Planning Commission Meeting
June 30, 2010
Verbatim Excerpt

APR Item #09-IV-1FS – Lee & Mount Vernon Districts

Markup Session (Public Hearing held on June 16, 2010)

Chairman Murphy: 09-IV-1FS, Mr. Flanagan.

Commissioner Flanagan: That's going to be handled by Mr. Lusk.

Commissioner Lusk: I'll happily take that one, Mr. Chairman.

Chairman Murphy: Okay.

Commissioner Lusk: Each of you has a package of materials. I'll be reading from that package with the actual wording and then the motion. By way of background, this nomination has been proposed to ensure that the Plan text for this area reflects the significant changes that are taking place at the Fort Belvoir North property, formerly known as the Engineering Proving Ground (EPG). This 800-acre site is currently being developed by the Department of the Army and will become the future home of the National Geospatial Intelligence Agency. When completed in September of 2011 this site will house approximately 2.4 million square feet of governmental uses and will employ over 8,500 individuals. So, in summary, for South County APR Item 09-IV-1FS, staff, the Lee District APR Task Force, and the Mount Vernon APR Task Force agreed on an alternative to the submitted nomination that takes into account feedback and comment received from other agencies during the review of this nomination. Language to describe the location of the park and transportation facilities has been added, and a reference to Biodiversity Conservation Area practices has been removed since it is out of date. Additionally, references to mixed use development at EPG that are present in the Springfield Planning District overview and the Franconia-Springfield Area overview have been removed. Furthermore, the name of the Engineer Proving Ground has been changed to Fort Belvoir North Area, and this new name is reflected in the proposed Amendment. This nomination will result in a more accurate depiction of future land use for the subject property while also retaining those recommendations from the mixed use option that are of value to the subject property and the surrounding area. Therefore, Mr. Chairman, for South County APR Item 09-IV-1FS, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE STAFF ALTERNATIVE, FOUND ON PAGE 249 THROUGH 257 OF THE STAFF REPORT, DATED JUNE 16, 2010. THIS TEXT IS ALSO PROVIDED ON PAGES 5 THROUGH 13 OF THE FINAL STAFF REPORT.

Chairman Murphy: Without objection.

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(The motion carried unanimously with Commissioner de la Fe absent from the meeting.)

JN

Planning Commission Meeting
June 30, 2010
Verbatim Excerpt

APR Item #09-IV-7MV – Lee & Mount Vernon Districts

Markup Session (Public Hearing held on June 16, 2010)

Chairman Murphy: 09-IV-7MV.

Commissioner Flanagan: Thank you, Mr. Chairman. The Mount Vernon Council submitted South County APR Item 09-IV-7MV on pages 331 and 354 of the Staff Reports book dated June 16, 2010. And they did this because the Mount Vernon Planning District was developed before Fairfax County had adopted stormwater controls and resulted in a high degree of impervious surface. The stormwater from these impervious surfaces continues to damage the four watersheds that drain the Planning District. Worse, redevelopers are now – are not required to reduce runoff now below levels of previous development, so past inadequate controls are now being perpetuated. The proposed nomination will better achieve Environmental Objective 2, Policy k of the Policy Plan by helping the County achieve improvements in water quality in our most damaged streams and meet Chesapeake Bay commitments sooner by taking advantage of redevelopment projects in this highly developed part of the County. Staff agrees with the intent of the proposed nomination but believes the nomination wording regarding recommendations for stormwater management and protection of sensitive environmental resources could have unintended consequences related to limiting the application of the recommendations to areas that are covered by a watershed management plan only. Staff proposed an alternative that added new text related to bicycle and pedestrian facilities, the restoration of degraded RPAs, the use of low impact development practices, and reductions in imperviousness. The alternative also updates the descriptions of watersheds contained within the Mount Vernon Planning District and describes how watershed management plans support State and federal water quality efforts. The language better reflects the role of the Comprehensive Plan and will encourage improved stormwater management in the Mount Vernon Planning District. The Mount Vernon and the Lee District Task Forces recommend the Staff's Alternative. During the June 16, 2010 public hearing, the nominator supported the Staff Alternative but requested two amendments that have now been reviewed and accepted by staff. Therefore, Mr. Chairman, for South County APR Item 09-IV-7MV, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE STAFF ALTERNATIVE AS MODIFIED, AND SHOWN IN MY HANDOUT DATED JUNE 30, 2010, WITH THE FOLLOWING TWO AMENDMENTS:

> 1. Change "an" at the end of the second line on page 341 to 'a-n-d' – to the word "and;" and substitute "proposed Comprehensive Plan amendments and rezoning applications" for "development projects" in the sixth line on same page, 341.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. is there a discussion? Or – without objection.

