



County of Fairfax, Virginia

June 25, 2015

**2015 Planning
Commission**

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Executive Director

Kimberly A. Bassarab
Assistant Director

John W. Cooper
Clerk to the Commission

Stuart Mendelsohn
Holland & Knight, LLP
1600 Tysons Boulevard, Suite 700
McLean, VA 22102

**Re: CSPA 84-D-049-04 – TYE DEVELOPMENT COMPANY, LLC
Providence District**

Dear Mr. Mendelsohn:

At its June 24, 2015 meeting, the Planning Commission voted 11-0 (Commissioner Lawrence was absent from the meeting) to **APPROVE** of the above-referenced application. A copy of the verbatim transcript is attached.

This action does not constitute exemption from the various requirements of this county and state. The applicant is responsible for ascertaining if permits are required and obtaining the necessary permits. Information concerning permits may be obtained by calling 703-222-0801.

Sincerely,

John W. Cooper
Clerk to the Planning Commission

cc: Linda Smyth, Supervisor, Providence District
James Hart, Planning Commissioner, At-Large
Ken Lawrence, Planning Commissioner, Providence District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Doug Hansen, Staff Coordinator, Planning Division, DPZ
Robert Harrison, ZED, DPZ
June 24, 2015 date 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.



APPROVED DEVELOPMENT CONDITIONS

CSPA 84-D-049-04

June 10, 2015

If it is the intent of the Planning Commission to approve CSPA 84-D-049-04, located at Tax Map 29-4 ((10)) 2A1, 2A2, 2C, 2D, 3A1, 3B1, 3C1, 3D1, 4A, 4B, 5A, 5B, 5C, 6, and B 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. These conditions are *in addition* to those approved by the Planning Commission with CSP 84-D-049.

1. This CSPA is granted for and runs with the land indicated in this application and is not transferable to other land.
2. The CSPA, titled "Fourth Amendment to Tysons II Sign Manual", prepared by Holland & Knight LLP, and dated March 31, 2015, is approved for amendment of Sign Manual Provisions 3.3 on Page 13 and 3.3 on Page 17, to permit flexibility in sign colors to accommodate more recognizable corporate logos.

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
June 24, 2015
Verbatim Excerpt

CSPA 84-D-049-04 – TYE DEVELOPMENT COMPANY, LLC (Providence District)

After Close of the Public Hearing

Chairman Murphy: Without objection, the public hearing is closed – Mr. Hart.

Commissioner Hart: Yes, Mr. Chairman, could the applicant's representative come down to the podium please?

Chairman Murphy: Would you identify yourself for the record please?

David Schneider, Applicant's Agent, Holland & Knight, LLP: Of course. Mr. Chairman, members of the Planning Commission, my name is David Schneider – I'm an attorney at Holland & Knight – and represent the applicants in this application.

Chairman Murphy: Thank you very much.

Commissioner Hart: Mr. Schneider, could you confirm for the record that you – your client has reviewed the proposed development conditions dated June 10, 2015 and agrees to them?

Mr. Schneider: Yes.

Commissioner Hart: Thank you.

Mr. Schneider: Thank you.

Commissioner Hart: Mr. Chairman, this also is a very straightforward case. It's a request to allow color on signs in Tysons II, except not for the mall or the Ritz Carlton. It's a reasonable request. It's probably something that should've been built into the original proffers 27 years ago or whatever and we're taking care of it now and – allowing color on the signs is not going to hurt anybody. It has staff's favorable recommendation and I would concur with that as well. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 84-D-049-04, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 10, 2015.

Commissioner Ulfelder: Second.

Chairman Murphy: Seconded by Mr. Ulfelder. Is there a discussion? All those in favor of the motion to approve CSPA 84-D-049-04, say aye.

Commissioners: Aye.

Chairman Murphy: Oppose? Motion carries. Thank you very much.

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(The motion carried by a vote of 11-0. Commissioner Lawrence was absent from the meeting.)

JLC