Planning Commission Meeting
September 25, 2008
Verbatim Excerpt

SCREENING OF NORTH COUNTY APR NOMINATIONS

During Commission Matters

Chairman Murphy: Now we will go to the screening of the North County APR nominations. And Mr. de la Fe, if you'd be so kind as to read those two motions, I'd appreciate it; right on top there.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RESOLVE ITSELF INTO A COMMITTEE OF THE WHOLE FOR THE PURPOSE OF MAKING SCREENING DECISIONS ON PENDING NORTH COUNTY APR NOMINATIONS –

Commissioner Hart: Second. Sorry.

Commissioner de la Fe: – IN THE DRANESVILLE, HUNTER MILL, PROVIDENCE, AND SULLY DISTRICTS.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to resolve into a Committee of the Whole, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. de la Fe.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION CONCUR WITH THE RECOMMENDATIONS SET FORTH IN THE STAFF REPORT AND THE STAFF SUMMARY OF THE 2008 NORTH COUNTY APR NOMINATIONS DATED 9/25/08, EXCEPT AS MAY BE NOTED.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much. Now we will hear and then make a final motion as a cleansing motion, or as an end-of-the-screening motion. All right, we will go in order of the district: Dranesville District, Mr. Donahue.

Commissioner Donahue: Yes, Mr. Chairman. I MOVE – pardon me – THAT THE PLANNING COMMISSION FORWARD FOR FURTHER CONSIDERATION – excuse me – 16 APR NOMINATIONS SUBMITTED FOR THE DRANESVILLE DISTRICT AS LISTED IN MY HANDOUT, DATED SEPTEMBER 25TH, 2008.

Chairman Murphy: Without objection. Thank you very much. Hunter Mill District.

Commissioner de la Fe: Mr. Chairman, I have three motions to make. The first motion is – and I think I'd like to give a little bit of background that in the Hunter Mill Supervisory District, 28 nominations have been submitted for consideration during this APR cycle. The significant majority of the nominations are located within the Reston-Herndon Suburban Center and within the Reston Master Plan area and are related to the extension of Metrorail planned for the Dulles Toll Corridor. The Area Plan Review Guide indicates that if a nomination or a group of nominations involves a large land area and/or is highly complex, the Planning Commission may forward the nominations to the Board of Supervisors with a recommendation for a special study. I believe that 20 of the 28 Hunter Mill District nominations should be considered for deferral for a special study because as a group they meet the following criteria: the nominations cover a large geographic area; they are located near the Dulles Toll Road's planned rail stations; the issue raised by the nominations are highly complex; they propose a significant change in use, the mix of uses, and intensity related to rail; and/or they overlap with each other in geographic scope. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FORWARD TO THE BOARD OF SUPERVISORS THE RESTON-HERNDON SUBURBAN CENTER NOMINATIONS AS SHOWN ON THE TABLE IN MY MOTION THAT YOU HAVE. AND I RECOMMEND IT FOR A SPECIAL STUDY – THAT A SPECIAL STUDY BE AUTHORIZED TO CONSIDER THESE DEFERRED NOMINATIONS. I FURTHER MOVE THAT THE PLANNING COMMISSION DIRECT THE DEPARTMENT OF PLANNING AND ZONING STAFF TO OUTLINE POSSIBLE SCHEDULES AND PARAMETERS FOR A SPECIAL STUDY TO CONSIDER THE DEFERRED RESTON-HERNDON SUBURBAN CENTER NOMINATIONS.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Second, my second motion, pursuant to the direction of Hunter Mill Supervisor Cathy Hudgins, staff from the Department of Planning and Zoning is developing a recommendation for a process to review the Reston Master Plan and related sections of the Fairfax County Comprehensive Plan. APR Nomination 08-III-8UP proposes an increase in planned density abutting a stable residential area of Reston accessible only through this

neighborhood. In addition, the nomination is located in an environmentally sensitive area along Colvin Run. In light of the issues raised by the nomination I believe that it is appropriate to defer the nomination to be considered as part of the review of the Reston Master Plan. That review will provide a more appropriate process to consider the issues raised by the nomination than the Area Plan Review process. Therefore, Mr. Chairman, in the chart that you received tonight that nomination is identified correctly as to be deferred for a special study. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT APR NOMINATION 08-III-8UP BE CONSIDERED AS PART OF THE REVIEW OF THE RESTON MASTER PLAN.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSIONER FORWARD FOR FURTHER CONSIDERATION FIVE APR NOMINATIONS SUBMITTED TO THE HUNTER MILL DISTRICT AS LISTED IN MY HANDOUT DATED SEPTEMBER 25TH, 2008. AND THESE NOMINATIONS SHOULD BE REVIEWED AS PART OF THE APR PROCESS.

