

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, OCTOBER 10, 2019**

PRESENT: John A. Carter, Hunter Mill District
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commission At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Julie M. Strandlie, Mason District
Walter C. Clarke, Mount Vernon District
Phillip A. Niedzielski-Eichner, Providence District
Mary D. Cortina, Commissioner At-Large

ABSENT: Peter F. Murphy, Chairman, Springfield District
Donté Tanner, Sully District

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The meeting was called to order at 7:44 p.m., by Vice Chairman James R. Hart, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Migliaccio announced the Planning Commission's Land Use and Process Review Committee met on October 3, 2019, to receive a presentation from the Fairfax County Planning Division staff on the proposed Zoning Ordinance amendments pertaining to Lot Line/Lot Width and Outdoor Lighting. He noted that the proposed amendment for Lot Line/Lot Width was scheduled for public hearing on December 4, 2019, before the Planning Commission.

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Commissioner Migliaccio announced the Planning Commission's Land Use and Process Review Committee would meet on October 23, 2019, at 7:30 p.m., in the Board Auditorium for an update by Clarion Associates, LLC, on the Zoning Ordinance Modernization project and noted this meeting was open to the public.

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Commissioner Migliaccio reminded fellow Commissioners the previously distributed meeting minutes for March through April 2019 were scheduled for approval on the October 24, 2019, agenda and to notify Jacob Caporaletti, Clerk, Planning Commission, of any changes.

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2232-M19-5 – Department of Public Works and Environmental Services, Capital Facilities,
Seven Corners Temporary Fire & Rescue Station, 6637 South Street, Falls Church, VA 22042

(Start Verbatim Transcript)

Commissioner Strandlie: Thank you. I have a feature shown in the Mason District. This is the temporary fire station for the renovation of the Seven Corners Fire Station. And this is a very simple change. We're basically changing the name on the current temporary fire station that is in place for the renovation of the Jefferson Fire Station. So there's absolutely no controversy with this and, with that, I would like to say that – MAKE THE MOTION THAT THE PLANNING COMMISSION CONCURS WITH THE STAFF RECOMMENDATION ON 2232-M19-5, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES, CAPITAL FACILITIES, SEVEN CORNER TEMPORARY FIRE AND RESCUE STATION, LOCATED AT 6637 SOUTH STREET, FALLS CHURCH, VIRGINIA, 22042, IN ACCORDANCE WITH SECTION 2232 OF THE VIRGINIA CODE.

Commissioners Cortina and Sargeant: Second.

Vice Chairman Hart: Seconded by Commissioner Sargeant and Cortina. Is there any discussion on the motion? Seeing none, we'll move to a vote. All in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries.

The motion carried by a vote of 10-0. Commissioners Murphy and Tanner were absent from the meeting.

(End Verbatim Transcript)

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Commissioner Ulfelder announced the Planning Commission's Parks Committee had met on October 3, 2019, for an update from the Fairfax County Park Authority staff on the status of their implementation of the Parks and Recreation System Master Plan and the Fiscal Year 2019-2023 Strategic Plan.

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ENDORSEMENT TO THE BOARD OF SUPERVISORS FOR RECOMMENDATION OF
APPROVAL OF THE PROPOSED ZONING ORDINANCE AMENDMENT - NATURAL
LANDSCAPING AT COUNTY FACILITIES

(Start Verbatim Transcript)

Commissioner Hart: I have a motion from the Environment Committee. After several meetings with staff, the Committee has reached a consensus on proposed language to be advertised for the

Natural Landscaping at County Facilities Amendment to the Comprehensive Plan. Mr. Chairman, I MOVE THAT THE COMMISSION APPROVE THE TRANSMITTAL OF THE PROPOSED REVISION TO THE BOARD OF SUPERVISORS, AS CONTAINED IN THE HANDOUT FROM MR. GORNEY NOW DATED SEPTEMBER 26, 2019, AND THAT THE COMMISSION RECOMMEND THAT THE AMENDMENT CONTAINED THEREIN BE CONSIDERED THE COMMISSION'S RECOMMENDATION FOR ADVERTISING IN RESPONSE TO THE BOARD'S AUTHORIZATION OF CONSIDERATION OF A PLAN AMENDMENT ON NOVEMBER 20, 2018.

Commissioner Sargeant: Second.

Secretary Migliaccio: Seconded by Commissioner Sargeant. Any discussion on this motion? Commissioner Ulfelder.

Commissioner Ulfelder: I think this is a very good amendment. It's – it's part of the public facilities element of the Comprehensive Plan, so it's specific to County facilities and I think it's a good step forward on incorporating natural landscaping in County facilities and even talks about retrofitting some of the County facilities when the opportunities arise. And I – I think it's important, both from an environmental point of view and, as well as from an aesthetic point of view. And we spent a lot of time discussing this. We've spent time in the field seeing some various projects that the County has already been implementing at some locations. And I think this is a very positive and important step. And we'll see where we go from here.

Secretary Migliaccio: Thank you. Any other? Okay. All in favor of the motion, as articulated by Commissioner Hart, please say aye.

Commissioners: Aye.

Secretary Migliaccio: All opposed? The ayes have it. Thank you.

The motion carried by a vote of 10-0. Commissioners Murphy and Tanner were absent from the meeting.

(End Verbatim Transcript)

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RZ 2018-PR-021/RZ/FDP 2018-PR-022 – GEORGELAS, LLC (Decision Only) (The public hearing on these applications was held on September 25, 2019)

(Start Verbatim Transcript)

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman. I wanted to ask staff, do we need to take action on the Georgelas application or is that by virtue of prior notice addressed?

Tracy Strunk, Zoning Evaluation Division, Department of Planning and Development: Tracy Strunk with the Zoning Evaluation Division, the applicant has requested a deferral of that

probably, and just in case there is anyone asking, it would be a good idea to at least indicate when they have asked for the deferral to the new date.

Commissioner Niedzielski-Eichner: Okay.

Ms. Strunk: Do you have that?

Commissioner Niedzielski-Eichner: Well, let's go ahead and - and move on this and that'll make it - that'll formalize it.

Tracy Strunk: That makes it.

Commissioner Niedzielski-Eichner: Formal.

Ms. Strunk: Yes.

Commissioner Niedzielski-Eichner: We've had - since the public hearing on the Georgelas application, we've had a series of conversations with the applicant that represent progress, but more attention needs to be given to some of these specifics of the application so the applicant, on his own prerogative, initiated a request to postpone action on this to a date certain of July - I apologize - December 11th and so that's the motion I will make this evening. THE MOTION BEING TO DEFER RZ 2018-PR-021, RZ/FDP 2018-PR-00 - I'm sorry - 022, GEORGELAS LLC, TO A DATE CERTAIN OF DECEMBER 11TH, 2019.

Commissioner Sargeant: Second.

Vice Chairman Hart: Seconded by Commissioner Sargeant. Any discussion of that motion? Seeing none we'll move to a vote. All in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries.

The motion carried by a vote of 10-0. Commissioners Murphy and Tanner were absent from the meeting.

