



County of Fairfax, Virginia

**2013 Planning
Commission**

May 3, 2013

Peter F. Murphy, Jr.
Chairman
Springfield District

Sara V. Mariska, Esq.
Walsh Colucci Lubeley Emrich & Walsh, PC
Courthouse Plaza, 13th Floor
2200 Clarendon Blvd.
Arlington, Virginia 22201

Frank de la Fe
Vice Chairman
Hunter Mill District

Janet R. Hall
Secretary
Mason District

**RE: CSPA C-052-02 – CESC Skyline, LLC
Mason District**

James R. Hart
Parliamentarian
At-Large

Dear Ms. Mariska:

This will serve as your record of the Planning Commission's action on CSPA C-052-02, an application by CESC Skyline, LLC, in the Mason District.

Jay Donahue
Dranesville District

On Thursday, May 2, 2013, the Planning Commission voted unanimously (Commissioner Hurley absent from the meeting) to approve CSPA C-052-02, subject to the development conditions dated May 2, 2013, as attached.

Earl L. Flanagan
Mount Vernon District

Janyce N. Hedetniemi
At-Large

Also attached for your information is a copy of the verbatim excerpt from the Planning Commission's action on this application. Should you need any additional information on this action, please do not hesitate to contact me at 703-324-2865.

Ellen "Nell" Hurley
Braddock District

John L. Litzenberger
Sully District

Kenneth A. Lawrence
Providence District

James T. Migliaccio
Lee District

Timothy J. Sargeant
At-Large

Sincerely,

Barbara J. Lippa
Executive Director

Attachments (a/s)

Barbara J. Lippa
Executive Director

cc: Penny Gross, Supervisor, Mason District
Janet Hall, Commissioner, Mason District
Michael Lynskey, Staff Coordinator, ZED, DPZ
May 2, 2013 Date File
O-8c File

Kim A. Bassarab
Assistant Director

Kara A. DeArrastia
Clerk to the Commission

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.



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PROPOSED DEVELOPMENT CONDITIONS
CSPA C-052-02
May 2, 2013

If it is the intent of the Planning Commission to approve CSPA C-052-02, located at 5275 Leesburg Pike, Tax Map 62-3-((1))-38B, for an amendment to CSP C-052, in a PDC district, 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, which will supersede any conditions associated with this 5.25-acre portion of Skyline Center. All previously approved CSP conditions governing the remaining Skyline Center Development will remain in effect.

1. This Comprehensive Sign 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 Sign Plan.
2. This "Skyline Seven (Skytech) Comprehensive Sign Plan Amendment", prepared by Cooper Carry and dated April 25, 2013 (revised) is approved only for those signs shown in this Comprehensive Sign Plan Amendment. The number, size and total sign area for each sign type shall be consistent with the table of signage on Sheets 6-7 of the CSPA. In addition, signs not requiring permits, allowed by Section 12-103 in the Ordinance, may be permitted, as qualified by these development conditions
3. The final design of modifications to the existing curved Skyline monument sign, labeled as Sign 6A and depicted on Sheet 17a of the CSPA, shall be in conformance with the style of the remainder of the CSPA, with regards to font type, materials and color.
4. The proposed Skytech Monument ID Sign, for which the CSPA details three possible location options, shall be allowed only one option to be permitted and built at any given time. The applicant reserves the right to change location options over time, within the approved location alternatives, subject to any previously permitted and/or constructed alternative being removed.
5. Location "Options 1-B or 1-C" for the Skytech Monument ID Sign shall require full approval of the Fairfax County Wastewater Management Division of DPWES, as well as Virginia Dominion Electric Power Company, which owns and maintains an easement in the affected area.
6. If either of location "Options 1-B or 1-C" for the Skytech Monument ID Sign are selected, any tree removed shall be replaced elsewhere on site as reviewed and approved by the Urban Forest Management Division (UFMD) of DPWES and in consultation with DPWES Wastewater Management Division. In addition, any

understory vegetation removed shall be replaced to the satisfaction of the UFMD of DPWES.

7. Any signs other than those included in this Comprehensive Sign Plan Amendment, previously approved Comprehensive Sign Plans, or signs not requiring permits, allowed by Section 12-103 in the Ordinance, shall require the review and approval of an additional amendment to this Comprehensive Sign Plan.
8. A matrix for signage 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.
9. All freestanding signs shall be located so as not to restrict sight distance for drivers entering or exiting travel intersections, aisles or driveways, and shall not obstruct sight distance from the existing bus shelter located on Leesburg Pike.
10. All signs shall be consistent with the color palette, typography and the use of logos indicated in the CSPA.

