After Close of the Public Hearing

Commissioner Carter: Yes. I’m gonna make a motion shortly. I also have a follow-on motion. I don’t know how many – I don’t know if everybody got that follow-on motion, but it doesn’t have direct application to this but I – I learned a chance for the follow-on motion. So, as far as this project is concerned, it’s basically a pretty simple application. The amendment is to add an office to the listed permitted uses in Block D and to make associated architectural changes. The applicant is only relocating approved office square footage within Phase 1, as allowed by proffers. The total amount of square-footage remains the same. So, the result of that is – is a reduction in the building mass in this area without a loss of – of square footage. And it met significant improvement in the impact of the above-grade parking on the area. So, the – the total – again, the total of the mixed of density remain the same, offices replace most of the above-ground parking and I think that slide 8 was pretty descriptive of the effectiveness of that. Transportation, the access points remain the same for Block D. Placemaking, these are the things I often concentrate on and Mark didn’t present that, but – so I’m going to present a little bit of it. Streetlights have been added to all internal private streets, along with closer spaced street trees and substantial street furniture. There are also new – new pavers within the private streets to add substantial amount of interest to the internal workings of this project. Streetlights have also been added, at my request, along the public streets, including high LED lights at the intersections with the public right away and pedestrian orient streets lights located adjacent to the public right-of-way, which is presently allowed by VDOT and Virginia Power. Finally, I would like to especially thank the staff, the developer, and the design team. I’ve been very – a technical term, a little crabby about this project – particularly, the placemaking elements. So I want to thank the staff, the developer, and the design team for their effort to establish a strong pedestrian realm of inland and along the streets. I also would like to thank Wanda Suder, which – which was a primary staff person for this, and of course MaryAnn Tsai, who is always involved and we’re very thankful for that in these Reston projects. I also would like to thank Boston Properties and the design team, especially Sasaki Associates and Cooper Carey. The Reston Planning and Zoning Committee and their construction comments resulted in a unanimous approval of 15 to 0. Unless there are additional comments, I’m ready to make a motion and I’m also going to propose a follow-on motion, which I hope you have copies of. So, ready? So, Mr. Chairman, I request that the applicant confirm for the record agreement to the PRCA development conditions dated May 6th, 2021.

Commissioner Cortina: Second
Mark Looney, Applicant’s Agent, Cooley, LLP: We are in agreement with those conditions.

Commissioner Cortina: Oh sorry.

Commissioner Carter: Okay. My first motion. There are three of these. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 86-C-119-08, DPA 86-C-119-04, AND PRCA 86-C-119-02, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 5TH, 2021.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Commissioner Niedzielski-Eichner. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors to approve PCA 86-C-119-08, DPA 86-C-119-04, and PRCA 86-C-119-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Commissioner Carter.


Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Commissioner Niedzielski-Eichner. Is there a second to the motion? I mean all those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Carter: And the third motion, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS REAFFIRMATION OF THE PREVIOUSLY APPROVED WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DISTRIBUTED TO YOU.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Seconded by Commissioner Niedzielski-Eichner. Is there a discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.
Commissioner Carter: Okay, now for my follow-on motion. This – this occurs after many of these projects, not just the Boston. And I – I appreciated the comments from – about screening the parking and also activating, particularly the public streets from the Commission. This is a call for action by the public to improve pedestrian bicycle access to metro stations, as envisioned in the Comprehensive Plan. The Virginia Department of Transportation has recently accepted a new set of urban standards for streets that will improve the design of the public right – right-of-way and increase the access and safety for pedestrians and bicycles to three metro stations in Reston. This action has taken more than seven years to occur since the Comp Plan was approved in Reston. Although this – this action has already occurred in the Tysons area, this action is also needed in other areas in Fairfax County, including the Hunter Mill Station – the Huntington Metro Station area and other areas that focus on transit. Since approval of the Comprehensive Plan for Reston, several projects have been approved that use the older standards in Reston. Unfortunately, several more projects have yet to be approved and some of the existing projects could request amendments to improve access and safety for pedestrians to transit stations. Fairfax County has spent a substantial effort to support a mix of land uses at a higher density around transit stations, especially through the Comprehensive Plan process, and through direct dollars that support metro. The time is now for action to assess how transit access for pedestrians can be improved. Failure to act will cause pedestrian access to continue to be significantly challenged and ridership on the metro station to be reduced. My motion is intended to be a call for action. So here is the motion – the follow-on motion. THE WAMATA, VDOT, FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION, DOMINION ENERGY VIRGINIA, AND LAND DEVELOPMENT SERVICES SHOULD IMMEDIATELY WORK TO IMPROVE ACCESS AND SAFETY FOR PEDESTRIAN BICYCLES – BICYCLISTS TO THE TRANSIT STATION. THE GOAL IS TO IMPROVE PEDESTRIAN SAFETY, INCREASE FLEXIBILITY AND STREET DESIGN, INCREASE TRANSIT RIDERSHIP, AND IMPROVE ACCESS, ESPECIALLY FOR PEDESTRIANS THAT DEPEND ON TRANSPORT – TRANSIT FOR THEIR DAILY USE. AND I – I WANTED TO GIVE YOU A FLAVOR OF – OF WHAT I’M TALKING ABOUT SO I PUT SOME DETAILS IN – INTO THIS MOTION. THE FOLLOWING SPECIFIC ACTIONS SHOULD BE CONSIDERED:

- NUMBER 1, CLUSTER IS IMPROVING THE DESIGN OF THE TRAVEL LANES, PROVIDING WIDE SIDEWALKS AT INTERSECTIONS WITHIN WALKING DISTANCE OF TRANSIT STATIONS SHOULD BE PROVIDED;

- REDUCING THE CORNER RADII AT ALL INTERSECTIONS AND PROVIDING A DOUBLE RAMP FOR THE HANDICAPPED THAT DIRECTS PEDESTRIANS TO EACH CROSSWALK INSTEAD OF A SINGLE RAMP THAT’S CURRENTLY IN USE THAT DIRECTS PEDESTRIANS TO THE MIDDLE OF THE INTERSECTIONS;

- AVOIDING THE USE OF ADDITIONAL LANES TO SPEED VEHICULAR TRAFFIC AT INTERSECTIONS WITH HIGH PEDESTRIAN VOLUMES, INCLUDING RIGHT TURN LANES AND MULTIPLE LEFT TURN LANES. REDUCING LAND WIDTH FROM 10 FEET – FROM 12 FEET TO 10 TO 12 FEET;

- PROVIDING A SUBSTANTIAL AREA OF REFUGE FOR PEDESTRIANS AND BICYCLES ON DIVIDED STREETS.
• SECOND CLUSTER, IMPROVING THE SIDEWALK AREAS. IMPROVING THE DESIGN OF SIGN WORKS AREAS THAT PROVIDE FOR PEDESTRIAN SAFETY AND ENCOURAGE THE USE OF TRANSIT SHOULD INCLUDE THE FOLLOWING:

  o AVOID USE OF MOUNTABLE CURVES IN PEDESTRIAN AREAS WHICH IS VERY COMMON IN RESTON THESE DAYS, INSTEAD OF THE STRAIGHT CURVES THAT IS MORE APPROPRIATE;

  o PROVIDING CLOSELY SPACED STREET TREES BETWEEN CURVE AND SIDEWALK AREAS TO PROTECT PEDESTRIANS;

  o ALLOWING NONSTANDARD FEATURES INCLUDING BENCHES, TRASH ENCLOSURES, BANNERS, AND LANDSCAPING WITHIN THE PUBLIC RIGHT OF WAY WITHOUT WAIVERS;

  o LASTLY, ALLOWING APPROPRIATE AND SAFE PEDESTRIAN ORIENTED STREETLIGHTS IN THE PUBLIC RIGHT OF WAY, WHICH ARE PRESENTLY NOT ALLOWED AND ALWAYS A CHALLENGE IN THESE AREAS.