(End Verbatim Transcript)

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SE 2018-BR-028 - CLASSIC COTTAGES, LLC (Decision Only) (The public hearing on this application was held on September 18, 2019; Decision only on September 19, 2019 and October 2, 2019)

(Start Verbatim Transcript)

Commissioner Hurley: Thank you, Mr. Chairman. Hopefully mine will be an easy one. This decision is SE 2018-BR-028, also known as Classic Cottages. They are seeking approval for a cluster residential development consisting of seven dwelling units on a bit over 8 acres of land, currently zoned R-1. At the public hearing on December (sic) 18th, 2019, concerns were expressed about the location of the RPA, proposed stormwater facilities, and the orientation of proposed Lots 4 and 5. Since then, the staff has verified with SDID/LDS and with the Stormwater Planning Division of DPWES that the field verified RPA shown on the SE Plat is drawn accurately, pending final approval of the RPA delineation study, and the stormwater facilities are consistent with PFM requirements. The RPA delineation study has been resubmitted and is under review. LDS staff indicated that the boundary itself is not expected to change upon approval and the outstanding deficiencies are merely documentation related. In accordance with standing policy, final determination will be made during site plan review. Since the public hearing a community meeting was held on September 30th, 2019, and staff worked with the applicant to revise the SE Plat and the proposed development conditions in response to that discussion as well as the discussions at the public hearing. These changes are identified in the second staff report addendum published October 8th, 2019. I believe this application, as revised and now conditioned, is a better alternative than what could have been done as a R-1 by-right and consolidating the RPA area under common ownership is better than the alternative. With that, I request the applicant come forward and confirm for the record their agreement to the revised development conditions dated October 8th, 2019.

Scott Adams, Applicant's Agent, McGuireWoods, LLP: Good evening, Commissioner Hurley. I'm Scott Adams with McGuireWoods, and we agree with the development conditions.

Commissioner Hurley: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2018-BR-028, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 8TH, 2019.

Commissioner Niedzielski-Eichner: Second.

Vice Chairman Hart: Seconded by Commissioner Niedzielski-Eichner. Discussion on that motion? Commissioner Ulfelder.

Commissioner Ulfelder: I just have a question. My understanding is that the two lots, 4 and 5, have been moved slightly further away from the shared property line?

Commissioner Hurley: If the applicant could come forward and provide the details.

Commissioner Ulfelder: And – and I'm trying to read the limits of clearing and grading or the – on the revised SE plat. I guess my question is, how close can they get with the clearing and grading to some of the trees on the adjoining lots to the south that have significant trees along their property boundary?

Mr. Scott: Good evening. So, the – excuse me – Lot 4 and Lot 5 – Lot 4 has been pulled up from the property line, it now has a minimum setback of 28 feet from the rear property line. In response to some of the comments that we received at the public hearing, we've also rotated the – the house on Lot 5 to provide a more useful backyard. And the result of moving those houses

forward is that we were able to pull the limits of clearing and grading 5 feet off the property line, which should provide additional protection for off-site trees.

Commissioner Ulfelder: What kind of tree protection will there be as they're going forward with the clearing and grading for off – for off-site trees?

Mr. Adams: Sure, so for the most part the clearing and grading will be determined at the time of site plan. We have a development condition to work with Urban Forestry to tighten up the grading and provide other measures to minimize impacts to off-site trees and then during construction we'll have a tree preservation plan that's reviewed and approved by Fairfax County that will address tree protection measures, including root pruning and other measures.

Commissioner Ulfelder: And my understanding is there'll be a walk-around with the County arborist and the neighbors will be able to join that and if they have questions about particular trees on their properties that are adjoining that would be a time that they could raise those. Is that correct?

Mr. Adams: That is correct.

Commissioner Ulfelder: Okay, thank you.

Vice Chairman Hart: Further discussion? Commissioner Cortina.

Commissioner Cortina: Thank you, this is also a question for the applicant. So, at time of site plan, you will be working with the Braddock Supervisor's office? Is that also the case?

Mr. Adams: That – that is correct. They will have notice of that tree walkthrough so that they and the neighbors would have an opportunity to participate in that process.

Commissioner Cortina: Primary issue at hand will be the tree conservation, that is what the purpose of that particular meeting?

Mr. Adams: That particular meeting, yes, is with the County to do a tree preservation walkthrough.

Commissioner Cortina: Okay, and that is the meaning of the proffer that was added?

Mr. Adams: Correct, the development condition, yes.

Commissioner Cortina: Very good, thanks.

Vice Chairman Hart: Further discussion on the motion? Seeing none we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice chairman Hart: Those opposed? That motion carries, the Chair abstains. Commissioner Hurley.

Commissioner Hurley: I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF THE MINIMUM DISTRICT SIZE FROM 10 ACRES TO 8.08 ACRES, PURSUANT TO SECTION 9-610 OF THE ZONING ORDINANCE.

Vice Chairman Hart: Is there a second?

Commissioners Sargeant and Ulfelder: Second.

Vice Chairman Hart: Seconded by Commissioner Sargeant and Commissioner Ulfelder. Discussion on that motion? Seeing none we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries, Chair abstains.

Each motion carried by a vote of 9-0-1. Commissioner Hart abstained from the vote. Commissioners Murphy and Tanner were absent from the meeting.

(End Verbatim Transcript)

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RZ/FDP 2017-HM-018/PCA 79-C-023 – 1900-02 CAMPUS COMMONS, LLC (Decision Only)
(The public hearing on these applications was held on September 25, 2019.)

(Start Verbatim Transcript)

Commissioner Carter: Okay, this is RZ/FDP 2008 17-HM-018 (sic).

Vice Chairman Hart: Mic. Is your mic? There we go.

Commissioner Carter: Again, RZ/FDP 2017-HM-018, PCA 79-C-023, 1900-02 Campus Commons. I sent you a note to the Commission earlier about two follow-on motions, which I'll discuss at the end. There are a couple of renderings the way this project is intended to look in the future. And then a summary of the changes that have occurred since the public hearing. Perhaps I'll note a couple of the changes. One is the setback along the curb of Sunrise Valley to the closet building will be a minimum of 50 feet and you see the two renderings that show the cycle track, the pedestrian way, the landscaping, the double and triple row of trees, both at ground level, which was requesting at the hearing, as well as the intersection of Campus Commons Drive and Sunrise Valley Drive. And then you can see the massing of the building, particularly the office building – 86,000 square feet was removed from that office building and most of it placed in the residential tower beyond. So, it went from 12 stories in the original to 7 stories fronting Sunrise Valley Drive. So with that, again, the project is located in Reston along Wiehle Avenue between

Sunrise Valley Drive and the Dulles Toll Road. The majority of the site is within one quarter mile of the Wiehle-Reston East Metro Station. The project includes a mix of office, retail, and residential development. The project also provides a coordinated site design of buildings, streetscapes, open spaces, pedestrian and bicycle facilities, and streets.

Number one, in harmony with the recommendations in the Comprehensive Plan. The proposed density and the proffers are in conformance with the recommendations in the Comprehensive Plan. Housing will include high-rise and mid-rise multi-family units. Two existing office buildings will be retained, and a new office building were added – are added. A limited amount of ground floor retail spaces are also included.

Full – Two, full commitment to the required contributions for the road fund, affordable housing fund, public facilities and athletic fields, school funding, and meets the requirements for minimum funding for park and recreational facilities on-site.

