

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, FEBRUARY 8, 2017**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, 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
Earl L. Flanagan, Mount Vernon District
Phillip A. Niedzielski-Eichner, Providence District
Karen Keys-Gamarra, Jr., Sully District
Janyce N. Hedetniemi, Commissioner At-Large

ABSENT: Julie M. Strandlie, Mason District

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The meeting was called to order at 8:17 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chairman Murphy stated that a memorandum had been distributed to the Commissioners prior to the meeting documenting the staffing for the Planning Commission's committees for 2017. He requested that the Commissioners review this document accordingly and submit concerns to John W. Cooper, Clerk to the Planning Commission. He then announced his intent to move for ratification of the at the Commission's meeting on Wednesday, February 15, 2017.

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SCHOOLS COMMITTEE WORK PLAN ADOPTION

(Start Verbatim Transcript)

Commissioner Sargeant: Mr. Chairman, on October 18th, 2016, the Fairfax County Board of Supervisors directed the Planning Commission's Schools Committee to undertake the prioritization of a list of issues developed during a joint retreat held by members of the Board of Supervisors and the Fairfax County School Board. That retreat was held on June 14th, 2016. Three lists of priorities were developed during the retreat – one entitled "Fiscal," another "Children and Families," and the third was "Land Use." The Planning Commission's Schools Committee was tasked with undertaking the prioritization of issues under the Land Use category and to present a Work Plan to both the Board of Supervisors and the School Board. A joint working group had been established to address the Board's assignment. The Planning

Commission is represented by members of its Schools Committee. The County's Planning and Zoning staff representatives are Chris Caperton and David Stinson. Fairfax County Public Schools representatives include School Board Chairman and Mason District School Board Member, Sandy Evans, Mount Vernon District School Board Member, Karen Corbett-Sanders, and school system's facilities officials are Jeffrey Platenberg and Kevin Sneed. The joint Schools Committee/School Board Working Group met on January 18th, January 25th, and February 7th, 2017 to draft a Work Plan. The final work plan includes six recommended topics to address priorities identified by the Board of Supervisors and the School Board. The topics include projection methodologies, school proffers, impact of development on schools, school planning and economic development, the school system as a contributor to economic development, and equity and access to schools and facilities. If adopted by the Board of Supervisors, the Schools Committee/School Board Working Group anticipates presenting the findings to the Board of Supervisors on each topic that is addressed and the group will also identify potential next steps, as appropriate. I'd like to express my gratitude to School Board Chair, Sandy Evans, and School Board Member, Karen Corbett-Sanders, as well as Jeffrey Platenberg and Kevin Sneed for their commitment of time and guidance regarding this work plan. My thanks, as well, to the Planning Commission members who have participated in the drafting of the work plan and to Chris Caperton and David Stinson. Your collective input has created a work plan that is both thoughtful and flexible to address the issues expressed by the Board of Supervisors and the School Board. I know we share the goals of a collaborative process and a productive outcome. With that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE WORK PLAN FINALIZED BY THE JOINT SCHOOLS COMMITTEE/SCHOOL BOARD WORKING GROUP ON FEBRUARY 7TH, 2017, TO ADDRESS THE ISSUES IDENTIFIED UNDER LAND USE PRIORITIES IN THE BOARD OF SUPERVISORS' MOTION DATED OCTOBER 18TH, 2016.

Commissioners Hart and Hedetniemi: Second.

Chairman Murphy: Seconded by Mr. Sargeant [sic] and Mr. – Ms. Hedetniemi. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt the School Committee's work plan, as articulated by Commissioner Sargeant, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Strandlie was absent from the meeting.

(End Verbatim Transcript)

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TELECOMMUNICATIONS COMMITTEE MOTION TO AUTHORIZE ADVERTISEMENT
FOR MOBILE LAND-BASED TELECOMMUNICATION SERVICES POLICY PLAN
AMENDMENT

(Start Verbatim Transcript)

Chairman Murphy: This evening, we had a meeting of the Telecommunications Committee and we met on the Mobile Land-Based Telecommunication Services Plan Amendment and some amendments to that plan. And it was a unanimous vote by the Telecommunications – so I WOULD LIKE TO MAKE A MOTION THAT THE PLANNING COMMISSION ADOPT THE TELECOMMUNICATIONS COMMITTEE’S RECOMMENDATION THAT THE BOARD OF SUPERVISORS APPROVE [sic] THE MOBILE AND LAND-BASED TELECOMMUNICATION SERVICES Plan Amendment – POLICY PLAN AMENDMENT, AS AMENDED BY THE PLANNING COMMISSION’S TELECOMMUNICATION’S COMMITTEE THIS EVENING.

Commissioner Ulfelder: Second.

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

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Mr. Hart.

Commissioner Hart: To authorize for advertising, not approve it.

Chairman Murphy: Okay. To authorize – I’m sorry, TO AUTHORIZE IT FOR ADVERTISING. Okay? Thank you very much. Okay?

Commissioner Hart: We have to vote.

Chairman Murphy: All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Strandlie was absent from the meeting.

(End Verbatim Transcript)

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FS-P16-44 – VERIZON WIRELESS, 1650 Tysons Boulevard, McLean

(Start Verbatim Transcript)

Commissioner Niedzielski-Eichner: First off, I MOVE THAT THE PLANNING COMMISSION CONCUR WITH STAFF’S DETERMINATION FOR APPLICATION FS-P16-44, THAT THE PROPOSED TELECOMMUNICATIONS FACILITY AT VERIZON WIRELESS LOCATED AT 1650 TYSONS BOULEVARD, IS SUBSTANTIALLY IN ACCORD WITH

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: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to concur with the “feature shown” determination in FS-P16-44, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Strandlie was absent from the meeting.

(End Verbatim Transcript)

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FS-P16-45 – VERIZON WIRELESS, 2001 International Drive, McLean

(Start Verbatim Transcript)

Commissioner Niedzielski-Eichner: Thank you. I – Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION CONCUR WITH STAFF’S DETERMINATION FOR APPLICATION FS-P16-45, THAT THE PROPOSED TELECOMMUNICATIONS FACILITY BY VERIZON WIRELESS LOCATED AT 2001 INTERNATIONAL DRIVE, IS SUBSTANTIALLY IN ACCORD WITH RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A “FEATURE SHOWN,” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioners Hart and Hedetniemi: Second.

Chairman Murphy: Seconded by Mr. Hart and Ms. Hedetniemi. Is there a discussion of that motion? All those in favor of the motion to concur with the “feature shown” determination, FS-P16-45, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Strandlie were absent from the meeting.

(End Verbatim Transcript)

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FS-P16-46 – VERIZON WIRELESS, 2001 International Drive, McLean

(Start Verbatim Transcript)

Commissioner Niedzielski-Eichner: Mr. Chairman, I MOVE THAT THE – PLANNING COMMISSION CONCUR WITH STAFF’S DETERMINATION FOR APPLICATION FS-P16-46, THAT THE PROPOSED TELECOMMUNICATION FACILITY BY VERIZON WIRELESS LOCATED AT 2001 INTERNATIONAL DRIVE, IS SUBSTANTIALLY IN ACCORD WITH RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A “FEATURE SHOWN,” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioners Hart and Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi and Mr. Hart. Is there a discussion of that motion? All those in favor of the motion to concur with the “feature shown” determination in FS-P16-46, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Strandlie was absent from the meeting.

(End Verbatim Transcript)

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RZ/FDP 2016-MV-014/PCA 78-V-125 – CHPPENN I, LLC (Decisions Only)
(The public hearing on these applications was held on February 1, 2017.)