Chairman Murphy: Without objection. All right. Thank you very much. Providence District; Mr. Lawrence, please.

Commissioner Lawrence: Thank you, Mr. Chairman. I have a motion to make and I want to reserve some time for discussion once the motion is made. Before I make the motion, I'd like to clarify that an amendment to APR Nomination 08-II-1V was submitted on September 8th, 2008, and included in the nomination book as an insert. The amendment was later withdrawn and the original nomination will be the subject of further review. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FORWARD FOR FURTHER CONSIDERATION SEVEN APR NOMINATIONS SUBMITTED FOR THE PROVIDENCE DISTRICT AS LISTED IN MY HANDOUT, DATED SEPTEMBER 25TH, 2008.

Commissioner Sargeant: Second.

Chairman Murphy: Without objection, go ahead.

Commissioner Lawrence: Thank you, Mr. Chairman. In discussion of this motion there are a couple of points I want to make. We've attempted this time to alter our process in order to conserve the resources of staff and a task force. I've been reading the justification sections for

these nominations and I have some comments to make on each one of them actually. In the case of 08-I-1MS, we have as justification that mixed use will better achieve the goals of the Plan. And the goals of the Plan were set forward in a fairly carefully arrived at array of mixed uses, specific mixed uses, as a whole for the Merrifield Suburban Center, including quite deliberately the preservation of industrial uses. This justification section also includes a reference to this proposal as transit-oriented. We have a set of specifications for transit oriented development that were arrived at through a process chaired by Commissioner Alcorn in which we discussed two of these and how far away one is in order to still be in a TOD. I have a question for staff: How far is this land from the platform at Dunn Loring Metro?

Marianne Gardner, Department of Planning and Zoning: Commissioner Lawrence, it's approximately three-quarters of a mile.

Commissioner Lawrence: Thank you. I think that's outside the distance. The core density for these kinds of stations, as I recall it, is something like 2.25 right next to the platform. What is asked for in density in this proposal?

Ms. Gardner: Mr. – Commissioner Lawrence, I'd like to introduce Kim Rybold. She will be the coordinator for that nomination and can answer your question.

Commissioner Lawrence: Thank you very much.

Kimberly Rybold: The FAR proposed for the nomination is 2.0.

Commissioner Lawrence: I think that answer takes care of that issue with justification. Thank you very much. The next one: 08-I-2MS – and please don't mistake my motives here. This is done with all due respect. These things are not arrived at lightly and I'm not taking them lightly. But I want very much to show that we need to conserve resources. These are very bad times and they're not going to get any better any time soon. We don't want staff or task forces using up time unnecessarily. The question with this nomination is one of fit into a consistent fabric of tapering intensity beginning at the core next to the station and tapering down. We have in the Merrifield Suburban Center Plan a concept which is illustrated showing two dumbbell ends of intensity connected by Gallows Road. That raises a question whether this fits with that kind of thing. And there's a reference in the last sentence of this justification section. Let me quote it here: "The APR nomination would provide Plan language that would better achieve Plan objectives not present when the current Plan language was adopted." I'm not quite sure. I think there needs to be some clarification what these objectives might be. Again, with great respect, I'll use an extreme example to illustrate. Breeding disease-resistant ash trees is an objective I think we can all support. And it's certainly not in the Merrifield section of the Comprehensive Plan. Is that an objective that's referred to here? There may be any number of objectives that are achieved that are not in the Plan, but since we've not specified exactly what they are, it leaves questions. In the case of Merrifield at Dunn Loring Station, 08-1-3MS, does the – there's encouraging data concerning mode splits in areas that are close to transit. The question is: Does