Three, transportation, vehicular access to the site is provided off of Sunrise Valley Drive via Campus Commons Drive. An internal loop road will provide access to all buildings. Structured parking and a limited amount of on-street parking will be provided in the project. Road improvements, eliminating the free-flowing right-turn red at the Wiehle Avenue/Sunrise Valley Drive intersection, improving Campus Drive – Campus Commons Drive, and providing an additional lane on Sunrise Valley Drive. Pedestrian and bicycle access, wide sidewalks will be provided with closely spaced street trees, street lighting, and street furniture along Sunrise Valley Drive to provide a multi-modal connection and linear park. This, as we get future projects coming in, we intend to extend that along as far as we can Sunrise Valley Drive to improve the access to Metro and the access in between – between parcels. A sidewalk and on-street bikeway will also be provided at this time along Wiehle Avenue. Pedestrian access across Wiehle Avenue, there's been a lot of discussion about that. First of all, to provide connections, these are there to provide connections to the Metro station. The applicant has designed the project to encourage pedestrians to use the enhanced crosswalk located at the intersection of Wiehle Avenue and Sunrise Valley Drive. That's the easy one. A concern has been the crossing of Wiehle Avenue near the ramps to the Dulles Toll Road. Instead of finalizing this, as we know, VDOT decides this, not the Planning Commission or not the Board of Supervisors. The applicant has proposed a study of this at-grade crosswalk along with three bridge or tunnel options to provide another pedestrian crossing for pedestrians and bikes near the ramps to the Toll Road. The applicant has committed 1.5 million dollars and up to three years to examine and select the best option. Final approval of the crosswalk and any bridge or tunnel will be made by the Board of Supervisors and especially VDOT. This is the first applicant to actually take this on. This is the third – or the fourth project in this quadrant and next to the Wiehle Metro Station.

Public Open Space. The development exceeds the minimum required amount of open space. The following open spaces will be provided:

- Corner Park, this is located at the intersection of Wiehle Avenue and the Dulles Toll Road. Open space contains a performance area and pavilion, spaces for public art, seating, and pedestrian walkways. The natural topography and site grading will protect the open space from the noise from the Dulles Toll Road and Wiehle Avenue;

- Office/Residential Plaza. It's designed as a connection between the existing office and remaining portions of the development. It includes a variety of spaces, including play elements for all ages, outdoor seating, and a water feature;
- Piazza provides – I don't know where you get these names, but that's okay – provides active open space with trees, event space, walkways, and enhanced paving;
- The active park, and this is the largest one, this open space is designed with lawn areas, space for active recreation for all ages, outdoor dining, and walkways. Dog walking areas, landscaping, and seating will also be provided;
- Sunrise Pocket Park, this area serves as an important connection for the development to Sunrise – to the Sunrise Valley Linear Park. It's located between the office building and the mid-rise residential building. Outdoor seating, a tire pump area, and walkways are included;
- Finally, the Sunrise Valley Drive Linear Park. This linear space area provides a visible connection along Sunrise Valley Drive with a continuous bikeway and sidewalk, closely spaced street trees, extensive landscaping within the 50-foot setback with – for all buildings. The open space area also serves to reduce the visual impact of the development on the adjacent residential community.

Environment, we had a little bit different approach to the environment on this one. Usually, we go, well, it's LEED Silver and we go home early, but in this case, we're trying – there's lots of language in the Comp Plan about trying to create a green neighborhood with not a lot of detail on what that might be. So, as we move through additional projects, I hope to expand that notion and insert it into all these projects. If there's ever going to be green neighborhoods, it ought to be in Reston. But here's how far the applicant has gone so far:

- Use of an infill site and incorporating two existing office buildings instead of replacement of those buildings which would be the normal case;
- Mix of residential and non-residential land uses that will reduce the dependence on the single occupant vehicle;
- Emphasis on creating a multi-modal pedestrian and bicycle system, as shown on the linear park on Sunrise Valley Drive;
- Decrease in the amount of imperviousness compared with the existing development;
- Parks and amenities for active and passive recreation;
- Universal design for some of the residential units;
- LEED certification for all new buildings, with a LEED accredited professional on the team;

- Enhanced stormwater management meeting today's requirements, including rainwater harvesting and bio-retention planters;
- Green roofs, a minimum of 31,000 – almost 32,000 square feet;
- Light pollution reduction, this is especially for the adjacent neighborhood;
- Electric vehicle charging stations; and
- Additional tree canopy, over and above the County – 150 percent over the County's standard.

Finally, the WDU's. The required WDU's have been provided. They will have income tiers – has been usual in many of these Reston cases, at 70, 80, and 100 percent of the AMI instead of the Policy Plan that has 80, 100, and 120. The Board of Supervisors has requested a recommendation from the Planning Commission before their meeting on October 15th. So at this time, I'd like to thank Cornerstone Development and the design team, including the architects, landscape architects, and the transportation consultant. As usual, I'd like to particularly thank Mary Ann Tsai for her patience with me and the last-minute changes and the transportation person from the County on these things. And I particularly want to thank the community that provided written and oral testimony during the review of this project. I know that not everyone is going to be happy with the results, but I'd particularly tried to listen carefully and respond to the concerns in the context with the recommendations in the Comprehensive Plan. So, at this point, again this is PCA 79-C-023, RZ/FDP 2017-HM-018, 1900-02 Campus Commons, LLC. Motion to approve, Mr. Chairman, I request that the applicant confirm for the record agreement to the proposed development condition dated October 9th, 2019.

Brian Winterhalter, Applicants Agent, Cooley LLP: Good evening, I'm Brian Winterhalter with Cooley, and I am confirming that we agreed with the development condition.

Commissioner Carter: Second, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ONE, APPROVAL OF PCA 79-C-023, SUBJECT TO THE APPROVAL OF RZ 2017-HM-018 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Niedzielski-Eichner: Second.

Vice Chairman Hart: Seconded by Commissioner Niedzielski-Eichner. Any discussion on that motion? Commissioner Strandlie.

Commissioner Strandlie: I'm recusing myself because I was absent from the hearing. Yes, abstain.

Commissioner Ulfelder: You're abstaining.

Vice Chairman Hart: Further discussion. Commissioner Ulfelder, no?

Commissioner Ulfelder: No.

Vice Chairman Hart: Further discussion on the motion. Seeing none, we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries.

Commissioner Carter: Two, APPROVAL OF RZ 2017-HM-018 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 9, 2019.

Commissioner Niedzielski-Eichner: Second.

Vice Chairman Hart: Seconded by Commissioner Niedzielski-Eichner. Discussion on that motion? Seeing none we'll move to a vote. All in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries.

Commissioner Strandlie: Same abstention.

Commissioner Carter: Three, I move...

Vice Chairman Hart: Oh, I'm sorry. Commissioner Strandlie abstains.

Commissioner Carter: Three, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2017-HM-018, SUBJECT TO THE PROPOSED FINAL DEVELOPMENT PLAN CONDITION DATED OCTOBER 9th, 2019, AND SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF THE CONCURRENT REZONING APPLICATION AND ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Niedzielski-Eichner: Second.

Vice Chairman Hart: Seconded by Commissioner Niedzielski-Eichner. Any discussion on that motion? Seeing none we'll move to a vote. All in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries. Same abstention.

Commissioner Carter: Four, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DISTRIBUTED TONIGHT.

Commissioner Niedzielski-Eichner: Second.

Vice Chairman Hart: Seconded by Commissioner Niedzielski-Eichner. Any discussion on that motion? Seeing none we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries.

Commissioner Carter: And then I'm going to propose two follow-on motions. And I sent them to you earlier, I guess I can – we can do those by reference rather than me reading them? I'll read them if you want.

Vice Chairman Hart: Either way. Why don't you read them because they're short.

Commissioner Carter: Okay.

Vice Chairman Hart: Or what I'm looking at is short.

Commissioner Carter: Okay, well they are just two or three pages so I'll – no.

Vice Chairman Hart: I've got two paragraphs.

