



# County of Fairfax, Virginia

## MEMORANDUM

February 4, 2016

**TO:** Heather Diez, Project Coordinator  
Capital Facilities, Building Design and Construction Division

**FROM:** Jill G. Cooper, Executive Director *JG*  
Planning Commission Office

**SUBJECT:** **PCA/FDPA 2009-HM-017 – FAIRFAX COUNTY BOARD OF SUPERVISORS**  
**Dranesville District**

At its February 3, 2016 meeting, the Planning Commission voted 10-0 (Commissioners Flanagan and Sargeant were absent from the meeting) to **RECOMMEND APPROVAL** of PCA 2009-HM-017 to the Board of Supervisors, subject to the execution of proffers dated January 27, 2016. A copy of the proffers and a verbatim transcript is attached.

This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final approval. The application is still subject to the final decision by the Board of Supervisors.

Concurrently, the Planning Commission voted 10-0 (Commissioners Flanagan and Sargeant were absent from the meeting) to **APPROVE** FDPA 2009-HM-017, subject to the Board's approval of PCA 2009-HM-017. As noted above, a copy of the proffers and a verbatim transcript is attached.

Attachment (a/s)

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  
William O'Donnell, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
February 3, 2016 date file



Planning Commission Meeting  
February 3, 2016  
Verbatim Excerpt

PCA/FDPA 2009-HM-017 – FAIRFAX COUNTY BOARD OF SUPERVISORS (Dranesville District)

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Mr. Ulfelder.

Commissioner Ulfelder: Thank you, Mr. Chairman. There's a reason why this area is the Rocks Development, this site. And it's been well-known and I'm glad that they were able to, through the engineering process, to really come up with a solution to do this. We're only talking about a 12-foot increase in height overall for the building – for the garage. And this is in a very important feature of this – this area as it further develops in connection with the Metro Silver Line and the transit-oriented development plans for this area. So with that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF PCA 2009-HM-017 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, SUBJECT TO PROFFERS DATED JANUARY 27<sup>TH</sup>, 2016.

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 recommend to the Board of Supervisors that it approve PCA 2009-HM-017, say aye.

Commissioners: Aye.

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

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 2009-HM-017, SUBJECT TO THE BOARD'S APPROVAL OF THE CONCURRENT PROFFERED CONDITION AMENDMENT APPLICATION.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of that motion? All those in favor of the motion to approve FDPA 2009-HM-017, subject to the Board's approval of the PCA, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A REAFFIRMATION OF THE LIST OF PREVIOUSLY APPROVED MODIFICATIONS AND

WAIVERS NOW DATED FEBRUARY 3<sup>RD</sup>, 2016, THAT WERE PROVIDED TO YOU TODAY AND FURTHER DISCUSSED IN THE STAFF REPORT. THIS LIST SHALL BE MADE PART OF THE RECORD OF THIS CASE.

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 as articulated by Mr. Ulfelder, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(Each motion carried by a vote of 10-0. Commissioners Flanagan and Sargeant were absent from the meeting.)

JLC

JAN 28 2016

Zoning Evaluation Division

PROFFERS

Innovation Center  
PCA 2009-HM-017

January 27, 2016

Pursuant to Section 2-2303(a), *Code of Virginia*, 1950 as amended, and subject to the Board of Supervisors approval of the requested Proffered Condition Amendment on property identified as Tax Map 015-4 ((05))-0005B pt. and 15-2 ((1)) 13A pt. (hereinafter referred to as the "Property"), the Applicant and owners for themselves, their successors and assigns hereby reaffirms the "Innovation Center South and the Innovation Center Station Garage Proffers" for RZ 2009-HM-017 dated July 25, 2014 in their entirety, except that Proffers 1, 58, and 62 as set forth therein are hereby amended as follows, with minor changes from the approved proffers underlined:

- 1) Substantial Conformance. The Property shall be developed in substantial conformance with the Conceptual Development Plan Amendment ("CDPA") and Final Development Plan Amendment ("FDPA") entitled "Innovation Center Station Garage" dated July 17, 2015 and revised through January 22, 2016, prepared by Dewberry Consultants LLC, consisting of 13 sheets. The CDPA and the FDPA are collectively referred to in these Proffers as "CDPA/FDPA."
  
