

PROPOSED DEVELOPMENT CONDITIONS

CSP 2004-PR-044

Tysons Comer Center

If it is the intent of the Planning Commission to approve CSP 2004-PR-044 for a Comprehensive Sign Plan located at Tax Map 29-4 ((1)) 35A and 35C; 39-1 ((1)) 2, 4, and 5 pursuant to Sect. 12-210 of the Fairfax County Zoning Ordinance, the staff recommends that the Commission condition the approval by requiring conformance with the following development conditions. These conditions supersede all previous conditions associated with SPA 89-P-034 (an asterisk identifies those conditions carried forward from SP 89-P-034):

1. This Comprehensive Sign Plan is granted for and runs with the land indicated in this application and is not transferable to other land. Minor deviations in sign location, design and sign area may be permitted when the Zoning Administrator determines that such deviations are minor and are in substantial conformance with the Comprehensive Sign Plan.
2. This Comprehensive Sign Plan is granted to permit the signs that would not otherwise be permitted by Article 12, Signs, as depicted on the two parts of the Comprehensive Sign Plan submitted with this application and prepared by RTKL, which are respectively entitled "Tysons Corner Center Site Wayfinding Signage" dated February 5, 2007 and "Tysons Corner Center Building-Mounted and Garage-Mounted Signage" dated February 5, 2007 and approved with this application, as qualified by these development conditions. Accordingly, the signs regulated by this special permit approval include the following signs as listed in the sign packages:

Wayfinding Signage

Signs listed on the Existing Site Sign Matrix (Sheet 4): #1-#10,
Signs listed on the Proposed Site Signs Matrix (Sheet 6): All Signs

Building-Mounted and Garage-Mounted Signage

- * Signs listed on Sign Schedule Calculations (Sheet 4): #3, #4, #7, #9, #11, #18, #19, #21, #22, #23, #24, #32, #33, #36, the panel with signs #39 – #46, #47, #48 and #49.

Any sign permit for the signs listed above submitted pursuant to this special permit shall be in substantial conformance with these conditions. Minor deviations in sign location; design, such as shape, font, text and colors; and sign area of the above listed signs may be permitted when the Zoning Administrator

determines that such deviations are minor and are in substantial conformance with this Comprehensive Sign Plan. Signs otherwise allowed by Article 12, Signs, in the Zoning Ordinance are also permitted, unless qualified by these development conditions.

3. *A matrix shall be provided to the Zoning Administrator prior to the issuance of the first sign permit and all subsequent sign permits which includes the tenant name, address, sign type, sign height, sign area, and Non-Residential Use Permit number and/or any other pertinent information deemed necessary by the Zoning Administrator in order to allow efficient tracking of all signage to be provided on site. Each sign permit shall be accompanied by a letter from the property owner, manager and/or agent of the property stating that the requested sign has been reviewed for compliance with this approval. This matrix shall be submitted with each sign permit whether or not the sign is listed in Condition Number 2 above.
4. *Building and/or garage mounted signage shall not project more than three (3) feet from the building face except as follows. The panel sign mounted on the north side of Parking Terrace E may extend up to five feet from the face of that garage.
5. *Traffic regulatory signage shall meet the Manual on Uniform Traffic Control Devices (MUTCD) and Virginia Department of Transportation (VDOT) standards.
6. *The AMC sign (#33) and the Barnes and Noble sign (#32) on the eastern face of the mall building and the illumination associated with the architectural panels on the southern and eastern facades shall be lit only between 8:00 a. m. and 12:00 midnight.
7. *No additional signage other than that shown on the Building-Mounted and Garage-Mounted Signage plan shall be located on the eastern façade of the mall building 48.5 feet above the finished first floor level as indicated on Sheet 7 of this plan.
8. *Notwithstanding the illustrations on sheets 9, 10 and 11 of the Building-Mounted and Garage-Mounted Signage plan, the number of individual signs on the panel sign on the northern elevation of Parking Terrace E listed as # 38 - #46 on the matrix on Sheet 4 of this signage plan shall be limited to ten (10). The area of this panel sign shall be limited to 948 sq. ft.
9. *This approval shall not preclude the installation of additional signs on the mall building or future buildings built pursuant to RZ/FDP 2004-PR-044 that comply with the provisions of Article 12 of the Zoning Ordinance.
10. The "Proposed Replacement Marquee Signs" shall be set back from the edge of the right-of-way by a minimum of five (5) feet and shall not be located within the

required lines of sight at the entrances where these signs are placed. The "Proposed Replacement Marquee Signs" shall not include flashing or streaming text, symbols and/or lights.