Commissioner Carter: Right, right. Let me give you the gist of them, at least from my perspective. The first follow-on motion – this is the Wiehle Avenue assessment – provides an opportunity to review together, for the first time, four fairly recently approved projects located along Wiehle Avenue and to make any modifications necessary to the number of lanes and the pedestrian and bicycle crossings. Since these large projects were approved separately over time, the follow-on motion provides an opportunity to create a coordinated, multi – multi-modal transportation system to serve the Wiehle-Reston East Metro Station. SO, FOLLOW-ON MOTION NUMBER ONE, THE WIEHLE AVENUE ASSESSMENT: REQUEST THAT THE BOARD OF SUPERVISORS DIRECT STAFF TO ADDRESS THE EXISTING AND PLANNED BICYCLE AND PEDESTRIAN NETWORK ALONG WIEHLE AVENUE BETWEEN SUNSET HILLS ROAD AND SUNRISE VALLEY DRIVE. STAFF SHOULD IDENTIFY ANY UNFUNDED GAPS IN THE NETWORK AND ANY AREAS WHERE ADDITIONAL CONNECTIVITY OPPORTUNITIES SUCH AS SIDEWALKS, TRAILS, AND PEDESTRIAN CROSSWALKS WOULD BE DESIRABLE. CONSIDERATION SHOULD BE GIVEN TO CONTINUOUS AND LOGICAL ROUTES FOR BICYCLES AND PEDESTRIANS, APPROPRIATE FACILITY WIDTHS, USER SAFETY, AND INTEGRATION WITHIN THE BROADER DESIGN OF THE STREETSCAPE. THE GOAL IS TO CREATE A COHESIVE AND SAFE, MULTIMODAL NETWORK FOR THE WIEHLE-RESTON STATION EAST AREA. That is follow-on number one.

Commissioners Ulfelder and Niedzielski-Eichner: Second.

Vice Chairman Hart: Seconded by Commissioners Ulfelder and Niedzielski-Eichner. Any discussion on that motion? Commissioner Cortina.

Commissioner Cortina: Well, I would just like to say that I would support this wholeheartedly. I think we've had some problems and struggled a bit in Reston as each application has to be duked out with the public in terms of what their expectations are for this streetscape. And we have bicycle community and plan, and we have sidewalk plans, we have transportation plans, but nothing really unified in terms of getting to and from the Metro and being able to walk safely and ride your bike safely in a new model that we're looking to build. And it's – it's really time that we address this in a more holistic approach. Thank you,

Commissioner Carter: I absolutely agree.

Vice Chairman Hart: Further discussion? Commissioner Niedzielski-Eichner.

Niedzielski-Eichner: Thank you, Mr. Chairman. I want to reiterate my own support for this that follows on Commissioner Cortina's. This is very similar to in concept what we want to accomplish in Merrifield where we had individual application or nominations for the development of large parcels, but weren't able by virtue of the process to think it through holistically particularly this matter of transportation and moving people in and out of that area. So, doing this in the fashion that you are proposing, Commissioner Carter, is a great idea and I fully support.

Vice Chairman Hart: Further discussion on the motion? I, too, will weigh in. I went along with the group of motions on the case partly because of the follow-on motions, which I thought help put it in context. And as Commissioner Cortina said, I think, it's difficult when we're looking at the cases one at a time. Although, I think on this case, the process has worked better than it has on some others and the changes that were made in response to the comments, particularly after the publication of the staff report, resulted from that continued discussion. Pursuing something like the follow-on motion, I think, helps keep the community's expectations in line with what's coming and what's – we've already approved and helps put those pieces together so that going forward folks know what we're doing. Around all of these stations, we are gonna have similar issues so I expect there may be opportunities for similar follow-on motions for other stations when we get to it. This one, I think in particular, we've had some focusing on some of the deficiencies in the transportation network as we approach the station, the way it is right now, coupled with topographic concerns, but these issues are not unique to this particular station. We may want to come back to this on other cases. Further discussion on the first follow-on motion? Seeing none, we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? Nobody opposed. Commissioner Strandlie abstains again. That motion carries.

Commissioner Carter: Okay, the second follow-on motion. Now this one, you've heard me add this through the proffers on individual projects. So now I'm – and it hasn't worked, to be honest, so now I'm gonna try it at the staff level. So, this is about pedestrian safety and security, REQUEST THAT THE BOARD OF SUPERVISORS DIRECT STAFF TO ENSURE THAT THE PLAN – SITE PLAN PROCESS CONTINUES TO EMPHASIZE EXCELLENCE IN THE DESIGN OF THE STREETScape FOR CAMPUS COMMONS AND THE WIEHLE-RESTON STATION EAST METRO STATION AREA. THE NUMBER OF TREES SHOWN ALONG THE STREETS IN THE DEVELOPMENT PLAN SHOULD BE RETAINED TO THE EXTENT FEASIBLE. STREET LIGHTING ALONG ALL STREETS SHOULD PROVIDE ADEQUATE LIGHTING LEVELS TO ACHIEVE SAFETY AND SECURITY FOR PEDESTRIANS COMPATIBLE WITH THE ADJACENT, EXISTING COMMUNITIES. USE OF HIGH – my favorite – COBRA HEAD STREETLIGHTS SHOULD BE AVOIDED, IF FEASIBLE. AGAIN, EXCELLENCE IN DESIGN AND PLANNING FOR THE RESTON AREA MUST BE AT FOCUS.

Commissioner Ulfelder: Second.

Vice Chairman Hart: Seconded by Commissioner Ulfelder. Discussion of that motion? Seeing none, we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? Abstentions? One more, Commissioner Strandlie abstains, that motion carries.

Each motion carried by a vote of 9-0-1. Commissioner Strandlie abstained from the vote. Commissioners Murphy and Tanner were absent from the meeting.

(End Verbatim Transcript)

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RZ/FDP 2017-PR-010/PCA 2010-PR-014D/SE 2018-PR-013 – TYSONS DEVELOPMENT, LLC (Decision Only) (The public hearing on these applications was held on October 2, 2019.)

(Start Verbatim Transcript)

Commissioner Niedzielski-Eichner: So Mr. Chairman, we have before us tonight, and this is specifically, this one will be on the Tysons Development, LLC, The View...

Vice Chairman Hart: Oh-

Commissioner Sargeant: Mr. Chairman?

Vice Chairman Hart: Excuse me. Mr. Sargeant.

Commissioner Sargeant: Thank you, Mr. Chairman. I am recusing myself from this vote. As you know, I recused myself during the public hearing due to my employment by Dominion Energy and a reference in one of the proffers by Dominion infrastructure. Therefore, I will recuse myself. Thank you.

Vice Chairman Hart: Did we say which one this is?

Commissioner Sargeant: Yes, Tysons.

Vice Chairman Hart: Tysons. Okay. All right.

Commissioner Niedzielski-Eichner: Tysons, The View.

Vice Chairman Hart: Got it. Commissioner Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman. We have before us tonight another massive project that will further the Tysons Comprehensive Plan's vision for transforming Tysons Corner into a vital urban center within which people will live, work, and play. The development consists of four concurrent applications that together will produce a mixed-use development comprised of six new buildings on an 8.35-acre site bounded by Leesburg Pike, Route 7, Tyco Road Drive, and Spring Hill Road. The proposed development includes two office buildings, two residential buildings, and one combined office and retail building. Two buildings have proposed heights that exceed the Comprehensive Plan recommended height limitation of 400 feet with one building at 455 feet in height and the other at 600 feet in height. As these heights are the subject of concern by the respected Mclean Citizens Association, I will address the matter of them specifically just a bit later. We had a robust – very robust review of this application just last week, including great visuals and informed public testimony. But as the Commission will recall, after staff reviewed the application, its report identified eight outstanding issues where staff believed the applicant needed to do more work. I do want to take a moment to ask Mr. Gardner to provide an update of the applicant's response to those concerns and whether there are any residual concerns that should be brought to the Commission's attention.