• FINALLY, WAMATA ACCESS. WAMATA NEEDS TO IMPROVE THEIR METRO STATION DESIGN, FROM MY PERSPECTIVE. THIS STATION HAS NO SIDEWALKS, NO LIGHTS, NO TREES. PEDESTRIANS HAVE TO GO OUT INTO THE STREET TO ACCESS THE WESTERN SIDE OF THIS STATION. SO, IMPROVING THE DESIGN OF THE WAMATA STATION FOR PEDESTRIANS AND BICYCLISTS IS CRITICALLY IMPORTANT. THIS IS NOT, AGAIN, NOT SO MUCH A CRITIQUE OF – OF PAST – THERE’S ACTION TO IMPROVE OUR ABILITY TO GET PEOPLE TO THE WAMATA STATIONS. SO, THAT CONCLUDES MY MOTION.

Commissioner Niedzielski-Eichner: I second the motion. Niedzielski-Eichner.

Chairman Murphy: Mr. Niedzielski-Eichner. You’ll forgive the Chair.

Commissioner Niedzielski-Eichner: Mr. Chairman, if I could speak to it.

Commissioner Lagana: Yeah.

Chairman Murphy: Is there a discussion?

Commissioner Niedzielski-Eichner: Yes.

Chairman Murphy: Commissioner Niedzielski-Eichner and then Commissioner Lagana.
Commissioner Niedzielski-Eichner: Yeah, thank you. I – I wanted to take this opportunity just to align myself strongly with the – the motion in this sense that we have – we have had success in Tysons, but we have more to be done in Tysons. But we do have a tool there that – that will allow us to the team to focus our attention in the – in the – in the – in the direction that Commissioner Carte has specified in such detail. But it’s also true that we have activity centers throughout the County, particularly around transit oriented development through transit stations that would truly benefit from these same kinds – of these same standards and we just need to really make sure that we give attention – such attention to them. And I did I – and I’ve – I hope that we can, as a Commission, delve into some detail on how we might make that happen. And in that context, which is shown I’m just wondering where this motion goes. Is this a motion? Again, I support it, but is this a recommendation to the Board. Is this a – is it some – is it something that we can take on separately as a Commission on our own? Maybe that’s a second – second order of consideration than the actual implementation. But thank you. And thank you Commissioner Carter for this initiative.

Chairman Murphy: Commissioner Lagana. Or Commissioner Carter do you want to respond to that?

Commissioner Carter: Yes, this is a recommendation to the Board of Supervisors. We – we may also take this on at one of our committee meetings, but then I think it’s imperative for the leadership in the County to grab hold of this. Because personally, I’m having limited success in – in this area. And – and I think the leadership needs to – needs to grab hold of this. There’s quite a lot at stake. It’s the success of the Silver Line and other station areas that is at – at question here.

Commissioner Niedzielski-Eichner: And I think if you give focus. Excuse me Commissioner Lagana, just a second. Though, we have a Tysons committee and Commissioner Cortina and I and Commissioner Carter in separate conversations have talked about how the Tysons Committee could be broadened in its focus, assuming that there is a charge from the Board to take – take this on. But I do think the – the mission or the – yeah, the mission under the Tysons Committee could be broadened to take this thinking into account and in its implementation. This will – Commissioner Lagana, I apologize.

