

5/4/92

4:00 p.m. Item - RZ-91-V-003 - POHICK STATION LIMITED PARTNERSHIP
Mount Vernon District

On Thursday, February 27, 1992, the Planning Commission voted unanimously to recommend to the Board of Supervisors the following actions pertinent to the subject application:

- 1) approval of RZ-91-V-003, subject to the execution of proffers consistent with those dated February 26, 1992;
- 2) modification of the transitional screening and waiver of the barrier requirements in lieu of that shown on the GDP;
- 3) waiver of the service drive construction along Route 1;
- 4) waiver of the 600-foot maximum length of a private street, as provided in Section 11-302 on the Zoning Ordinance.

Planning Commission Meeting
February 27, 1992
Verbatim Excerpts

RZ-91-V-003 - POHICK STATION LIMITED PARTNERSHIP

Decision Only During Commission Matters

Commissioner Byers: Mr. Chairman, last week we had a public hearing on RZ-91-V-003, Pohick Station Limited Partnership, and we deferred the decision on that case 'til tonight because we received new proffers. We just received newer proffers again tonight. However, the newer proffers, I am advised by staff and the applicant, are essentially editorial changes with the exception of the last proffer which has to do with money being proffered to the Park Authority and that was revised at the request of the Park Authority. So tonight I would like to go ahead and move the action on this particular case. Before I do, I would like to talk about some of the concerns that were raised at the public hearing. There was some concern about the -- whether the applicant was requesting a waiver of the screening and barrier requirements. In fact, the applicant is only requesting a waiver of the barrier requirements and it was doing -- and that request was made at the request of the Architectural Review Board, which did not want a barrier in this particular area and instead wanted increased landscaping. And the applicant has added that landscaping. So it's a modification of the screening requirements, not only a waiver of the barrier requirement. There is some question about the proffered support for the County park system, 'cause the staff report noted that the Park Authority had requested \$61,000 for various park services, and the applicant declined to address that amount. However, last week at the public hearing the applicant did come up with a proffer of \$24,500, or \$500 per dwelling unit. And I discussed this amount with the Park Authority and learned that the formula by which the \$61,000 was created had in fact been discarded by the Park Authority some months ago. And the Park Authority now was very pleased to hear that the applicant was proffering the amount of \$24,500, which was more than the Park Authority really expected to get. And so I think we have fairly well resolved that problem and I thank the applicant for not trying to withdraw the proffer and reduce the amount, 'cause our park services could certainly use all those funds. The most substantive issue was perhaps whether the words in the Comprehensive Plan concerning substantial consolidation have been achieved. It was noted that there are several lots fronting on Route 1, which are now or have been in the past, in commercial use. And the applicant -- it was suggested the applicant could have acquired these lots, had the applicant been willing to pay the price. It seems to me, however, there is a question of equity here. It's being suggested that the applicant should acquire commercial property, at commercial prices, but then use the property for residential uses, which provides far less income to the applicant. But even further, after having acquired that commercial property the applicant would then be asked to dedicate fifty percent (50%) of it for the widening of Route 1. It seems to me that it's both unrealistic and unfair to ask any applicant to undertake an acquisition of that nature. If we look at the actual amount of space in the application, it presently includes

fifty-five per cent (55%) of the area described in the Comprehensive Plan, which is the triangular area there. When the frontage of the lots facing on Route 1 are taken for the expansion of Route 1, the application property will then include sixty-four per cent (64%) of the available area. And further, when the split lots are left in open space because they cannot be -- the smaller lots cannot be developed -- there will not be sufficient space left to develop anything on them. So they will have to be left in open space. Then the applicant's property approaches seventy-five percent (75%) of the developable property. And it seems to me that seventy-five per cent (75%), or close to that, meets the criterion of substantial consolidation. So for these reasons, Mr. Chairman, I want to move affirmatively on this application. And I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ-91-V-003, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE PROVIDED TO THE COMMISSION TONIGHT AND DATED 26 FEBRUARY 1992.

Commissioners Bobzien and Sell: Second.

Chairman Murphy: Seconded by Mr. Sell and Mr. Bobzien. 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-91-V-003, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Byers.

Commissioner Byers: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD APPROVE THE REQUESTED MODIFICATION OF THE TRANSITIONAL SCREENING AND THE WAIVER OF THE BARRIER REQUIREMENTS IN LIEU OF THAT SHOWN ON THE GDP.

Commissioner Bobzien: Second.

Chairman Murphy: Seconded by Mr. Bobzien. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

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

Commissioner Byers: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THE BOARD APPROVE THE WAIVER OF THE SERVICE DRIVE CONSTRUCTION ALONG ROUTE 1.

Commissioners Sell and Bobzien: Second.

Chairman Murphy: Seconded by Mr. Sell and Mr. Bobzien. Is there a discussion of that motion? All those in favor of that motion, say aye.

Commissioners: Aye.

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

Commissioner Byers: Finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THE DIRECTOR OF DEM BE DIRECTED TO WAIVE THE 600-FOOT MAXIMUM LENGTH OF A PRIVATE STREET, AS PROVIDED IN SECTION 11-302 OF THE ZONING ORDINANCE.

Commissioner Bobzien: Second.

Chairman Murphy: Seconded by Mr. Bobzien. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? The motion carries. Thank you very much. Thank you, Ms. Godfrey.

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(All motions passed unanimously.)

SLS