Stephen Gardner, Zoning Evaluation Division, Department of Planning and Development: Thank you. Stephen Gardner, Department of Planning and Development. A memo was transmitted to the Commission yesterday, midday, dated October the 10th. It does summarize the changes made to the proffers that were submitted prior to and subsequent to the public hearing, including proffers dated September the 30th and October the 7th. October the 7th is the current date. It also includes a status, if you will, of the outstanding issues. I am happy to answer any specific questions about the outstanding issues, but to speak kind of generally and as kind of a holistic summary, staff does consider all the issues resolved.

Commissioner Niedzielski-Eichner: Thank you, Mr. Gardner. We also, coming out of the hearing, heard from my colleagues Hart, Ulfelder, Cortina, Carter, and Strandlie, I believe, all had various perspectives that I now believe that the proffers address. And I just want to be sure that my colleagues are aware of this. So, for example, Commissioner Hart raised a few questions about – kind of the –the treescape on – along on the sides of the buildings – at the top of

buildings. How is the vegetation going to be maintained? And I don't know if this is a staff response or whether the applicant wants to respond, but there are some significant changes to the proffers to address that concern, are there not?

Mr. Gardner: I believe it should be the applicant. I believe they should essentially describe what they're doing. From the staff perspective, I'll just mention that there is a landscape management proffer that's very specific, very detailed, and applies to Buildings C-3, Building C-1, and Building D-1, each one of the buildings that has landscaping on the façade. In terms of detailing the specifics and they manage – or they have – they imagine that kind of implementing, I'll let the applicant respond to that.

Antonio Calabrese, Applicant's Agent, DLA Piper, LLP: Mr. Hart, Tony Calabrese with DLA Piper. Delighted to be here this evening. Very quickly, Mr. Niedzielski-Eichner, I think the proffers, 23D in particular, goes directly to Mr. Hart's good questions and comments. For example, the language recites, given the unique challenges of urban landscaping, all plant selection and installation will be overseen by a certified arborist or landscape architect who has specific expertise in urban greenhouse and façade landscaping, as relevant for these buildings. And there are numerous additional proffers. But I think we tried to address Mr. Hart's comment on that front.

Commissioner Niedzielski-Eichner: Thank you. Mr. Ulfelder – Commissioner Ulfelder talked about the matter of the – the trade-off of the community center for the athletic field. And I wanted to note that there was a change to the – to the proffers that broadened the opportunity for the Board of Supervisors to act on the athletic field public facility contribution. And specifically, the language was changed to specify that the applicant intends for this contribution to be used for the purpose of – one, designing and constructing the proposed Tysons Community Center on the contiguous Fairfax County property. And two, the acquisition of land for new athletic fields within Tysons and/or, three, the construction or improvement of athletic fields within Tysons. The final decision on how the money is to be allocated will rest with the Fairfax County Board of Supervisors. So the first – the proffer originally specified the – the direction of the resources to the Tysons Community Center based on the conversation that the Commission had last week. That aperture has been opened to allow for the Board to consider athletic fields as well. Is there any – did I capture that correctly?

Mr. Calabrese: You did, sir.

Commissioner Niedzielski-Eichner: Thank you.

Vice Chairman Hart: Commissioner Hurley, did you have a question?

Commissioner Niedzielski-Eichner: On that...

Commissioner Hurley: To that point, yes. I still refer to – again referred to the concerns of the Planning Civic Association that they – they – we've been holding the line on fields for Tysons and that's been a big concern of theirs. All these – all the people moving in here are hopefully going want to play, as well as work and live in Tysons. And I understand, as I said at the public hearing, that fields don't belong within an eighth of a mile of Metro. But I'd still like to see the

wording fenced or at least emphasized that it should go to fields and not a community center. It can be a field on the outskirts of Tysons. And I'd even like to see some words – as I said, again, at the public hearing, we've had a lot of rectangular fields built and nothing in the diagonal fields. One, they're harder to build because they don't fit in. And, two, as the Nats pointed out last night in the eighth inning, and especially in the 10th inning, the goal in a diagonal field is to hit it out of the park, so it doesn't belong next to a 600-foot glass building. So again, I'd just like to see more emphasis on the athletic field in Proffer 61 and not making it so much – less emphasis on a possibility of another community center.

Commissioner Niedzielski-Eichner: So this – this proffer allows for the Board to make that decision. And I think – my own position on this is we live it at that.

Commissioner Ulfelder: Mr. Chairman?

Vice Chairman Hart: Commissioner Ulfelder.

Commissioner Ulfelder: Since it came up at this point, I think I should speak to it as well. I appreciate the addition of the language to make it clear that the funds could be used for an athletic field. But follow – following along with the thinking of Commissioner Hurley, I think the point that I was trying to make at the public hearing, based on the Park Authority's memo, was – and – and the way the Comprehensive Plan is set up is that it should not be left to the Board to have to figure out where to spend the money or to find the site or where to spend the money. That the way this is set up is that, as these applications come in and we determine what level of athletic fields they are supposed to provide – if it's greater than one-third of a field, they're supposed to either find it on site or find an off-site place for – for that field or that portion of that field, maybe in combination with somebody else's one-third, so that the actual provision of athletic fields rests with the applicants and it's not the Board's job to try to figure out where they ought to go and what they ought to spend it on, in terms of additional fields. And I think that the Park Authority is raising a little bit of a warning that if they're under the pressure to find and identify places and make sure that these fields are being provided so that if we end up with 19 and one-third fields, they want it known that it was because we left out two-thirds of the field in connection with this application. But I – you know, I – maybe the Board can go forward with it and handle it fine, but I just felt that this – the way we are trying to make this work is to make the applicants responsible for actually finding and helping develop those fields. And, as I said at the public hearing, installing them and then teeing them up for the Park Authority to take over and operate.

Commissioner Niedzielski-Eichner: And, if I could, Mr. Chairman, in response – it has worked well to date and it will work well – excuse me – in the future. However, this represents a unique circumstance that – that the Board is charged with. Their mission is to make the difficult calls. There is a property immediately adjacent to this development that is County-owned property. We have a call for, within the Comprehensive Plan, a community center. A community center was – I'm sorry – a community center was considered in another development and was traded off for a performing arts center – a great trade-off. But we still have a need for a community center. We have, by virtue of other analysis and other policy considerations by the Board, the need for affordable housing. We have an opportunity as a potential alternative for this Board to consider is – is affordable housing in conjunction with a community center? It's a – it's a – it's the

prototypical example of what a Board is charged to do. Take two opportunities, weigh those opportunities, and make a decision. This – this proffer amendment – this change to the proffer allows for the Board to do just that. And that's – and I think that's a call that they should be – they should be called upon to make.

Commissioner Ulfelder: Okay.

Vice Chairman Hart: Before we move on, can I just come back? I'm running the meeting. I guess I can do it. Can we come back to Mr. Gardner for just a moment on the – the memo dated today? Because I – if I understood what you said, staff is – staff said all the issues are resolved. But I just didn't understand that at the bottom of page 1, the top of page 2, it sounded like it was not clear. The bird-friendly issue that – it is not clear if the physical area has expanded, nor is it clear what bird-friendly techniques will be used along the portions of the façade that are not located directly behind the landscaping. Yeah, well I don't know. And I don't know if that's a big deal. But whatever that was in the memo, we're past that as of – as of 9:00 o'clock? Am I missing something?

