

PLANNING COMMISSION MEETING SEPTEMBER 15, 1977

Verbatim Excerpts after the closure of public hearing

Case 76-P-104 REALTY GROWTH INVESTORS

Mr. Gurski: .... then I'll close the public hearing in this case and turn to Commissioner Lockwood of the Providence District.

Mr. Lockwood: Mr. Chairman, I don't like this rezoning request. I share many of the concerns that were well expressed by Mr. Williams here and I wouldn't be at all surprised if in the next couple of years, perhaps before my term on the Planning Commission expires, we're back hearing this again and I think if we do, it would be a damn shame as to how they play games on something like this. The answer that Mr. Steele just gave me as to what would happen if we left it in PAD doesn't seem to present a very nice alternative on disapproving the applied for rezoning so it appears that my only alternative realistically is to consider what's been said here tonight; make a motion recommending approval with some somewhat minor changes being recommended to the proffers offered us tonight so with that, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF APPLICATION 76-P-104 FOR REZONING TO THE RM-2 CATEGORY SUBJECT TO THE PROFFERS PROVIDED BY THE APPLICANT THIS EVENING DATED SEPTEMBER 15, ONE PERTAINING TO SOLELY TO THE TREATMENT OF THE SIX-TENTHS OF AN ACRE ADJOINING THE WEST PROPERTY BELONGING TO TREEBROOK RECREATION ASSOCIATION AND THE OTHER PROFFER BEING MORE GENERAL ALSO DATED SEPTEMBER 15TH AND LISTING ELEVEN SEPARATE PROFFERED ITEMS BUT THAT THAT PROFFER BE CHANGED AS FOLLOWS: IN PARAGRAPH ONE IN THE FIFTH SENTENCE, THE WORD "OF" BE CHANGED TO "OR" IN PROFFER FIVE, A PERIOD BE PUT AFTER THE WORD "DRIVE" SO THAT IT WOULD READ "APPLICANT WILL ELIMINATE CONNDCTIONS TO CYRANDALL VALLEY DRIVE. ON ITEM TEN, A PERIOD BE PUT AFTER THE WORD "FACILITIES" SO IT WOULD READ "APPLICANT WILL PROVIDE A SWIMMING POOL WITH APPROPRIATE FACILITIES." ON PROFFER ELEVEN, IT WOULD BE CHANGED TO READ AS FOLLOWS: APPLICANT WILL PROVIDE FOUR CHILDRENS PLAY AREAS AND FOUR MULTI-PURPOSE COURTS WHOSE LOCATIONS WILL BE DETERMINED AT TIME OF FINAL SITE PLAN APPROVAL.

Mr. Maxwell: Seconded.

Mr. Gurski: Seconded by Mr. Maxwell. Any comments?

Mr. Lightfoot: Mr. Chairman.

Mr. Gurski: Mr. Lightfoot.

Mr. Lightfoot: I have two separate questions to Mr. Lockwood. The change that you made to the proffers, the very first one, can you go over that one again?

Mr. Lockwood: Yes, that's a typographical one. Mr. Lightfoot, it now reads, "that this property would be dedicated to the Board of Supervisors or VDH&T." I believe it's quite obvious that should be the Board of Supervisors or VDH&T. Okay.

Mr. Lightfoot: Then the other question relates to the separate proffer --

Mr. Lockwood: Yes.

Mr. Lightfoot: There was a discussion, I believe Mr. Hansbarger believed he would add four words to that which you didn't mention. I think the staff would like to have and I think probably are necessary and that is after the word "conveyed" in the fourth from the bottom line add "without further consideration."

Mr. Lockwood: Good point. I'd like to accept that as an amendment to the motion.

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Mr. Gurski: Okay.

Mr. Lightfoot: Thank you.

Mr. Gurski: Mr. Maxwell, do you accept that?

Mr. Maxwell: Yes.

Mr. Gurski: Mr. Merrell.

Mr. Merrell: One brief question, Mr. Lockwood. Is your reluctance to deny this and keep it in the PAD simply one of density or are their other aspects of the PAD that bother you.

Mr. Lockwood: Primarily one of density. I think we're getting an awful lot  
chuck a blocked in here.

Mr. Merrell: Several weeks ago, we had a rezoning for<sup>a</sup> shopping center at Tysons which I believe this Commission approved. I voted against it with full knowledge that the present plan and what they could do if the Tysons Center was not developed would perhaps result in even more problems in Tysons area in the shopping center and I thought the shopping center would create an absolute monstrosity there but I ... I had a, I don't think this is good reasoning but a gut reaction which was later - I was later informed by the staff that it wasn't a very good reaction that they'd never build that - that they would come back with something else. This is the apartment office complex. Based on what's happened on this piece of land probably based on Mr. Williams' testimony and Mr. Hansbarger's testimony do you think that if this were denied and PAD were left in place that they'd never build the bloody thing or aren't you willing to take that chance?

Mr. Lockwood: I think, Mr. Merrell, there's a good chance they wouldn't.

Mr. Merrell: They would?

Mr. Lockwood: That they would not proceed to do it that way, but we might be obstructionists. I'd rather go along with something that's somewhat feasible and try to extract from them everything that we can that seems to be appropriate.

Mr. Gurski: Other comments on the motion? If not, you've heard the motion by Mr. Lockwood. All those in favor, please respond by saying aye. Opposed. The motion passes unanimously. Mr. Lockwood, that's it?

Mr. Lockwood: Mr. Chairman.

Mr. Gurski: Yes.

Mr. Lockwood: I'm glad you asked is that it because I do have another minor motion.

Mr. Gurski: On this case?

Mr. Lockwood: On this case. I WOULD LIKE TO MOVE THAT AS CONCERNS THE THE NEXT REVIEW

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OF THE CIP, CAPITAL IMPROVEMENT PROGRAM, THAT BASED ON THE CIRCUMSTANCES THEN EXISTING AND PROJECTED, THAT CONSIDERATION BE GIVEN TO MOVING THE VIENNA FIRE STATION, EXCUSE ME, THAT'S THE FIRE STATION PLANNED IN OAKTON IN FY 1981 THAT IT BE MOVED UP TO 1981, NO, 1980.

Mrs. Fasteau: Seconded.

Mr. Gurski: Seconded by Mrs. Fasteau. Any discussion? If not, all those in favor of this motion, please respond by saying aye. Opposed. In this particular motion, Mr. Wyckoff, this motion ought to be brought to the attention of Mr. Johnson so that it could be filed away in those CIP papers and it doesn't get lost somewhere in the shuffle between now and CIP.