

Planning Commission Meeting
March 26, 2009
Verbatim Excerpt

PCA 1998-LE-064 – SPRINGFIELD PARCEL C, LLC
RZ 2008-LE-015 – SPRINGFIELD PARCEL C, LLC

Decision Only During Commission Matters
(Public Hearing on March 11, 2009)

Commissioner Lusk: Thank you, Mr. Chairman. The Planning Commission will recall that we deferred decision only for Springfield Parcel C, LLC, to this evening. There were a number of proffer revisions that were discussed at the public hearing and the language has been finalized and now available for your review in the proffers that are now dated March 23, 2009. The first issue concerned the 82-foot setback. The applicant is proposing to develop its office buildings with an 82-foot setback to accommodate potential BRAC agencies or government contract users. The setback is a requirement of the Department of Defense to address Force Protection guidelines set by then Secretary Rumsfeld in 2005 for DOD facilities. Since this developer, Boston Properties, is proposing to market these buildings to DOD contractors in hopes to secure leases from these entities, I agree with their need for flexibility to ensure that these buildings can be developed with the required 82-foot setback. With this in mind, I also recognize that these setback requirements could be reduced and the applicant could ultimately pre-lease these buildings to a user or series of users that are neither DOD agency or contract entities. In the event that either of these things happen, the applicant will have the ability to reduce the setback and per the change to Proffer Number 1(b), "should tenant requirements not include a minimum setback, the applicant shall consider a reduction in those setbacks as shown on the GDP." If the setback is reduced, then these proposed buildings could be located closer to the street and would become more urban in both their look and feel. Issue two concerns the TDM and transportation-related concerns. Staff has been very clear in their request that the applicant increase the goal of reducing the percentage of single-occupancy vehicle trips from 15 to 20 percent. The staff position is based on the proximity of this site to the Franconia-Springfield Metro Center. And per Proffer 4(a), the applicant has agreed to this 20 percent reduction. Additionally, the applicant has agreed to provide 200 SmarTrip cards, with a value of \$25, for employees of each of these buildings to promote the use of mass transit. We selected this number of SmarTrip cards because it represents approximately 20 percent of the total number of employees that will be working in each of these buildings. And this dissemination of SmarTrip cards will help create and encourage the use of mass transit in the area. Shuttle bus service. Per Proffer 4(f)(i) [sic], the applicant has agreed to participate in the regional bus circulator system that would provide the employees of this development with access to the Metro and Springfield Mall. Using this circulator will help reduce the number of vehicular trips taken by employees wishing to dine or shop at the mall. Issue three concerns design. The applicant has agreed to refine the language in Proffer 9(e) that addresses the low-level security wall, to change it from what was originally stated as "poured-in-place concrete" to "concrete that is similar to pre-cast as utilized on the office buildings." This change will ensure that the appearance of this wall does not end of being too institutional or akin to a Jersey barrier. Additionally, the applicant will be bringing the final architectural drawings to the Lee District Supervisor and Planning Commissioner for review. We also discussed the loading dock, and in Proffer Number 9(h), the applicant is proposing to

lower by four feet, the loading dock area and this will help minimize its appearance and to address a number of concerns that we heard at the public hearing. In conclusion, these applications will permit the redevelopment of the site that is a stone's throw from the GSA Warehouse. While this proposal may not be perfect, I would submit that it offers the best chance for teeing up the future development on the 68-acre site that currently houses almost one million square feet of warehouse and other uses. And we all would agree that based on the GSA proximity to the Springfield-Franconia Metro, it is a truly underutilized site that is ripe for redevelopment. Just as importantly, I believe, the proposal before us this evening offers us a glimpse into how this property might redevelop. The applications that we have before us are supported by the staff [sic] and they're also supported by the Lee District Land Use Committee. They're in harmony with the Comprehensive Plan and also the Zoning Ordinance. So with that, Mr. Chairman, I will now make a series of motions. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 1998-LE-064, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MARCH 23, 2009.

Commissioners Sargeant and de la Fe: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Hart [sic]. Is there a discussion of the motion?

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Mr. Hart. I'm sorry - - it was Mr. de la Fe, not Mr. Hart.

Commissioner Hart: Yes, I didn't second it.

Chairman Murphy: Okay.

Commissioner Hart: I had a question for staff. I thought staff was still recommending denial. Has that changed?

Suzanne Lin: No, that's correct, still recommending denial.

Commissioner Hart: Okay, thank you.

Commissioner Lawrence: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Lawrence: I, too, have a question for staff. Has the applicant done anything about the parking? Has there been any reduction in the number of parking spaces?

Ms. Lin: No, there has not.

Commissioner Lawrence: Thank you.

Commissioner Flanagan: Mr. Chairman?

Chairman Murphy: Mr. Flanagan.

Commissioner Flanagan: Yes, I have a question for staff as well. The request of - - the staff is recommending denial based upon the fact that the Plan's goal for creating a transit-oriented development has not been met. Was there any suggestion on the staff as to how the adjacent parcel could be developed in the future in such a way as to create what would comply with the transit-oriented development?

Ms. Lin: By the adjacent parcel, do you mean the GSA building, that whole - -

Commissioner Flanagan: No, no. Going in the other direction toward the - -

Ms. Lin: The rest of the Boston Properties.

