

Board Agenda Item
March 27, 2006

5:00 p.m.

Public Hearing on RZ 2003-PR-022 (Pulte Home Corporation) to Rezone from R-1 and HC to PRM, PDH-12, PDH-16 and HC to Permit Mixed Use Development with an Overall Density of 39.45 Dwelling Units Per Acre and Approval of the Conceptual Development Plan and a Waiver to Permit Underground Detention in a Residential Area, Located on Approximately 56.03 Acres, Providence District

and

Public Hearing on SEA 82-P-032-05 (Pulte Home Corporation) to Amend SE 82-P-032 Previously Approved for WMATA Facilities to Permit a Reduction in Land Area and Associated Site Modifications, Located on Approximately 29.84 Acres Zoned R-1 and PDH-20, Providence District

The application property is located at 2900 Nutley Street, north of Lee Highway approximately 1,650 feet west of Nutley Street, south of Saintsbury Drive and east of Blake Lane Park , Tax Map 48-1 ((1)) 90B, (formerly known as 48-1 ((1)) 90 pt., 91B pt., 48-1 ((6)) 7A, 8B pt. and 48-2 ((24)) 38A pt.); 48-1 ((1)) 91 and 91A; 48-1 ((6)) 5, 6, 7B, 8A, 9-13, 33-37; 48-2 ((24)) 38B, 39-42; 48-3 ((1)) 55; 48-3 ((5)) 1A, 1B, 2-4, 14-22; 48-4 ((7)) 23-32, 43-54, 56-60, 61A, 62-69 and existing Fairlee Dr. (Rt. 1040), and Maple Dr. (Rt. 1041) public right-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of the public rights-of-way for Fairlee Dr. and Maple Dr. to proceed under Section 15.2-2272 (2) of the Code of Virginia).

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, March 15, 2006, the Planning Commission voted 9-0-2, with one exception noted below, (Commissioners Byers and Hall abstaining; Commissioner Harsel absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2003-PR-022 and the Conceptual Development Plan, subject to the execution of proffers consistent with those dated March 8, 2006, and amended on March 15, 2006;
- Waiver of the 600-foot maximum length requirement for private streets (Commissioner Wilson opposed; Commissioners Byers and Hall abstaining; Commissioner Harsel absent from the meeting);

Board Agenda Item
March 27, 2006

- Modification of the loading space requirement for multifamily dwellings and office to that shown on the CDP/FDP;
- Modification of the transitional screening and barrier requirements, along that portion of the southern property line where the proposed community building abuts multifamily and single-family attached dwellings, to that shown on the CDP/FDP;
- Approval of a variance of the four-foot front yard fence height limitation to permit a seven-foot tall barrier fence with eight-foot tall piers, located generally along the common property line shared by the subject site and the abutting Circle Woods communities in the locations as shown on the CDP/FDP;
- Waiver of the 200-square foot privacy yard requirement for the rear-loaded single-family attached dwellings;
- Modification of the minimum planting area for those locations shown on the CDP/FDP to that shown on the CDP/FDP and as described in the proffers;
- Waiver of the service drive requirement along the Lee Highway site frontage;
- Approval of Waiver #8625-WPFM-001-1 to permit location of underground detention facilities in a residential area, subject to the Waiver Conditions dated December 5, 2005;
- Modification of Additional Standard One of Sect. 9-306 of the Zoning Ordinance to permit a reduction in the minimum age requirement for elderly housing units from 62 to 55 years of age;
- Approval of SEA 82-P-032-5, subject to the Development Conditions dated January 18, 2006;
- Modification of the transitional screening requirements to permit the existing landscaping along all boundaries of the SEA area;
- Waiver of the barrier requirements along all boundaries of the SEA; and
- Waiver of the interior parking lot landscaping requirement for the existing parking structure.

Board Agenda Item
March 27, 2006

The Commission also voted 9-0-2 (Commissioners Byers and Hall abstaining; Commissioner Harsel absent from the meeting) to approve FDP 2003-PR-022, subject to Board approval of RZ 2003-PR-022 and the Conceptual Development Plan.

The Planning Commission then voted 10-0-1 (Commissioner Hall abstaining; Commissioner Harsel absent from the meeting) to forward the following three additional recommendations to the Board of Supervisors:

- That the County explore and implement any changes or additions to policy which will support assurance that Metro will have the resources needed to operate, maintain and as necessary expand those facilities serving Fairfax County, with the objective of continued future underpinning of County Transit Station Area land use policies;
- That the County devote particular emphasis to a review with the Virginia Department of Transportation of plans and priorities for road network improvements on all roads impacted by the implementation of Transit Station Area land use policies; and
- That the County explore and implement any changes or additions to policy which will support continued future access to County Metro stations by commuters who do not live within walking distance but want to use Metro, to include not only provisions for the physical means of access but also for the public education and incentive programs required to help ensure their broadest use.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

Planning Commission Meeting
March 15, 2006
Verbatim Excerpt

RZ 2003-PR-022 - PULTE HOME CORPORATION (Metro West/Fairlee)
FDP 2003-PR-022 - PULTE HOME CORPORATION " "
SEA 82-P-032-05 - PULTE HOME CORPORATION " "

Decision Only During Commission Matters
(Public Hearing held on February 8, 2006)

Commissioner Lawrence: Thank you, Mr. Chairman, before we get into - - I have motions to make and I have a preamble for it. But before we do that, we had today, just today, a piece of correspondence that didn't fit into the master list of concerns that I had and I want to try to clear that up, if I may. And I see Cathy Lewis here today so I'd like to ask her a question, if I may. Ms. Lewis, this concerns age-restricted housing. Is there a age-restricted facility near the Metro West site?