(Start Verbatim Transcript)

Commissioner Flanagan: Mr. Chairman, before I move for the approval of the North Hill applications before us tonight, I request that the applicant confirm for the record agreement to the proposed development conditions dated February 1, 2017 and remain to clarify the emailed answers we received on February 6th to questions that were raised by some Commissioners during the February 1st public hearing last week.

Robert Brant, Applicant’s Agent, Walsh, Colucci, Lubeley & Walsh, PC: Good evening, Mr. Chairman, Commissioner Flanagan, members of the Planning Commission. My name is Robert Brant. I’m a land use attorney with Walsh Colucci, here this evening on behalf of the applicant in this matter. I can confirm the applicant’s agreement with the referenced development conditions.

Commissioner Flanagan: Thank you.

Chairman Murphy: Thank you very much.

Commissioner Flanagan: I would also like to clarify a few of the answers you provided by email on February the 6th. First was concern about possible loss of trees and landscaping if telephone pole wires are relocated into underground conduit along Richmond Highway. My understanding from your letter is that VDOT has accepted relocating such conduit below sidewalks along Richmond Highway, thereby – and that will prevent the loss of any of the trees planted by you in the VDOT right-of-way, none of which will be between telephone poles. Is that right?

Mr. Brant: That is correct, Commissioner Flanagan. The applicant is not planting any trees beneath those overhead utilities where they're currently located. All trees planted by the applicant will be located closer to the building area, such that they are not located under those trees.

Commissioner Flanagan: Very good. The second concern was about the lack of a final geotechnical report, as requested by the staff. It is my understanding that only a preliminary report submitted by you is required and for staff to review, but required before site plan. And if not in agreement with the preliminary report – will require you to file for a proffered plan amendment. The staff report quotes you are willing to take that risk. I want you to confirm that that is your position.

Mr. Brant: That is correct. That is our position. I would like to emphasize that we have submitted – the applicant has submitted a preliminary geotechnical analysis, which includes a substantial amount of information. And then, in accordance with Proffer Number 9, the applicant is, as you indicated, required to obtain approval of a final geotechnical study prior to site plan approval.

Commissioner Flanagan: Do you have any idea when that final report will be available – will it be before the Board of Supervisors meets on – next week?

Mr. Brant: I can't speak to exactly when it will be available. But as I indicated, in accordance with Proffer 9, it will be submitted with the site plan submission and will be required to be reviewed and approved by the Geotechnical Review Board prior to site plan approval.

Commissioner Flanagan: Very good. Third – my third concern was about whether geotechnical borings had been taken on the proposed park property. You provided maps that record the sites of 10 borings done in 2014 that are – and that it continues to be valid. Is your – is that your belief? That those borings will be valid today?

Mr. Brant: That's correct. We have reached out to our geotechnical consultant and confirmed that those results are, indeed, still valid. And I believe 10 or 11 of those soil borings were located in the area of the property that is to be dedicated to the Park Authority.

Commissioner Flanagan: Okay. The fourth concern of the Commissioners was about what happens if the Park Authority decides not to take the title to the parkland. My understanding is that the 12 acres will remain a park under the control of the Redevelopment Housing Authority. Is that correct?

Mr. Brant: That is correct. The land will continue to be owned and maintained by the Housing Authority.

Commissioner Flanagan: We received – the Commissioners have received letters from both the Park Authority and from the Redevelopment Housing Authority and I think that there may be somebody here from the Park Authority that can answer some questions in that regard.

Mr. Brant: Yes. Mr. David Bowden is here from the Park Authority. I believe he's more than able to answer some questions.

David Bowden, Planning and Development Division, Fairfax County Park Authority: Good evening, Commissioners. My name is David Bowden. I'm Director of Planning and Development at the Fairfax County Park Authority. In answer to your question, the Park Authority is firmly committed to accepting the property – the 12 acres that will be remaining after the redevelopment for a park. We master – we actually master planned that acreage with the Housing Authority back in 2008, with our Board approving the Master Plan in 2010 when the original plan was to put mobile – modular housing on that site and then dedicate part of the property for a park. So we're fully committed to accepting the property and development the park. And in partnership, Housing is looking at offering us about a million-and-a-half dollars for the first phase of the development of the park. So we are definitely fully committed to seeing that being transferred to the Park – and developed as a park, in accordance with our Master Plan. We have recognized that we have a lack of parkland in the Route 1 corridor, so this is an excellent opportunity for us to obtain property without having to actually purchase it, fee simple. So, as I said, we have partnered with Housing since 2008 to look at converting that to a park and our Board, again, has approved a Master Plan all the way back in 2010.

Commissioner Flanagan: And my understanding is that you will – you're going to – that the total cost for improving the park, which should be around \$3 million, of which we're going to split that with the Redevelopment Housing Authority. They're going pay about \$1,500,000 to clear and clean up the park so that it's ready for your – you to then improve. Is that your understanding?

Mr. Bowden: That is our understanding. We still need to identify funding for that. But, again, we are committed to providing those improvements that are master planned for the park and we've developed in a coordination partnership with Housing.

Commissioner Flanagan: Yes. Although I'm happy to hear that because I – although I am quite confident that it will remain a park because the Plan doesn't allow it to be anything other than a passing park, so – or a park that would be operated by the Redevelopment Housing Agency – one or way or the other, we're going to get a park there and I'm quite certain of that. Thank you. I have – let's see – there were two other concerns that were raised, but not addressed in your letter, Mr. Brant. They were about providing a reserve fund for the future townhome homeowner association capital maintenance fund and parking for independent living facilities at a ratio of greater than the required – than the required one to four ratio. I understand that you don't have a buyer/developer yet for the town home section and are not able to obligate them at which time the proffer will be honored. In other words, when the – you do have a buyer for the property, then they will provide the fund. Is that your understanding?

Mr. Brant: That's correct, Commissioner Flanagan. And you're correct. And, as was discussed last week, the applicant remains in negotiations with potential buyers for the townhome portion of the property. A buyer has not yet been determined, nor a final agreement reached. A portion of the funds from the sale of the townhome portion of the property will ultimately be deposited into the reserve fund, in accordance with the proffers we've submitted. However, at this point – since an agreement has not yet been reached – the applicant is reluctant to commit to a specific dollar amount. But that reserve fund will be established, as required by the proffers.

Commissioner Flanagan: Okay. And to the other item about the one to four parking ratio. I understand that you feel the Fairfax County parking ratio requirement of one to four for independent living facilities adequately meets current standards. So is that your position?

Mr. Brant: That is correct. And I would just note that the parking provided under the application on the CDP/FDP does meet Zoning Ordinance Requirements for both the multi-family portion of the property, as well as for the single-family attached portion of the property.

Commissioner Flanagan: I must admit that I'm concerned about that myself and I think I'm going to recommend that the Commission study the independent living facility parking ratio sometime in the future to see whether that ratio is really prudent. You know, we – people are more independent these days, particularly when they get older so...

Mr. Brant: Understood.

Commissioner Flanagan: So I think there's probably likely to be a few more cars running around. Thank you, you can be seated then at this point.

Mr. Brant: Thank you.