Commissioner Flanagan: Right, the rest of the Boston Property.

Ms. Lin: We didn't really address that portion. It wasn't part of the application property. The only thing we saw was the same photo that - - or diagram that was shown at the public hearing that showed the parking garage - - garages in the middle, but we didn't really address that as part of staff's review.

Commissioner Flanagan: I think at the public hearing, I think the applicant indicated that there was no way that they could incorporate such a commitment, you know, in the present proffers. Is that correct?

Ms. Lin: They - - my understanding, and if we have to ask the applicant, my understanding was that the proffer commitments would only apply to the case before us and that the only thing I really understood was that they couldn't affect the setbacks due to their requirements for the DOD security. I'm not sure if that answers.

Commissioner Flanagan: My other concern was the fact that the loading dock was such a feature, and I see that the proffers have been amended to lower the loading dock by four feet. Does - - do you think that that adequately addresses the problem with the loading dock at that location?

Ms. Lin: We do not. The - - the ultimate - - or the discussion in the staff report basically indicated that by having a loading dock on that side of - - next to Springfield Center Drive Extended, you were losing the activation of that - - of that wall on that side of building. And we always have wanted something better for that side than a loading dock. Reducing the - - the

elevation of it was a step, but that wasn't what we had suggested. We had just suggested that in some way moving the loading dock, perhaps to the rear of the building or somewhere else.

Commissioner Flanagan: Mr. Chairman, my hopes were that those issues, you know, would have been better addressed, so I will be not supporting this application.

Chairman Murphy: Further discussion of the motion? All those in favor - -

Commissioner Harsel: Mr. Chairman, I will - -

Chairman Murphy: Ms. Harsel.

Commissioner Harsel: I will abstain. I was not here for the public hearing.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to approve - - recommend to the Board of Supervisors to approve PCA 1998-LE-064, say aye.

Commissioners de la Fe, Lusk, Murphy, and Sargeant: Aye.

Chairman Murphy: Opposed?

Commissioners Donahue, Flanagan, Hart, and Lawrence: Nay.

Commissioner Alcorn: Abstain.

Commissioner Harsel: Abstain.

Chairman Murphy: All right, the motion - - let's have division. Mr. Donahue.

Commissioner Donahue: No.

Chairman Murphy: Mr. Sargeant.

Commissioner Sargeant: Aye.

Chairman Murphy: Mr. Lawrence.

Commissioner Lawrence: No.

Chairman Murphy: Mr. Lusk.

Commissioner Lusk: Aye.

Chairman Murphy: Mr. Alcorn.

Commissioner Alcorn: Abstain.

Chairman Murphy: Ms. Harsel.

Commissioner Harsel: Abstain.

Chairman Murphy: Mr. de la Fe.

Commissioner de la Fe: Aye.

Chairman Murphy: Mr. Hart.

Commissioner Hart: No.

Chairman Murphy: Mr. Flanagan.

Commissioner Flanagan: No.

Chairman Murphy: And the Chair votes "aye." And the motion fails, four to four.

Commissioner Lusk: Oh, you're right.

Commissioner Alcorn: Mr. Chairman?

Chairman Murphy: Mr. Alcorn.

Commissioner Alcorn: Can we defer the motion?

Chairman Murphy: Go ahead.

Commissioner Alcorn: Actually, it has to be someone on the prevailing side.

Chairman Murphy: Yes, who was on the - -

Commissioner Harsel: But there's no prevailing side.

Chairman Murphy: Well, there's no - - go ahead and you can do it. Well, yes, the no's would be the prevailing side. Does anyone make a motion to table the motion?

Commissioner Hart: And defer it again?

Chairman Murphy: And defer it again. Yes.

Commissioner Hart: All right. Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Hart: I was on the - - I was a "no," so I guess I - -

Chairman Murphy: Okay, go ahead.

Commissioner Hart: I make the MOTION THAT WE TABLE THIS MATTER AND DEFER THE DECISION AGAIN TO - - whatever the next available date is going to be for - - Ms. Lin, is that APRIL 15?

Ms. Lin: That would be the next date that the Planning Commission is having a hearing.

Commissioner Hart: And does Ms. Strobel need to be here for that?

Commissioner Alcorn: Is there a Board date?

Commissioner Hart: I don't think so. All right, that's my motion.

Commissioners Lawrence and Donahue: Second.

Chairman Murphy: Seconded by Mr. Lawrence and Mr. Donahue. Is there a discussion of the motion? All those in favor of the motion to table this application to a date certain of April 15th, with the record remaining open for comment, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Harsel: Abstain.

Chairman Murphy: Motion carries. Ms. Harsel abstains.

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(The first motion failed by a vote of 4-4-2 with Commissioners de la Fe, Lusk, Murphy, and Sargeant in favor; Commissioners Donahue, Flanagan, Hart, and Lawrence opposed; Commissioners Alcorn and Harsel abstaining; Commissioners Hall and Litzenberger absent from the meeting.)

(The second motion carried by a vote of 9-0-1 with Commissioner Harsel abstaining; Commissioners Hall and Litzenberger absent from the meeting.)

KAD