

Planning Commission Meeting
March 27, 2013
Verbatim Excerpt

RZ/FDP 2010-HM-008 – RPB & M, LLC AND BOZZUTO DEVELOPMENT COMPANY

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; Mr. de la Fe.

Commissioner de la Fe: Thank you, Mr. Chairman. This is the first rezoning in – related to Wiehle other than the County garage and the Comstock property. And as we have seen, it has taken almost three years – almost as much as some of the larger Tysons cases for this relatively small unit. But I think we have been able to come up with a package that is worthy of the first one to – in this transit area at Wiehle. So, Mr. Chairman – and this has received the approval of both staff and the Reston Planning and Zoning Committee, which reviewed it numerous times in the last three years. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2010-HM-008 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MARCH 4, 2013.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion?

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Yes, Mr. Hart.

Commissioner Hart: I would just ask, AS A FRIENDLY AMENDMENT, BETWEEN NOW AND THE BOARD, THAT THEY SPEAK WITH STAFF ABOUT PROFFER 33 AND THE COMMITMENT ABOUT NOT HAVING ADDITIONAL LEVELS TALLER THAN THE PARKING GARAGE.

Chairman Murphy: All right.

Commissioner Hart: In between now and the Board.

Commissioner de la Fe: Is – you're shaking your head, yes?

Chairman Murphy: Do you want to come up since that is part of the proffer?

Commissioner de la Fe: Come and say yes.

Chairman Murphy: Yes, don't be shy.

Brian Winterhalter, Esquire, Cooley LLP: Yes, we would be happy to have that conversation with staff.

Chairman Murphy: Thank you very much.

Commissioner de la Fe: There is no Board date yet so –

Chairman Murphy: Okay. All those in favor of the motion to recommend to the Board of Supervisors to approve RZ 2010-HM-008, subject to the proffers as articulated by Mr. de la Fe and the amendment by Mr. Hart, say aye.

Commissioners: Aye:

Chairman Murphy: Opposed? Motion carries. Mr. de la Fe.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2010-HM-008, SUBJECT TO THE BOARD'S APPROVAL OF THE CONCURRENT REZONING APPLICATION.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to approve FDP 2010-HM-008, subject to the Board's approval of the Rezoning and Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF PARAGRAPH 1 OF SECTION 16-102 OF THE ZONING ORDINANCE FOR YARD REGULATIONS, SETBACKS, BULK REGULATIONS, AND BUILDING HEIGHTS, IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENTS, IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE LOADING REQUIREMENT, IN FAVOR OF THE LOADING SPACES DEPICTED ON THE CDP/FDP.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF PARAGRAPH 4 OF SECTION 17-201 OF THE ZONING ORDINANCE FOR THE WIDENING OF SUNSET HILLS ROAD, IN FAVOR OF THAT SHOWN ON THE CDP/FDP AND IN THE PROFFERS.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A DEVIATION FROM THE TREE PRESERVATION TARGET PERCENTAGE, IN FAVOR OF THE PROPOSED LANDSCAPING SHOWN ON THE CDP/FDP AND AS PROFFERED.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I move that the planning – I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF PARAGRAPH 1(B) OF SECTION 2-414 TO PERMIT THE EXISTING OFFICE BUILDING TO BE SET BACK APPROXIMATELY 70 FEET FROM THE DULLES TOLL ROAD.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I finally – I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER TO LOCATE UNDERGROUND STORMWATER MANAGEMENT FACILITIES IN A RESIDENTIAL AREA (PFM SECTION 6-0303.8), SUBJECT TO WAIVER NUMBER 2615-WPFM 003-1 CONDITIONS DATED OCTOBER 9, 2012.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Thank you, Mr. Chairman. That, I believe, are all the motions that we needed.

Chairman Murphy: And then some.

Commissioner de la Fe: Thank you very much.

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(The motions carried unanimously with Commissioners Flanagan and Hall absent from the meeting.)

JLC