Mr. Gardner: From the staff perspective, it's resolved. What we were – what I was doing in the memo was trying to capture some of the communication and some of the feedback I was hearing from the Planning Commission at the public hearing, that there were comments that perhaps the application physical area of the bird-friendly – kind of fritting needed to be expanded. And what I am simply saying is the – it is not clear whether that physical area has expanded from what was presented at the public hearing. That was never a staff issue per se.

Vice Chairman Hart: Okay, I'm not trying to create new issues. I just – I didn't understand that – how that memo fit with everything's resolved.

Mr. Gardner: And – and what we were trying to do is point out some areas where it was not clear whether the full expectations of the Planning Commission were being resolved.

Vice Chairman Hart: All right. I understood the other ones. I didn't understand that. Okay. Now we're back...

Commissioner Niedzielski-Eichner: That was – that was next on my list is...

Vice Chairman Hart: Okay. All right.

Commissioner Niedzielski-Eichner: I just ask Mr. Calabrese if he would speak to Ms. Cortina's – Commissioner Cortina's expressed interest in the bird-friendly.

Mr. Calabrese: Yes, sir. I'd be happy to. Hopefully, you all are looking at this screen and it's got just the recitations and highlights. I think some – the two critical proffers associated with this case. Respectfully, I think we've set a whole new level of commitment in Tysons for bird-friendly provisions and commitments. I have done a number of cases in Tysons and elsewhere and, frankly, there's never been this level of detail on the left. Proffer 12b applies to all the buildings on the property. Bird-friendly designs have to be included and there's an entire spectrum. If you can see, they're highlighted in the larger section of what's available to us.

Specifically, with regard to the three buildings along Route 7, the two office towers as well as the hotel and condominium building, we embellished, I think, meaningfully on Proffer 23, as reflected, and are much more specific. With regard to the two office buildings, we must incorporate either fritting, silk screening, or ultraviolet coatings, which are becoming very much in vogue and I think are getting closer to perfected. There are depictions of that on the bottom of the left-hand side to break up the reflectivity of the glass. Critically, Ms. Cortina, this applies to all four facades of those buildings – all four – all four façades to be clear and for the record. These techniques, however, do not require that every piece of glass on the entirety of these buildings be blanketed with bird-friendly features. That wouldn't be, I think, appropriate. It would probably be pretty unattractive. And that's in part why the last proffer, bottom right, we are going to continue to cooperate with DPD. When we submit for each and every one of these buildings, we'll have an opportunity for the appropriate folks to work with our terrific architects. And I think, frankly, by the time we get to this point, these standards will even be refined- that the protocols will be even better to ensure that the intent of these proffers are fulfilled. We also increased the commitment and were more specific with regard to the fritting and other appropriate protections associated with the landscape areas – the façades of all three of these buildings – the hotel, the condominium, the two office buildings. This was pointed out and discussed to the Planning Commission. Obviously, that type of landscaping can attract birds so we've been even more specific, with regard to those commitments.

Mr. Gardner: And just to clarify one other point, the staff issue was expansion of the commitments to other buildings and they did that. That is resolved.

Vice Chairman Hart: Thank you. Commissioner Cortina.

Commissioner Cortina: I reviewed the proffer and I was satisfied with the proffer. Thank you. And it is – it has gone beyond what we've had before. And I've actually asked staff – elsewhere in the County to consider sort of some of some boilerplate language for these so that we – we don't have to come back to it again. And – but I think the applicant has – has taken that charge. So I think they did an adequate – thing.

Commissioner Niedzielski-Eichner: Okay. Thank you.

Vice Chairman Hart: Commissioner Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman. And Commissioner Carter privately, to me, raised a question about private streets not in the phasing plan. To my understanding, Mr. Calabrese, that has also been addressed, has it not?

Mr. Calabrese: Yes, sir, it has. We, I think, we pointed out to you and Commissioner Carter the precise pages where that private street is going to be implemented in the second phase.

Commissioner Niedzielski-Eichner: Okay. Thank you. And finally, Ms. Strandlie and I have had ongoing conversations about this – the merits of not allowing district boundaries to stand between the ability to have transportation be considered in a broader way. That's the spirit of the follow-on motions that I took with the – when acted on the – oh, this is – I'm sorry, this is a – this is a different – this is the next one. Let me get to that one.

Vice Chairman Hart: She's Inova. This is the View.

Commissioner Niedzielski-Eichner: Yeah, yeah, yeah, yeah, yeah...

Vice Chairman Hart: I think...

Commissioner Niedzielski-Eichner: It is. So finally, I just wanted to speak to the matter of height. Again, the McLean Citizens Association – I have the highest regard for, they of any organization that I have worked with in public life – have – do their homework and do it thoughtfully and with – with due consideration. In this instance, I simply disagree with their assessment that, you know, the matter of the height, particularly of the – the architectural feature on the 600-foot building is out-of-context with what the expectation should be for coming out of the Comprehensive Plan. We have been very careful in working with the applicant to keep the – the occupied portion of the building at 400 feet. I've often asked well why do we have constraints on the height of a building? Well, the – there is certainly the question of – if you're adjoining neighborhoods, what's the impact on the adjoining neighborhood? But the – the more technically and important feature is density drives people or – or density drives the demand for public facilities, demand for transportation, the use of the – the streets, and so on. And 400 feet was determined within the comprehensive planning process to be that maximum level that allows for the density – sufficient densities for the public facilities and transportation capabilities to be adequately addressed, as well as, of course, other considerations. In this instance, we have an applicant that has a vision and has – that vision has driven the applicant to want to have a feature that allows for a skyline that differentiates the – its building from other buildings on the – in the Tysons area. By the way, the skyline is considered in the Comprehensive Plan as important. This – this particular architectural feature is very attractive, in my view. It is – it will – it will help Tysons stand out as an urban center. It has a feature that will be publicly accessible in the – in terms of people being able to come up and take into their – their view the surrounding region and hopefully in a quite attractive way. And the – the setting that's been created at that level, by virtue of proffers and by design, is phenomenal. So I – and - and finally, the concern for – that has been expressed that this is – is it will have a detrimental impact on adjoining neighborhoods, I will say this application has been before the community for at least two years with the kind of heights that we've been discussing. And I personally have not heard a single concern from a neighborhood or an individual neighbor about the height of this building. So I'm – I'm content with the way in which the applicant has addressed the staff's concerns, the Planning Commissioner's concerns, the Supervisor's concerns, and I'm – I look forward to the – the visual feature that this will add to the skyline of Tysons. Again, with all the respect in the world for McLean Citizens Association, I just in this instance disagree. I – Mr. Chairman and, to bring this to a motion, I agree with staff's position that this application is consistent with the Comprehensive Plan and advances the Plan's vision for Tysons in specific. The View will be a world class development that will further define the new Tysons and will further – will be a catalyst for further consideration of investment because of the quality of its – its features and the kind of investment that will be put into it. It has a focus on the arts. I love what the – has been worked through for first stage. First stage is a – award-winning theater – operates out of a warehouse right now. Now, we'll have the opportunity to move into a black box in the center of a lot of activity and it will be even – that – it will, therefore, be allowed to even become a more profound and valuable arts contribution to the area. We heard from the Arts Council last week on

just that point. So the overall features of what has been put into this application – the sensitivity that the applicant has given to the concerns of a wide array of people satisfies my – my – my interest in this building, and I want to be able to – or set of buildings and I want to recommend it moving forward. So I would ask the applicant to come forward and – agree to the FDP and SE conditions.

