

Board Agenda Item
March 30, 2009

4:30 p.m.

Public Hearing on SEA 90-M-003-3 (Montessori School of Northern Virginia, Inc.) to Amend SE 90-M-003 Previously Approved for a Private School of General Education, Nursery School and Child Care Center to Permit an Increase in Enrollment in Students from 135 to a Maximum of 179, Addition of Land Area, Building Additions and Associated Modifications to Site Design and Development Conditions, Located on Approximately 3.23 Acres Zoned R-2, Mason District

The application property is located at 6820 Pacific Lane, Tax Map 71-2 ((8)) A and 93B.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, February 18, 2009, the Planning Commission voted unanimously (Commissioner Harsel absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SEA 90-M-003-3, subject to the Development Conditions dated February 17, 2009, and
- Modification of the transitional screening requirements in favor of that shown on the SEA Plat, as conditioned.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

Planning Commission Meeting
February 18, 2009
Verbatim Excerpt

SEA 90-M-003-3 -- MONTESSORI SCHOOL OF NORTHERN VIRGINIA, INC.

Decision Only During Commission Matters
(Public Hearing held on January 15, 2009)

Commissioner Hall: Thank you, Mr. Chairman. Hard to believe, but was it really January 15th? Yes, it was. January 15, 2009, the Planning Commission heard a Special Exception addendum [sic] number 90-M-003-3, Montessori School of Northern Virginia. I - - after the hearing, it was clear this case was not ready to move to the Board and the decision was in fact postponed. It was postponed, I believe twice. In addition, staff issued two addendums. The first one was on February 12, 2009 and the final one was February 17, 2009. And I believe everybody on the Commission has had an opportunity to review these addendums. As a side note, I pride myself that when an application comes to Mason District that we do everything in our power to bring the parties together and to address all the issues, so that when an application - - when the application comes through the Planning Commission and goes off to the Board, all the issues have been addressed and they have been addressed successfully. Now, this application enjoys the support of the Mason District Land Use Committee, but regrettably there are at least three issues where the community and the school just simply are at loggerheads and are not going to be resolved. And it is clear to me that it's time for this case to move on. For better or worst, it's time for this to go to the Board. The three issues, which I believe and I notified the - - some of the members of the community that I just could not support, was the issue concerning the number of students. The original application was a request for 179 - - 178?

Tracy Strunk: 179.

Commissioner Hall: 179 students. In the discussions with the community, the school had agreed to lower the number to 154 in consideration for the community accepting a number of the other conditions. Regrettably, there seems to have been some sort of miscommunication because that didn't happen and the school withdrew that offer. Currently, the school is requesting 168 students and as it is addressed, I believe in Addendum 2. Is that correct, Tracy? Does it say? Yes, I think it does.

Ms. Strunk: That had been done at the time of the first addendum last week.

Commissioner Hall: First addendum.

Ms. Strunk: First addendum.

Commissioner Hall: Okay. There's only five days between them. That is the amount that the school has requested and I think that is a reasonable amount. It enjoys the support of the staff and it also is supported by Mason District. So therefore, I am also going to be supporting the addendum as written. Next, the primary - - and I believe this is one of the really big sticking issues with this case, is traffic. Well, this is Fairfax County and what else is new? But, this