Cathy Lewis: Yes, there is. There is the Saintsbury Plaza Independent Living facility, which is - - abuts this site and it was approved back in 2002.

Commissioner Lawrence: So, that must be near support services then in order to fit in?

Ms. Lewis: That's right.

Commissioner Lawrence: All right. Thank you very much.

Ms. Lewis: That was the determination.

Commissioner Lawrence: Thank you very much. Mr. Chairman, tonight we are to take up the decision on RZ-2003-PR-022, concurrent with SEA-82-P-032-5 and 8625-WPFM-001-1. The public hearing on this application was held February the 8th. In the time since the hearing, the applicant has made changes. As this is a large and complex proposal, I would like to review some of these changes before introducing a motion on the application, if I may. Staff has assembled a packet of handout material and I believe everyone has a copy. As I go through the points to be made, I'll refer from time to time to the items in the packet. Various staff members have attended tonight, so that any Commission questions can be addressed. Through testimony at the public hearing and by correspondence, citizens have expressed their views on the proposed development at the Vienna Metro station, called "Metro West" by the applicants. I thank one and all for the input. This proposal is demonstrably better as a result of citizen efforts. Reactions to the proposal ran the gamut from vehement opposition to full endorsement. Many people, however, supported the underlying idea of focusing density at mass transit, as has been expressed in policy by the County since the early 1990s. The concerns, comments, and suggestions were not necessarily with the basic idea, but with the specific expression of that concept as presented in the Metro West application. Frequently, both opponents and supporters expressed the same or similar concerns. As Planning Commissioner, it's my duty to see to it that citizen concerns about proposed developments are considered. I reviewed the videotape

testimony and the correspondence I've received. I wrote short phrases summarizing each distinct item, with a coded attribution so that staff could refer to the full text if needed. I grouped related items in categories such as "design" and "transportation." As soon as I had a draft with all the items on hand included, I sent it to staff and to the Supervisor's office. As more items were received during the deferral period, I updated the list whenever I found a new piece of information. The next step was to sort the list and combine those items that were closely similar. For example, a key set of concerns was in the area of phasing. At bottom, these items centered on getting better assurance that what was shown by the applicant is what will be built on the site, in terms of the mix of uses. Along with that were concerns that the office and retail be in place as soon as possible, that the grocery would be built with adequate square footage, and a concern that residential space on the site would be available to employees of office building tenants. Many individuals expressed these ideas in one way or another. Their items were boiled down from many to a few key things about phasing and square footage. The same was done in the other categories. Then, the condensed list was reviewed with staff to determine which of the items in it represented issues in the prospective use of this land. Many of the comments and suggestions made by various people were, for various reasons, things that could not be done, or to which a response by the applicant could not be formed, or which were not considered to be achievable, given the extensive proffer package volunteered by the applicant for this proposal. For example, people wanted the retail component or the office built first. As will be seen later, what will be built first on the site is public roadway. Others wanted many offsite athletic fields to be resurfaced by this applicant. Given the cost and the lack of a nexus with this application, that was beyond what could reasonably be asked in this particular case. The original list of concerns and comments was in this way reduced to a consolidated set of issue items focused on key aspects of the proposal, such as parks and recreation and stormwater management, as well as the phasing and transportation areas I mentioned earlier. At this point, it was determined either that a given issue was adequately addressed in the proposal or that more needed to be done on that issue. The applicant was informed and further negotiations on the issues were carried out. For example, the issue of phasing was the subject of further work with the applicant. The outcomes of those negotiations are reflected up to a few days ago in the set of proffers dated March 8, 2006. The proffers highlight changes from those provided at the public hearing on February 8, 2006. In fact, there are a few points that have only been settled in the last few hours and are thus not reflected in the proffer set dated March 8th. They will, however, be in the set that goes to the Board of Supervisors in the event the proposal is approved tonight. For the record, I will now ask the applicant's representative to affirm these items.

Chairman Murphy: Mr. Sampson.

Tim Sampson, Esquire: Mr. Chairman and members of the Commission, for the record, I'm Tim Sampson. I represent the applicant.

Commissioner Lawrence: Mr. Sampson, will funds be proffered for a bicycle route mapping project in the vicinity of the site?

Mr. Sampson: Yes, sir.

March 15, 2006

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

Commissioner Lawrence: Will a contribution to the County Tree Fund be proffered?

Mr. Sampson: Yes, sir.

Commissioner Lawrence: Will proffer language on interim TDM be provided?

Mr. Sampson: Yes, sir.

Commissioner Lawrence: Will proffer language on a convenience food store be provided?

Mr. Sampson: Yes, sir.

Commissioner Lawrence: Will proffer language on extending the period for marketing retail space at the site be provided?

Mr. Sampson: Yes, sir.

Commissioner Lawrence: Thank you, Mr. Sampson.

Mr. Sampson: Thank you.