Commissioner Flanagan: Well with that, Mr. Chairman, when I first moved to Mount Vernon District 45 years ago, it was partially due to the spectacular view of Hybla Valley from North Hill. It – before me, as I was out there the first time I visited as a possible home site, I was struck by the sea of lights – glittering lights at nighttime as I descended from Beacon Hill into the Valley and that prompted me in – greatly to live in the Mount Vernon District, I must say. That was in 1974. So I soon was to learn about the valley and – it's unique in Fairfax County as the only valley carved from the riverbank of the Potomac River 10,000 years ago, as it then looped around Mount Vernon, creating what is now Hybla Valley with the 1,500 acre Huntley Meadows Park, a unique east coast beaver-created pond and wildlife sanctuary. The North Hill is a 34.8-acre segment in that former riverbank that encircles the Hybla Valley and is the only remaining product of nature along Richmond Highway. And it provides an oasis of treed visual relief from the endless strip commercial up and down Richmond Highway. Forty-five years ago, North Hill was an aging mobile home park with 555 – 550 badly-maintained homes, poor sanitation, and high police activity with low income residents, except for one millionaire who grew up in a mobile home and still prefers doing so. The Redevelopment Housing Authority was asked to acquire the park and demonstrate with a HUD grant of approximately \$5 million dollars to demonstrate how this aging, unsavory park could be turned into a jewel and be used as a model for duplication nationwide. The one million for acquisition was turned down by the owner, however. That led to a condemnation suit resulting in a court-ordered purchase price of \$5

million, leaving RHA with nothing for revitalization. A Phase One of a two-phase plan was eventually funded and constructed from the sale of bonds and is now operated next to North Hill by the Redevelopment Housing Agency as the Woodley Estates Mobile Home Park. Phase Two, however, on North Hill was abandoned and is now, after decades of study, part of the PCA/RZ before us tonight. To have an application of this size before us last week without a single witness in opposition during the public hearing – I can only attribute to the excellent interaction of the applicant, the Redevelopment Housing Agency as public/private partnership with the community during many meetings over many years – of decades, in fact. I attribute much of the success to the excellent architect used by the applicant. I think it will be the best-looking residential building on Richmond Highway. I wouldn't be surprised to see the building receive architectural awards and used as a model for other affordable workforce housing projects elsewhere. Therefore, Mr. Chairman, it appears to me that the applicant, since the public hearing last week, has amended the proffers, provided written or oral responses to all of the concerns raised by the Commissioners. I, therefore, have three motions. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING:

- APPROVAL OF PCA 78-V-125, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED JANUARY 7, 2017 [sic]; AND
- APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU THIS EVENING DATED FEBRUARY 1, 2017, WHICH WILL BE MADE PART OF THE RECORD.

Commissioner Sargeant: Mr. Chairman, I would like to second Commissioner Flanagan's motion and thank him for his very diligent efforts.

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

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Yes, Mr. Hart.

Commissioner Hart: All I was going to do – before we start voting on things, can we get the applicant to acknowledge that they agree and understand what the development conditions – I think we talked about the proffers...

Chairman Murphy: He did that already.

Commissioner Hart: ...at the beginning, but I don't know that we said anything about the development conditions.

Chairman Murphy: Did you do the development conditions?

Commissioner Hart: He did? Okay. I'll be quiet.

Commissioner Flanagan: That's fine.

Mr. Brant: I – I do believe I – we did discuss the development conditions.

Chairman Murphy: Okay.

Mr. Brant: The applicant has reviewed and agrees to both development conditions and the proffers referenced by Commissioner Flanagan.

Commissioner Hart: Then we're good.

Mr. Brant: Thank you.

Chairman Murphy: Better safe than sorry for both of us. Motion – all those in favor of the motion...

Commissioner Migliaccio: Mr. Chairman? Mr. Chairman, I would like to speak on...

Chairman Murphy: Okay.

Commissioner Migliaccio: ...this briefly. I know I brought...

Chairman Murphy: Okay. Discussion? Mr. Migliaccio.

Commissioner Migliaccio: Thank you. I know I brought up many issues at the Planning Commission public hearing. I'm still not at the stage where I'm going to support, but I'm not going to oppose this application. I guess, in the Mount Vernon Council way, I'll just choose not to oppose this application. But it's good to hear what was said by the Park Authority, but this is an unsolicited public/private partnership that appears to meet the minimum standards throughout, be it the less-than-robust TDM plan, the waivers for the privacy yards, the minimum parking for the affordable housing units, and the timing of the full geotech study for County review. I do also have concerns about – from the public plaza, how post retaining walls of 10 to 20 feet – retaining walls being put in – how that would become ADA accessible, especially with the funding – or the lack of funding – that we have on this park. For those concerns, and previously stated at the public hearing, I'm going to abstain on this.

Chairman Murphy: Further discussion of the motion?

Commissioner Flanagan: Yes. Well, I'd just like to comment that one of the things that's in the proffers now – that the applicant agreed to – was to bring the site plan back to the Mount Vernon Council when more of these details that you're concerned about will be – I think the answers will be in the site plan. And I'm very glad that we're able to do that because I will be happy to share that with you when that occurs.

Commissioner Migliaccio: I – okay, I wasn't aware it was in the proffers. I thought they just they would on the record.

Commissioner Flanagan: It's in the two that are in the changed...

Commissioner Migliaccio: Okay.

Commissioner Flanagan: ...that was – you received it yesterday.

Commissioner Migliaccio: Okay. Excellent.

Chairman Murphy: Further discussion of the motion. All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 78-V-125 and the accompanying waivers and modifications, say aye.

Commissioners: Aye.

Commissioner Hedetniemi: Abstain.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Abstain.

Chairman Murphy: Mr. Migliaccio and Ms. Hedetniemi abstain. Mr. Flanagan.

Commissioner Flanagan: Oh yes.

Chairman Murphy: Got a couple more there.

Commissioner Flanagan: Right. I move – I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING:

- APPROVAL OF RZ 2016-MV-014 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED JANUARY 7, 2017 [sic]; AND
- APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU THIS EVENING DATED FEBRUARY 1, 2017, WHICH WILL BE MADE A PART OF THE RECORD.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? I believe that date is January 27th [sic]. Is there a – and is there a second? All those in favor of the motion – seconded – yeah, what do we do? Is there a discussion of the motion?

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Yes, Mr. Hart.

Commissioner Hart: I think on tonight's handout it's February 1, not January 27th. Or is it? It's February 1 on the handout.

Wanda Suder, Zoning Evaluation Division, Department of Planning and Zoning: Excuse me, Mr. – excuse me, Mr. Chairman. The date of the proffers is actually FEBRUARY 7TH, 2017.

Chairman Murphy: Okay.

Commissioner Flanagan: That's correct.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Any abstentions?

Commissioner Flanagan: I finally move that the Planning Commission...

Chairman Murphy: Mr. Migliaccio abstains. Ms. Hedetniemi abstains. Mr. Flanagan.

Commissioner Flanagan: I FINALLY MOVE THAT THE PLANNING COMMISSION APPROVE THE FINAL DEVELOPMENT PLAN 2017 – 2016-MV-014, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 1, 2017.

Commissioner Sargeant: Second.

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

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Yes, Mr. Hart.

Commissioner Hart: I'm sorry. I just keep jumping in here. On tonight's handout, I think there's a typo in the first line. It's FDP, something, "FOR RESIDENTIAL DEVELOPMENT" not "or residential redevelopment." "Or" should be "for."

Ms. Suder: It should be "for." That's – that's correct.

Commissioner Flanagan: ACCEPTED AMENDMENT.

Chairman Murphy: All right. All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstentions? Okay.

Each motion carried by a vote of 9-0-2. Commissioners Hedetniemi and Migliaccio abstained. Commissioner Strandlie was absent from the meeting.

