10/26/92

3:30 p.m. Items - SE-92-Y-024 - INOVA HOSPITALS
SEA-84-C-076-4 - INOVA HOSPITALS
PCA-85-C-091-3 - INOVA HOSPITALS
Sully District

On Thursday, October 22, 1992, the Planning Commission voted unanimously (Commissioner Strickland not present for the vote) to recommend to the Board of Supervisors approval of PCA-85-C-091-3, subject to the execution of proffers consistent with those contained in Appendix 1 of the staff report.

The Commission also voted 8-3 (Commissioners Baldwin, Byers and Huber opposed; Commissioner Strickland not present for the vote) to recommend to the Board of Supervisors approval of SEA-84-C-076-4, subject to the proposed development conditions dated October 19, 1992, with the deletion of Condition #10 regarding shared parking.

The Commission then voted unanimously (Commissioner Strickland not present for the vote) to recommend to the Board of Supervisors that the transitional screening area requirements be modified along all boundaries in accordance with Section 13-104, as previously modified, pursuant to the approval of PCA-85-C-091-2 and SEA-84-C-076-3.

The Commission further voted unanimously (Commissioner Strickland not present for the vote) to recommend to the Board of Supervisors that the barrier requirement be modified as previously modified in accordance with proffers accepted by the Board of Supervisors, pursuant to the approval of PCA-85-C-092-2, which are dated January 25, 1992.

The Commission also voted unanimously (Commissioner Strickland not present for the vote) to recommend to the Board of Supervisors approval of SE-92-Y-024, subject to the proposed development conditions dated October 19, 1992, modified as follows:

> Condition #10 to read: "The proposed child care center shall have a minimum buliding setback of 80 feet from Ox Trail and a minimum setback of 30 feet from the shared property line with the adjacent residentially developed parcel to the west."
>
> Delete current Condition #14 and replace it with the following: "The child care center may be constructed in two phases."

The Commission lastly voted 9-2 (Commissioners Harsel and Huber opposed; Commissioner Strickland not present for the vote) to recommend to the Board of Supervisors that the transitional screening requirements be modified in favor of existing vegetation as shown on the SE plat and that the barrier requirements be waived along the northern boundary and modified to that shown on the GDP/SE plat on the western boundary of the site.

Planning Commission Meeting
October 22, 1992
Verbatim Excerpts

SE-92-Y-024 - INOVA HOSPITALS
SEA-84-C-076-4 - INOVA HOSPITALS
PCA-85-C-091-3 - INOVA HOSPITALS

After Close of the Public Hearing

Chairman Murphy: The public hearing is closed; recognize Mr. Koch.

Commissioner Koch: Thank you, Mr. Chairman. The proposed canopy and covered walkways within the existing hospital site are in conformance with the Comprehensive Plan and will benefit the hospital and the public. The addition of the child care facility to serve the employees of the hospital is an excellent idea. The Comprehensive Plan addresses the Countywide need to provide child care centers in convenient locations to serve residents and employees. This special exception meets that goal while providing convenient child care for employees of the hospital. However, staff has some concerns. They recommend that shared parking be used between the day care and the hospital rather than the proposed reserved parking area for the center. The elimination of this parking area would require parents with children to walk greater distances across travel aisles. The proposed location provides safer and more convenient parking for the day care users. Also, staff suggests a 75-foot side setback from the adjacent residential parcel to the west, provide greater screening and buffering for the ap -- the adjacent properties. The site plan shows a setback of 30 feet and the applicant has indicated anything much greater will prevent them from building a structure that is as functional, and could raise the elevation of the building. The proposed building is designed to look residential and is compatible with the adjacent residential structures. The placement of the building maximizes the distance from the nearest residential dwelling, which is about a hundred feet, and minimizes the required grading to save more trees. And the applicant has been working with Mrs. Taylor and he has put several conditions in the conditions -- the development conditions that address her concerns. The applicant has agreed to construct an eight-foot fence, with plantings on both side. Also, it is noted that the setback is in excess of that required by the Zoning Ordinance. Finally, the staff indicates that before any expansion of hospital uses beyond the existing hospital site takes place, a comprehensive study should be undertaken to carefully evaluate any expansion and to study the potential impact surrounding residential areas. I agree wholeheartedly. If this was a regular commercial day care, it would be in conformance with the Zoning Ordinance and Comprehensive Plan. Only because it is a day care for the hospital employees is it viewed as an expansion of hospital uses. In my view, this is not a medical use. It is a day care limited to the employees of the hospital; it is not an expansion of the hospital. Before I make my motion, Mr. Chairman, I would like to note that because the hospital has purchased all the lots along the eastern side of Rugby Road, and because of the possible expansion of Century Oaks to the West, I would suggest that the hospital, the County, and the citizens in the area, in fact start a