Commissioner Lawrence: There are also some features of this proposal that have not changed and I believe it important to mention two of those at this point and then proceed to some examples of changes. On December 6, 2004, the Board of Supervisors accepted the Planning Commission's recommendation to amend the Comprehensive Plan for the land at this site. The amendment provided for a transit-oriented development option with specified densities for the core area nearest the station itself and with less intense densities for those areas farther away. The Comp Plan Amendment also suggested a mix of land uses and building heights. This proposal is in conformance with the Plan densities, mixed uses, and building heights recommended in the Comprehensive Plan. Those aspects of the proposal have not changed since the public hearing. Nor has the alignment of Vaden Drive extended changed. The alignment of Vaden Drive extended that the applicant proposes is in compliance with the Comp Plan. It's been suggested that the road be an extension of Circle Woods Drive or that it be moved farther into the site. Neither was done. Circle Woods is a stable residential community, to be protected. Making the roadway to the Vaden Drive bridge over I-66 a direct extension of Circle Woods Drive would have the effect of bisecting that community. Language to ensure against that is, I believe, in the Transportation Plan. In the same way, moving the Vaden Drive extension further into the Metro West site would bisect that site with a four-lane road, rather than provide more narrow roadways within the center of the development, a very desirable feature of walkable community designs of the sort the Comprehensive Plan recommends for this site. An area where there has been major change is phasing. Please refer to Proffer 5b on pages 6 and 7 of the proffer set. In a series of subparagraphs from Roman I through Roman VI, the applicant spells out first when various high-rise buildings will have reached a substantial progress point in their construction and then when they will be finished. The buildings include two of the residential

high-rise with first floor retail and the first of the two proposed office towers. Note that these milestones are linked to the issuance of Residential Use Permits, proffered to be around the 500th, the 1000th, and the 1100th RUP. Since the age-restricted housing on the site is not the principal residential mix element for the transit-oriented design concept, it's excluded from this phasing. The applicant might build some, none, or all of the age-restricted housing first. If the applicant were to build all of the 368 age-restricted units early on, then total RUPs for the site would reflect that; for instance, 500 would be 868 and so on. What counts here, though, is the building of market residential units for the site. These residents would provide the pool of participants in the TDM program, and thus be key to the TDM succeeding, also to the pool of potential rail commuters to live at the site, as well as those potentially both living and working on the site. In this Proffer 5, the applicant is now clearly committed to build each type of building for the proposed use mix and to do so in a specified relationship to the market residential units proposed for the site. When the office has been completed and is up for lease, there will also be residential units being built, so that employees of office tenants will have the option to live on the site. And there is provision in the TDM program to market the space to those people. Also, during the period when the onsite mix has not yet been completed, there is provision in the TDM program for interim retail arrangements such as a convenience store and delivery services to residents. This allows the grocery to be built and marketed late in the progression, assuring the maximum presence of onsite residents as the grocery space is being marketed for lease. The nature and square footage of retail space was another area of comment. Please refer to Proffer 5c, Large A on pages 9 and 10 in this March 8th set. The grocery is now defined as one which provides, at a minimum, food stuff and household supplies and to occupy from 15,000 to 30,000 square feet of space, not including any mezzanine. I was provided with a list of example grocery stores in our area which are in that size range. I don't want to get into brand names, but the stores are in places like Georgetown, Annapolis, Baltimore, and Charlottesville. Another change in the proffer commitments is that the applicant now proffers to an extended period of marketing the retail space that is not proffered on the site, to give better assurance that more than the proffered retail will be provided. Incidentally, I would like to note that the TDM plan has the flexibility to function with differing outcomes in this range of mix scenarios. There were other concerns expressed in the general area of space use and design in this application and I'd like to touch on a few. This application features an unusually high number of Affordable Dwelling Units or ADUs. There are a total of 140, comprising of 79 to be provided according to the ADU formula contained in the Zoning Ordinance and 61 to replace the original number of units on the Fairlee tract. In the event that the developer builds fewer than the total number of residential units now planned, the 79 formula-based units would be proportionately reduced as well. But the 61 ADUs are a constant per the Comprehensive Plan and will be provided regardless of any residential reduction. The Comprehensive Plan also calls for at least 35 percent open space on the site and the applicant's design exceeds that requirement. In computing open space, the parking lot for the public building was not counted. The public building is not counted as retail space, either. It fits in a category which includes retail, institutional and other uses. It is an institutional use. A number of concerns were expressed about the total amount of tree save and tree plantings on the site. Given the nature of the design as a dense, transit-oriented development, the applicants have complied with the Ordinance requirements but have not gone beyond that. What may need to be examined here is the

March 15, 2006

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

Ordinance itself. Changing the Ordinance, however, will very likely require enabling legislation from the State. Now to transportation proffers. I mentioned earlier that Vaden Drive extended will continue to follow the route shown on the CDP/FDP at the public hearing. Among the changes made in the proffers, however, is a small but potentially significant one which appears in Proffer 6, Transportation, on page 15. That change specifies, in Roman II, a slower design speed for Vaden extended of 25 miles per hour, if approved by VDOT. Although the extension will carry traffic through between Virginia Center Boulevard and Lee Highway as well as feeding the site itself, it will be made as safe as possible for pedestrian traffic from communities west of the site. And, as indicated in the plans and proffers, there are provisions for crossing lights with pedestrian phases at key intersections including Vaden extended. Vaden Drive extended and Saintsbury are two major public road improvements that the applicant will be required to make on the site. On completion, both will become public roads in the VDOT system. In that respect this site is unlike others where mixed use transit-oriented development is proposed in Fairfax County. I asked staff what the cost of these improvements might be and was informed that it would total at least 9 million dollars. This work will be done very early in the buildout process at the site. The applicant is also committed to design and build a public building on the site, with the dedication of the building to take place by the issuance of the 400th Residential Use Permit. Those were major factors in specifying the points at which erection of the high-rise buildings on the site will begin. The applicant may recover some of the public improvement costs by building and selling residential on the site as quickly as possible. The quickest units to build and sell would be the townhouses and garden-style apartments and that is where the applicant intends to begin the proposed development. This approach will provide a better capital position for the necessary front end costs of the high-rise buildings. Two points need to be made about the traffic analyses which were done for this application. First, the applicant did indeed produce an addendum to the original traffic study, which took into account the added traffic demand from Covington Square, the recently approved development southeast of the Metro West site. Second, the applicant did indeed study the impacts from the development up Nutley into the Town of Vienna. In those analyses, it was found that most of the traffic impact from the development will be from I-66 to the south, rather than in the direction of the Town of Vienna. The expected Vienna traffic from the Metro West development was such a small fraction of the total traffic on the roads investigated that further study was not considered justified. Lastly in the transportation area, the applicant has made changes showing more attention to bicycle transport. Specifically, there will now be a proffer providing funds for helping to create a bicycle map of the general area around the Metro West site, so that projects to fill in missing links on bicycle routes can be undertaken. On the site itself, the applicant has doubled the number of bicycle racks to be provided and I understand that the applicant has checked the "bikeability" of the site by performing a sort of level of service analysis for bicycles, with good results. Proffer 7 deals with Transportation Demand Management or TDM. This proffer has only editorial changes. Two points need making about the TDM Proffer. First, there have been comments about the study done by the consultant UrbanTrans, which confirmed that the TDM goals are feasible if the site is designed as planned and the mix of uses is achieved. In the study, the consultant used census data to help form a picture of the present conditions at and around the site. A comment is that the number of drivers estimated in this part of the study, using that data source, is understated. Since the number of expected vehicle trips generated at