11. Sheet 3 of the "Wayfinding Sign" plan includes a depiction of the existing signs on the site that direct vehicles to appropriate egresses from the property to the surrounding major thoroughfares. Additional signage, in the form of new signs and/or additional sign text in the existing directional signs shall be added to the site to identify Westpark Drive and to direct vehicles to Westpark Drive and to Gallows Road. The signs for Gallows Road should read "Bridge to Gallows Road" or equivalent. Signs providing direction to Westpark Drive shall be installed on Shop Tysons Boulevard on either side Westpark Drive. These directional signs shall be installed prior to the issuance of the sign permits for the "Proposed Replacement Marquee Signs".
12. Notwithstanding the information included in the Sign Plan, the lighting associated with all signs shall conform with the requirement of Part 9, Outdoor Lighting Standards, of Article 14, Performance Standards, of the Fairfax County Zoning Ordinance.

The above-proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Sign Permits must be obtained from Fairfax County for each and every sign erected pursuant to this Comprehensive Sign Plan. The applicant shall be responsible for obtaining the required Sign Permits through established procedures, and this special permit shall not be valid until this has been accomplished.

Planning Commission Meeting
March 7, 2007
Verbatim Excerpt

CSP 2004-PR-044 - TYSONS CORNER HOLDINGS LLC AND TYSONS CORNER
PROPERTY HOLDINGS LLC

After Close of the Public Hearing

Vice Chairman Alcorn: Without objection, we'll waive the staff report and close the public hearing and recognize Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. We have here a relatively straightforward application of signage to the CDP/FDP recently agreed to by the Board and the Planning Commission. I reviewed with the applicant their process for placing and monitoring these signs and learned that, as I suspected, it's obviously in their interests to have the signage be effective and functional in its purpose and intent and I'm quite satisfied that should there be any that are not, the applicant will quite soon find that out and do something about it. I have every confidence that that will be their demeanor. There is one small loose end that was cleaned up today through the addition of a sentence to one of the development conditions, which are included in the staff report, and I understand from the applicant that they have no problem with this development condition and will abide by it. Would you –

Vice Chairman Alcorn: If you could state your name please.

Hillary Zahm: Sure. Hillary Zahm with Cooley Godward. And yes, that's correct, we are okay with the change.

Commissioner Lawrence: Thank you. Bearing that in mind, I will make a motion.

Vice Chairman Alcorn: Yes.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE CSP 2004-PR-044, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED FEBRUARY 22, 2007, WITH THE FOLLOWING SENTENCE ADDED TO THE END OF CONDITION NUMBER 10: "THE PROPOSED REPLACEMENT MARQUEE SIGNS SHALL NOT INCLUDE FLASHING OR STREAMING TEXT, SYMBOLS, OR LIGHTS."

Commissioner Lusk: Second.

Vice Chairman Alcorn: Seconded by Mr. Lusk. Any discussion? All those in favor of approving CSP 2004-PR-044, subject to the development conditions, as amended by Commissioner Lawrence, dated February 22, 2007, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Lawrence: Thank you, Mr. Chairman. One word – two words actually. A word of thanks to Mr. Braham, who as usual delivered sterling service from staff, and a word of greeting to Ms. Zahm, who I understand will be undertaking other duties. She has appeared before us, at least in my district, in some very large actions and I trust the future will be as bright as it has been in the past to this point.

Vice Chairman Alcorn: Mr. Lawrence, we can't let this go. Ms. Zahm, if you approach the podium and let us know where you are going.

Ms. Zahm: I recently accepted a position with the State Department. So I will be moving on and doing embassy planning, actually. Very different.

Vice Chairman Alcorn: You will be missed.

Ms. Zahm: Thank you very much. I'll miss you all too. Thank you.

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(The motion carried unanimously with Commissioners Hall and Murphy absent from the meeting.)

LBR