County of Fairfax, Virginia

2012 Planning Commission

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July 24, 2012

Stephen Teets, Engineer
Edens & Avant
7200 Wisconsin Avenue, Suite 400
Bethesda, MD 20814

RE: CSPA 2005-PR-041 – Eskridge (E&A) LLC and
CSPA 2003-PR-009-02– MTC Commercial, LLC
Providence District

Dear Mr. Teets:

The purpose of this letter is to formally advise you, as the agent for the applicant on the above referenced cases, that on Thursday, July 12, 2012, the Planning Commission voted unanimously (Commissioners Alcorn, Flanagan, Hall, and Migliaccio absent from the meeting) to approve CSPA 2003-PR-009-02 and CSPA 2005-PR-041, subject to the amended development conditions dated June 27, 2012, as attached.

Also enclosed for your records is a copy of the verbatim of the Commission's action on this matter. If you need additional information, please let me know.

Sincerely,

Barbara J. Lippa

Barbara J. Lippa
Executive Director

Attachments (a/s)
cc: Linda Smyth, Supervisor, Providence District
Ken Lawrence, Commissioner, Providence District
William O'Donnell, Staff Coordinator, ZED, DPZ
July 12, 2012 Date File
O-8c file

To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.

Fairfax County Planning Commission
12000 Government Center Parkway, Suite 330, Fairfax, VA 22035
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DEVELOPMENT CONDITIONS

CSPA 2005-PR-041

June 27, 2012

If it is the intent of the Planning Commission to approve CSPA 2005-PR-041, located at Tax Map 49-3((37)) D, H, J pt., & K, 49-3((38))(1) 1-11, 49-3((38))(2) 1-4, and 49-3((38)) 1-4 to allow a Comprehensive Sign Plan Amendment (CSPA) pursuant to Section 12-210 of the Fairfax County Zoning Ordinance, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions. The approval of this CSPA supersedes all conditions of the previously approved sign plan.

1. This Comprehensive Signage Plan Amendment 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 area may be permitted when the Zoning Administrator determines that such deviations are minor and are in substantial conformance with the Comprehensive Signage Plan.

2. This "Mosaic Comprehensive Sign Plan Amendment" prepared by Edens & Avant, Inc. dated May 7, 2012 is approved only for those signs shown on the Comprehensive Signage Plan. In addition, signs allowed by Section 12-103 in the Zoning Ordinance may be permitted, as 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 (if the Non-RUP has been issued) 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, or package of sign permits, 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.

4. The programming of the outdoor video screen will be in accordance with that outlined in the CSPA. All outdoor speakers or sound amplification devices used in conjunction with the programming of the Video screen will be in accordance with Article 14-700 of the Fairfax County Zoning Ordinance and Section 108-4 of the Fairfax County Code. Hours of operation of the video screen shall be between the hours of 6:30 a.m. through 12:00 a.m., Sunday through Thursday and 6:30 a.m. through 1:00 a.m. Friday through Saturday. Sound shall be only permitted when showing movies and with other projected images (such as major sporting events, concerts, and special events of a national and/or community interest and or art displays), and only after 7:00 a.m., provided that noise standards are met.

5. Traffic regulatory signage shall meet the Manual on Uniform Traffic Control Devices (MUTCD) and Virginia Department of Transportation (VDOT) standards.

6. All freestanding permanent signs and all sandwich boards (Sign Type T03) shall maintain a minimum three-foot setback from any curb line, or vehicular travelway and shall not

restrict sight distance for drivers entering or exiting travel intersections, aisles or driveways. All freestanding permanent signs shall be located so as to not block any pedestrian walkway or travelway.

7. Where there is a conflict between the number of freestanding signs shown on the site plan and the number referenced in the matrix, the matrix shall govern the number of allowed signs.

8. ST122A (pedestrian ad cabinets) shall maintain an eight foot clear zone between any adjacent building and the sign, except along Glass Alley and Strawberry Lane west of District Avenue, which shall maintain a six-foot clear zone..

9. ST122A (pedestrian ad cabinets) shall permit only advertisements for events and businesses, and brands within and relating to the town center; specific product advertisement is prohibited.

10. ST122A signs located adjacent to Buildings A1 and A4 shall have one side for wayfinding purposes only showing site maps of the Merrifield Town Center.

11. Notwithstanding what is shown on the site plan and in the sign matrix, sign type ST121 shall be prohibited.

12. Project identification signage shall be coordinated throughout the Merrifield Town Center; however, a small unique development logo may be included on the sign. Banners should be identical throughout the Merrifield Town Center, except for a small unique development logo.

13. All signs shall be consistent with the color palette, typography and the use of logos indicated in the Comprehensive Signage Plan Amendment.

14. Illumination of signs shall be in conformance with the performance standards for glare as set forth in Article 14 of the Zoning Ordinance.