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
May 2, 2013
Verbatim Excerpt

CSPA C-052-02 – CESC SKYLINE, LLC (Mason District)

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Ms. Hall, please.

Commissioner Hall: Thank you, Mr. Chairman. The Planning Commission is going to vote on this application. And as you heard, there is a slight disagreement – not a big disagreement, just an itty bitty disagreement between staff and this Commissioner. However, staff is not really terribly opposed to it, but they – they don't support it in the addendum. So I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA C-052-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 29, 2013, WITH THE FOLLOWING MODIFICATIONS: CONDITION 5 SHALL BE DELETED TO ALLOW SIGN OPTION 1-C; CONDITION 6 SHALL BE MODIFIED TO STATE, "LOCATION 'OPTIONS 1-B OR 1-C' FOR THE SKYTECH MONUMENT ID SIGN SHALL REQUIRE FULL APPROVAL OF THE FAIRFAX COUNTY WATERSHED (sic) MANAGEMENT DIVISION of the DPWES –

Michael Lynskey, Zoning Evaluation Division, Department of Planning and Zoning: It's wastewater – WASTEWATER MANAGEMENT.

Commissioner Hall: What?

Mr. Lynskey: Wastewater Management Division.

Commissioner Hall: Yes, well I – WASTEWATER MANAGEMENT DIVISION OF DPWES. Anyways, AS WELL AS THE VIRGINIA DOMINION ELECTRIC POWER COMPANY, WHICH OWNS AND MAINTAINS AN EASEMENT IN THE AFFECTED AREA;" AND CONDITION NUMBER 7 SHALL BE MODIFIED TO STATE, "IF EITHER OF THE LOCATION 'OPTIONS 1-B OR 1-C' FOR SKYTECH MONUMENT ID SIGN ARE SELECTED, ANY TREE REMOVAL SHALL BE REPLACED ELSEWHERE ON THE SITE AS REVIEWED AND APPROVED BY THE URBAN FOREST MANAGEMENT DIVISION OF DPWES AND IN CONSULTATION WITH DPWES – DPWES – you know, I just love these damn acronyms – WASTEWATER MANAGEMENT DIVISION. IN ADDITION, ANY UNDERSTORY VEGETATION REMOVAL SHALL BE REPLACED TO THE SATISFACTION OF THE UFMD OF DPWES." And Mr. Chairman, I wonder if Commissioner Lawrence wants to read an additional commission – condition about the tree?

Commissioner Lawrence: I think the on-site replacement will get it. My suggestion was only in the event of tree loss – if there were a subsequent movement of the sign and that entailed some more loss of trees – could we then do a little something for the Urban Forester.

Commissioner Hall: Okay, and that's the motion.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by –

Commissioner Sargeant: Mr. Chairman?

Chairman Murphy: Hold on, did you want to say something?

Commissioner de la Fe: No, I was going to second it, but I was also going to make a comment.

Chairman Murphy: Okay, seconded by Mr. de la Fe. Go ahead.

Commissioner de la Fe: My comment is whenever you spell DPWES WMD, please spell out Wastewater Management Division. WMD nowadays means something totally different to most people.

Chairman Murphy: Yes, it does.

Commissioner de la Fe: And we do not want to go to war with Skyline.

Chairman Murphy: We do not want that in there, yes.

Commissioner Sargeant: Mr. Chairman?

Chairman Murphy: Mr. Sargeant.

Commissioner Sargeant: Even though this is a Comprehensive Sign Plan Amendment and there are no affidavits, I'm going to abstain from this vote because of the reference to utility easements.

Chairman Murphy: Okay.

Commissioner Hall: And rightfully so.

Chairman Murphy: Is there further discussion of the motion? Would you like to repeat the motion?

Commissioner Hall: No.

Chairman Murphy: All those in favor of the motion to approve CSPA C-052-02, as articulated by Ms. Hall, say aye – with the addition of the proffer (sic) by Mr. Lawrence that you can pick up from the staff report.

Commissioner de la Fe: Condition.

Commissioner Lawrence: Additional condition.

Chairman Murphy: Condition.

Mr. Lynskey: Chairman Murphy, I thought he indicated that we were okay because the language said that we would have replacement of the trees elsewhere on the site.

Chairman Murphy: Okay. We're okay. All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: Thank you, Mr. Chairman.

Chairman Murphy: One abstention.

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(The motion carried by a vote of 10-0-1 with Commissioner Sargeant abstaining; Commissioner Hurley absent from the meeting.)

JLC