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. SE 2016-SP-019 – VIRGINIA ELECTRIC AND POWER COMPANY d/b/a DOMINION VIRGINIA POWER
2. PA-S13-II-TY1 – COMPREHENSIVE PLAN AMENDMENT (TYSONS IMPLEMENTATION, LAND USE AND URBAN DESIGN; TRANSPORTATION; PARKS, PUBLIC FACILITIES AND OTHER UPDATES (Providence and Hunter Mill Districts))
3. ZONING ORDINANCE AMENDMENT – PTC URBAN DISTRICT BULK REGULATIONS (MAXIMUM FLOOR AREA RATIO FOR HIGH TRIP GENERATING USES) (Providence District)

This order was accepted without objection.

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The first public hearing was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman de la Fe.

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SE 2016-SP-019 – VIRGINIA ELECTRIC AND POWER COMPANY d/b/a DOMINION VIRGINIA POWER – Appl. under Sect. 3-C04 of the Zoning Ordinance to permit an electric substation and construction of a security fence. Located at 8234 Roseland Dr., Fairfax, 22039 on approx. 56.13 ac. of land zoned R-C and WS. Tax Map 97-3 ((01)) 14, 97-3 ((15)) 8, 106-1 ((01)) 1 and 2. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Angeline Crowder, Applicant's Agent, Burns & McDonnell, reaffirmed the affidavit dated November 8, 2016.

Commissioner Sargeant disclosed that he was an employee of Virginia Dominion Resources, which was the parent company of the applicant for the subject application, Dominion Virginia Power; therefore, he recused himself from the public hearing.

Harold Ellis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of SE 2016-SP-019.

Ms. Crowder said that the purpose of the subject application was to permit the construction of additional security features around the perimeter of the existing electric substation on the site.

Vice Chairman de la Fe called for speakers from the audience.

John Bentz, 8223 Roseland Drive, Fairfax Station, stated that he was President of the Roseland Homeowners Association (RHOA). He pointed out the roads within the Roseland community were privately maintained. He then requested that an additional development condition be included that required the applicant to repair the roads damaged by truck traffic that would be generated by the construction of the proposed security features.

When Commissioner Murphy asked whether an agreement had been finalized between the applicant and the RHOA, Mr. Bentz indicated that a verbal agreement agreed upon for the repair of damaged roads. Commissioner Murphy then announced his intent to move for the approval of the subject application, but requested that the applicant incorporate an additional development condition that articulated such an agreement to ensure that damaged roads generated by construction activity would be repaired prior to the Board of Supervisors' public hearing. Mr. Bentz expressed support for this revision.

There being no further speakers, Vice Chairman de la Fe called for a rebuttal statement from Ms. Crowder, who stated that the applicant did not object to incorporating a development condition requiring the repair of roads damaged by construction activity associated with the proposed security improvements.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Murphy for action on this case.

(Start Verbatim Transcript)

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Vice Chairman de la Fe: Hearing and seeing none, the public hearing is closed. Mr. Murphy.

Commissioner Murphy: Thank you, Mr. Chairman. I'd like to call the applicant back up for the record and reaffirm that you have read the development conditions and understand them and you're willing to accept another development condition to repair Roseland Avenue if there's any damage to the Roseland Avenue by Dominion Power when they put the vents in.

Angeline Crowder, Applicant's Agent, Burns & McDonnell: Yes, sir. We are – we understand the conditions, as they have been written, and the revision that will be proposed. And we are – we accept them.

Commissioner Murphy: Okay, thank you very much. This is a straightforward application to put a 15 by 20-foot fence around the perimeter of the existing electric substation known as the Ox Substation in the vicinity of Roseland Drive. So, therefore, Mr. Chairman, I WOULD MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE 2016-SP-019, SUBJECT TO DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT AND IN ADDITION TO THE DEVELOPMENT CONDITION THAT WILL BE ADDED BEFORE BOARD TIME ON THE REPAIR OF Rosslyn Road – ROSELAND ROAD IF THERE'S DAMAGE TO IT.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Mr. Murphy.

Commissioner Murphy: Thank you. Just a closing remark off the record...

Vice Chairman de la Fe: You got the modifications.

Commissioner Murphy: Oh, I'm sorry. And I ALSO MOVE THE STAFF APPROVE THE MODIFICATION OF SECTION 13-303 OF THE ZONING ORDINANCE FOR TRANSITIONAL SCREENING TO PERMIT THE EXISTING VEGETATION TO MEET THE REQUIREMENT, AND A WAIVER OF SECTION 13-304 OF THE ZONING ORDINANCE FOR THE BARRIER REQUIREMENT.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

Each motion carried by a vote of 10-0. Commissioner Sargeant recused himself from the vote. Commissioner Strandlie was absent from the meeting.

(End Verbatim Transcript)

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Chairman Murphy resumed the Chair.

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PA-S13-II-TY1 – COMPREHENSIVE PLAN AMENDMENT (TYSONS IMPLEMENTATION, LAND USE AND URBAN DESIGN; TRANSPORTATION; PARKS, PUBLIC FACILITIES AND OTHER UPDATES) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. This Amendment concerns approx. 2,100 ac. Tysons area, generally located at the confluence of the Capital Beltway/Interstate 495 (I-495) with the Dulles Airport Access Road and Dulles Toll Road (Route 267), Leesburg Pike (Route 7), and Chain Bridge Road/Dolley Madison Boulevard (Route 123) (Tax map #28-2, 28-4, 29-1, 29-2, 29-3, 29-4, 30-3, 39-1, 39-2, 40-1) in the Providence and Hunter Mill Supervisor Districts. The area is planned for high density, mixed-use development concentrated in transit-oriented developments around the four Metrorail stations that will resemble intense and busy central business districts. The pattern of development along the edges of Tysons transitions down to a scale and use that respects the adjacent communities. The Plan amendment considers revisions to facilitate implementation activities, including changes to the land use (including the Plan's Initial Development Level for office uses), urban design, parks, public facilities and transportation recommendations. The amendment would reconcile Plan text and maps with completed studies and planning activities since 2010, updates the text to reflect implementation, and proposes other changes deemed necessary throughout the amendment process. PROVIDENCE AND HUNTER MILL DISTRICT. PUBLIC HEARING.

Bernard Suchicital, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended adoption of Comprehensive Plan Amendment PA-S13-II-TY1.

When Commissioner Niedzielski-Eichner asked for additional information on the review process for the proposed amendment, Mr. Suchicital explained the following:

- The process for finalizing the recommendations articulated in the amendment included a review of public comments that had been submitted after the publication of the original draft;
- The public comments submitted in response to the original draft, as well as a subsequent draft, had been organized into a matrix that highlighted specific issues and staff's response to such issues;

- The public comments had also been evaluated by the Planning Commission's Tysons Committee prior to the finalization of the amendment;
- The matrices of public comments utilized by staff and the Tysons Committee was available online at the Tysons website;
- The final recommendations were determined after staff had evaluated the input provided by the Tysons Committee; and
- The review process had been conducted over a period of several years.

Commissioner Niedzielski-Eichner stated that, after consultation with fellow Commissioners and evaluating public comments, the primary issues that had emerged during the review process of the proposed amendment involved potential policy changes to the guidelines the County would utilize in pursuing redevelopment efforts in Tysons. He then requested additional information on the factors that inspired such changes, specifically those involving revisions to the Initial Development Level (IDL). Fred Selden, Director, Department of Planning and Zoning, said that staff had determined that revisions to the IDL were warranted because such revisions were necessary to make it reflective of the provisions articulated within the adopted transportation funding plan, which the Board of Supervisors had approved in January 2013. A discussion ensued between Commissioner Niedzielski-Eichner and Mr. Selden regarding the original intent of the IDL, the funding mechanisms for infrastructure improvements throughout Tysons, the potential for utilizing other funding mechanisms, the adequacy of such funding mechanisms, and the difficulty associated with accurately determining future infrastructure needs wherein Mr. Selden stated that the IDL had been intended to assure the community that development within Tysons would be implemented in conjunction with infrastructure improvements, adding that pending applications for sites within Tysons would include contributions for such improvements, such as the grid of streets.