15. Any signs shown in the VDOT right of way are subject to all required reviews and approvals from the Virginia Department of Transportation.

16. Notwithstanding what is shown in the sign matrix and site plan, at no time shall building mounted façade signage exceed 20% of the façade area of any individual façade with the exception of Building D2, which may incorporate signage consisting of up to 24% of each façade. For the purposes of calculating sign area, a sign shall only be counted on one façade, even if visible through another façade.

17. Specific images related to the name of the establishment, its trademark, products or services offered (for example use of a dog for a pet store), subject to the restrictions of this CSPA. Images which do not meet these criteria may be considered art and therefore exempt from the sign restrictions.

18. Display windows and building-mounted ad cabinets (ST122B) may include seasonal decoration, information about events, branding, fashion displays and advertising. These may be used for any tenants, but within the Merrifield Town Center.

19. The use of temporary signage for programmed events within the Town Center to provide directional, way-finding and other event details will be permitted, with a 72 hour limit on each use.

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 himself responsible for obtaining the required Sign Permits through established procedures.

DEVELOPMENT CONDITIONS

CSPA 2003-PR-009-02

June 27, 2012

If it is the intent of the Planning Commission to approve CSPA 2003-PR-009-02, located at Tax Map 49-4((17)) 100-517, C1-C4 and 49-4((17))(2) 100-522, C1-C4, to allow a Comprehensive Sign Plan (CSPA) pursuant to Section 12-210 of the Fairfax County Zoning Ordinance, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions. The approval of this CSPA supersedes all conditions of the previously approved sign plan.

1. This Comprehensive Signage 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 area may be permitted when the Zoning Administrator determines that such deviations are minor and are in substantial conformance with the Comprehensive Signage Plan.

2. This "Vantage at Merrifield Town Center - Comprehensive Sign Plan" prepared by Uniwest Group, Gable Signs, Inc., Davis Carter, Scott Ltd. and Walter Montgomery Howard, dated December 2006 as revised through November 2011, is approved only for those signs shown on the Comprehensive Signage Plan Amendment; existing signs in the Vantage at Merrifield Town Center are in no way altered or changed by this approval. In addition, signs allowed by Section 12-103 in the Zoning Ordinance may be permitted, as 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 (if the Non-RUP has been issued) 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 , or package of sign permits, 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.

4. Traffic regulatory signage shall meet the Manual on Uniform Traffic Control Devices (MUTCD) and Virginia Department of Transportation (VDOT) standards.

5. All freestanding permanent signs shall maintain a minimum five-foot setback from any curb line or vehicular travelway so as not to restrict sight distance for drivers entering or exiting travel intersections, aisles or driveways. All freestanding permanent signs shall be located so as to not block any pedestrian walkway or travelway.

6. Where there is a conflict between the number of freestanding signs shown on the site plan and the number referenced in the matrix, the matrix shall govern the number of allowed signs.

7. Project identification signage shall be coordinated throughout the Merrifield Town Center; however a small unique development logo may be included on the sign. Banners should be identical throughout the Merrifield Town Center, except for a small unique development logo.

8. All signs shall be consistent with the color palette, typography and the use of logos indicated in the Comprehensive Signage Plan Amendment.

9. ST102 signs located on Gallows Road and Lee Highway shall display a mixture of tenants from the Vantage and Mosaic projects within the Merrifield Town Center.

10. Illumination of signs shall be in conformance with the performance standards for glare as set forth in Article 14 of the Zoning Ordinance.

11. Any signs shown in the VDOT right of way are subject to all required reviews and approvals from the Virginia Department of Transportation.

12. Specific images related to the name of the establishment, its trademark, products or services offered (for example use of a dog for a pet store), shall be considered as signs, subject to the restrictions of this CSP. Images which do not meet these criteria may be considered art and therefore exempt from the sign restrictions.

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 himself responsible for obtaining the required Sign Permits through established procedures.

Planning Commission Meeting
July 12, 2012
Verbatim Excerpt

CSPA 2003-PR-009-02 – MTC COMMERCIAL, LLC
CSPA 2005-PR-041 – ESKRIDGE (E&A), LLC

After the Close of the Public Hearing

Chairman Murphy: Public Hearing is closed; recognize Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. It's hard to see how this could be more straightforward. They want one more small sign for their art theater and they need to do a couple of editorial corrections for things that happened before. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 2005-PR-041, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 27TH, 2012.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of the motion? All those in favor of the motion to approve CSPA 2005-PR-041, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 2003-PR-009-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 27TH, 2012.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Discussion? All those in favor of the motion to approve CSPA 2003-PR-009-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motions carried unanimously with Commissioners Alcorn, Flanagan, Hall, and Migliaccio absent from the meeting.)

JN