Commissioner Lagana: I – I – I’m not going to be eloquent, as usual. But I do want to align myself strongly with this motion. I really agree with it. I – both in spirit and intention and I can tell you something. I – I lived in the Huntington TSA for a while. I lived in some garden style apartments that have been – that are slated for redevelopment. I can tell you that, despite living next to a metro station, it was – to say that is was not pedestrian friendly would have been an understatement for me to get from my apartment to the metro station, which was directly adjacent to the metro. If I’m – I don’t – in terms of my – the realms of complaining, I’m – I’m a healthy – you know, healthy in my mid-thirties. I don’t have any problems walking to and from the metro station. I don’t know what someone does who is somehow physically limited. And I think of residents up and down the Route 1 corridor that – and I see – see them every morning, you know, starting at 5:30 a.m. to about 8:00. Direct bus stations all along Route 1 line up with folks getting ready to go to work. Many times, there are – there are – they are residents that have limitations in their – and they, you know, they get on the bus single ramp if they’re lucky. Because some of the bus stations and bus shelters aren’t fully updated. You know, you walk around the – you walk around some of these areas and you actually start looking around and the
– the inequities are very clear. You know, being able to stand at a bus shelter and wait for a bus and have a ramp come down is not something that every resident in the County has access to – in fact, rare. And I just – I – I – this was – informed some of the spirit that, behind the motion and start looking at ways that we could repurpose some of the CIP funds discussed about a month ago. Which is that, you know, how do we deploy the County’s – you know, admittedly limited, but also let’s be honest, vast resources in capital and start addressing the day-to-day equity issues that our residents face? And I have to believe that there’s something just better than the proffer system that gets us there. And I – I want to alight myself with this motion and this spirit and I would like to thank Commissioner Carter for putting this up. Thank you.

Chairman Murphy: Further discussion of the motion? Alright, let me see. Forgive the Chair if he doesn’t restate that motion. All I say is, all those in favor of the motion to send the aforementioned motion by Commissioner Carter to the Board of Supervisors, say aye.

Commissioners: Aye.

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

Commissioner Sargeant: Commissioner. Mr. Chairman, Commissioner Sargeant abstains.

Chairman Murphy: I didn’t hear you.

Commissioner Sargeant: Mr. Chairman, Commissioner Sargeant abstains from the motion.

Chairman Murphy: Okay. One abstention.

The first three motions carried by a vote of 11-0. Commissioner Ulfelder were absent from the meeting.

The last motion carried by a vote of 10-0-1. Commissioner Sargeant abstained from the motion. Commissioner Ulfelder was absent from the meeting.

KS
Pursuant to Section 15.2-2303 (A) of the Code of Virginia (1950, as amended) and Sect. 18-204 of the Zoning Ordinance of Fairfax County (1978, as amended) (the “Zoning Ordinance”), Reston Corporate Center Limited Partnership, owner of Fairfax County Tax Map 17-3 ((22)) Parcel 0005 (“RCC LP”) (the “Applicant”), for itself and its successors and assigns, proffers that the development of the parcel under consideration and shown on the Fairfax County Tax Map as a portion of 17-3 ((22)) 0005 (the “Property”) will be in accordance with the conditions approved by the Fairfax County Board of Supervisors (the "Board") on July 31, 2018 (the "Approved Proffers"), as amended and/or supplemented pursuant to this Proffered Condition Amendment (PCA 86-C-119-08 the "PCA") (the "Supplemental Proffers") (the Approved Proffers and the Supplemental Proffers collectively, the "Proffers"). In the event the PCA and/or the concurrent Development Plan Amendment (DPA 86-C-119-04 the "DPA") and PRC Plan Amendment (PRCA 86-C-119-02 the “PCRA”) is denied, these Supplemental Proffers will immediately be null and void, and the Approved Proffers together with any and all development conditions applicable to the Property will remain in full force and effect.

The Applicant reaffirms its commitment to the Approved Proffers, as the Approved Proffers may be applicable to the Property that is the subject of this Application and to the extent the Approved Proffers remain unfulfilled as of the date of this Application, except for the modifications herein.

GENERAL

1. **Substantial Conformance.** Subject to these Proffers and the provisions of Sections 6-300 and 16-200 of the Zoning Ordinance of Fairfax County, as amended (the “Zoning Ordinance”), the Property will be developed in substantial conformance with the Development Plan Amendment/Proffered Condition Amendment/PRC Plan approved by the Board pursuant to DPA 86-C-119-03 (the “Original DPA”), as modified and supplemented by the Development Plan Amendment/Proffered Condition Amendment/PRC Plan (collectively, the “Revised DPA”) dated August 18, 2020, as revised through March 25, 2021, prepared by Urban, Ltd. and consisting of 17 sheets.

