Planning Commission Meeting
July 14, 2010
Verbatim Excerpt

APR# 09-IV-17MV – Lee and Mount Vernon Districts

Decision Only During Commission Matters
(Public Hearing held on June 16, 2010)

Commissioner Flanagan: Yes. Thank you, Mr. Chairman. I have a decision only that was deferred from June 16. As I mentioned at that - - the June 30th APR markup session, APR 09-IV-17MV was nominated by the Mount Vernon Council in response to a recommendation by the Planning Commission and the Southeast Fairfax Development Corporation to revisit one of the Richmond Highway Urban Design Guidelines. The nomination proposes inserting a green building exemption into an Urban Design Guideline regarding commercial buildings along Richmond Highway. The guideline now states, "Where feasible, orient commercial buildings toward the road with parking lots to the side and rear to create an urban atmosphere," and was the focus of debate during the public hearing of the 2007 rezoning application of a Daks Restaurant on Richmond Highway in Woodlawn. That was rezoning application RZ 2007-MV-004. The exemption would add the phrase, "Unless required for a green building certification," and would add that the guidelines to read, "Where feasible, unless required for a green building certification, orient commercial buildings toward the road." The Lee District APR Task Force and staff recommend that the Planning Commission deny APR nomination 09-IV-17MV and retain the adopted Plan, while the Mount Vernon District APR Task Force recommended that the nomination be adopted as proposed. Over the process of review by staff, nominator, Task Forces, and public hearing, a larger community concern surfaced as the impetus behind this nomination. The concern relates to the approval and development of inconsistent setbacks and building alignments along Richmond Highway Corridor. A secondary issue also arose related to the conflicting roadway and cross section guidelines within the Comprehensive Plan and complications of the situation. These concerns about the Urban Design Guidelines and when and whether they are implemented are broader than the scope of the original nomination and therefore, cannot be addressed as part of the proposed nomination. As a result, the need for the proposed amendment is diminished in favor of addressing the larger concern. Staff has begun surveying development history of the buildings along the Corridor and have found that most construction has occurred by-right or during special exception and rezoning applications. In order to continue their pursuits, staff has requested additional direction from the Planning Commission. I believe this assessment will yield important information about the interrelated issues of setback, streetscape, and cross section guidance - - guidelines for the Corridor and authorization by the Board of Supervisors is necessary. I also believe that guidance for the County's 1997 Revitalization Analysis for Richmond Highway study, prepared by the Robert Charles Lesser and Company Corporation, should provide additional guidance for the assessment. Therefore, I have two motions prepared for tonight and I'll read both of them, but we'll vote on them separately. First, I MOVE THAT THE PLANNING COMMISSION DENY APR NOMINATION 09-IV-17MV AND RETAIN THE CURRENT PLAN, AS NEW INFORMATION HAS COME TO LIGHT SUBSEQUENT TO THE TASK FORCE MEETINGS AND WARRANTS A DIFFERENT TYPE OF ANALYSIS. Second, I move - -

Chairman Murphy: No.

Commissioner Flanagan: - - that the Planning Commission - -

Commissioner Hart: Wait. Stop, stop, stop.

Chairman Murphy: Is there a second to that motion?

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to deny APR 09-IV-17MV, say aye.

Commissioners: Aye.

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

Commissioner Lawrence: Abstain, not present for the public hearing.

Chairman Murphy: Okay.

Commissioner Flanagan: Second - -

Chairman Murphy: Mr. Lawrence abstains.

Commissioner Flanagan: Mr. - -

Chairman Murphy: Mr. Migliaccio abstains [sic].

Commissioner Flanagan: - - abstains. Second, I MOVE THAT THE PLANNING COMMISSION REQUEST THAT STAFF WORK WITH SUPERVISORS JEFF MCKAY AND GERRY HYLAND TO PREPARE A JOINT BOARD MATTER, WHICH WOULD AUTHORIZE ADDITIONAL EXAMINATION OF THE CROSSROAD SECTIONS, STREETSCAPES, BUILDING LOCATION, AND ORIENTATION GUIDELINES ALONG RICHMOND HIGHWAY, IN ORDER TO VERIFY THAT CONSISTENT AND LOGICAL GUIDANCE IS RECOMMENDED IN THE COMPREHENSIVE PLAN.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. And on that last motion, take the abstention of Mr. Migliaccio and make it an "aye." He was present, although not a member of the Commission, but he was in the audience that night so he was present for the public hearing. My apologies. Okay.

Commissioner Lawrence: Abstain, same reason.

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(The motions carried by votes of 9-0-1 with Commissioner Lawrence abstaining; Commissioners Donahue and Hall absent from the meeting.)

KAD