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Mr. Hart.

Commissioner Hart: I don't really have an objection. I had a question about tonight's change for staff. Is this the right time to do that?

Chairman Murphy: Go ahead.

Commissioner Hart: The last change at the bottom of the page, the sixth line on Page 341. Why would we limit it to Comprehensive Plan amendments and rezoning applications? Why would we not want to consult this information for a special exception or special permit? Why not everything?

Marianne Gardner, Planning Division, Department of Planning and Zoning: Commissioner Hart, we intended that the rezoning application term would encompass any zoning actions. If it is clearer perhaps that could just state "zoning actions" rather than rezoning applications. But we did intend for it to apply to special exceptions, special permits, and rezoning applications.

Commissioner Hart: That's what I thought. And I think when we say rezoning applications, somebody's going to read that and say that means and RZ case and not a 2232, not a special exception, special permit, whatever comes along. I think it should be whatever the word is, it should include anybody that's coming down the pike to look at that.

Chairman Murphy: Well, would you knock off the "r-e" on zoning. Yes.

Commissioner Hart: And zoning applications, of whatever category, something.

Chairman Murphy: That all right with everybody?

Commissioner Hart: Thank you, Mr. Chairman.

Chairman Murphy: Okay, without objection. That was Marianne Gardner. We know that.

Commissioner Flanagan: I accept that as a friendly amendment to my motion.

Chairman Murphy: So does Mr. Sargeant, for the record.

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(The motion carried unanimously with Commissioner de la Fe absent from the meeting.)

JN

Planning Commission Meeting
June 30, 2010
Verbatim Excerpt

APR Item #09-IV-11MV – Lee & Mount Vernon Districts

Markup Session (Public Hearing held on June 16, 2010)

Chairman Murphy: 09-IV-12- – -11MV. I almost skipped on one. Go ahead. Mr. Flanagan, I guess.

Commissioner Flanagan: Yes, thank you, Mr. Chairman. The Mount Vernon Council once again submitted APR item 09-IV-11MV on pages 355 and 373 of the Staff Report book dated June 16, 2010 because the Mount Vernon Planning District, as I mentioned before, was developed before the Fairfax County had adopted stormwater controls. And the nomination to better achieve Environmental Objective 2, Policy k of the Policy Plan by helping the County achieve improvements in water quality in our most damaged streams and also meet Chesapeake Bay commitments sooner by taking advantage of redevelopment projects in this highly developed part of the County. Staff agrees with the intent of the proposed nomination, but staff recommends approval of a staff alternative to better reflect the role of the Comprehensive Plan in promoting stormwater management. The text proposed in the staff alternative on page 360 of the Staff Report – the Staff Reports book removes that which is not enforceable through the Comprehensive Plan, replacing it with more general guidance that promotes better control of stormwater runoff in the Richmond Highway Corridor. This text will encourage improved stormwater management in the corridor, much of which has developed without adequate stormwater management controls. The Mount Vernon and the Lee District Task Forces recommend the Staff Alternative. During the June 16, 2010 public hearing, the nominator supported the Staff Alternative but requested an additional bullet paragraph on page 27 of the Comprehensive Plan for the Richmond Highway Corridor to read as follows: "Road widening projects should better control the runoff from existing paved areas. Improvements in the control of stormwater runoff from the Richmond Highway should be achieved using LID techniques and installing structural BMP's along the proposed corridor." VDOT was consulted and the answer received is that the current agreement between VDOT and DCR, the Virginia Department of Conservation and Recreation, does not include use of LID practices for stormwater management. Therefore, DCR cannot ask VDOT to implement LID at this time, nor does DCR have published credits for LID practices. A proposal to use LID practices, such as porous pavements, tree box filters, reforestation, etcetera, on a VDOT road widening project would require VDOT to get DCR concurrence on a project-by-project basis, and the request would also need to be consistent with VDOT's own established policies and regulations. Additionally, VDOT would have to agree to maintain those items inside the VDOT right-of-way or execute an agreement with the County to maintain such facilities. Based on the formidable programmatic and cost implications of the nomination, the staff alternative recommends a less prescriptive Plan text that reflects the main point of the nominations by amending the current text on page 27 of the Comprehensive Plan for the Richmond Highway Corridor as follows: "Minimize – minimize the impact of highway widening, new roadway alignments, and new development projects on adjacent residential communities and the [delete ecology of] [add: water quality and ecological