- 58) Additional Design. All buildings and parking structures and the Metro Station Facilities where they front on the new North-South Road and the new East-West Road shall be architecturally finished (all four (4) sides) with compatible materials, detailing and features, provided such facades (including the facades of garages associated with a building) need not be identical. Garage facades shall be designed to screen the view of vehicles from the surrounding area and shall include materials consistent with those materials shown on the CDPA/FDPA and used on the associated building and/or incorporate innovative design techniques such as incorporation of public art, vegetative screens or other screening techniques, provided such façade treatments are consistent with the standards set for in the Design Guidelines, and need not have facades identical to the associated building.
  
- 62) Building Heights. Building heights for the garage building shall not exceed the maximum or be less than the minimum building heights shown on Sheet A-104 of the CDPA/FDPA. Building heights shall be exclusive of those structures that are excluded from the maximum height regulations as set forth in Section 2-506 of the Ordinance. All building penthouses/rooftop structures shall be integrated into the architecture of the building below and shall be consistent with the Design Guidelines.

[SIGNATURES NEXT PAGE]

APPLICANT/TITLE OWNER OF TAX MAP 015-4-((05))0005B

FAIRFAX COUNTY BOARD OF SUPERVISORS

By:   
Name: Edward L. Long Jr.  
Its: County Executive

Title Owner of Tax Map 15-2((1)) 13A pt.  
Nugget Joint Venture, L.C.

By: Allen & Rocks, Inc., its manager

By: Nicholas P. H. Rocks

Nicholas P. H. Rocks, President

Board of Supervisors  
PCA/FDPA 2009-HM-017

**Waivers and Modifications**  
**February 3, 2016**

- Modification of the loading requirement in favor of the loading spaces depicted on the CDP/FDP.
- Directive to the Director of DPWES to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the CDP/FDP and as proffered.
- Modification of the Use Limitations on Corner Lots in Section 2-505 of the Zoning Ordinance to permit the proposed building, landscaping and sign locations within the Zoning Ordinance sight triangles formed by the streets along the corner lot as shown on the CDP/FDP and as proffered.
- Waiver of the Board of Supervisor's policy to permit the location of the underground stormwater management facilities in a residential area (PFM Section 6-0303.8), subject to Waiver #6848-WPFM 005-1 Conditions, dated April 10, 2014.
- Modification of the peripheral lot landscaping and screening requirements in favor of that shown on the CDP/FDP as proffered and conditioned.
- Modification of the private street limitations of Section 11-302 of the Fairfax County Zoning Ordinance.
- Modification of PFM Standard 12-0702.1B2 to permit the reduction of the minimum planting width requirement from eight feet as shown on the CDP/FDP and described in the proffers.



# County of Fairfax, Virginia

## MEMORANDUM

January 15, 2016

**TO:** Heather Diez, Project Coordinator  
Capital Facilities, Building Design and Construction Division

**FROM:** Jill G. Cooper, Executive Director *JGC*  
Planning Commission Office

**SUBJECT:** **PCA/FDPA 2009-HM-017 – FAIRFAX COUNTY BOARD OF SUPERVISORS  
Dranesville District**

At its January 14, 2016 meeting, the Planning Commission voted 11-0 (Commissioner Migliaccio was absent from the meeting) to **DEFER THE PUBLIC HEARING** on the above referenced applications to February 3, 2016. A copy of the verbatim transcript is attached.

Attachment (a/s)

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  
William O'Donnell, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
January 14, 2016 date file



Planning Commission Meeting  
January 14, 2016  
Verbatim Excerpt

PCA/FDPA 2009-HM-017 – FAIRFAX COUNTY BOARD OF SUPERVISORS  
(Dranesville District)

During Commission Matters

Commissioner Ulfelder: Thank you, Mr. Chairman. We need to defer a scheduled public hearing to a date in February. So with that, I ask – I MOVE THAT THE COMMISSION DEFER THE PUBLIC HEARING ON PCA/FDPA 2009-HM-017, FAIRFAX COUNTY BOARD OF SUPERVISORS, TO THE DATE OF FEBRUARY 3<sup>RD</sup>, 2016.

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 defer the public hearing on this item to 2/3/16, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

JLC