When Commissioner Niedzielski-Eichner asked for additional information regarding the impacts that would be incurred if the proposed amendment were not adopted, Mr. Selden indicated that, without the revisions included in the amendment, the guidelines for implementing development in Tysons would not be consistent with existing and planned development in Tysons. He also pointed out that there had been changes in market trends for office development in Tysons, noting that declining demand for such development necessitated a revision to the implementation strategy for redevelopment efforts throughout the area. A discussion ensued between Commissioner Niedzielski-Eichner and Mr. Selden regarding the possibility that additional market changes would require a subsequent revision to the implementation strategy for the IDL, the ability for planned infrastructure improvements to accommodate redevelopment efforts in Tysons, the methods for monitoring the impact of existing development, and the method for determining the need for additional revisions to the development plan for Tysons wherein Mr. Selden said he favored reevaluating the effectiveness of Tysons infrastructure improvements in

2024, which would provide a 10-year timeframe for studying the impact of the Silver Line Metrorail Station.

Commissioner Niedzielski-Eichner said that another issue that had emerged during the review process for the proposed amendment involved revisions to the guidelines for park facilities in Tysons. He cited language on page 112 of the staff report articulating this revision, which stated, “Some of the active recreational facility needs may be accommodated by adding or upgrading facilities at existing or future public school sites or in nearby existing parks.” Commissioner Niedzielski-Eichner stated that such a revisions would provide applicants with additional options for meeting the park requirements prescribed by the Comprehensive Plan. He then asked for additional information on the purpose of this revision. Andrea Dorlester, Branch Manager, Fairfax County Park Authority (FCPA), explained that the revision had been incorporated after coordinating with staff, citizens, and industry representatives, noting the challenges associated with including the 20 athletic fields within Tysons recommended by the Comprehensive Plan. She added that there were different types of athletic fields that would be needed to meet the recreational needs of Tysons and indicated that diamond fields had been difficult to include because of the amount of land necessary to accommodate these fields. In addition, Ms. Dorlester indicated that the diamond fields were difficult to include in redevelopment plans within Tysons because the designs for such fields were inconsistent with the urban block designs and grid of streets prescribed by the Comprehensive Plan. She then said that the revised guidelines were intended to provide additional options for applicants to meet the Plan’s athletic field provisions. A discussion ensued between Commissioner Niedzielski-Eichner and Ms. Dorlester regarding the intent of the revised guidelines for athletic fields articulated in the proposed amendment, the constraints associated with incorporating park facilities into urban blocks, and the potential for further revisions to the recreational facility guidelines wherein Ms. Dorlester pointed out that while applicants had included rectangular athletic fields with redevelopment plans within Tysons, no applicant to date had included a diamond field.

When Commissioner Niedzielski-Eichner asked for additional information on sites outside the Tysons boundaries that could potentially be developed with park facilities, Ms. Dorlester said that there was an existing inventory of athletic fields operated by the FCPA and Fairfax County Public Schools. She then indicated that the sites listed in the inventory that were located around Tysons could be evaluated on a case-by-case basis for potential improvements to meet the recreational requirements prescribed by the Comprehensive Plan. A discussion ensued between Commissioner Niedzielski-Eichner and Ms. Dorlester regarding the impact that would be incurred if these revised guidelines articulated in the proposed amendment for providing athletic fields in Tysons were not adopted wherein Ms. Dorlester indicated that staff could continue coordinating with applicants to ensure that adequate recreational facilities and athletic fields for Tysons were provided.

Answering questions from Commissioner Hart, Ms. Dorlester confirmed the following:

- The language articulating the revised guidelines for providing recreational facilities and athletic fields, as shown on pages 112 and 113 of the staff report, was supported by staff;

- The revised guidelines would not undermine the provisions articulated in second paragraph of page 113, which recommended that redevelopment proposals commit to meeting the requirements for urban park facilities on-site; and
- The revised guidelines did not constitute a change in policy regarding the FCPA's commitment to coordinating with applicants to ensure that sufficient park facilities were included with redevelopments in Tysons.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Sally Horn, 1234 Ingleside Avenue, McLean, representing the McLean Citizens Association (MCA) Committee, commended staff for coordinating with the MCA on the proposed amendment. She then said that she did not object to most of the provisions articulated in the amendment, but expressed the following concerns:

- The provisions would not support efforts to ensure that redevelopment in Tysons would proceed in conjunction with infrastructure improvements;
- The provisions would not sufficiently preserve the character of development that was intended for Tysons; and
- The provisions were not sufficient to ensure that the negative impacts on surrounding communities associated with the redevelopment of Tysons were mitigated.

Ms. Horn said she favored removing the language regarding revisions to the guidelines for athletic fields, as articulated on pages 112 and 113, because it was not consistent with previously-approved recommendations for the Tysons area, adding that such language would permit applicants to install these facilities outside the area and such facilities would generate traffic congestion that was not consistent with the intended character for Tysons. In addition, Ms. Horn noted that athletic fields located outside of Tysons would not be subject to the urban standards and fields operating outside these standards would generate additional impacts on existing residential communities. She also expressed concern regarding the availability for sites outside Tysons that could accommodate additional athletic fields, adding that she supported efforts to improve existing fields locating near Tysons and the McLean area. Ms. Horn said she supported removal of the language on page 118 of the staff report, which recommended that the existing Tysons-Pimmit Regional Library be moved to another area of Tysons at a future date. She then indicated that the library was subject to significant use and favored renovating the existing facility, adding that alternative language had been included in her statement. In addition, Ms. Horn recommended that the provisions regarding improvements to Magarity Road be revised to ensure that impacts on existing communities were minimized, adding that she favored including a footnote citing the unique characteristics of the road on Map 7 of the Tysons Transportation Plan Map. Ms. Horn stated that she did not support the proposed amendment's revisions to the IDL because such revisions were not consistent with previously-approved efforts to pursue an

adequate mix of uses within Tysons. However, she said that she did not object to further modifications to encourage redevelopment of existing commercial development in Tysons while ensuring that sufficient traffic mitigation measures were implemented in conjunction with such redevelopment. Ms. Horn also suggested that additional language be incorporated into the proposed amendment to emphasize the importance of achieving the transportation demand management (TDM) goals articulated in the Comprehensive Plan. She added that possible language for such revisions were included in her statement. (A copy of Ms. Horn's statement is in the date file.)

Commissioner Niedzielski-Eichner asked for additional information regarding the MCA's concern for the potential relocation of the Tysons-Pimmit Regional Library. Ms. Horn explained that she did not support the language in the proposed amendment endorsing such a relocation, stating that the existing facility was heavily utilized by residents. She added that residents had expressed concern to the MCA regarding the potential relocation of the facility and the facility was subject to ongoing renovations. She then stated that she supported including language that included an option to preserve the facility. A discussion ensued between Commissioner Niedzielski-Eichner and Ms. Horn regarding the commitments made by applicants to install library facilities in Tysons and the potential for subsequent revisions to the recommendations in the Comprehensive Plan for library facilities in Tysons.