conditions of streams within] the district. I concur with this change that the staff is recommending based upon VDOT's evaluation. And so therefore, Mr. Chairman, for South County APR Item 09-IV-11MV, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE STAFF ALTERNATIVE, FOUND ON PAGE 355 THROUGH 373 OF THE STAFF REPORT BOOK, DATED JUNE 16, 2010.

Commissioner Sargeant: Second.

Chairman Murphy: Without objection.

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(The motion carried unanimously with Commissioner de la Fe absent from the meeting.)

JN

Planning Commission Meeting
June 30, 2010
Verbatim Excerpt

APR Item #09-IV-12MV – Lee District

Markup Session (Public Hearing held on June 16, 2010)

Chairman Murphy: 09-IV-12MV.

Commissioner Lusk: Mr. Chairman, I'll handle that one.

Chairman Murphy: Okay.

Commissioner Lusk: For South County APR Item 09-IV-12MV, staff, the Lee District APR Task Force, and the Mount Vernon District APR Task Force agreed on an alternative to the submitted nomination that, as stated by Mr. Flanagan and his motion in -11MV, better reflects the role of the Comprehensive Plan in providing stormwater management and environmental protection and restoration through the development process. The scope of the language proposed in the nomination is unclear and may significantly increase the difficulty for redevelopment. Much of the proposed language has been omitted or modified with alternative wording to add clarity. The alternative language will encourage improved stormwater management in the corridor, much of which has developed without adequate stormwater management controls. Therefore, Mr. Chairman, for South County APR Item 09-IV-12MV, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE STAFF ALTERNATIVE, FOUND ON PAGES 383 THROUGH 385 OF THE STAFF REPORT BOOK, DATED JUNE 16, 2010. THE TEXT IS ALSO PROVIDED ON PAGES 9 THROUGH 11 OF THE FINAL STAFF REPORT.

Chairman Murphy: Without objection.

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(The motion carried unanimously with Commissioner de la Fe absent from the meeting.)

JN

Planning Commission Meeting
June 30, 2010
Verbatim Excerpt

APR Item #09-IV-14MV – Lee District

Markup Session (Public Hearing held on June 16, 2010)

Chairman Murphy: 09-IV-14MV.

Commissioner Flanagan: Thank you, Mr. Chairman. The Mount Vernon Council submitted South County APR Item 09-IV-14MV on pages 391 through 396 of the Staff Report book dated June 16, 2010 because the Mount Vernon Planning District was developed before Fairfax County had adopted stormwater controls and resulted in a high degree of impervious surface. The stormwater from these impervious surfaces continues to damage the four watersheds that drain the Planning District. Worse, the redevelopers are not required to reduce runoff now below levels of previous development, so past inadequate controls are perpetuated. The proposed nomination will better achieve Environmental Objective 2, Policy k of the Policy Plan by helping the County achieve improvements in water quality in our most damaged streams and meet Chesapeake Bay commitments sooner by taking advantage of redevelopment projects in this highly developed part of the County. Staff agrees with the general intent of the proposed nomination, but some proposed recommendations may interfere with redevelopment along Richmond Highway. General references to the watershed planning process are supported; however, the proposed incorporation of these references into the Mount Vernon Planning District overview text in APR 09-7MV, that we previously have acted on, nullifies the need for references within individual land unit recommendations of this nomination. Staff proposes alternative language that it feels addresses the nominators' intent while adding clarity. The Mount Vernon and the Lee District Task Forces both recommend the staff alternative. During the June 16, 2010 public hearing, the nominator supported the staff alternative but requested the addition of the following text omitted from the nomination for Sub-unit A-2 on page 41 of the Comprehensive Plan for the Richmond Highway Corridor: "A stormwater management system is provided that will reduce the contribution of stormwater runoff for the site to stream degradation downstream of the site substantially. The application of Low Impact Development, LID, practices should be considered towards this end." Staff, after review, notes that the text requested by the nominator is being included already in optional text for Sub-unit A-1 and thereby automatically becomes a recommendation in Sub-unit A-2 since current A-2 optional text states that A-1 optional text be met. So therefore, Mr. Chairman, for South County APR Item 09-IV-14MV, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE STAFF ALTERNATIVE, FOUND ON PAGES 385-386 OF THE STAFF REPORT BOOK, DATED JUNE 16, 2010.