comprehensive study of the area on both sides of Rugby Road. In my view, the people on the west side of Rugby Road are getting caught in a squeeze. In the meantime, I want to go on record that I will not entertain an expansion of hospital uses in this area until such a comprehensive study has been completed. With that, Mr. Chairman, I MOVE THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF CPA-85-C-091-3 (sic), SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Hanlon: Second.

Chairman Murphy: Seconded by Mr. Hanlon. Seconded by Mr. Hanlon. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA-85-C-091-3, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? The motion carries. Mr. Koch.

Commissioner Koch: I MOVE THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-84-C-076-4, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED OCTOBER 19, 1992, WITH ONE CHANGE, WHICH IS THE DELETION OF #10 THAT DEALS WITH SHARED PARKING.

Commissioner Hanlon: Second.

Chairman Murphy: Seconded by Mr. Hanlon. Discussion of that motion? All those --

Commissioner Hanlon: Mr. Chairman?

Chairman Murphy: Mr. Hanlon.

Commissioner Hanlon: I just wanted to -- I wanted to address this in just, in the connection of the SEA. It seems to me that I agree with everything that Mr. Koch has said. It seems to me that this all comes down to two issues. One is whether this is -- this child care center is a good idea in light of the policies of the Comprehensive Plan and I can recall being there when those policies were put into the Comprehensive Plan, or at least when they went through here. And this is exactly what we were looking for. This was exactly what we were looking for. So, the only issue left is whether or not the fact that it is "encroaching" into a residential area is undermining the integrity of the residential area in any way. And it seems to me that it's quite clear that if this were somehow not a hospital doing this that the answer to that question would be no, precisely because this is a kind of thing which the Plan envisions have in a residential area. And so, then the question becomes what's the proper interpretation of the language in the Comprehensive Plan? And I quite agree with Mr. Koch that this is not an expansion of the medical service use, it is putting a child care center in a residential neighborhood.

And I just stress that if there is any question about that, if there is any question about a precedent, that Mr. Walsh made very clear on the record the view of the hospital, that this is not a precedent and they would not be citing this as a support for some subsequent change of use of the rest of the neighborhood. That's what Mr. Koch has said, that's what the hospital has said, and that's what I think the Plan requires, and I think that's good enough for me.

Commissioner Sell: Legislation.

Chairman Murphy: That's right. I echo those. I've always said, you know, when the Comprehensive Plan is working for you, it's the word of God; when it's working against you it's merely a document, subject to individual interpretation. In this particular case, I agree with Mr. Hanlon, it's exactly what we're after. The linking of a day care facility with the work place is what we're after. It's what we've been after for a long time. It's the one stop shopping. What we're not after, is what the young lady testified to earlier, we're not after the parent leaving the home, driving from Centreville to Burke to drop a kid off, to work, back in the middle of the town again. That's not what we're after, but one stop shopping, if I could call it that, is exactly what we're after. And I applaud the hospital for taking this -- this measure to bring this kind of facility to being. And I'm gonna support the motion. Mr. Bobzien.