   A. [NEW] Pursuant to Proffer 6 of the Approved Proffers, the purpose of this PCA/DPA/PRCA is to establish Office uses as a principal use in Block D and to thereafter permit the transfer of available but unbuilt Office square footage from Blocks A and B to Block D, with the exact amount of Office square footage to be transferred to be determined at the time of each site plan approval for Block D. The tabulations shown on Sheet C2 of the Revised DPA illustrate the effect such a transfer would have on development within Phase I based on the Applicant’s plans as of the approval date of this Application and may be modified as part of site plan approval for Block D, provided such modifications otherwise are in substantial conformance with the Original DPA, the Revised DPA, the
PCRA, the Approved Proffers and these Supplemental Proffers. Each site plan for Block D for which a square footage transfer is proposed must include an updated tabulation showing from where the transferred square footage is coming and how much is proposed to be transferred.

10. Activated Streetscapes

A. [NEW] In the event Block D is developed with Office uses pursuant to this PCA/DPA/PRCA, and in furtherance of Proffer 11 in the Approved Proffers related to Parking Structure Facades, the Applicant will incorporate into the design of such Building façade treatments along Town Center Parkway intended to break up the full length and expanse of the above-grade portion of the parking garage located beneath the Office Building, which exposed garage ranges from approximately six feet (6’) to eight feet (8’) in height, all as more particularly shown on Sheets A6.51, A6.60 and A6.61 of the Revised DPA/PRCA (collectively, the “TCP Activated Façade”). The design elements for the TCP Activated Façade selected by the Applicant will promote visual interest through façade articulation, variation and contrast through the creative use of building and decorative materials and colors to provide depth and texture to and along the full length of the exposed portions of the garage located below the Office Building. The TCP Activated Façade must include, but need not be limited to, the incorporation of public art, decorative stone, low-level landscape plantings located along the base of the garage façade (but excluding a “living wall”), vertical and/or horizontal lighting along the garage and/or base of the Office Building, and such other measures as the Applicant may propose and have approved by the DRB pursuant to Proffer 8 of the Approved Proffers. Prior to issuance of a building permit(s) for the Office Building to be constructed on Block D, the Applicant will (i) consult with representatives of Public Art – Reston (as defined in Proffer 35 in the Approved Proffers) on the general design, location and extent of public art (e.g., a single art panel/installation or multiple panels/installations) to be installed as part of the TCP Activated Façade, and (ii) submit the proposed final design of the TCP Activated Façade to the Zoning Administrator for review and comment.

B. [NEW] In addition to the TCP Activated Façade, and in furtherance of Proffer 18(C) of the Approved Proffers related to the Reston-Specific Streetscape, the Applicant will install streetscape elements along Block D’s frontage on Town Center Parkway to enhance the pedestrian experience and encourage utilization of Town Center Parkway as a primary route for pedestrians accessing the Metro Station (the “TCP Activated Streetscape”). The design elements for the TCP Activated Streetscape will promote a transition from the Urban Garden (as defined in the Approved Proffers) constructed on Block B by framing the pedestrian pathway at the southern end of Block D through the use of features such as permanent street furniture and/or benches in a spatial arrangement that encourages social interactions, seating walls located along the edge of the sidewalk to define the pedestrian realm, and such other measures as the Applicant may propose and have approved by, as applicable, VDOT and the DRB. Prior to issuance of a building permit(s) for the Office Building to be constructed on Block D, the Applicant will submit the proposed final design of the TCP Activated Streetscape to the Zoning Administrator for review and comment.