Commissioner Ulfelder commended Ms. Horn for her testimony and written statement. He then asked for additional comments regarding the justification for modifying the IDL, as had been explained by staff. Ms. Horn indicated that she did not concur with staff's conclusion that changes in the market for office development warranted modifications to the IDL. She added that there were existing criteria that had been adopted by the Commission and the Board of Supervisors for modifying the IDL. She also stated that she supported further evaluation that factored the impact of the Silver Line Metrorail prior to approving a modification of the IDL. When Commissioner Ulfelder asked whether staff supported Ms. Horn's recommended to include a footnote regarding Magarity Road on Map 7 of the Tysons Transportation Plan Map, Leonard Wolfenstein, Fairfax County Department of Transportation, said that staff did not object to including such a footnote, adding that staff would coordinate with the MCA on this issue.

Robert Jackson, 6728 Baron Road, McLean, representing the Greater Tysons Citizens Coalition (GTCC), aligned himself with Ms. Horn's remarks. He described the mission of the GTCC. He also he expressed concern regarding the proposed amendment's provisions for ensuring that the TDM commitments articulated in the Comprehensive Plan were met, the proposed revisions to the IDL, and the revised guidelines for meeting the athletic field requirements in Tysons. Mr. Jackson then explained the following:

- The existing transportation network within Tysons was subject to significant congestion and additional trip-reduction measures were necessary to support the planned development for Tysons;

- The GTCC supported enhancing the provisions for ensuring that sufficient infrastructure was installed prior to planned redevelopment within Tysons;
- The GTCC did not support revising the IDL because demand for office development was subject to change and the IDL ensured that subsequent development would remain consistent with the Comprehensive Plan's TDM commitments;
- The GTCC did not object to increasing the IDL by 5 million square-feet to accommodate office development in areas such as the south side of Route 7 and the west side of Route 123;
- The GTCC favored further evaluation of existing and planned development in Tysons prior to approving a revision for the IDL;
- The GTCC did not favor language that potentially undermined the existing Comprehensive Plan recommendations for athletic fields within Tysons and permitting fields outside of Tysons would generate additional traffic congestion;
- The availability of sites that could accommodate athletic fields outside Tysons was limited; and
- The standards for of urban athletic fields was not consistent with the suburban character of existing residential neighborhoods and the GTCC did not support permitting such fields outside of Tysons.

(A copy of Mr. Jackson's statement is in the date file.)

A discussion ensued between Commissioner Ulfelder and Ms. Dorlester regarding the number of diamond athletic fields that would be necessary to meet the recreation needs of Tysons, the difficulty of installing such fields within an urban street grid compared to a rectangular field, the efforts of staff to negotiate with applicants to secure commitments for recreational facilities, the alternative methods for meeting the recreation needs of Tysons when installing athletic field was not feasible, and the cost of installing athletic fields wherein Ms. Dorlester indicated that staff would coordinate with applicants to determine appropriate commitments for implementing the athletic field commitments in the Comprehensive Plan.

Commissioner Hurley pointed out that there was significant demand for athletic fields in other parts of the County, adding that rectangular athletic fields accommodated more sports than diamond fields. She then asked for additional information regarding the usage of athletic fields in Tysons and the purpose for recommending the diamond athletic fields, noting that the expected demographics of urban areas like Tysons differed compared to other suburban areas in the County. Ms. Dorlester explained that the population that would occupy the planned development in Tysons would favor older residents and the usage of the athletic fields would be consistent

with more adult-oriented uses, such as corporate softball. When Commissioner Hurley asked whether the GTCC concurred with this conclusion, Mr. Jackson indicated that there was significant demand for athletic fields for every demographic. He also reiterated that the standards for urban athletic fields were not consistent with the standards utilized by fields in sub-urban neighborhoods. A discussion ensued between Commissioner Hurley and Mr. Jackson, with input from Ms. Dorlester, regarding the usage patterns for athletic fields in Tysons and the different needs for older populations utilizing these fields.

Commissioner Niedzielski-Eichner pointed out some of the differences between athletic fields that utilized urban standards compared to those that utilized sub-urban standards. He then asked for additional information regarding the standards that would be utilized for fields located in Tysons and fields located outside of Tysons. Ms. Dorlester indicated that urban standards for athletic fields were intended to expand the usage of athletic fields within Tysons by including additional features, such as lights and synthetic turf. Mr. Selden added that in the event that an applicant pursued a commitment to developing an off-site field, the absence of such features would contribute less towards meeting the recommendations prescribed by the Comprehensive Plan. Ms. Dorlester concurred with Mr. Selden's statement, adding that the amount of credit that applicants received for athletic field commitments was contingent on the usability of the field.

Laurie DiRocco, 127 Center Street South, Vienna, representing the Town of Vienna, expressed the following concerns regarding the proposed amendment:

- The Town of Vienna was located near Tysons and the provisions for mitigating the impact of development within Tysons on the surrounding areas needed to be sufficient;
- The provisions articulated in the amendment did not provide adequate incentives for the planned character for Tysons, which favored mixed-use development with adequate recreational facilities;
- The Town of Vienna supported the existing commitments for athletic fields within Tysons and requested the removal of language on pages 112 and 113 to ensure that this commitment was met;
- The demand for athletic fields in the Town of Vienna was significant and an absence of fields within Tysons, which would be more likely under the proposed amendment, would compound this issue;
- The indirect references to James Madison High School on pages 117, 118, and 125 of the staff report could incur subsequent increases in student population and the Town of Vienna favored removing these references;

- The potential increases in student population to James Madison High School would generate significant traffic impact around Tysons and the Town of Vienna within areas that had been subject to significant traffic congestion; and
- The proposed revisions to the IDL and the deletion of the language articulated on pages 31, 39, 40, and 92 of the staff report would undermine efforts to ensure that development in Tysons was implemented in conjunction with appropriate infrastructure improvements and the Town of Vienna favored retaining this language.

(A copy of Ms. DiRocco's statement is in the date file.)

Commissioner Hurley pointed out that improvements that would alleviate the overcrowding at James Madison High School had been included in the Capital Improvement Program (CIP) for fiscal years 2018 through 2022. In addition, she indicated that the CIP included efforts to move students to other schools to further alleviate overcrowding. Ms. DiRocco stated that the overcrowding issues at facilities like James Madison High School were ongoing, adding that some mitigation efforts would increase traffic congestion throughout the Tysons and McLean area.

A discussion between Commissioner Ulfelder and Ms. DiRocco regarding the potential opportunities for the Town of Vienna to upgrade existing athletic fields in conjunction with development in Tysons wherein Ms. DiRocco said that she supported such efforts.

A discussion between Commissioner Niedzielski-Eichner and Ms. DiRocco regarding the transportation impact that would be generated by improvements to the school system within Tysons, the traffic patterns associated with schools, and the impact such traffic patterns would incur on Tysons and McLean wherein Ms. DiRocco indicated that morning peak traffic periods would be subject to significant impacts by the trips generated by schools, adding that such impacts required adjustments to the traffic signals in the area.