Commissioner Bobzien: Mr. Chairman, I have some feeling toward the hospital since -- until the reorganization of the districts, this was in my -- my neck of the woods. I, I guess I gave three things to Mr. Koch when he came on as the Commissioner in Sully. One was the Franklin Farm McDonald's glad that's gone away; and the other one was Fair Oaks Hospital. And with all of its problems, and it is problematic because you have this large facility and institution right in the middle of this residential area. And there are always going to be problems that come with that -- that come with that situation, but I think not only on balance, but just absolutely, it is a real asset to the community. The third thing I gave to Mr. Koch when he came on was Hettie Hervey. And she is -- she is just a jewel and hope that she will be with us for a long, long time doing the things that she does so well.

Chairman Murphy: And I, I would dare count all the things I gave Mr. Koch.

Commissioner Huber: As long as you didn't give him a headache. I'm sure he -- he's got plenty of things to create a headache. I beg to disagree. I do agree with staff that there is some homework that should have been done before this is going forward. I think it could have been done. I do agree with the fact that the child care center is something that the hospital employees do need and want. But we are not here to decide on the merits of a child care center, we are here to decide on the land use part of this. And I find this deficient as far as the land use sector is concerned. I do find that this is a hospital affiliated use. It may not be a medical use, but I have problems with it and I will go and vote no against the child care center.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA-84-C-076-4, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioners Huber, Byers, and Baldwin: No.

Chairman Murphy: Mr. Baldwin, Mr. Byers, and Mrs. Huber vote no. Mr. Koch.

Commissioner Koch: I MOVE THAT WE RECOMMEND THAT THE TRANSITIONAL SCREENING AREA REQUIREMENTS BE MODIFIED ALONG ALL BOUNDARIES IN ACCORDANCE WITH SECTION 13-104, AS PREVIOUSLY MODIFIED, PURSUANT TO THE APPROVAL OF PCA-85-C-091-2 AND SEA-84-C-076-3.

Commissioner Hanlon: Second.

Chairman Murphy: I'm sorry. Seconded by Mr. Hanlon. Discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? The motion carries. Mr. Koch.

Commissioner Koch: I MOVE THAT WE RECOMMEND THAT THE BARRIER REQUIREMENTS BE MODIFIED AS PREVIOUSLY MODIFIED IN ACCORDANCE WITH PROFFERS ACCEPTED BY THE BOARD OF SUPERVISORS, PURSUANT TO THE APPROVAL OF C -- PCA-85-C-092-2, WHICH ARE DATED JANUARY 25, 1992.

Commissioner Hanlon: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? The motion carries.

Commissioner Koch: Mr. Chairman, I MOVE THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SPECIAL EXCEPTION 92-Y-024, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED OCTOBER 19, 1992, WITH THE FOLLOWING CHANGES:

> NUMBER 10, ON THE SECOND LINE, "A SETBACK OF A HUNDRED FEET" WILL BE CHANGED TO "A SETBACK OF EIGHTY FEET"; AND LINE THREE, "SEVENTY-FIVE FEET" WILL BE CHANGED TO "THIRTY FEET".

AND NUMBER 14 WILL BE REMOVED and repla -- that deals with the shared parking also, AND WILL BE REPLACED WITH A NEW 14, "THE CHILD CARE CENTER MAY BE CONSTRUCTED IN TWO PHASES."

And those are the only changes I have.

Commissioner Thomas: Second.

Chairman Murphy: Seconded by Mr. Thomas. Is there a discussion of the motion? All those in favor -- Mrs. Harsel.

Commissioner Harsel: Could I have the reasoning as to why they're going to 30 feet from the shared property? Why did you reduce that?

Commissioner Koch: Ma'am, first of all, it is -- it meets the requirement of the Zoning Ordinance. And secondly, if they were to bring it to the 75 feet that staff is recommending, they're have to bring the building up and that would be in conflict with one of the other conditions which restricts the height to 24 feet. And they have been working very closely with the lady next door and provide a eight foot fence and quite a bit of plantings on both sides of the fence.

Commissioner Harsel: All right, Mr. Chairman?

Chairman Murphy: Mrs. Harsel.

Commissioner Harsel: What -- what's the material of the fence?

