

Board Agenda Item
May 5, 2003

3:30 p.m. Items – RZ-2002-MV-040 – Spring Hill Seniors LLC
Mt. Vernon District

On Wednesday, April 30, 2003, the Planning Commission voted 10-0-2 (Commissioners Alcorn and DuBois abstaining) to recommend the following actions to the Board of Supervisors:

- Approval of RZ-2002-MV-040 and the Conceptual Development Plan, subject to execution of proffers consistent with those dated April 29, 2003;
- Waiver of the limitation on the length of private streets, pursuant to Section 11-103 of the Zoning Ordinance;
- Approval of a variance of the PDH District requirements to allow a six-foot tall fence in front yards along Silverbrook Road, pursuant to Section 18-401 of the Zoning Ordinance;
- Modification of the tree cover requirements to allow 11 percent tree cover in lieu of the requirement for 15 percent, pursuant to Section 13-404 of the Zoning Ordinance.

The Planning Commission also voted 10-0-2 (Commissioners Alcorn and DuBois abstaining) to approve FDP-2002-MV-040, subject to Board approval of RZ-2002-MV-040 and the Conceptual Development Plan.

The Planning Commission then voted 10-0-2 (Commissioners Alcorn and DuBois abstaining) to direct that the site plans and/or subdivision plats be returned to the Planning Commission for administrative review and comment.

Planning Commission Meeting
April 30, 2003
Verbatim Excerpt

RZ-2002-MV-040 - SPRING HILL SENIORS, LLC
FDP-2002-MV-040 - SPRING HILL SENIORS, LLC

Decision Only During Commission Matters
(Public Hearing was held on April 24, 2003)

Commissioner Byers: On the 24th of April, we held a public hearing on a rezoning and final development plan in the Mount Vernon area, RZ/FDP-2002-MV-040, Spring Hill Seniors, LLC. We deferred the decision because there were a number of issues brought up during the public hearing, both by the Commission and by speakers. This has been an unduly complicated case, not only because of its design and stated purpose, but also because this development has been tied directly into the expedited construction of a new South County high school which the Lorton community has been seeking for years. Now that the new school seems so close, even the idea of any delay such as my deferring this decision on the housing for a week has ignited a firestorm in Lorton. I've gotten more calls and e-mails in the past few days than I have on any other case in my 17 years on this Commission. I suspect the applicant could put an asphalt plant down there and the community wouldn't mind as long as they got their high school. Nevertheless, this application concerns the senior housing complex, not the high school, and that's what I'll address tonight. Last week I noted what I considered two major faults with the application -- an apparent lack of any graduated health support for the residents as required in the Comprehensive Plan and the extremely close proximity of the detached houses to each other. Other speakers voiced different concerns -- tree cover, gated communities, private streets that must be maintained by the residents, easement problems in the narrow aisles between the houses, potential loss of a guard tower, improved façade features and questions about the proposed adaptive reuse of the prison buildings. Now the applicant has responded vigorously to try to meet all of these concerns. And his revised proffers were hopefully delivered to each one of the Commission members yesterday. An on-site manager will be available to assist in providing care assistance from qualified providers to the residents. One of the larger buildings may be converted in the future to an assisted living facility if the homeowners association and the applicant concur. This doesn't fully satisfy my concerns, but it'll do for now. The design requirements for any PDH application require, quote "creative and innovative design" unquote. Now my personal feelings about the detached houses that are only six feet apart are that it was a beehive and the only creative thing was the ability of the applicant to cram the maximum number of little dinky houses into the space available. However, some of the comments made last week, both by the public and Commission members, caused me to reconsider. So on Sunday I drove down to Lorton Station where similar houses were built some time ago. And I talked to a number of residents there. Most of them felt that more yard would have been preferable, but the price and the location were more desirable and they could live with the close proximity of their neighbors. One gentleman remarked that he had learned a lot more about his neighbors than he ever expected to. In response to the concerns voiced last week, the applicant has proffered to have