Sol Glasner, 1750 Tysons Boulevard, Suite 1500, Tysons, representing the Tysons Partnership, Inc. (TPI), described TPI, his role within the organization, and the organization's efforts to coordinate with the County on development in Tysons. He then stated that TPI concurred with the majority of the provisions contained in the proposed amendment, but suggested that revisions be incorporated to address possible unintended consequences. Mr. Glasner described the character and guidelines for development in Tysons, as articulated in the Comprehensive Plan, and expressed concern that the proposed amendment would not provide sufficient flexibility in pursuing such development. He stated that TPI had identified multiple unresolved issues with the proposed amendment and explained such issues as follows:

- The monitoring efforts for the use of athletic fields and active recreational facilities within Tysons were insufficient and additional provisions were necessary to determine the impact of shifting demographics within Tysons;

- The TPI supported the proposed language that would permit applicants to develop athletic fields outside of Tysons as a method to achieve the necessary requirements prescribed by the Comprehensive Plan;
- The language regarding building heights within Tysons contained excessive restrictions and would hinder further redevelopment throughout the area;
- The TPI favored utilizing language that provided sufficient flexibility for building heights to facilitate redevelopment in Tysons and accommodate subsequent shifts in demographics throughout the area; and
- The language in the proposed amendment that would revise the design criteria for above-ground parking podiums contained criteria that was not sufficiently flexible and would require applicants to incur a greater cost in pursuing such structures.

In conclusion, Mr. Glasner stated that TPI favored language the afforded applicants greater flexibility in complying with the recommendations prescribed by the Comprehensive Plan. (A copy of Mr. Glasner's statement is in the date file.)

Commissioner Niedzielski-Eichner asked for additional information regarding TPI's position on how the athletic field requirements for Tysons, as prescribed in the Comprehensive Plan, would be met. Mr. Glasner stated that TPI had outstanding concerns that the requirements for providing athletic fields were excessive and unfeasible. He then reiterated that TPI favored retaining language that provided applicants with adequate flexibility in providing the necessary athletic fields for Tysons. A discussion ensued between Commissioner Niedzielski-Eichner and Mr. Glasner regarding the difficulty of installing athletic fields within Tysons, the impact of providing greater flexibility to applicants in meeting the athletic field requirements prescribed by the Comprehensive Plan, and the importance of including athletic fields in Tysons wherein Mr. Glasner reiterated that the TPI favored including flexible language in the Plan for applicants in meeting the athletic field requirements.

Commissioner Niedzielski-Eichner expressed concern regarding the importance of athletic fields in Tysons and the open space that such fields provided. He then asked for additional information regarding TPI's position regarding open space within Tysons. Mr. Galsner deferred to David Gelfond, 7011 Hamel Hill Court, to respond to this question, who indicated that TPI supported the Comprehensive Plan's guidelines for open space and active recreational facilities within Tysons. However, he echoed remarks from Mr. Glasner regarding TPI's support for providing flexibility to applicants in meeting the prescribed requirements, adding that TPI did not favor reducing the number of planned athletic fields in Tysons. Mr. Gelfond also said that TPI favored additional monitoring of the usage of athletic fields to determine the overall demand for such fields. In addition, he pointed out the difficulty of providing certain types of athletic fields within Tysons, such as diamond fields, and indicated that greater flexibility in the Plan language would facilitate redevelopment throughout the area. Commissioner Niedzielski-Eichner reiterated his

concerns regarding the importance of ensuring sufficient open space within Tysons, noting the difficulty of modifying land within Tysons once it had been developed.

Commissioner Niedzielski-Eichner stated that language restricting building height was intended to mitigate the intensity of development in Tysons to ensure that such development could be supported by existing infrastructure. He then asked staff for additional information regarding this language. Mr. Selden concurred with Commissioner Niedzielski-Eichner statement that building height restrictions were utilized to limit intensity in certain areas in Tysons, adding that certain areas in Tysons did not utilize a maximum floor-area ratio for planned development and building height restrictions were a method for limiting such development. In addition, he stated that the Comprehensive Plan included conceptual guidelines for building heights throughout Tysons and such guidelines contained flexibility for applicants to pursue taller buildings, if adequate justification was provided. Mr. Seldon referenced the existing development the Capital One site as an example where building height flexibility was utilized to permit buildings of varied height. A discussion ensued between Commissioner Niedzielski-Eichner and Mr. Gelfond regarding the extent to which the building height limitations in the proposed amendment hindered development in Tysons, the instances where increases in building height were warranted, and the existing flexibility provided to applicants when determining appropriate building heights wherein Mr. Gelfond reiterated TPI's support for greater flexibility on building heights for redevelopment efforts.

Commissioner Ulfelder said that he concurred with statements from previous speakers and staff regarding market changes for office development in Tysons. He then asked for additional information regarding the timeframe for residential development in Tysons, noting that the progress for such development had been below the estimates that were calculated in 2007. Mr. Glasner stated that TPI supported efforts to increase residential development in Tysons, but also favored including provisions that would incentivize such development. A discussion ensued between Commissioner Ulfelder and Mr. Glasner regarding the importance of including a sufficient blend of residential and commercial development in Tysons to attract future applicants.

Commissioner Hedetniemi asked for additional information regarding TPI's position on athletic fields and active recreational facilities within Tysons. Mr. Gelfond indicated that TPI did not support reducing the number of planned fields for Tysons, as articulated in the Comprehensive Plan, and reiterated that TPI supported including flexibility to applicants and staff in providing such recreational facilities throughout Tysons.

Commissioner Hedetniemi stated that building height restrictions were utilized to provide opportunities for varied architecture, open space, and landscaping provisions for development.

Mark Zetts, 6640 Kirby Court, Falls Church, representing the MCA, commended staff's efforts on the proposed amendment. However, he indicated that the MCA had identified multiple concerns and had submitted recommended revisions to the amendment. He then stated that he supported incorporating these revisions into the amendment. Mr. Zetts provided additional information regarding the MCA's recommendations wherein he explained the following:

- The MCA supported modifications to the IDL as a method for adapting planned development to changing market conditions in Tysons;
- The current pace of development in Tysons was below the estimates predicted by George Mason University in 2007;
- The impact of existing transportation improvements in Tysons had not been determined and the MCA favored evaluating the extent of such impact after additional development in Tysons had been implemented;
- The lack of funding for subsequent improvements to mass transportation systems in Tysons did not provide sufficient assurance that the necessary infrastructure to accommodate planned redevelopment was in place;
- The MCA did not support the language articulated on pages 112 and 113 in the proposed amendment that would provide applicants the ability to meet the athletic field requirements through off-site improvements and favored removing this language;
- The estimated demographics of Tysons would incur different usage patterns for athletic fields compared to fields located in other areas of the County; and
- The MCA supported adding a footnote regarding the unique conditions on Magarity Road on Map 7 of the Tysons Transportation Plan Map and the need for additional provisions to mitigate the impact of planned improvements on this road.

(A copy of the MCA's statement and proposed revisions is in the date file.)

Commissioner Hart commended Mr. Zetts for his testimony and his previous coordination with the Commission's Tysons Committee.

Commissioner Ulfelder echoed Commissioner Hart's remarks regarding Mr. Zetts' testimony and his previous coordination with the Tysons Committee.

Shane Murphy, 1680 Capital One Drive, Tysons, representing Capital One Bank (USA), NA, aligned himself with the remarks from Mr. Glasner on behalf of TPI. Mr. Murphy then described the existing and planned development of the site that had been previously approved for redevelopment by Capital One Bank (USA), NA, noting that this development had included temporary athletic fields. He added that the temporary athletic fields had been primarily utilized by residents of McLean and Vienna, but noted that the usage of such fields was subject to change as planned residential developments within Tysons were implemented. Mr. Murphy also explained that Capital One Bank (USA), NA had a pending proffered condition amendment for a portion of a site that had been previously approved for redevelopment and there would be significant coordination with FCPA to determine appropriate the commitments for athletic fields

and active recreation facilities. He said that such commitments would include contributions to improve existing athletic fields located off-site, including fields outside the boundaries of Tysons. In addition, Mr. Murphy echoed remarks from staff regarding the difficulty of installing diamond fields within Tysons due to the acreage required for such fields. He then indicated that he supported the language on pages 112 and 113 of the staff report that provided greater flexibility for applicants in complying with the athletic field requirements prescribed by the Comprehensive Plan. He also stated that such flexibility would provide additional opportunities to fund other types of recreational facilities throughout Tysons. Mr. Murphy said that he supported modifications to the IDL to ensure that the infrastructure in Tysons could accommodate the planned development articulated in the Comprehensive Plan, adding that provisions for subsequent transportation improvements would enhance the overall infrastructure of the area in a manner that would facilitate ongoing redevelopment efforts. In conclusion, he noted Capital One Bank (USA), NA remained committed to pursuing development within Tysons in a manner consistent with the Comprehensive Plan.