the site after development was not based on this figure, any difference of estimation in the number of drivers does not invalidate the final figures for peak hour trips to and from the development and thus, does not invalidate the consultant's conclusions. Second, it was stated that the office use at the site would be put at a competitive disadvantage by the need to meet a TDM goal. At the time the Planning Commission recommended adoption of the Plan Amendment leading to this proposal, the Commission in a follow-on motion recommended to the Board of Supervisors that TDM be undertaken on a Countywide basis. I am glad to report that this is now in train. Commercial space in comparable locations all over the County will be asked to carry out TDM programs; thus, the office here will be on the same footing as others. An area in which there has been both change and stability since the public hearing is that of parks and recreations. The site borders East Blake Lane Park. Those seeking to walk among trees can in a few steps be on the connector trail, a very pleasant walk that my wife and I have taken. More active recreation can be had on a fitness loop that the applicant now proffers. See Proffer 10b at the top of page 44. There will be two exercise stations on the 1.3-mile loop and with Park Authority approval, there will be distance markers as well. At the public hearing, the statement was made that Nottoway Park is a car drive away. I went to the site and walked from the Metro kiosk on the south side of the station to Nottoway Park. I was well into the park in about 15 minutes' time. On a bike, of course, the time would be much shorter. The Fairfax Connector trail leads directly there and the crossing at Virginia Center Boulevard is protected with a countdown pedestrian phase. There was also much comment about the open space at the site. The applicant has prepared some visuals which show how the open spaces would fit on the oval behind this building, with which we're all familiar. And, please refer to the color images in the handout package. In response to concerns about the development's impact on organized sports, the applicant has now proffered a sum of money for use in improving nearby athletic fields. Refer to Proffer 10e on page 44. The sum of \$750,000 will be provided to the Board of Supervisors and disbursed to improve a selected field or fields in the vicinity. One more aspect of this proposal in the general area of recreation needs to be addressed. The Comprehensive Plan calls for a public building to be built on the site, on land dedicated in fee simple to the County. Among other uses, the building is to have space for recreation. I asked the County CRS to provide examples of recreational activities now going on in other County buildings comparable to this one. Please refer to the sheet they provided in your handout package to see their examples. Please note that they will be open and accessible to the public on and around the site, including our growing population of senior citizens. While a central feature of the public building is a gymnasium with a basketball court, it's apparent from the examples that many other recreation activities can go on, on a year-round basis, in this building. Also, its location in this part of the Providence District will help avoid impacts from this development on the Town of Vienna Community Center and rec facilities. At the same time, the location will enable a very significant public use for the building, a police satellite office. This part of Providence is at a maximum point of distance from both the McLean and the Fair Oaks police stations. The facilities here will enhance police presence on the site, which I believe to be extremely important. Although there were suggestions that the building be eliminated and the funds used for various purposes, the public building remains a feature of this proposal. I must now ask you to flip backwards in the proffers to page 12, where non-office, non-residential uses on the site are being defined. Roman IX on that page discusses commercial off-street parking as a use. Please

