

4:00 p.m. Items - RZ-89-V-038 - GUNSTON PLAZA ASSOC.
SE-88-V-102 - LIMITED PARTNERSHIP
Mount Vernon District

On Wednesday, June 21, 1989, the Planning Commission voted 8-0-1 (Commissioner Hanlon abstaining; Commissioner Harsel not present for the vote; Commissioner Sell absent from the meeting) to recommend to the Board of Supervisors that RZ-89-V-038 and SE-88-V-102 be denied.

The Commission concurred with the staff analysis that the proposed use and intensity for this site are not in conformance with the Comprehensive Plan and should not be approved.

JUN 26 1989

4:00 P.M.

RZ 89-V-038
and
SE 88-V-102

(1)

Planning Commission Meeting
June 21, 1989
Verbatim Excerpts

RZ-89-V-038 GUNSTON PLAZA ASSOCIATES LIMITED PARTNERSHIP
SE-88-V-102 GUNSTON PLAZA ASSOCIATES LIMITED PARTNERSHIP

Decision Only During Commission Matters

Commissioner Byers: Mr. Chairman?

Chairman Murphy: Mr. Byers.

Commissioner Byers: Mr. Chairman, a week ago we heard a request to rezone some land in Gunston Hall and the special exception. This was a request to rezone a small piece of land from residential to commercial uses with a special exception to construct and operate a residence on that site for elderly persons requiring daily assistance in their living. And that at -- after the public hearing the Planning Commission deferred the decision until tonight. And I would like to enter into the record a memorandum from Harry Latimore, who testified at that public hearing, a memorandum to me, and a letter to Gerry Hyland, the Mount Vernon Supervisor, pointing out the great interest of the Lorton citizens in establishing this residence, and their desire to have something good put down in Lorton. And if there's anybody here tonight that doesn't understand what that means, see me after this meeting and I'll explain it to you. At the outset, Mr. Chairman, let me attempt to sort out what I see as the real issues that are before this Commission. And I would like to start by reiterating that we all, the citizens of this County and especially those in the Lorton area, and the members of this Planning Commission, recognize the great need and the importance of establishing facilities for the elderly and the handicapped in our County. I am fully aware of the nearly desperate feeling that old people have when they're responsible for caring for their aged parents. And I reckon that there is nobody in this room that is any more aware of this need than Mrs. Byers and I are, from our personal experience. So let's put that issue to rest. Let's separate that need and its concomitant emotion from the land use issues that this Commission is supposed to consider. It seems to me that these issues are very clear. First, is this rezoning in conformance with the Comprehensive Plan? Is the proposed use in conformance with the Comprehensive Plan and with the Zoning Ordinance? And is the proposed use appropriate for the site? And there are a number of lesser problems. But these three, I think, are the determining issues, and if we can satisfy them, then we should recommend approval of this application. The requested rezoning to C-4 was made supposedly because the applicant thought initially that the necessary FAR would exceed 1.0 and only C-4 would provide that additional FAR. This proved unnecessary, however, as the application has an FAR of only .79. I have a problem, moreover, with C-4 since that is designed for high-rise office use and allows a height of 120 feet. Twenty years from now that rezoning may well come back to haunt us. The Comprehensive Plan describes the entire area as appropriate for a shopping center. And most of this area has already been rezoned C-6 for that purpose. It would seem more appropriate then to rezone this site C-6. But C-6 requires an FAR of .7, and the applicant needs .79 for the building depth it is proposing. And we're informed that the applicant has no disagreement with the change to C-3, which is mid-intensity office, and