this encouraging data fully support the growth in intensity that's asked for, particularly considering the inevitable impacts of this growth? And indeed if you look at these nominations as a whole there is considerable impact coming from them since all but one asked for increases in intensity, and they're usually not trivial increases. On pages 31 and -2 of your nomination book here is given the existing Plan. And in the existing Plan there are two references: one is one – a list of bullets. It says, "Residential development should create a viable living environment by providing recreation and other amenities to the residents." And then on the next page: "Residential development should provide for a neighborhood park within this subunit or contribute toward the purchase of land for a neighborhood park," in the next subunit, B6. There's a lengthy statement of justification here. I might have missed it. Maybe it's there and I didn't see it. But I see no reference to either of those prominent points in the current Plan. I'm not sure that achieves Plan objectives better. Again, in -II-1, the – that's the one at the Pan Am Shopping Center – the same question arises. What is it that supports the asked for density, particularly considering its impact and what it is that surrounds this area? There's discussion of proximity to Metro. Well, again, the question arises as it did with TODs, what is this proximity in terms of distance? And incidentally, are there not major barriers in between, such as Lee Highway with many lanes to cross and Nutley with many lanes to cross? We already have fairly serious transportation problems in that area. Commissioners will recall that a couple of weeks ago we denied an application across Nutley from the Pan Am Shopping Center because of transportation difficulties. That was commercial, not residential. Nevertheless, it remains a problem. And I can say from observation that the daily backups at a.m. peak from the intersection of Lee Highway and Cedar Lane already reach past the entrance to Pan Am Shopping Center. They're nearly at the Nutley intersection now. And there's a reference to a TDM program being likely. "Likely" is not – I'm not very comfortable with the word "likely." I'd rather see an actual commitment to a robust TDM program. And there's discussion of the thing being sort of a preparation for a long-range development. That's very interesting. I'd be very interested in hearing what the nominator has to say about what the phases of such development might be and how they can be kept in balance with the infrastructure constraints in this area. I don't want to take up anymore of the Commission's time, so I won't go any further. But I do hope that next year, or next time around, as we go through this APR cycle, we will have more attention given to careful justification of these nominations. And I also hope that this phase, this time's task force will take a look at these kinds of comments that I have made tonight for the record. Thank you very much, Mr. Chairman.

Chairman Murphy: Sully District.

Commissioner Lawrence: Motion on the floor.

Chairman Murphy: Did you have a motion?

Commissioner Lawrence: I made it.

Chairman Murphy: I already said without objection.

Commissioner Lawrence: Thank you very much.

Commissioner Litzenberger: First, I'd like to – before I get to my motion, I'd like to thank the staff for taking the time to come out to the Sully District and meet with the Supervisor, his staff and myself, and other interested parties in going through all the details of each nomination. Thank you. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FORWARD FOR FURTHER CONSIDERATION THE NINE APR NOMINATIONS SUBMITTED FOR THE SULLY DISTRICT AS LISTED IN MY HANDOUT, DATED SEPTEMBER 25TH, 2008. I MOVE THAT APR NUMBER 08-III-1BR RECEIVE NO FURTHER CONSIDERATION AND THAT IT BE REMOVED FROM THE APR PROCESS AS STAFF FINDS THAT IT IS INCONSISTENT WITH LONG-STANDING ADOPTED COUNTY POLICY REGARDING PROTECTION OF THE OCCOQUAN WATERSHED. THE REMAINING NINE APR NOMINATIONS SHOULD BE REVIEWED AS PART OF THE APR PROCESS. IN ADDITION TO THESE APR NOMINATIONS, TWO OUT-OF-TURN AMENDMENTS WILL BE REVIEWED CONCURRENTLY WITH THE APR PROCESS.

Commissioner Hart: Second.

Chairman Murphy: Without objection. Okay. Is there any other business on the screening process? Mr. Alcorn.

Commissioner Alcorn: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RATIFY ALL MOTIONS MADE THIS EVENING CONCERNING THE SCREENING OF PENDING NORTH COUNTY APR NOMINATIONS IN THE DRANESVILLE, HUNTER MILL, PROVIDENCE, AND SULLY DISTRICTS.

Commissioners de la Fe, Flanagan, and Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motions carried unanimously with Commissioner Harsel absent from the meeting.)

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