



County of Fairfax, Virginia

September 25, 2015

**2015 Planning
Commission**

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Assistant Director

John W. Cooper
Clerk to the Commission

Scott Adams
McGuireWoods, LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, VA 22102

**Re: CSPA 86-C-029-11 – BRANDYWINE OPERATING PARTNERSHIP, L.P.
Dranesville District**

Dear Mr. Adams:

At its September 24, 2015 meeting, the Planning Commission voted 9-0 (Commissioners Lawrence, Litzenberger, and Ulfelder were absent from the meeting) to **APPROVE** of the above-referenced application, subject to the development conditions dated September 9, 2015, as attached.

Enclosed for your records is a copy of the verbatim of the Commission's action on this matter. Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,


John W. Cooper
Clerk to the Planning Commission

cc: John Foust, Supervisor, Dranesville District
John Ulfelder, Planning Commissioner, Dranesville District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Michael Lynskey, Staff Coordinator, ZED, DPZ
Robert Harrison, ZED, DPZ
September 24, 2015 date file

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PROPOSED DEVELOPMENT CONDITIONS**CSPA 86-C-029-11****September 9, 2015**

If it is the intent of the Planning Commission to approve CSPA 86-C-029-11, located at Tax Map 15-2((2)) 2, 3, and 4, 15-4((1)) 1B1 and 1B2, and 15-4((2)) 6A, for an amendment to CSP 86-C-029, 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 development conditions shall supersede all previous development conditions associated with the CSP on the application parcels. Conditions carried forward from prior approvals are noted with an asterisk (*).

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 Sign Plan. *
2. This CSPA, entitled "Dulles Corner Park - Comprehensive Sign Plan Amendment", prepared by Citizen Creative and dated August 28, 2015 is approved only for those signs specified in this Comprehensive Sign Plan Amendment. Sign permits shall be obtained for such signs from the Zoning Administrator. In addition, signs not requiring permits, allowed by Section 12-103 in the Zoning Ordinance, including street and regulatory signage, shall be allowed, as qualified by these development conditions.
3. Temporary leasing signs (Sign Type G) shall be allowed without a permit, subject to the limitations of Section 12-103, Par. 3D of the Zoning Ordinance.
4. Any signs other than those specified in this Comprehensive Sign Plan Amendment and Development Conditions, previously approved Comprehensive Sign Plans, or previously approved Special Exceptions shall require the review and approval of an amendment to this Comprehensive Sign Plan. *
5. As specified on the CSPA, building-mounted signage that would otherwise be permitted by Section 12-203 of the Zoning Ordinance shall be permitted by this CSPA without requiring a CSP amendment. Building-mounted signs requiring modification of Article 12 requirements require an additional CSP amendment. No freestanding signs that require a permit shall be allowed on the application property without being permitted by the CSP or its amendments. (*new condition*)
6. 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

APPENDIX 1

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. *

7. All freestanding signs, including directional, parking, and street name signs, shall be located so as not to restrict sight distance for drivers entering or exiting travel intersections, aisles or driveways, shall be located outside of VDOT right-of-way and clear zones, and shall ensure no conflicts with proposed traffic signal infrastructure. All freestanding signs requiring a permit shall be located outside of Corner Lot Restriction areas of Section 2-505 of the Zoning Ordinance and shall maintain 5-foot clearance from the curb line of a service drive, travel lane or adjoining street, per Sect. 12-203, Par. 2 of the Zoning Ordinance.
8. All freestanding signs shall be located outside of Fairfax County utility easements, except with review and prior approval of the appropriate Fairfax County agency, and shall receive proper permissions to locate within private utility easements. *
9. The freestanding sign on Parcel 15-4((1))1B1, permitted by CSPA 86-C-029-09, shall include seasonal or permanent plantings around the sign, as depicted on CSPA 86-C-029-09. All plant materials located near the sign shall be maintained regularly to prevent overgrowth from obstructing its visibility. *
10. All signs shall be consistent with the color palette, typography and the use of logos indicated in the CSPA, unless permitted by the Director of the Zoning Evaluation Division of the Department of Planning and Zoning under the minor modification provisions of the Zoning Ordinance. *
11. Illumination of signs shall be in conformance with the performance standards set forth in Part 9 of Article 14 of the 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 himself responsible for obtaining the required Sign Permits through established procedures.

Planning Commission Meeting
September 24, 2015
Verbatim Excerpt

CSPA 86-C-029-11 – BRANDYWINE OPERATING PARTNERSHIP, L.P. (Dranesville District)

After Close of the Public Hearing

Chairman Murphy: Without objection, the public hearing is closed. Mr. de la Fe.

Commissioner de la Fe: Yes, could I have the applicants come forward, identify himself, and agree whether he agrees to the development conditions contained in the staff report.

Scott Adams, Applicant's Agents, McGuireWoods, LLP: Good evening, I'm Scott Adams with McGuireWoods on behalf of the applicant, and we agree with the development conditions.

Chairman Murphy: Thank you very much.

Mr. Adams: Thank you.

Chairman Murphy: Mr. de la Fe.

Commissioner de la Fe: Thank you. Mr. Chairman, this is a – it's interesting that Mr. Ulfelder was not here because this case, when it was originally presented, was in the Hunter Mill District. This is the part of the Hunter Mill and Dranesville Districts that change – it seems every 10 years we trade precincts. And during these – these 10 years, it's in the Dranesville District, but Mr. Ulfelder wasn't here so I'm handling it. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 86-C-029-11, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 9TH, 2015, WHICH ARE CONTAINED IN THE STAFF REPORT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor of the motion to approve CSPA 86-C-029-11, say aye.

Commissioners: Aye.

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

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(The motion carried by a vote of 9-0. Commissioners Lawrence, Litzenberger, and Ulfelder were absent from the meeting.)

JLC