school is a little bit peculiar because it is located at the end of a cul-de-sac and the community believes that, I would say just about all traffic problems in this area are the result of the school. Now, I don't necessarily share that opinion because within two blocks of this school, roughly two blocks, there is Poe Middle School and I have no doubt that it generates a great deal of traffic. However, the school has, I believe, addressed the traffic issue to the best of its ability. With a transportation plan, there is a very strong program in place for carpooling and to limit the number of trips that go to this community. And I think they have probably done just about all that they can. They are not the Police. And I think in some respects, the school - - the neighbors think that the school can enforce the traffic laws on people who would offend the - - the laws, but that simply is not the case. They can insist that people carpool. You know, it's clearly to the benefit to people to carpool, but they already have a plan and that plan is going to be handled just like any other case in Fairfax County, where it is based on the peak hour. The neighborhood would prefer that the count be based on the full day and that the County assume the responsibility for this count, which clearly is not going to happen. So therefore, I am able to support the traffic plan as written because it is in keeping with the way we typically do business here in Fairfax County. Last but not least is the extended care. Currently, I believe the - - and Tracy, please correct me if I'm wrong - - extended care is limited to 50 students. Now, I propose that it be revised - - I support what staff has written where there are 50 students permitted in daycare prior to the start of school and that is the maximum and there is a maximum of 65 that are permitted until 6:00 [p.m.]. This could be the same 50 children or it could be different children, but in my mind parents don't make extra trips to a school. You make one roundtrip each day and whether you're dropping them off early or picking them up later or picking them up on time, you're only going to make one trip. So, I do not see where this would increase traffic, whether it is for a single vehicle or whether it is for a carpool. And finally, by allowing an increase in the number of children that are permitted in daycare, this should in fact spread out the traffic so that it is not so crowded during the peak, maybe it can help spread it out throughout the day. At least that is my belief. Now, I noticed this evening we received a statement of Mark Crawford, the President [of Hillbrook Tall Oaks Civic Association] and I guess this was one on February 18th, and while they appreciate the work that has been done, there remains several major issues that are problematic. Again, it goes to significant controls to abate related traffic within the neighborhood. One of the things I - - that came up when this application was at Mason District is, "Why doesn't the community explore the option of having some traffic-calming in the neighborhood?" When I asked that question, I was told that the neighborhood does not want to do that, that they like to keep it without the bumps and the humps and the circles, so clearly that is their - - that is their right. However, I think that would go a long way to eliminating some of these traffic issues. The lack of specific carpooling and ridesharing requirements, I believe that is addressed by the conditions. And Number 4 - - is the language explicitly to prevent the inter-day transfer of students/children of any age between Valleybrook and Hillbrook campuses? I'm going to ask Tracy to address this one because I truly do believe that is covered well under the existing conditions. Can I ask you your opinion?

Ms. Strunk: We have had a lot of discussion on that. The concern that - - there are two campuses to this school, and one of the concerns has been that children might be enrolled in daycare at one campus and then move to the other campus. That is explicitly not allowed by the

conditions because the conditions limit the daycare at this campus to students who are enrolled in the school at this campus or children of staff at this campus. The other concern has been that perhaps during the day, children might be transferred for a particular class. If that was the case, it's staff's position that those children would then be considered to be enrolled at this campus and would, therefore, count towards the total number of students that are permitted and therefore wouldn't be any additional trips. We are - - we are still, you know, going back over. They're pretty complex conditions. We are still looking at them to - - to see if there is somewhere in there that there might be a loophole that we've missed that we could close, but in general I think that those - - that the concerns that have been raised relating to that are addressed by the conditions. But as I said, we're still - - we're still checking to see if there's anything else that we could add in that could erase some of those concerns.

Commissioner Hall: Thank you. Additionally, Mark Crawford goes on to say that, and this has been one of those issues that has kept popping up throughout the months that we've been dealing with this application, that the community doesn't understand why it can't limit the school's ability to request additional special exceptions. There was discussion that the school has indicated that its future expansion could result in a student population of 235 students. Now, I don't know if they're going to do that or not, but we do have a process here in Fairfax County where if you're willing to pay and make an application, your application will be considered by the Planning Commission and only at that time will we be discussing any additional expansion to - - it would not actually be an expansion, it would just be an increase in the student population. Now, I would just caution the school. For what it's worth from this Planning Commission - - Commissioner's point of view, I wouldn't recommend you come in here and ask for any additional students without a formal transportation system to transport additional students. The community is right. There is a traffic issue and while I believe the current transportation plan will address the number of students in this particular application, I just can't imagine it being effective when it comes to an enrollment of over 200 students. That is just my opinion for what it is worth, and to just let the school know that's something they should consider before they come in. I think the application at hand, as amended by the two addendums, goes as far as it can to address the issues that protect the community and yet allow the school to function the way it would like to. And so therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 90-M-003 [sic], SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED FEBRUARY 17, 2009.

Commissioner Flanagan: Second.

Chairman Murphy: This application is 003-3.

Commissioner Hall: Is that what I said? No. But that's what I meant.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 90-M-003-3, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Hall.

Commissioner Hall: Yes, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF TRANSITIONAL SCREENING REQUIREMENTS, IN FAVOR OF THAT SHOWN ON THE SEA PLAT, AS CONDITIONED.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by 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. Ms. Hall.

Commissioner Hall: Thank you, Mr. Chairman. I - - I have to take a moment and truly I have to thank Tracy, who did an outstanding job. She has gotten probably more phone calls and e-mails on this application than on anything else in Mason District, except for last year when we had the other Montessori School. I would also like to thank the community and its leaders and also their attorney, Tara, and I want to thank the school and their attorney, Lynne - - Lynne Strobel. It has not been easy and everybody has worked terribly hard, and I really do appreciate all the efforts made by everyone. I do hope things will be better and that's it, folks. Thank you.

Chairman Murphy: Thank you very much.

//

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

KAD