JUN 26 1989

(2)

allows an FAR of 1.0 and a height of 90 feet. Now staff has noted that while the applicant has requested a commercial zoning, both the intensity and the proposed use are not in conformance with the Comprehensive Plan. It could be argued, however, that while the use is for a residence, it is in fact a commercial use for profit, and therefore appropriate for a planned commercial area. And this leads me then to the third issue. Is the proposed use appropriate for this site? The list of required waivers gives us a pretty good clue. And there's no need for me to recite that list again. The building that the applicant wants to put on this site is simply too big for the site. It takes up too much of the already very limited space and its footprint requires so much of the available land that there is very little yard between the building and Route 1. The plat shows there's only thirty and a half feet from the building to Route 1. That's less than the width of this room that we're sitting in, from the building to big 18-wheelers going up and down Route 1 day and night, and I think that creates an unsuitable -- unsuitable environment for people that are in their 70s and 80s. Now when this use was first suggested to me, I commented that the site seemed to me too small at that time. And the applicant invited me to visit a similar building of a residence of theirs in Arlington. I did, and I was very much and very favorably impressed. But that building is much smaller than this one. Should the applicant reduce this building to that size, I would try my best to support it. But the applicant is unwilling to change. And I should note the applicant has been very open and very above board with us in the Mount Vernon area and with us here on the Planning Commission. And has explained the economically difficult position created by the acquisition and by trying to meet the desires of the community. But as Mr. Lockwood pointed out at the public hearing, the economics of an application are not justification for nonconformance with the Comprehensive Plan, nor for an inappropriate use. In summary, Mr. Chairman, when I consider all the factors involved in this application my heart tells me it's a good concept and that we should recommend its approval. But my head tells me that it's not good land use and the Commission would be in error to support it. Accordingly, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT RZ-89-V-038 AND SE-88-V-102 BE DENIED.

Commissioner Huber: Second.

Chairman Murphy: Seconded by Mrs. Huber. Discussion of the motion?

Commissioner Lockwood: Mr. Chairman?

Chairman Murphy: Mr. Lockwood.

Commissioner Lockwood: Mr. Byers, let me commend, commend you on a very, very thorough and accurate assessment of the situation here. I too regret that I have to vote against this. It's an excellent use and I'm sure they have an excellent operation, from everything that we heard at the public hearing. It

is rather ironic that we get this overwhelming support from the citizens asking us to violate the Comprehensive Plan and what we know of good planning principles. But it's just a typical case of a good use on the wrong site. And I completely support your comments and the motion.

Chairman Murphy: Further discussion of the motion?

Commissioner Huber: Mr. Chairman?

Chairman Murphy: Ms. Huber.

Commissioner Huber: I seconded the motion with regret. I have the same feelings that Mr. Byers has. I'm familiar with Sunrise's operation. They're excellent. It seems to me that there is more land and I hope that we see another project like this come back in the Lorton area on more land and better situated land.

Chairman Murphy: Further discussion of the motion?

Commissioner Byers: Mr. --

Chairman Murphy: Mr. Byers.

Commissioner Byers: -- Mr. Chairman, before we take the votes, Mr. Chairman, I'd like to express to the applicants, Mr. & Mrs. DeLuca, my sincere regret that we could not find a suitable way to recommend approval of this application. And in my hopes that they will find another location somewhere in the Lorton area where a similar residence might be placed. This couple have done great service to the citizens of Mount Vernon, and I want the public to know it.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion --

Commissioner Hanlon: Mr. Chairman?

Chairman Murphy: Mr. Hanlon.

Commissioner Hanlon: I absti -- want the record to show that I will abstain on this because I was not present before and did not listen to the public hearing.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it deny RZ-89-V-038, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Hanlon abstains. Mr. Byers.
SE?

Commissioner Byers: Oh. Mr. Chairman, Mr. Chairman, I also MOVE, for the same rationale, THAT SE-88-V-102 -- THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SE-88-V-102 BE DENIED.

Commissioner Huber: Second.

Chairman Murphy: Seconded by Mrs. Huber. Discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it deny SE-88-V-102, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

Commissioner Byers: Mr. Chairman?

Chairman Murphy: Mr. Hanlon abstains. Mr. Byers.

Commissioner Byers: I just note that in my initial motion I had both the SE and the RZ.

Chairman Murphy: Thank you.

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(The motion passed 8-0-1 with Commissioner Hanlon abstaining; Commissioner Harsel not present for the vote; Commissioner Sell absent from the meeting.)

MAP

JUN 26 1989

4:00 P.M. (5)

RZ 89-V-038
and
SE 88-V-102

(End)