note the new passage stating that in no event shall the temporary use of a building site for parking delay the start of construction for the primary use approved for the building site. That passage is, I believe, responsive to concerns about both phasing and parking. Commuters will continue to need to access the Vienna Metro station during and after buildout of this development. Many will come from offsite in cars. While there is no reason not to use some of the site space for parking while other parts of it are being built up, it is important that such use not delay the buildings in the core area. This addition to the proffers addresses that concern. Meanwhile, though, work continues on a third Metro parking garage at the site and the County is at work establishing a satellite parking capability for the site. I'll have a follow-on motion on that topic tonight. On the subject of Metro, citizens expressed concern about Metro capacity. Metro maintains that the line will be able to handle the added passengers from the proposed development. I continue to believe that a reliable source of funding is key to a dependable future Metro system and will also offer a motion on Metro tonight. Proffer 14 on pages 50 and 51 presents some points worth mentioning, as this area was the subject of some citizen concerns. First, as you know, the PFM provisions for stormwater management were recently amended. Please note in Proffer 14A that the applicant proffers to the "detention method" on the site. The detention vaults will provide the mandatory water quantity controls for the site, as required by the PFM. In addition, the applicant proffers LID facilities as described on the plans. These LID facilities will provide additional flow reduction for the site over and above that provided by the vaults. Because LID facilities are a relatively new technology, the applicant has volunteered to provide monitoring as part of the overall proffer. The monitoring will enable us to measure the actual effect of the LID facilities, an opportunity we have not previously had, yielding some direct data on how the LID features perform. But the main burden will be borne by the detention vaults, which by requirement will protect against continued excessive downstream erosive force from the site. Many citizen concerns focused on the schools aspect of the proposal. I asked the FCPS to review and consider the concerns and received in response, a paper addressing them, which is in your package. I believe it speaks to the points made by citizens about the schools' impact of this application. It has been provided to the Town of Vienna, to the president of the Marshall Road PTA, and is posted on the Providence District Web site. The only point I would like to make here about schools is that the formula worked out as part of the Residential Development Criteria for all residential development applications must be applied uniformly. To suspend it for one particular application and ask for more, or for that matter, for less in cash proffers would be an unfair, arbitrary act. I'd like to conclude with these thoughts. For such districts as Providence, the past growth idiom of detached residential separated from both employment centers and retail no longer serves everywhere. If you compare the total number of single-family attached and multi-family residential to that of single-family detached, even Countywide, you will find that as of a couple of years back, there are more towns and multi-family structures than traditional single-family homes. Clearly, we are now thicker on the ground. But further, as more people look west for housing, we encounter more and more pass-through traffic on our roads. I remember when what was then called the Shirley Highway was the last word in rapid road transport to and from the south. Ever since, more and more lanes have been added, resulting eventually in wider and wider traffic jams. Now, the same pressures are at play with I-66. If something doesn't change, the same results will follow. This proposal envisions such a change. Build up, not out. But put the density at a transit site, so that a

proportion of the people who live there can have a non-car option for getting to and from work. And don't stop there. Add a strong TDM program to help manage road commuter traffic on the demand side through other means as well. While you're about it, make the development dense enough to support a good range of good onsite retail, so that residents don't have to get in cars to go shopping for common goods and services. For the reasons outlined, Mr. Chairman, I will now move that the Planning Commission recommend approval of the Metro West applications. I have first, 15 motions for the application itself. Then I have three follow-on motions.

Commissioner Hall: Mr. Chairman?

Chairman Murphy: Ms. Hall.

Commissioner Hall: I'm going to abstain upfront, so to sit through the 15. I was not present for the hearing. Thank you.

Chairman Murphy: All right.

Commissioner Byers: Mr. Chairman?

Chairman Murphy: Mr. Byers.

Commissioner Byers: I don't want to get this on verbatim, but it's going to be a little lengthy. But, I would like to congratulate Mr. Lawrence for yeoman work on a very complex, very difficult application. And his comment about Shirley Highway is certainly appropriate. Back in 1964 when I moved to this area, the Springfield area was one of the places I looked to move to and I looked at Shirley Highway and said that's going to turn into a parking lot. So, I ended up in Mount Vernon. I've been there ever since. But, today, late today, I got an e-mail forwarded from Mr. Hart. It had a number of very cogent questions about this application. And, I had not had time to bounce those questions against the revised proffers and I'm a little uncomfortable voting on something that I'm not fully satisfied in my own mind about. At the same time, I think it's inappropriate for me to object to it for the same reason, I just don't know enough about it. So, I will be abstaining. I won't vote against it, but I will abstain in the vote.

Commissioner Wilson: Mr. Chairman?

Chairman Murphy: Ms. Wilson.

Commissioner Wilson: I have some comments. I don't know if it's appropriate to wait until Mr. Lawrence has made his first motion, but there are a number of issues that I would just like to mention upfront. And again, I feel the same way as Mr. Byers. There are some areas that I'm still not comfortable with, but I am going to vote in favor of the application, but I want to continue discussions with the applicant and Mr. Lawrence and Ms. Smyth before the Board date because I think some of my concerns we could probably resolve between now and then. But, just let me just go through a couple of these. I looked very carefully at all of the pedestrian

connections, all the walkways, the trails, the paths, everything and Mr. Lawrence and the applicant saw my color-coded version of the plan that shows all of these. There are a couple of areas where it wasn't clear to me whether there was a walkway but it seemed to be presumed there would be and I just want to see clarification at some point that there actually is a walkway there. But there are also some other areas where I think there's an absence of a walkway where to me, it makes sense to put one. So, I have agreed to continue discussion of these with Mr. Lawrence and with the applicant between now and the Board hearing and see if we can get some of those additional connections put on the plan. Also, I don't know what the reason for this was but in terms of dividing up the various blocks of the developments into mini homeowners associations with an umbrella one, I noticed that the proffers or the plan will only allow the residents of certain buildings to use certain pools. And, I don't understand that. I think that all the recreational amenities that were included onsite should be available to all the residents of this complex. I think there was a goal of not opening these up to the public and I'm not suggesting that, but if a resident of one building, you know, building 16 wants to go to the pool at building 7 or whatever, I'm pulling out some numbers, I don't see why that resident shouldn't be able to do that. And, so I think there should be some kind of reciprocity among all these recreational amenities so that they're available to everybody who lives there.

Chairman Murphy: I think you meant should not be able to do it.

Commissioner Wilson: Pardon?

Chairman Murphy: Didn't you mean should not be able to do it? Okay.

Commissioner Wilson: No, I think the residents who live there, no matter what building they're in, should be able to utilize all the recreational amenities.

Chairman Murphy: Right. You didn't say - -

Commissioner Wilson: They shouldn't be restricted.

Chairman Murphy: You didn't say it that way, that's right.

Commissioner Wilson: Oh, I'm sorry. Okay.

Chairman Murphy: Okay.

Commissioner Wilson: Yeah, they all should be available to everybody who lives there.

Chairman Murphy: Okay.