C. [NEW] Where permitted based on the final location of existing and planned utilities, Street Trees, Placemaking Elements and the Reston Streetscape Elements (each as defined in Proffer 18 of the Approved Proffers), as well the TCP Activated Streetscape elements as described above, the Applicant will install supplemental street lighting along the Phase I portion of the Property’s frontage on both Sunset Hills Road and Town Center Parkway (i.e., Blocks A, B
and D) (the “Supplemental Pedestrian Lighting”) to augment the street lighting installed in the public right-of-way as part of development of Blocks A and B. The Applicant will locate the Supplemental Pedestrian Lighting outside the right-of-way and will select light poles and fixtures that match/complement the planned onsite light fixtures shown on Sheets A6.60 and A6.61 of the Revised DPA/PRCA (as the same may be revised/replaced from time to time). The Applicant will install the Supplemental Pedestrian Lighting prior to issuance of the first RUP (as defined in Proffer 13 of the Approved Proffers) for the first Residential Building constructed on Block D.

D. [NEW] Pursuant to Proffer 8 of the Approved Proffers, the final design of the Office Building, the TCP Activated Façade, the TCP Activated Streetscape and the Supplemental Pedestrian Lighting are all subject to review and approval by the DRB, and the Applicant may develop the Office Building, the TCP Activated Facade, the TCP Activated Streetscape, and the Supplemental Pedestrian Lighting, and make future changes/modifications to each, in accordance with approvals granted by the DRB without the need to secure a PCA or a determination by the Zoning Administrator, provided such designs otherwise are in substantial conformance with the Original DPA, the Revised DPA/PRCA, the Approved Proffers and these Supplemental Proffers.

[Signature page follows]
RESTON CORPORATE CENTER LIMITED PARTNERSHIP
a Virginia limited partnership

By: Boston Properties LLC
   a Delaware limited liability company,
   its general partner

By: Boston Properties Limited Partnership
   a Delaware limited partnership,
   its managing member

By: Boston Properties, Inc.
   a Delaware corporation,
   its general partner

By: ____________________________
   Name: Peter V. Otteni
   Title: Senior Vice President
PROPOSED PRC DEVELOPMENT CONDITION

PRC 86-C-119-02

May 6, 2021

If it is the intent of the Board of Supervisors to approved PRCA 86-C-119-02 at Tax Map 17-3 ((22)) 5, staff recommends the Board of Supervisors condition its approval by requiring conformance with the following development condition:

1. Development of the property will be in substantial conformance the DPA/PRCA Plan, entitled “Reston Section 93 Block 2,” submitted by Urban, Ltd., dated August 18, 2020 and revised through March 25, 2021, consisting of 17 sheets.

The above proposed condition is a staff recommendation and does not reflect the position of the Board of Supervisors unless and until adopted by the Board of Supervisors.
Waivers and Modifications

PCA 86-C-119-08, DPA 86-C-119-04 & PRCA 86-C-119-02
Boston Properties Limited Partnership

- Modification of Par. 1 of Sect. 2-505 of the Zoning Ordinance to permit development of corner lots to that shown on the DPA/PRC Plan;
- Modification of Sect. 11-203 of the Zoning Ordinance for a reduction in the number of required loading spaces to that shown on the DPA/PRC Plan;
- Modification of Sects. 13-303 and 13-304 of the Zoning Ordinance for the transitional screening and barrier requirements to that shown on the DPA/PRC Plan;
- Modification of Par. 2 of Sect. 17-201 of the Zoning Ordinance to permit the streetscape and on-road bicycle lanes to that shown on the DPA/PRC Plan in lieu of the minor paved trail as shown on the Countywide Trails Plan;
- Modification of Par. 14 of Sect. 17-201 of the Zoning Ordinance for installation of streetlights.
- Modification of Section 8-0201.3 of the Public Facilities Manual to permit on-street bicycle lanes as shown on the DPA/PRC Plan in lieu of the minor paved trail as shown on the Countywide Trails Plan;
- Modification of Section 12-0510.4.E (5) to permit the use of structural cells to allow a reduction of the minimum planting area and to permit trees to be located closer than four feet to a restrictive barrier;
- Modification of Section 12-0515.6B of the Public Facilities Manual to allow landscaping trees to be located within five feet of a stormwater easement that contains pipes for Phase 1 of the development; and
- Modification of Section 12-0515.6E of the Public Facilities Manual to permit trees to be planted within the Virginia Department of Transportation right-of-way to count towards the 10-year tree canopy requirement.