Mr. Calabrese: Again, Tony Calabrese with DLA Piper, we reaffirm our commitment to the proffers and development conditions, Mr. Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Thank you, Mr. Calabrese. With that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE PCA 2010-PR-014-D, SO MOVED.

Vice Chairman Hart: Is there a second?

Commissioner Migliaccio: Second.

Vice Chairman Hart: Seconded by Commissioner Migliaccio: Any discussion? Mr. Ulfelder.

Commissioner Ulfelder: I've wrestled a bit with this. It clearly is an outstanding project in many ways, in many respects. And the building design, as I – it does fit the iconic terminology, I think, and would make a big difference on the skyline and many of the changes that have been made since the public hearing, I think, are all positive and have made it a better application. But I'm still wrestling a bit with the height issue. I understand the density argument. What the MCA was saying – and I think some others may agree with them – it was also a question from their point of view, literally, the height – the actual height of the buildings and what they expected to see in Tysons and what they – and what they didn't expect to see. And in this case, at least the building C-3 is pretty darn tall and will be quite a feature on the skyline. And I'm – I'm not sure the Comprehensive Plan doesn't talk about occupied versus non-occupied space or other – other aspects of a tall building that would make it an exception to the 400-foot limit. On the other hand, the Comprehensive Plan also has some language in it indicating some flexibility about building height as well. But I think that this is a pretty significant jump. And – and even though the project overall is terrific, it gives me pause, along with my – still have my concerns about the way we go – are going to go about meeting our athletic field commitments in – under the Comprehensive Plan for Tysons Corner. For those reasons, I'm going to abstain in connection with this application.

Vice Chairman Hart: Further discussion on the motion? I'll weigh in on the – the height issue. When I first read some of the news stories about the project some months ago, I had in my mind a much more isolated or prominent structure like the Dubai Tower or something. It was gonna – this was gonna be the tallest building between Charlotte and Philadelphia and that it would really stand out. But I think as the discussion progressed – every case is different, but you look at the renderings and it seemed to me that although this building may be taller from a distance, it's one of many and it fits into a skyline that has many other buildings in it. And it isn't particularly objectionable. And I think the Board has the discretion to do it. The height in this instance, I think, is not necessarily a negative factor. And so I think it's within our purview to recommend

approval of something like this. Further discussion on the motion? Seeing none, we'll move to vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed?

Commissioner Ulfelder: Abstain.

Commissioner Clarke: Abstain, I was absent.

Vice Chairman Hart: Commissioner Ulfelder and Commissioner Clarke abstain. That motion carries. Commissioner Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Yeah, thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2017-PR-010, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED OCTOBER 7TH, 2019, SO MOVED.

Commissioner Migliaccio: Second.

Vice Chairman Hart: Seconded by Commissioner Migliaccio. Any discussion on that motion? Seeing none, we'll move to a vote. All those in favor please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? Any abstentions?

Commissioners Clarke and Ulfelder: Abstain.

Vice Chairman Hart: Same two abstentions. That motion carries. Commissioner Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS FOR RZ 2017-PR-010 – and I just would note before the Commissioners that this modification – these modifications are different than what was listed in the staff report. And I – and so I will read them for the public record for that reason.

- Modification of section 2-505 to permit structures and/or plantings on a corner lot at an intersection as shown on the CDP/FDP and as proffered.

And Mr. Chairman, do you want me to go through each of these? One at a time? Or all of them?

Vice Chairman Hart: If we have a – if we had a – did we – because I think we got two other handouts, but we didn't get a handout of these?

Commissioner Strandlie: I – go ahead.

Vice Chairman Hart: Modifications and waivers?

Commissioner Strandlie: Go ahead and read those, please. Thank you.

Vice Chairman Hart: Because we – if we have a document, we can refer to the document. But if we don't have a document, we gotta read them.

Commissioner Niedzielski-Eichner: So my question was, do I do motion by motion?

Vice Chairman Hart: Oh, let's do – without objection, let's do them in a clump and just let him read all of them. And we have to sever something, we will. But just read them all and we'll do one omnibus waiver and modification motion.

Commissioner Niedzielski-Eichner: Okay, thank you. SO THE SECOND MODIFICATION – THE SECOND PART OF THE MOTION IS:

- WAIVER OF SECTION 6-506 OF THE ZONING ORDINANCE TO PERMIT A DISTRICT SIZE OF LESS THAN TEN ACRES;
- THIRD, A MODIFICATION OF SECTIONS 11-203 – THAT'S 11-203 TO PERMIT THE MINIMUM NUMBER OF REQUIRED LOADING SPACES, AS SHOWN ON CDP/FDP, SO MOVED.

Commissioner Migliaccio: Second.

Vice Chairman Hart: Seconded by Commissioner Migliaccio. Any discussion of that motion? Seeing none, we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? Same abstentions.

Commissioner Ulfelder: Yes.

Vice Chairman Hart: Commissioners Clarke and Ulfelder abstain. That motion carries. Mr. Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2017-PR-010, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 7TH, 2019, AND SUBJECT TO THE BOARD'S APPROVAL OF RZ-2017-PR-010, SO MOVED.

Commissioner Migliaccio: Second.

Vice Chairman Hart: Seconded by Commissioner Migliaccio. Any discussion of that motion? Seeing none, we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? Same abstentions?

Commissioner Ulfelder: Yes.

Vice Chairman Hart: That motion carries. Commissioners Clarke and Ulfelder abstain.

Commissioner Niedzielski-Eichner: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2018-PR-013, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 23RD, 2019 AND SUBJECT TO THE BOARD'S APPROVAL OF RZ 2017-PR-010.

Commissioner Migliaccio: Second.

Vice Chairman Hart: Seconded by Commissioner Migliaccio. Any discussion of that motion? Seeing none, we'll move to a vote. All in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? Same abstentions?

Commissioner Ulfelder: Yes.

Vice Chairman Hart: That motion carries. Commissioners Clarke and Ulfelder abstain. Thank you.

Each motion carried by a vote of 7-0-2. Commissioners Clarke and Ulfelder abstained from the vote. Commissioner Sargeant recused himself from the vote. Commissioners Murphy and Tanner were absent from the meeting.

(End Verbatim Transcript)

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PCA/CDPA/FDPA 74-7-047-02-02 – INOVA HEALTH CARE SERVICES (Decision Only) (The public hearing on these applications was heard on October 2, 2019.)