Commissioner Wilson: Okay. I understand that the gate on the pedestrian connection to Hunters Branch was demanded by Hunters Branch. However, I object to that. I don't think that should be there, but I understand that was a concession made to a neighborhood. I still have concerns

about the size of the grocery store and whether that would be a large enough grocery store to satisfy the needs of all the residents there. I'm happy that we have a little bit of an improvement on the phasing in of that grocery store. It's not much, but it's something. But, it's been raised that there's a full-size Safeway across Lee Highway at the Pan Am Shopping Center, which there is and it's a very nice Safeway, but I don't envision people living in these high-rise buildings tromping all the way down and crossing Lee Highway and getting their groceries. And, I mean they may go that way, but carrying all those groceries back across Lee Highway doesn't seem to me, something that's a realistic idea. I also think that the pharmacy drop-off/pick-up, again, should be available to all the residents in the complex and not just to the buildings, either the age-restricted buildings or whatever building that drop-off is proposed for right now. With respect to some of the park and open space areas, because we have some of the age-restricted living facilities but also for other people who might have young kids, I think there needs to be some covered areas in some of these community parks. There are areas where there are trellises proposed, but I think there needs to be covered areas as well for people who want to sit outside but cannot sit in the sun and for whom, a trellis may not be enough of a block. So, I'd like to see if we can try to incorporate some covered areas for that. I didn't see any proposal for any outside or outdoor activity tables and I'm just throwing this out, like checkers or chess or cards or backgammon or something like that. I think that would be a very nice amenity that could be added as a very simple matter and could really improve the usage of some of these outdoor areas. I noted that the applicant has included a proffer not to have or not to allow the popsicle stick signs, but right now it is limited to just to the sale or rental of the residential units. And if the Commission may recall, when the Pan Am Shopping Center across Lee Highway came up for Special Exception Amendment, I believe it was when the Safeway was expanding. One of these issues and this was when Supervisor Smyth was still on this Commission, one of the issues with that shopping center was that the retail were also putting up their own popsicle stick signs all over the place. So, I'd like to see the proffer on those popsicle stick signs expanded along the lines of what we did with the Pan Am Shopping Center to include a prohibition on either the office or retail users putting up popsicle stick signs. I am concerned with respect to open space. This is more of a question, but I don't understand why the public use building is considered open space. I realize that the parking lot is not going to be included in the open space calculations, but right now the building itself is included and I don't understand in this case.

Chairman Murphy: Is that right?

Cathy Lewis: No, it's not.

Commissioner Wilson: Is that a change?

Ms. Lewis: That's not correct at all. It was never that way.

Commissioner Wilson: On the open space part of the plan, it's shaded in on the same lines as --

Ms. Lewis: It was not calculated as that way.

March 15, 2006

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

Commissioner Wilson: Okay. It's just -- it was marked as if it was on some of those so, I'm glad for that clarification.

Chairman Murphy: Okay.

Commissioner Wilson: The last thing, which is really the most important for me, is the issue of the public versus private streets. Except for Vaden and Saintsbury, all the rest of the roads throughout this development are going to be private streets. As you know, I just have a fundamental disagreement with putting private streets everywhere, but in this type of development, I don't understand why they have to be all private streets. I mean this is meant to be a pedestrian-friendly, transit-friendly, everything to get to the Metro station and although, there's going to be public access easements through these roads, I just -- I don't understand why all of them have to be private streets. There are other issues besides just the maintenance and upkeep of streets that many of you have heard me mention in the past on why it's not good to have private streets. There are public policy issues why we shouldn't have private streets. Fire access, parking, traffic enforcement, things like that. So, I would like to continue discussions with the applicant and staff between now and the Board meeting on whether some of -- some of those, like the main east-west road that crosses development, why they can't be made into a public street.

Chairman Murphy: Okay.

Commissioner Wilson: Be that as it may, I do support the application. I want to congratulate the applicant too. I think they've done an excellent job on this. There were actually very few areas where I saw they were missing pedestrian connections so that's my comments.

Chairman Murphy: Is there further discussion before the motion?

Commissioner de la Fe: Mr. Chairman?

Chairman Murphy: Mr. de la Fe.

Commissioner de la Fe: Not to drag this on and I certainly want to commend my colleague from the Providence District in doing a yeoman's job, very thoroughly in dealing with this very, very difficult case and I think all of us could look at all of these hundreds of pages and tweak here and there. However, I do want to make a comment and this doesn't -- it won't -- it doesn't affect my -- how I will vote on this. However, it's a -- I would be remiss if I didn't make it based primarily on my former life with the Park Authority. And that is on Proffer 10e, I'm glad that it's there, it hadn't been there before so that there is a significant amount of money for improvements in athletic fields. However, we worked for a very long time to make sure that the funds proffered for parks and land proffered for parks went directly to the Park Authority rather than through the Board of Supervisors and the Board of Supervisors agreed to that. So, I certainly hope to anyone who is listening, that perhaps this can be changed so that it follows the

March 15, 2006

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

general policy of the Board of Supervisors in that the funds go directly to the Park Authority.
Thank you.

Chairman Murphy: Okay. Mr. Lawrence.

Commissioner Wilson: Mr. Chairman?

Chairman Murphy: Hold on, hold on a minute. Mr. Alcorn?

