

Planning Commission Meeting
July 9, 2009
Verbatim Excerpt

SEA 01-H-027-02 – ONE RESTON CO. LLC & TWO RESTON CO LLC

Decision Only During Commission Matters
(Public Hearing held on June 25, 2009)

Commissioner de la Fe: Thank you, Mr. Chairman. Mr. Chairman, I have a decision only on SEA 01-H-027-02, One Reston Company LLC and Two Reston Company LLC. The public hearing for this case was held on June 25th, 2009. The decision was deferred because revised development conditions were not in final form. The decision deferral date was last night, July 8th, 2009; however, the applicant raised concerns about two items in the development conditions. The decision was deferred to tonight in order to address the two issues raised at the last minute. Issue one related to the methods by which the effectiveness of the TDM plan would be evaluated. In short, the applicant was concerned that, as proposed, the effectiveness measures were not clear enough and, in the applicant's view, constituted a "major policy shift in the manner in which TDM plans have been developed and implemented in Fairfax County in the past five years." I will not address the merits of this assertion; however, I did request that the applicant and staff develop language that would be acceptable to both the applicant and the County without diluting the provisions of the TDM plan. You have tonight language that meets my request. Condition 15.D.v. has added language that permits the applicant to consider telecommuting, non-peak arrivals/departures, and other activities or programs that contribute to achievement of Plan goals. Condition 15.F was amended to add language that clarifies the methodology to be used for trip counts unless the applicant requests and FCDOT approves a different methodology. Issue two related to the expiration date of the special exception. The development conditions provided that the SE would automatically expire 30 months after approval. This time frame is the general County standard. The applicant requested that the expiration date be extended to July 1st, 2014. The applicant's request was based on a recently enacted statute that extended previously approved SEs until that date. Without addressing the merits of the applicant's argument concerning its project's market position relative to SEs that are impacted by the statutory changes to previously approved SEs, I do not believe that it is the Planning Commission's role to change standing rules. If the Board of Supervisors determines that it would be in the County's interest to change the expiration date for the SE, it certainly can do so. Mr. Chairman, as was discussed during the public hearing, the location for this project is within a transit area, the future Reston Parkway Station. Over the many months that the community and staff reviewed the application, this fact was at the forefront. What we have before us tonight is a special exception under existing zoning. However, care has been taken to assure that development under this SE does not preclude and in fact accommodates future further development that reflects transit-oriented principles. The Reston Planning and Zoning Committee has recommended approval as has the staff. I believe that, with the development conditions as now structured, this application merits approval. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 01-H-027-02, SUBJECT TO THE DEVELOPMENT CONDITIONS, CONSISTENT WITH THOSE DATED JULY 9TH, 2009.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion?

Commissioner Litzenberger: Mr. Chairman?

Chairman Murphy: Mr. Litzenberger.

Commissioner Litzenberger: Yes, I'd like to make a statement concerning this application. I'm, of course, going to support Commissioner de la Fe; however, I think in the future we may want to reconsider any future rezonings along the Dulles corridor until the special tax district is ratified and in place. Presently, with most of the funding sources for the Metrorail extension already capped, any cost overruns will be borne by the users of the Toll Road and/or our Fairfax County real estate taxes. Quite frankly, the residents of the Sully District will seldom, if ever, take the train to the airport, primarily because the airport is closer than any proposed subway station in the western part of the County. The ones benefitting the most from this rail extension is, of course, the airport, and then the landowners along the rail route. Back in the 80s, when uncontrolled growth was banging on our doorstep, the County imposed a sewer moratorium until the Comprehensive Plan could be updated and approved. I think we and the Board of Supervisors should seriously consider a train moratorium on any further rezonings in the Dulles Corridor at least until the mechanism is in place to have our property owners voluntarily sign up for the special tax district to help fund the subway. In 2002, the Comprehensive Plan was updated to include higher densities along the Dulles Corridor, in anticipation of the subway coming out to the airport. Even though the 2002 Plan is now being amended through the APR process to increase the densities yet again, I think we should not approve any more applications in this area until we can guarantee the applicant has signed up for the special tax district through the proffer process in exchange for increased densities. The good news is that this moratorium should only last about six months, compared to the one for the sewer, which lasted about four years. By taking this approach, we would significantly reduce the risk of our scarce county real estate tax dollars being needed for potential cost overruns for the subway. Thank you.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend the Board of Supervisors that it approve SEA 01-H-027-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried unanimously with Commissioner Alcorn absent from the meeting.)

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