3:00 P.M. Item - RZ-2000-PR-007 - JCE, INC.
Providence District

On Thursday, November 30, 2000, the Planning Commission voted *(Commissioners Hall and Wilson absent from the meeting)* to recommend the following actions to the Board of Supervisors:

> Approval of RZ-2000-PR-007, subject to execution of proffers consistent with those dated November 30, 2000;
>
> Waiver of the fence height limitation for the proposed noise wall in order to permit a maximum fence height of 16 feet.

The Commission then voted to approve FDP-2000-PR-007, subject to Board approval of RZ-2000-PR-007 and the conceptual development plan.

Planning Commission Meeting
November 30, 2000
Verbatim Excerpts

RZ-2000-PR-007 - JCE, INC.
FDP-2000-PR-007 - JCE, INC.

Decision Only During Commission Matters
(Public Hearing was held on October 4, 2000)

Commissioner Smyth: Thank you, Mr. Chairman. On October 4 we held a public hearing on a rezoning application in the Dunn Loring area. Just a brief review of what was involved in that case. The application was the site of nine and a half acres situated along Interstate 66 inside the Beltway. The site and the surrounding neighborhood are currently zoned R-3. The applicant is seeking a change of zoning to PDH-3 for this site. Originally the staff had recommended denial of this application and cited the issues of compatibility and open space. Since that time, the applicant has revised the site plan and proffers and staff has reviewed these changes. I'd like Ms. Lewis, if she would, to summarize the new staff position.

Ms. Cathy Lewis: Thank you, Commissioner Smyth. There were two major changes to the Conceptual Final Development Plan that caused staff to change its recommendation. First, the applicant eliminated one lot in the northwestern portion of the site. As a result of the elimination of this lot, the proposed density decreased from 2.41 dwelling units per acre to 2.31 dwelling units per acre. The elimination of the lot got at two problems. First it increased the average lot size from 8,187 square feet to 8,450 square feet. I should note that this average lot size excludes the largest lot which is Lot 6. By increasing this average lot size it was brought more into line with some of the surrounding neighborhoods, notably Shreve Forest, which is an R-3 cluster lot on the other side of Virginia Lane. The elimination lot also allowed the applicant to increase the proposed rear yard setbacks along the northern property line to 25 feet which now reflects those of the R-3 cluster zoning district. The other change that the applicant made was to relocate the noise barrier along the southern property line. What the applicant did was relocate the noise wall so that it was along the I-66 right-of-way. By moving this noise wall out, the applicant was able to open up some open space that was previously cut off to the future homeowners by the noise wall. Not only did it make the open space visible to future homeowners, but it also mitigated the noise in this open space area, thus making it more usable. As a result of these two changes, staff found that the revised site layout was less crowded and more compatible with the surrounding vicinity and that it now met the P-District standards. As a result, staff is recommending approval.

Commissioner Smyth: Thank you, Ms. Lewis. Now originally this application had met the requisite amount of density criteria, had it not?

Ms. Lewis: Yes, it did.

Commissioner Smyth: Has that changed since they revised the plan?

Ms. Lewis: Some of the changes that they did make previously -- when we looked at this application with residential development criteria, we did not give it any credit for criterion Number 1 which was -- gets at the development plan -- the design of the development plan. We would give it some credit now as a result of the changes in terms of the appropriate berms and buffers and barriers that it is providing. In addition, the proffers now do make a contribution to the Housing Trust Fund and as a result of that, they would get credit under criterion Number 8. We may also have given them more credit for some of the open space criteria. There are now even more in conformance with the density that they are requesting.

Commissioner Smyth: And they -- now you feel satisfied the PDH requirements --

Ms. Lewis: Yes.