Chairman Murphy: Without objection.

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(The motion carried unanimously with Commissioner de la Fe absent from the meeting.)

JN

Planning Commission Meeting
June 30, 2010
Verbatim Excerpt

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

Markup Session (Public Hearing held on June 16, 2010)

Chairman Murphy: 09-IV-17MV. Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. The Mount Vernon Council submitted South County APR Item 09-IV-17MV on page 431 of the Staff Report book dated June 16, 2010 in response to a recommendation by the Planning Commission and Southeast Fairfax Development Corporation, the SFDC, to revisit one of the Richmond Highway Urban Design Guidelines. The nomination proposes to insert a green building exemption into one of the guidelines. The guideline in question 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, Rezoning application RZ 2007-MV-004. During the 2007 rezoning public hearing, Commissioner Sargeant noted the need to revisit the Revitalization Plans for the Richmond Highway Corridor since it appears that an increasing number of exceptions are being approved and built along the corridor, and the President of the SFDC requested a revisit of the Urban Design Guidelines in particular, since they were not meant to be a strict set of rules. The current APR offered the first opportunity for the citizens along Richmond Highway to respond to this concern. The Mount Vernon Council believes the nomination would better achieve the Plan objectives than what is currently in the adopted Plan. Staff and both the Mount Vernon and Lee Task Forces Districts reviewed and made recommendations on this nomination as the Richmond Highway corridor is split between the two districts. The Mount Vernon District Task Force recommended that the Planning Commission support the nomination as proposed. Staff and the Lee District Task Force recommended that the adopted Plan be retained. Of primary concern to staff and the Lee District was that green building is already addressed as a separate objective in the adopted Plan. At the same time, staff stated at the public hearing on June 16 that if the real issue at hand is based on a concern that a consistent street front edge is not being created on Richmond Highway, then a separate type of evaluation should be completed which focuses on the planned and existing building orientations and alignments along the highway and evaluates patterns of development. I support this type of holistic assessment of the setbacks and the streetscape and cross section guidelines for the corridor in the Area IV volume of the Comprehensive Plan. I further believe that these guidelines also will need to be reconciled with recommendations contained in the Transportation element of the Policy Plan. This type of review should utilize the recommendations of the County's 1997 Revitalization Analysis for Richmond Highway study, prepared by the Robert Charles Lesser and Company as input. Therefore Mister Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION FOR THIS NOMINATION TO JULY 14, 2010. IF APPROPRIATE AT THAT TIME, I WILL RECOMMEND THAT THE PLANNING COMMISSION REQUEST THAT THE BOARD OF SUPERVISORS DIRECT STAFF TO UNDERTAKE ANALYSES OF THE RECOMMENDED RICHMOND HIGHWAY ROAD

CROSS SECTION, AND THE PLANNED BUILDING ORIENTATION, AND LOCATION GUIDANCE IN THE RICHMOND HIGHWAY CORRIDOR URBAN DESIGN GUIDELINES. THE PURPOSE OF THE REQUESTED PLAN AMENDMENT IS TO PROPOSE CONSISTENT AND LOGICAL GUIDANCE PERTAINING TO ROAD RIGHT-OF-WAY, STREETSCAPE, AND BUILDING SETBACKS.

Chairman Murphy: Okay, without objection. I'm just curious –

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Hart: On this one, I had a question for staff also.

Chairman Murphy: Please.

Commissioner Hart: Does staff support the deferral or does staff still want to retain the adopted Plan?

Meghan Van Dam, Planning Division, Department of Planning and Zoning: Yes, at this time, we do support exactly what Earl said.

Commissioner Hart: Staff supports the deferral?

Ms. Van Dam: Yes.

Commissioner Hart: All right. Thank you.

Chairman Murphy: I just had a question. Is the 14th a realistic date, considering we're having a holiday come up and all that kind of stuff?

Ms. Van Dam: Yes, we've already begun discussions with –

Chairman Murphy: Okay. Without objection.

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(The motion carried unanimously with Commissioner de la Fe absent from the meeting.)

JN