Commissioner Alcorn: Thank you. Just very briefly, Mr. Lawrence. On the schools issue, I have a slightly different take on the school impact formula, but I won't get into that now. The point I want to make is in the memo Mr. Lawrence referenced, March 1, 2006, from Gary Chevalier of the School system, they looked at actual generation of students from other transit-oriented developments that exist around Vienna Metro and also Dunn Loring. And, I just want to point out that those generations - - generation rates are, without exception, at least for the ones around Metro, below the Countywide averages. I have been concerned that there has been, I think, some bad information floating around out there on how hard this is going to hit the schools. Some of it was probably generated by the County intentionally, but we - - the School system, using Countywide averages, estimates 236 additional students based on the study that was provided to Mr. Lawrence. Just as an example, Virginia Center would have been projected to generate 50 students, 33 is the actual number. Hunters Branch, which is just east of Fairlee, was projected to generate 167 students, it generated 87. Hallstead at Metro station is at Dunn Loring was projected to generate 21 students, it is generating zero. Westbriar condos at Dunn Loring were projected to generate 35 and they are generating 13. The reason I bring this up is public facilities are very important considerations for us when we look at rezonings and there are many other considerations. But, from a public facilities perspective and with the knowledge that schools are our top public facilities need in this County, this application is a bargain.

Chairman Murphy: Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. I too would like to express my appreciation for Commissioner Lawrence's efforts and his patience on this matter. I too am going to support the motion, but I wanted to make a couple observations. I realized we spent a lot of time with this case. At the same time, this was an enormous package of material and it's very difficult for us mere mortals, I think, to have the level of confidence sometimes in all of the details when we have so much paper to digest. I think we benefit also from the comments and observations of the public and I would hope that even though the case is going forward tonight, there would still be further opportunities or refinement of some of the practical details between now and the time the Board makes the decision. I think that process can only help to improve what is a good application. I'm not going to take up the Commission's time with some of those issues tonight, but I hope that that process will continue. Thank you.

Chairman Murphy: Okay.

March 15, 2006

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

Commissioner Wilson: Mr. Chairman, there's just one other issue that I had asked staff about to get an answer tonight and I just forgot to mention that. It was the issue of the ground-level lighting at the pedestrian crossways because the light, which shines straight up in the air, it's downward directional, it's not shielded. It's not full cut off. And, I was concerned that that type of lighting, although it may be a good idea, does not comply with our Outdoor Lighting Ordinance. And, I spoke with Cathy Lewis about it today. Were you able to get any clarification on that?

Ms. Lewis: No, I haven't gotten an answer on that yet.

Commissioner Wilson: Okay. We'll just follow up with that afterwards. Thank you.

Chairman Murphy: Mr. Lawrence, have you rested you larynx?

Commissioner Lawrence: Thank you, Mr. Chairman. Here we go. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2003-PR-022 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE NOW DATED MARCH 8, 2006, AS AMENDED THIS EVENING.

Commissioners Alcorn and Lusk: Second.

Chairman Murphy: Seconded by Mr. Alcorn and Mr. Lusk. Is there a discussion of the motion, which we have not had already? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2003-PR-022, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioners Hall and Byers: Abstain.

Chairman Murphy: Ms. Hall and Mr. Byers abstain. Mr. Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2003-PR-022, SUBJECT TO THE BOARD'S APPROVAL OF RZ 2003-PR-022 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioners Alcorn and Lusk: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Is there a discussion? Mr. Lusk. Is there a discussion of that motion? All those in favor of the motion to approve FDP 2003-PR-022, subject to the Board's approval of the rezoning and Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE 600-FOOT MAXIMUM LENGTH OF PRIVATE STREETS BE WAIVED.

Commissioners Alcorn and Lusk: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Wilson: No.

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Two abstentions, the same. Ms. Wilson votes no. Mr. Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE LOADING SPACE REQUIREMENTS FOR MULTI-FAMILY DWELLINGS AND OFFICE BE MODIFIED TO THAT SHOWN ON THE CDP/FDP.

Commissioners Lusk and Alcorn: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Same abstentions. Mr. Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG

March 15, 2006

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

THAT PORTION OF THE SOUTHERN PROPERTY LINE WHERE THE PROPOSED COMMUNITY BUILDING ABUTS MULTI-FAMILY AND SINGLE-FAMILY ATTACHED DWELLINGS BE MODIFIED TO THE LANDSCAPING AND BARRIER SHOWN ON THE CDP/FDP.

Commissioners Lusk and Alcorn: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT A VARIANCE OF THE FRONT YARD FENCE HEIGHT LIMITATION OF FOUR FEET BE APPROVED TO PERMIT A SEVEN-FOOT TALL BARRIER FENCE WITH EIGHT-FOOT TALL PIERS, LOCATED GENERALLY ALONG THE COMMON PROPERTY LINE SHARED BY THE SUBJECT SITE AND THE ABUTTING CIRCLE WOODS COMMUNITIES IN THE LOCATIONS AS SHOWN ON THE CDP/FDP.

Commissioners Lusk and Alcorn: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE 200-SQUARE FOOT PRIVACY YARD REQUIREMENT FOR THE REAR-LOADED SINGLE-FAMILY ATTACHED DWELLINGS BE WAIVED.

Commissioners Alcorn and Lusk: Second.

March 15, 2006

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

Chairman Murphy: Seconded by Mr. Alcorn and Mr. Lawrence [sic]. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE MINIMUM PLANTING AREA FOR THOSE LOCATIONS SHOWN ON THE CDP/FDP BE MODIFIED TO THAT SHOWN ON THE CDP/FDP AND AS DESCRIBED IN THE PROFFERS.

Commissioners Alcorn and Lusk: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE SERVICE DRIVE REQUIREMENT ALONG THE SITE'S LEE HIGHWAY FRONTAGE BE WAIVED.

Commissioners Alcorn and Lusk: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD APPROVE THE PFM WAIVER TO LOCATE UNDERGROUND DETENTION FACILITIES IN A RESIDENTIAL AREA, SUBJECT TO WAIVER #8625-WPFM-001-1 CONDITIONS DATED DECEMBER 5, 2005.

