

Planning Commission Meeting
April 26, 2012
Verbatim Excerpt

S11-I-B1 – COMPREHENSIVE PLAN AMENDMENT (PEACE VALLEY LANE)

Decision Only During Commission Matters
(Public Hearing held on February 9, 2012)

Chairman Murphy: Ms. Hall.

Commissioner Hall: Thank you, Mr. Chairman. Back in February, you heard a proposed Comprehensive Plan Amendment. The application number – or item number – is S11-I-B1. It is for – it's located on Peace Valley Lane north of Colmac Drive and south of the Vinewood Townhouses. Now I'm sure you all have been inundated with emails and I'm going to try to break this down and make it as simple and as straightforward as I can. First, as I usually do is – I announce what the position of the Mason District Land Use Committee is. The Mason District Land Use Committee does not support this Plan Amendment. It had quite a hearing and many of the people from Ravenwood Park came in and spoke in opposition. However, the people who are directly affected by this in the R-3 zoning were in favor of being involved in the development. I've often said that land use is not a popularity contest. It isn't how many votes you get on one side versus the other. If that was the case, we wouldn't need a Zoning Ordinance. You wouldn't need a Planning Commissioner and we wouldn't spend our nights together out here on this dais.

Chairman Murphy: Aw.

Commissioner Hall: Aw – okay. You have to make sense. You have to look at each application as it comes before you if you are a district Planning Commissioner. Whether people like what you come up with or not – you know, I believe that I provide access to everybody who wants to speak to me and I consider everything that is said. The first issue is access. For as long as I can remember and a lot longer, Peace Valley terminates right there by Colmac Drive and there is an iron pole that goes across it. It's been closed for years. It is right down the street from the – from JEB Stuart High School. It's always been closed. This site, which is just less than two acres, did have a single-family house on it for many years. And while it appeared to me that it was not really part of the Ravenwood Community because it did not access that community, it did have its access through Route 7. I've been assured that the person who lived there always considered that property to be part of the community. So the first question is access. Everyone agrees that they do not want Peace Valley to go all the way to Route 7 and I support that. However, that's not the question that is being asked by this Plan Amendment. The reality of it is whether the site remains the way it is, whether it is developed by-right, or if this option is approved and it is developed with access going north to Route 7, there is no guarantee that VDOT will not at some time in the future say, "Oh gee, wouldn't it be a great idea to open that up all the way?" As I said, no one is supporting that. And whether the site is developed by-right and accesses Ravenwood by Colmac or whether it takes the traditional access, which is to Route 7 where you can still see the existing driveway – that is not being discussed or evaluated as part of the Plan Amendment. And it's my understanding that language cannot go into the Plan so the reason I am discussing it is that's the first thing most community members will say that what you're doing is opening this up. What we are proposing is not to open Peace Valley. It can either be developed going north or it can be developed going south. Nothing supports Peace Valley going to Route 7.

I want that perfectly clear. And for those people who wanted to see language in the Comprehensive Plan prohibiting VDOT from doing a road that goes straight to 7, that's the reason you don't see it. We can't do it. We don't tell VDOT what to do and the language does not appear. However, clearly the intent is that there will be only one access point. That is one of the primary concerns. One of the things that have been very frustrating for me as a Planning Commissioner when dealing with this application, which has generated a lot of interest, is the difference between a Plan Amendment and a rezoning application. This is a Plan Amendment and most members of the community are exceedingly frustrated by the fact that they don't have details. It doesn't talk about stormwater management. It doesn't talk about setbacks. It doesn't talk about all sorts of things. And I understand that because I prefer to see things in writing and to the greatest extent, I have worked with staff to get as much language which addresses the concerns of not only the community at large, but those people who are directly affected – that what they are expecting to see is in fact what will happen if this option is exercised. The current density is R-3. Ravenwood is an established neighborhood. It has no doubt – there is no doubt in my mind that it will continue to prosper for many years. It has a great deal of community spirit and if the property was to be developed by-right and nothing in this language takes away that option, the community would welcome these new houses in if it was to Colmac. However, this property, as I mentioned, is just down the street from the high school. The reason this property is even being considered is there was a single family dwelling unit on it that was blighted. Many years ago when Ravenwood was built, this parcel got skipped over if you will. And it only had one house on it, which was accessed from Route 7. Now that house is gone and what we have is this attempt to deal with this property. I've walked around the property. The blighted house is gone and I have lots of photographs of what looks like parties. There are a lot of – you know, drinking – not only soda and water, there were some beer cans, there was some of that Jolt or something – clearly it's a nice place to party and it's right on down the road from the high school. And I'm not blaming necessarily the high school students, but – you know, when you have this vacuum it gets filled with something. So I think it's prudent to consider another option and that option is the one that was further defined in the amendment to the staff report, which was dated – and I have the old one that I'm looking at, which is not the right one. Let me borrow this. Thank you, you don't need it – April 18. The density is – for an option – is three to four. That would produce a maximum of seven dwelling units. There is no guarantee that there will be seven. That is just the possible maximum. It all depends around the rezoning application. Why this would be beneficial is it would require that the traffic go to Route 7 and not through the community. It would also allow for the community to try to secure the mature trees and the other significant vegetation that is on the site. There is also a requirement that the houses be placed 35 feet from the rear property line, which is something that I gather was discussed with the neighbors that abut this property and they're anticipating it. So I wanted to make sure that it was, in fact, included. Now again, I was talking about density – you have R-3 on two sides, but this property abuts R-8 townhomes. It also is adjacent to a large parking lot from the church, which then has condos and apartments on R-30 and R-20. I think that the slight increase in density to address the access issue warranted in this case. We're also talking about the trail and that it should be designed and constructed in a manner that maximizes the existing quality, trees, and vegetation. Last but not least, I don't know what's going to happen with this property. I do know that the existing zoning remains. I do know that if a rezoning application comes forward, it will be well vetted by not only the community but the Mason District Land Use Committee. And I think it provides the community the very best in two options to deal with this site. With that

being said, Mr. Chairman, I MOVE TO RECOMMEND THE VERSION OF PLAN TEXT PROPOSED ON APRIL 18, 2012, BE APPROVED BY THE PLANNING COMMISSION.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt Plan Amendment S11-I-B1 with the language submitted this evening dated April 18, 2012, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried unanimously with Commissioners Alcorn and Lawrence absent from the meeting.)

JLC