Commissioner Smyth: Yes, thank you. We had a meeting with citizens from the neighborhood this past Monday evening. I appreciate Ms. Lewis' attendance at that meeting. We talked about the revised plan. We also looked at a plan that the developer had drawn up at my request, for what this would look like at a straight R-3 development. The layout that they showed for the conventional R-3 -- yes, if we could possibly see it -- is very similar to what we have in the PDH. Oh, there we are. Okay. It has fewer homes -- about 18, but again, one of the existing houses would have to remain within the 200 foot setback. What we have here is a comparison, actually. One of the Commissioners had raised at the time the question of whether or not we were gaining something with the PDH that we were not going to have in the straight R-3 development here. This is one of the things that I've thought about and looked at carefully. What we have now, and there have been some revisions made since Monday night to the site plan, we have along -- if we could see this again -- we have along Hurst Street and along Helena, the two periphery edges where they would have -- the new development would have the most visible impact on the adjoining homes. We now have the 25 foot setbacks for the rear yards that would be comparable to an R-3. Plus we have proffered 24 feet between the units. So we would have the spacing that would be comparable to an R-3 district. We have the same public streets in both situations. The developer would have to bring up the County maintained section of Center Street to State standards and in both cases, the street layout improvements would take down the same trees, the same vegetation. Now, we also have similar height restrictions -- 35 feet, R-3 and the PDH, but we have proffered now that on those same homes, along Hurst and Helena, that there would not be -- if there is a walkout basement, it would be at grade level, which I take to mean essentially they would be looking at two stories in the rear instead of three. We wanted to keep these as compatible as we could with the existing homes, which are not small. Many of these houses date back to around the turn of the last century. We're talking about homes that are quite tall themselves and in fact, in the site plans there were comparisons of the houses in terms of elevation with the new houses. The old house that is right at the corner at Hurst and Center Street would actually be taller than the new house. So we don't have the issue of

these new homes looming over any of the older ones. Now, on the by-right development, R-3, we have no restrictions on the appearances of the houses. With our proffers for the PDH, we have front, rear and side elevations, architectural detailing. We have proffers on the building materials that talk about what will be used on the front of the houses and specifically excludes things like aluminum and vinyl siding. The R-3, of course, would have no provision necessarily for tree save or for supplementary landscaping. This would be a by-right development. The PDH has the tree save proffered, delineated on site plans. There are plans for landscaping and supplemental landscaping in some of the other areas along the peripheries and one of the tree save areas. The R-3 by-right does not have a sound wall. The PDH is proffering a sound wall in the VDOT right-of-way, and that is a very expensive proffer. The other thing that the R-3 would not have is a trail that would run from Helena over to Virginia Lane giving better access for residents in the area to Idlywood Park. The PDH does have that. The PDH also makes a contribution to the Housing Trust. Now the citizens who came to our meeting prefer, they say, the R-3 by-right development. I'm afraid I'm just not that trusting of by-right development, having -- or let me put it this way, I'm going through that right now in my own neighborhood and have seen the lots cleared to the property lines of all the trees. I think that when we consider development we have to take into account more than the issue of the lot size. In this case I specifically feel that we have a development that is better than by-right. So, Mr. Chairman, at this point I am going to move on this application. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ-2000-PR-007, SUBJECT TO THE EXECUTION OF PROFFERS NOW DATED NOVEMBER 29, 2000.

Commissioners Alcorn and Byers: Second.

Ms. Lewis: It's the 30th.

Commissioner Smyth: It's the 30th. Yes, I'm sorry, it's the 30th.

Chairman Murphy: Seconded by Mr. Alcorn and Mr. Byers. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supevisors that it approve RZ-2000-PR-007, say aye.

Commissioners: Aye.

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

Commissioner Smyth: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP-2000-PR-007, SUBJECT TO THE BOARD'S APPROVAL OF RZ-2000-PR-007 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion of the motion? All those in favor of the motion to approve FDP-2000-PR-007, subject to the approval of -- the Board's approval of the Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Smyth: Finally, Mr. Chairman, I RECOMMEND THAT THE PLANNING COMMISSION RECOMMEND THAT THE LIMITATION ON FENCE HEIGHT FOR THE PROPOSED NOISE WALL BE WAIVED PURSUANT TO PARAGRAPH 8 OF SECTION 16-401 IN ORDER TO PERMIT A MAXIMUM FENCE HEIGHT OF 16 FEET.
Commissioner Byers: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you.

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(The motions carried unanimously with Commissioners Hall and Wilson absent from the meeting.)

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