Commissioners Alcorn and Lusk: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD MODIFY ADDITIONAL STANDARD 1 OF SECTION 9-306 OF THE ZONING ORDINANCE TO PERMIT A REDUCTION IN THE MINIMUM AGE REQUIREMENT FOR THE ELDERLY HOUSING UNITS FROM 62 TO 55 YEARS OF AGE.

Commissioners Alcorn and Lusk: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA 82-P-032-5, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 18, 2006.

Commissioners Lusk and Alcorn: Second.

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

Chairman Murphy: Seconded by Mr. Lusk and Mr. Alcorn. Is there a discussion? All those in favor of that motion to recommend to the Board of Supervisors that it approve SEA 82-P-032-5, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE TRANSITIONAL SCREENING REQUIREMENTS ALONG ALL BOUNDARIES BE MODIFIED TO PERMIT THE EXISTING LANDSCAPING ALONG ALL BOUNDARIES OF THE SEA AREA.

Commissioners Lusk and Alcorn: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BARRIER REQUIREMENT ALONG ALL BOUNDARIES OF THE SEA BE WAIVED.

Commissioners Alcorn and Lusk: Second.

Chairman Murphy: Seconded by Mr. Alcorn and Mr. Lusk. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

March 15, 2006

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE INTERIOR PARKING LOT LANDSCAPING REQUIREMENT FOR THE EXISTING PARKING STRUCTURE BE WAIVED.

Commissioners Alcorn and Lusk: Second.

Chairman Murphy: Seconded by Mr. Alcorn and Mr. Lusk. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Byers and Hall: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

Commissioner Lawrence: Mr. Chairman, that completes the motions on the application. I now have three follow-on motions to make. First, I MOVE THAT THE PLANNING COMMISSION REAFFIRM ITS RECOMMENDATION TO THE BOARD OF SUPERVISORS THAT THE COUNTY EXPLORE AND IMPLEMENT ANY CHANGES OR ADDITIONS TO POLICY WHICH WILL SUPPORT ASSURANCE THAT METRO WILL HAVE THE RESOURCES NEEDED TO OPERATE, MAINTAIN, AND AS NECESSARY, EXPAND THOSE FACILITIES SERVING FAIRFAX COUNTY, WITH THE OBJECTIVE OF CONTINUED FUTURE UNDERPINNING OF COUNTY TRANSIT STATION AREA LAND USE POLICIES.

Commissioners Alcorn and Lusk: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Hall: Abstain.

Chairman Murphy: Motion carries. Ms. Hall abstains.

Commissioner Lawrence: Second, I MOVE THAT THE PLANNING COMMISSION REAFFIRM ITS RECOMMENDATION TO THE BOARD OF SUPERVISORS THAT THE

COUNTY DEVOTE PARTICULAR EMPHASIS TO A REVIEW WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION OF PLANS AND PRIORITIES FOR ROAD NETWORK IMPROVEMENTS ON ALL ROADS IMPACTED BY THE IMPLEMENTATION OF TRANSIT STATION AREA LAND USE POLICIES.

Commissioners Alcorn and Lusk: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Hall: Abstain.

Chairman Murphy: Motion carries. Ms. Hall abstains.

Commissioner Lawrence: Third and finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE COUNTY EXPLORE AND IMPLEMENT ANY CHANGES OR ADDITIONS TO POLICY, WHICH WILL SUPPORT CONTINUED FUTURE ACCESS TO COUNTY METRO STATIONS BY COMMUTERS WHO DO NOT LIVE WITHIN WALKING DISTANCE BUT WANT TO USE METRO. SUCH MEASURES MIGHT INCLUDE NOT ONLY PROVISIONS FOR THE PHYSICAL MEANS OF ACCESS BUT ALSO FOR THE PUBLIC EDUCATION AND INCENTIVE PROGRAMS REQUIRED TO HELP ENSURE THEIR BROADEST USE.

Commissioners Lusk and Alcorn: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Hall: Abstain.

Chairman Murphy: Motion carries. Ms. Hall abstains.

Commissioner Lawrence: A moment, if I may.

Chairman Murphy: Please.

March 15, 2006

RZ 2003-PR-022, FDP 2003-PR-022, and SEA 82-P-032-05

Commissioner Lawrence: Mr. Chairman, I have spent now, two years and more at work on this application along with some of the most dedicated people I've ever run across. County staff has done magnificently. Every last one of them. I want to single out one, but at the same time, I want to recognize the contributions from everybody. The person I want to single out is sitting here tonight and her name is Cathy Lewis. Thank you, Cathy.

Commissioner Byers: Absolutely.

Commissioner Lawrence: Thank you, Mr. Chairman.

Chairman Murphy: Thank you very much. Mr. Lawrence is boldly moving us into the 21st Century with Fairfax County and its population of 1,022,000 and change. And sometimes that movement can be a painful process, but it was done professionally and with style and grace and thoroughness. And I congratulate Mr. Lawrence. Thank you very much. Thank you, staff.

//

(Motions 1 and 2 carried by votes of 9-0-2 with Commissioners Byers and Hall abstaining; Commissioner Harsel absent from the meeting.)

(Motion 3 carried by a vote of 8-1-2 with Commissioner Wilson opposed; Commissioners Byers and Hall abstaining; Commissioner Harsel absent from the meeting.)

(Motions 4 through 15 carried by votes of 9-0-2 with Commissioners Byers and Hall abstaining; Commissioner Harsel absent from the meeting.)

(Motions 16 through 18 carried by votes of 10-0-1 with Commissioner Hall abstaining; Commissioner Harsel absent from the meeting.)

KAD