Commissioner Niedzielski-Eichner commended Mr. Murphy for his testimony. A discussion between Commissioner Niedzielski-Eichner and Mr. Murphy ensued regarding the challenges applicants encountered in pursuing development that was consistent with public infrastructure and the commitments of prospective to continue coordinating with staff to resolve the various issues in redeveloping Tysons wherein Mr. Murphy noted that development in Tysons, including the installation of athletic fields, would subsequently impact surrounding areas, such as Vienna and McLean.

Chairman Murphy called for speakers from the audience.

Robert Whitfield, 1582 Inlet Court, Reston, voiced concerns regarding the impact of redevelopment efforts in Tysons on surrounding communities, citing the lack of information in the proposed amendment on the overall financial impact on the County from funding transportation improvements in Tysons. In addition, he expressed concern regarding the funding mechanism for future improvements in the area, adding that the limited funds could impact efforts to implement transportation improvements in other parts of the County. Mr. Whitfield also noted the need for pedestrian improvements in conjunction with transportation improvements, citing the absence of such improvements along roads such as Route 7. He then recommended that additional study be conducted in Tysons to determine the impact of existing and planned development, adding that he did not support modifying the IDL until such studies were completed.

Chairman Murphy called for concluding remarks from Mr. Suchicital, who declined. There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Niedzielski-Eichner for action on this case.

(Start Verbatim Transcript)

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Chairman Murphy: Public hearing is closed. Recognize Mr. Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman. I have found this to be a very beneficial public hearing, so much so that I am going to propose a deferral on action so that we have the time to digest both the input from the public, as well as the questions posed by my colleagues. So Mr. Chairman, based on the discussion and questions raised at tonight's public hearing and the desire to further review this amendment, I MOVE TO DEFER THIS ITEM TO OUR NEXT AVAILABLE PLANNING COMMISSION MEETING TO A DATE CERTAIN OF THURSDAY, FEBRUARY 23RD, 2017.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Mrs. Hedetniemi. Is there a discussion of the motion? All those in favor of the motion to defer decision on PA S13-II-TY1 to a date certain of February 23rd, with the record remaining open for comment, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

The motion carried by a vote of 11-0. Commissioner Strandlie was absent from the meeting.

(End Verbatim Transcript)

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The Commission went into recess at 10:45 p.m. and reconvened in the Board Auditorium at 11:04 p.m.

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ZONING ORDINANCE AMENDMENT – PTC URBAN
DISTRICT BULK REGULATIONS (MAXIMUM FLOOR AREA
RATIO FOR HIGH TRIP GENERATING USES) – To amend
Chapter 112 (the Zoning Ordinance) of the 1976 Code of the
County of Fairfax, as follows: delete the Floor Area Ratio (FAR)
maximum of 2.5 in the Planned Tysons Corner Urban District
(PTC) for uses located within a Transit-Oriented Development up
to one-fourth mile from a Metrorail Station that generate the more
AM and PM peak hour vehicle trips than hotel uses, based on the
peak hour vehicle trip generation rates specified in the most current
edition of the Institute of Traffic Engineers (ITE) Trip Generation
Report; and as determined by the Fairfax County Department of
Transportation through either the evaluation of a trip generation

analysis or in conjunction with the Transportation Impact Analysis pursuant to *Virginia Code* Section 15.2-2222.1. All non-office uses would then be subject to no maximum FAR when the proposed development is implementing the site-specific development guidelines and recommendations of the comprehensive plan, including design, mix of uses and scale of the proposed development, and only when the appropriate measures are proposed and/or are in place to adequately mitigate the anticipated transportation impacts of the proposed development.
PROVIDENCE DISTRICT. PUBLIC HEARING.

Tracy Strunk, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended adoption of the proposed Zoning Ordinance Amendment.

Referring to the third paragraph on page 4 of the staff report, which recommended the elimination of the guidelines previously adopted by the Board of Supervisors regarding trip-generation analysis for high trip-generating uses, Commissioner Niedzielski-Eichner asked whether the Planning Commission or the Board had the authority to approve such a modification. Ms. Strunk indicated that the Board had this authority, but indicated that she would provide additional information to the Commission if additional actions were required.

Commissioner Niedzielski-Eichner announced his intent to defer the decision only for this item at the conclusion of the public hearing.

Commissioner Sargeant asked for additional information on the existing market conditions for high-density, high trip-generating uses in the Tysons area and how such conditions necessitated the revisions articulated in the proposed amendment. He also asked whether the revisions would be reflected in the policies of the Institute of Traffic Engineers (ITE). Jeffrey Hermann, Transportation Planner, Fairfax County Department of Transportation, explained that while the ITE implemented occasional revisions to trip-generation models, such models were still based on sub-urban characteristics that were not consistent with the development in areas such as Tysons. He then indicated that the revisions within the proposed amendment would ensure that the ITE's policies reflected the urban character of such areas. In addition, Mr. Hermann noted that other methods besides the ITE models would be utilized in determining the trip-generation of a development.

When Commissioner Sargeant asked whether the revised standards for evaluating high trip-generating uses could be utilized in other portions of the County besides Tysons, Ms. Strunk indicated that such standards would apply exclusively to Tysons because the language reflected the specific provisions of the zoning associated with this area. A discussion ensued between Commissioner Sargeant and Ms. Strunk regarding the applicability of the standards prescribed in the proposed amendment to other high-density areas of the County and the utilization of these standards during the review process for applications in these areas wherein Ms. Strunk stated that staff supported incorporating such standards into the review process.

Chairman Murphy called for speakers from the audience, but received no response; therefore, he noted that concluding remarks from staff were not necessary. There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Niedzielski-Eichner for action on this item.

(Start Verbatim Transcript)

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Chairman Murphy: Public hearing is closed. Mr. Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman. For purposes of doing this in conjunction with the Comprehensive Plan Amendment discussion we had earlier, I MOVE TO DEFER THE PLANNING COMMISSION'S DECISION ONLY ON THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING THE PLANNED TYSONS CORNER URBAN DISTRICT REGULATIONS REGARDING THE MAXIMUM FLOOR AREA RATIO FOR HIGH TRIP-GENERATING USES TO FEBRUARY 23RD, 2017, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of the motion to defer decision only on the Zoning Ordinance Amendment, PTC Urban District Bulk Regulations, Maximum Floor Area Ratio and High Trip-Generation Uses, to a date certain of February 23rd, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Strandlie was absent from the meeting.

(End Verbatim Transcript)

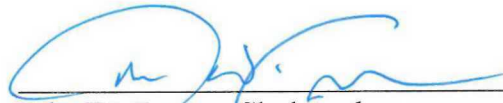
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The meeting was adjourned at 11:13 p.m.
Peter F. Murphy, Chairman
James R. Hart, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jacob Caporaletti

Approved on: July 13, 2017



John W. Cooper, Clerk to the
Fairfax County Planning Commission