

Board Agenda Item
November 16, 2009

3:30 p.m.

Public Hearing on SE 2009-LE-001 (Nazir A. Bhagat And Ashraf N. Bhagat) to Permit an Independent Living Facility, Located on Approximately 6.39 Acres Zoned R-1, Lee District

The application property is located at 5966, 5970, 5974 and 5978 Clames Drive, Tax Map 81-4 ((16)) 19 - 22.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, September 24, 2009, the Planning Commission voted 10-0-2 (Commissioners Alcorn and Harsel abstaining) to recommend the following actions to the Board of Supervisors:

- Approval of SE-2009-LE-001, subject to the Development Conditions dated September 24, 2009;
- Waiver of the Additional Standard for Independent Living Facilities requiring that such use be a parcel of land fronting on, and with direct access to, a collector street or a major thoroughfare, per Sect. 9-306 of the Zoning Ordinance;
- Waiver of the barrier requirement along the northern, western, and southern boundaries of the property; and
- Modification of the transitional screening requirements along the northern, western, and southern boundaries of the site, to that shown on the SE Plat.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, DPZ

September 18, 2009, and it basically notes the application property, which we'll call "Walhaven Woods," has within a half-mile distance, two retail centers, a golf driving range, mini golf, miscellaneous retail and medical offices, about a dozen churches, restaurants, and a local school. Again, all within a half-mile radius. I would also further note that this site is uniquely situated in an area that is proximate to the Kingstowne Towne Center, which has extensive retail opportunities, department stores, restaurants, groceries, and theater properties. This project is also proximate to the soon to be improved Springfield Mall, which currently houses more than 1.7 million square feet of retail space. And I'll also note with great anticipation that this project will be within a few miles of the future Wegmans grocery store. Now regarding location, this site places residents in an area that is accessible via major roadways, 395, I-95, I-495. It provides access via Metro, VRE, Connector bus, TAGS. And in addition to this connectivity, in order to help the residents access these amenities, the applicant has also committed to provide the community association with \$10,000 in funds to establish a transportation fund to support shared transportation for the residents. They can use cabs, rented vans, carpools, and other methods of transportation. Additionally, the applicant has proposed to provide the association with three bicycles and two motorized vehicles or also known as Segways. And the final issue that the Planning Commission grappled with concerned the monthly HOA/COA fees that would be associated with this development. There was a sentiment that these fees would be excessive and onerous to these residents. The applicant undertook a review of a number of comparable facilities in Fairfax County and found that these fees ranged from \$400 per month, as paid by the residents of Saintsbury, to as much as \$2,500 per month, as paid by residents of the Sunrise of Oakton. I personally feel that the fees that will be associated with this development, an estimated \$530 per month, are inline with the services that will be provided to these residents. These services include a clubhouse with multi-purpose rooms, exercise facilities, and a business center. So in conclusion, Mr. Chairman, this project is in harmony with the Comprehensive Plan and provides an opportunity for individuals, who are nearing or entering retirement, to live in an independent living facility that is affordable, conveniently located to amenities, services, and a number of cases, family and friends. We need more options for people to age in place in Fairfax County, and this is one that will become a model for both Lee District and Fairfax County. So having said that, Mr. Chairman, I would now like to make a number of motions. First, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2009-LE-001, SUBJECT TO DEVELOPMENT CONDITIONS THAT ARE NOW DATED SEPTEMBER 24, 2009.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2009-LE-001, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lusk: Finally, Mr. Chairman - -

Commissioner Harsel: Asbtain. Same abstentions.

Chairman Murphy: Same abstentions.

Commissioner Harsel: I abstain through the whole thing.

Commissioner Lusk: Finally, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS ALONG THE NORTHERN, WESTERN, AND SOUTHERN BOUNDARIES OF THE SITE, TO THAT SHOWN ON THE SE PLAT.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstentions. Is that it?

Commissioner Lusk: Yes, sir. May I just thank the staff for their work on this case? And I know that we might not have necessarily seen eye to eye on the outcome, and I do recognize the level of input and level of effort that was put into getting development conditions and getting all the documents prepared. So, I certainly appreciate that. And I want to thank the applicant and their representative for their work in the community. Clearly, they were able to answer a great number of questions. They were flexible in bringing back proposals and helping the committee - - that is, the Land Use Committee, better understand this project. So, I'm looking forward to seeing it built and I think it, again, will be a model for future projects in Fairfax County. Thank you, Mr. Chairman.

Chairman Murphy: Thank you.

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(The motions carried by votes of 10-0-2 with Commissioners Alcorn and Harsel abstaining.)

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