Commissioner Koch: The material of the fence, I believe it's board-on-board. I may have to check here.

Chairman Murphy: Mr. Walsh, do you know?

Martin D. Walsh, Esquire: Yes, sir. Board-on-board down to a point, as I said, eight feet, and then it's split rail four feet down, which is in compliance with what Mrs. Taylor wanted.

Chairman Murphy: Okay, thank you very much. Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE-92-Y-024, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? The motion carries.

Mr. Walsh: Thank you.

Chairman Murphy: Mrs. Huber votes no. Mr. Hubbard? Mr. Hubbard votes no. All right, thank you very much. The motion carries. Thank you.

Commissioner Koch: Finally, Mr. Chairman, --

Chairman Murphy: Oh, Mr. Koch, I'm sorry.

Commissioner Koch: One more. I MOVE THAT THE TRANSITIONAL SCREENING REQUIREMENTS BE MODIFIED IN FAVOR OF EXISTING VEGETATION AS SHOWN ON THE SE PLAT AND THAT THE BARRIER REQUIREMENTS BE WAIVED ALONG THE NORTHERN BOUNDARY AND MODIFIED TO THAT SHOWN ON THE GDP/SE PLAT ON THE WESTERN BOUNDARY OF THE SITE.

Commissioner Harsel: Which site?

Chairman Murphy: Seconded by Mr. Hub -- Hanlon, I'm sorry. Is there a discussion of the motion?

Commissioner Harsel: Mr. Chairman?

Chairman Murphy: Mrs. Harsel.

Commissioner Harsel: What are we talking about? The child care or the hospital?

Commissioner Koch: The child care. That's what we're dealing with here, the special exception.

Commissioner Harsel: You're modifying --

Commissioner Koch: What we just discussed. Where they're gonna put the fence and also along the frontage where they're going to leave the vegetation -- existing vegetation. I think you asked a question about that earlier.

Commissioner Harsel: No other discussion.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Huber: No.

Commissioner Harsel: No.

Chairman Murphy: The motion carries. Mrs. Huber and Mrs. Harsel vote no.

Commissioner Koch: Mr. Chairman, I'd just like to thank staff. They did a real good job on this application.

Commissioner Byers: Mr. Chairman?

Chairman Murphy: Mr. Byers.

Commissioner Byers: Mr. Chairman, I'd like to ask Mr. Koch if he intends to make a motion that a study of the proposed uses of the remainder of the hospital property on Rugby Road be made?

Commissioner Koch: Yes, sir. I mean -- I'd be more than happy to make that motion. I think in my preface I indicated that I thought a study should be undertaken. You know, but I think the Board of Supervisors -- I think we could recommend that the Board of Supervisors consider that a study be undertaken but if the hospital wants to expand any hospital uses or -- or they're gonna have any plans for those six lots, or all those lots along Rugby Road, then, you know, I suggest that they take a look at the area and behoove them to start as soon as possible and work closely with the citizens.

Commissioner Bobzien: Mr. Chairman?

Chairman Murphy: Mr. Bobzien.

Commissioner Bobzien: Mr. Chairman, I always think it's a good thing to study situations, but I think the key is "proposed use" and I heard Mr. Walsh say that -- could -- it may be a situation where the hospital's buying up these properties because they're afraid of what might be there when they finally got around to doing it. And it was more of a situation of a defense mechanism than -- than having an actual proposal to do anything with it. So I don't know if that would be a real good idea at this juncture.

Chairman Murphy: All right. Okay, that's it. Thank you very much. Appreciate it. Thank you all for coming, and I hope you fill it up real quick and cut down all those road trips up there.

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(The first motion passed unanimously with Commissioner Strickland not present for the vote.)

(The second motion passed by a vote of 8-3 with Commissioners Baldwin, Byers and Huber opposed; Commissioner Strickland not present for the vote.)

(The third, fourth, and fifth motions passed unanimously with Commissioner Strickland not present for the vote.)

(The sixth motion passed by a vote of 9-2 with Commissioners Harsel and Huber opposed; Commissioner Strickland not present for the vote.)