-201, PARAGRAPH 3B OF THE ZONING ORDINANCE TO PERMIT ONLY THOSE AREAS OF INTERPARCEL ACCESS SHOWN ON THE CDP/FDPS AND DESCRIBED IN THE PROFFERS TO BE PROVIDED.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE SECTION 17-201, PARAGRAPH 3B, 4,12,13, AND 14 OF THE ZONING ORDINANCE TO PERMIT THE PROPOSED JONES BRANCH DRIVE FRONTAGE IMPROVEMENTS ALONG TAX MAP PARCEL 29-2 ((15)) B2, AS DEPICTED ON EXHIBIT A OF THE PROFFERS.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY SECTION 7-0800.2 OF THE PFM TO ALLOW UP TO 1.5 FEET OF STRUCTURAL COLUMNS TO PROJECT INTO THE REQUIRED PARKING STALL AREA FOR NO MORE THAN 10 PERCENT OF THE TOTAL PARKING SPACES PROVIDED.
- I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY THE TREE PRESERVATION TARGET IN FAVOR OF THAT SHOWN ON THE PLANS AND AS PROFFERED.
- And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND A WAIVER TO ALLOW THE USE OF UNDERGROUND STORMWATER MANAGEMENT AND BEST MANAGEMENT PRACTICES IN A RESIDENTIAL DEVELOPMENT, SUBJECT TO WAIVER NUMBER 6377-WPFM-004-1.

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Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Hart and Mr. Flanagan. Could you please repeat the motion? All those in favor of those motions, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Motions carry.

Commissioner Lawrence: Next week, we do Hamlet.

Chairman Murphy: There we go. All that means is that it's going to be a great development and we appreciate all your help in getting this together.

Commissioner Lawrence: Thank you, applicant. Thank you, staff. This is a big deal. Thank you very much.

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(The motions carried unanimously with Commissioners Alcorn, Hall, and Litzenberger absent from the meeting.)

JLC