yard maintenance done by the homeowners association and has proffered a maintenance easement for the space between the houses. A new proffer concerns windows that face a neighbor's window, six feet away. I was dismayed to discover that several homes in Lorton Station have bathroom windows directly opposite each other. That won't happen here. The tree cover concern has to do with tree preservation and the applicant can find little more than 11 percent to preserve because the prison grounds were largely cleared. Even so, the applicant will be planting several hundred shade, ornamental and evergreen trees as part of the landscaping plan. The concern about gated communities and private roads are linked. My inquiries about senior housing communities revealed that the vast majority have secure facilities and the residents prefer that. But gated grounds require private roads because VDOT will not allow public roads to be gated. The applicant has proffered to construct the private roads to public road standards and has proffered to allow the gates to be removed in the future if the homeowners association wants that, in which case the applicant or the homeowners association could petition VDOT to accept the roads in the VDOT maintenance system. Façade design on houses and walls have been improved. More brick will be used and Irma Clifton's guard tower will be saved. All in all, the applicant and Mr. Martin are to be congratulated for their yeoman's efforts to meet the concerns of both the community and one persistent and demanding Planning Commissioner. That said, Mr. Chairman, I'd like to go into a series of motions. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ-2002-MV-040 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE DRAFT PROFFERS DATED APRIL 29, 2003.

Commissioners Hall and Wilson: Second.

Chairman Murphy: Seconded by Ms. Hall, Ms. Wilson and the Chair. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-2002-MV-040, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Alcorn and DuBois: Abstain.

Chairman Murphy: Motion carries. Mr. Alcorn and Ms. DuBois abstains; both not present for the public hearing. Mr. Byers.

Commissioner Byers: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP-2002-MV-040, SUBJECT TO THE BOARD'S APPROVAL OF THE REZONING AND CDP.

Commissioners Hall and Wilson: Second.

Chairman Murphy: Seconded by Ms. Wilson and Ms. Hall and the Chair. Is there a discussion of the motion? All those in favor of the motion to approve FDP-2002-MV-040, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Alcorn and DuBois: Abstain.

Chairman Murphy: Motion carries. Same abstentions. Mr. Byers.

Commissioner Byers: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD APPROVE A WAIVER OF THE LIMITATION ON THE LENGTH OF PRIVATE STREETS, PURSUANT TO THE PROVISIONS OF PARAGRAPH 3, SECTION 11-103 OF THE ZONING ORDINANCE.

Commissioners Hall and Wilson: Second.

Chairman Murphy: Seconded by Ms. Wilson and Ms. Hall and the Chair. Is there a discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Alcorn and DuBois: Abstain.

Chairman Murphy: Motion carries. Same abstentions. Mr. Byers.

Commissioner Byers: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD APPROVE A VARIANCE IN THE PDH DISTRICT TO ALLOW A SIX-FOOT TALL FENCE IN A FRONT YARD ALONG SILVERBROOK ROAD, PURSUANT TO THE PROVISIONS OF SECTION 18-401.

Commissioners Hall and Wilson: Second.

Chairman Murphy: Seconded by Ms. Wilson and Ms. Hall and the Chair. Is there a discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Alcorn and DuBois: Abstain.

Chairman Murphy: Motion carries. Same abstentions. Mr. Byers.

Commissioner Byers: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO GRANT A MODIFICATION OF THE TREE COVER REQUIREMENTS, PURSUANT TO PARAGRAPH 1 OF SECTION 13-404 which allows a modification on sites devoid of existing tree cover to allow 11 percent tree cover in lieu of the required 15 percent.

Commissioners Hall and Wilson: Second.

Chairman Murphy: Seconded by Ms. Wilson and Ms. Hall and the Chair. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Alcorn and DuBois: Abstain.

Chairman Murphy: Motion carries. Same abstentions. Mr. Byers.

Commissioner Byers: And finally, Mr. Chairman, in order to satisfy some of the requests from the Mount Vernon Council, I MOVE THAT THE SITE PLANS AND/OR SUBDIVISION PLATS BE RETURNED TO THE PLANNING COMMISSION FOR ADMINISTRATIVE REVIEW AND COMMENT.

Commissioners Hall and Wilson: Second.

Chairman Murphy: Seconded by Ms. Wilson and Ms. Hall and the Chair. Is there a discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Alcorn and DuBois: Abstain.

Chairman Murphy: Motion carries. Same abstentions.

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(Each motion carried by a vote of 10-0-2 with Commissioners Alcorn and DuBois abstaining.)

GLW