(Start Verbatim Transcript)

Commissioner Niedzielski-Eichner: So, Mr. Chairman, as my colleagues will remember, the Inova Center for Personalized – I apologize – this is on – this application will be the PCA/CDPA/FDPA 74-7-047-02-02, Inova Health Care Services. Give a moment for everybody

to settle. All right, again as my colleagues will remember, the Inova Center for Personalized Health came before us in a public hearing on October 7th (sic), which actually followed an extensive public hearing on the – the nomination for the Merrifield Suburban Center amendment – Comprehensive Plan Amendment. And this application is scheduled for a Board of Supervisors public hearing next Tuesday, October 15th. The issues raised at last week's public hearing are effectively addressed, in my view, in the updated proffers that are before us for consideration tonight and documented in a memorandum from Sharon Williams to the Commission, dated October 7th, 2019. Specifically, the applicant is now committing to constructing the stormwater management pond, you'll recall that the previous proffer language kind of left the door open slightly to the potential of not building the pond. This possibility prompted Commissioner Hart to raise the question if not a pond, what? The door is now completely closed, and the pond will be built. Including pedestrian and so – so is now committing to including pedestrian and bicycle trails, including those within the eastern green space in Inova's maintenance program. The proffers also include language regarding when the public access easements will be recorded. There was concern that if – without that commitment that the – these public access easements may not get recorded so they've committed to doing that within a date certain. Included in the proffers are also the marked crosswalks at the intersection of Wellness Boulevard and Woodburn Road and I think this is in response to concern by Commissioner Cortina. The proffers clarify that Inova's contribution to the pedestrian and bicycle bridge will go toward the bridge's design and preliminary engineering, thereby assuring that this critically important element of the pedestrian and bicycle trail system is jump-started. The revised proffers assure that if the WDU policy, the Workforce Units policy as amended, the applicant will provide the WDU's in accordance with that policy. And this is a – follows a question or concern raised by Commissioner Carter. And then finally, Mr. Chairman, three proffers are added that respond to concerns raised by the community and the Commission about Inova's need to effectively engage the surrounding communities such, as Camelot Acres, the Amberleigh Development across Gallows Road, and the Holmes Run community's, as examples. And other organizations who have a stake in the future of the Inova site, such as the Friends of the Accotink Creek, the Friends of the Holmes Run, and the Fairfax Alliance for Better Bicycling. There is an array of parties that have taken a strong interest in this site and this proffer – one of the proffers speaks to a sustained relationship. Through these three proffers, Inova commits to establishing a point of contact who will be responsible for communicating and coordinating with the range of community stakeholders and Inova commits to maintaining a website that will keep the community informed of progress and significant future actions to be pursued, such as a rezoning or proffered condition amendment. This is a project that, Mr. Chairman, I will be pleased and honored to move to recommend approval and, in my believe, that this will establish the land use framework that will underpin for the development of the Inova Center for Personalized Health. I'm excited to welcome a world-class facility that will bring critical health resources and groundbreaking research to the County and to the region. And I believe the project will include a major partnership with well-regarded institutions and we know, specifically, the University of Virginia in a location that has natural synergies with existing institutions. And it will preserve and make public a substantial natural wooded place in the Merrifield area for the community to enjoy. Approval of these motions, combined with the follow-on motions recommended by the Planning Commission in conjunction with the Merrifield Comprehensive Plan Amendments, of which Inova is a critical part, sets the stage for truly exciting innovation in health care and innovation in the movement of people in and out of this evolving economic center for Fairfax County. With

that, I'd just ask that the applicant confirm – confirm for the record your agreement to the final development plan conditions date September 17th, 2019.

Timothy Sampson, Applicant's Agent, Downs Raehlin Martin PLLC: With that Mr. Chairman, members of the Commission, I'm Tim Sampson. I represent the applicant and confirm the applicant's agreement to the development conditions dated September 17, 2019.

Commissioner Niedzielski-Eichner: Thank you, Mr. Sampson. Mr. Chairman, with that prelude I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 74-7-047-02-02 AND ITS ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE NOW DATED OCTOBER 4TH, 2019.

Commissioner Hurley: Second.

Vice Chairman Hart: Seconded by Commissioner Hurley. Any discussion of that motion? Commissioner Strandlie.

Commissioner Strandlie: Thank you. Going back to Commissioner Niedzielski-Eichner's comment on the previous case, we have had discussions about ensuring that across district lines were recognized regarding the impact of cases. So, during the discussion last week, I brought up the issue of the circulator and I'm going to put that – hold that in advance for future land use cases that will surely be arising out of this site and look forward to working together on that in the future. I do have one concern that was not addressed and that was the capacity for Falls Church High School. We have not heard back from the schools so between now and the Board hearing, I hope that FCPS will provide an answer to my question. Supervisor Gross will, I understand, will abstain because she's on the Inova Board so I don't know with which supervisor I should follow up with or not, but we'll work together on that.

Commissioner Niedzielski-Eichner: Yeah, so, just to reiterate, I'd be pleased to work with Commissioner Strandlie as we move forward and specific to the matter of schools, I'll work with Supervisor Smyth once you get the material to me.

Commissioner Strandlie: Thank you.

Vice Chairman Hart: Further discussion? Commissioner Hurley.

Commissioner Hurley: Thank you, Mr. Chairman, from the beginning, this was a concern – traffic was a concern with this application. Braddock District is close enough to this whole application area that yeah, we would be affected too. But, I believe, Commissioner Niedzielski-Eichner's follow-on motion from the Comprehensive Plan to look at it as a whole will address this concern that I've had and just a side-commercial, if you will, I am very pleased. I got my master's in urban and environmental planning from the University of Virginia and if my professor is per chance watching this, I'm sure he is happy to see everything he taught me has been used to help figure these things out. Thank you.

Vice Chairman Hart: Further discussion? Commissioner Cortina.

Commissioner Cortina: Thank you, Chairman. I just want to say to the Inova team, thank you very much for including the proffer to coordinate with the community once a year. I think you'll – is what's proffered, but I think you'll be seeing them more than once a year. And we really can't proffer relationships and I want to say that Inova has decades of experience of working in the community, serving the community. A lot of these friends groups and bicycle groups have as well. And I think when they join together, they're really going to be a great force, and this is really the beginning. It's not the end of the process so the opportunity to meet at least once a year will provide a venue to do that. And I think if we take the consideration of wellness to mean your entire quality of life and the length of your life, the medical component is really determined by the CDC to be something like 10 or 20 percent and the rest is really the rest of your environment that you live in. And so, I think Inova understands that and we're all better when we are working together, and I appreciate the level of effort that went into accommodating the community on this application. Thank you.

Vice Chairman Hart: Further discussion on the motion? Seeing none, we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries.

Commissioner Clarke: I abstain.

Vice Chairman Hart: Commissioner Clarke abstains, everybody else voted. That motion carries. Commissioner Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 74-7-047-02-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 17TH, 2019, AND SUBJECT TO THE BOARD OF SUPERVISORS APPROVAL OF THE CONCURRENT PCA APPLICATION, so moved.

Commissioner Hurley: Second.

Vice Chairman Hart: Seconded by Commissioner Hurley. Any discussion of that motion? Seeing none, we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? That motion carries. Oh, and Commissioner Clarke abstains.

Commissioner Niedzielski-Eichner: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT

THAT WAS DISTRIBUTED TO YOU DATED OCTOBER 2ND, 2019, WHICH WILL BE MADE PART OF THE RECORD, so moved.

Commissioner Hurley: Second.

Vice Chairman Hart: Seconded by Commissioner Hurley. Any discussion of that motion? Seeing none, we'll move to a vote. All those in favor, please say aye.

Commissioners: Aye.

Vice Chairman Hart: Those opposed? Same abstention, that motion carries. Commissioner Clark abstains.

Each motion carried by a vote of 9-0-1. Commissioner Clarke abstained from the vote. Commissioners Murphy and Tanner were absent from the meeting.

(End Verbatim Transcript)

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The meeting was adjourned at 9:11 p.m.
James R. Hart, Vice Chairman
James T. Migliaccio, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035.

Minutes by: Teresa M. Wang

Approved on: March 4, 2020

Jacob Caporaletti

Jacob L. Caporaletti, Clerk to the
Fairfax County Planning Commission

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 1 day of April 20, 2020, by
Jacob Caporaletti.

Dorothy M. Steele
Signature of Notary

Notary Seal



Notary registration number: 7114113

Commission expiration: January 31, 2024