**Meeting Minutes**

**Reston Planning and Zoning Committee - Regular Meeting**

Monday, March 21, 2022 at 7:30 PM

Meeting held virtuallyVideo available: https://www.youtube.com/watch?v=djT8yO\_6kYg

**Members Present**

| Jake Hovermale  | William Penniman X |
| --- | --- |
| Mike Jennings X | Tammi Petrine X |
| John Kauppila X | Rebecca Smith-Zakowicz X |
| Michelle Kimmel X | Matt Stevison X |
| Richard Kennedy X | Sue Ann Straits X |
| Katie McClain  | David Vanell X |
| William Pegues X | Robert Walker X |

**Others Present**

| Lisa Connors (Hunter Mill District Communications Director)  | John Carter (Hunter Mill District Planning Commissioner) |
| --- | --- |
| Larry Butler  | Kevin Fellin |
| Matthew Clark | Michael Van Atta |
| Andrea Crossett | Steven Coniglio |
| Dennis Dixon | John Amatetti |

**Application Description**

Application name: Fannie Mae

Application number: PCA 93-H-004-02 / CDPA 93-H-004 / FDPA 93-H-004-02-02

Applicant: WS-ADW Owner , LLC

Agent: Steve Coniglio, Innovative Development Group, LLC

Applicant Representative: Michael Van Atta /McQuire Woods

PC Hearing Date: 4/XX/2022

BOS Hearing Date: TBD

Staff Report: 2/24/2022

**Application Presentation Summary**

Presented by Michael Van Atta

* From a use and density perspective, this mixed use option would more in line with the Reston Comprehensive Plan
* Maximum density of 6.0 du/ac
* No density bonus taken for affordable housing
* 8 ADUs / 2 WDUs
* 220,000 SF less GFA than the office option
* The existing office approval with below grade parking does not align with how the site was developed
* (Kevin Fellin): the traffic study found it would 82% less vehicle trips than governing office approval. 88% AM peak hour trip reduction, 86% peak hour trip reduction.
* Believe they have incorporated biophilic design principles and provided significant open space amenities for the residents and the neighborhood.
* New green network through pond improvements, pedestrian improvements, and green building design techniques.
* Believe it will yield a net environmental improvement from the office approved for the site.
* (John Amatetti):
	+ The ponds are staying in the same location. The current ponds have over 13 acre feet of storage, which is significant storage for a site of this size. The purpose was to provide an environmental benefit for the site and off site
	+ No encroachment into wetlands, floodplain, RPA
	+ Removal of invasive species / revegetation
	+ Supplementing aquatic benches with newer benches
	+ Committed to use biofilters
	+ Committed to investigating use of the pond water for irrigation
	+ Decreased impervious area from the office approval
	+ EQC: has a factual component in the policy plan. We have improved upon the EQC based on the as-built condition. The previous EQC was a water quality EQC more than anything else. The conservation easement is a stream valley. ECQ office vs. townhomes:
		- 40,100 SF net increase of EQC area
		- New EQC includes entirety of ponds, areas with steep slopes, and stream valley
		- New conservation easement
	+ The grading plan we did was a construction drawn quality and we did an analysis of the entire northern edge that the upside was we were able to lower or remove walls. The vast majority of the walls are 2ft so they can act as seat walls.
	+ Some areas are not in EQC on the southern side because there are trails or art that we would not want to revegetate that area. This is a scenic EQC, but we were trying to do something genuine.
* On the EQC, the areas that have been deleted, you are getting a net increase of 40k in replacement area in more critical areas and will include all the ponds that the current EQC does not. 7.02 acres of contiguous EQC on the property in critical locations.
* (Matthew Clark): We have planned a good amount of category 3 and category 4 trees. There are a ton of opportunities to use native and adaptive species.
* (Steve Coniglio): So we are going to increase the total tree save and increase the tree canopy.
* The parks and open space improvements include 1.23 acre increase of open space from the office approval and over 9 acres of publicly accessible open space around the ponds, including the existing trail network and including new public recreation amenities.
* There will also be private open space for the residents of the town homes in the Central Green.
* (Steve Coniglio): all the ponds will be publicly accessible and the trails around the ponds will be publicly accessible.
* The existing art features will be retained, integrated into the site design, and publicly accessible.
* Pedestrian connectivity: the site design has full public access through the site.
* (Matthew Clark):
	+ looking at options to improve the trails, upgrade benches, upgrade dog walking features, and add low level lighting were appropriate.
	+ Trail to north shore drive publicly accessible 24/7
	+ Public pedestrian access for entirety of American Dream Way
	+ New connections to W&OD
	+ Frontage improvements along Sunset Hills Road
	+ Public access points:
		- Added an options access point at Ivy Oaks
		- Possible additional access point at the easter side along the W&OD
		- Connection from North Shore is all on the site providing unfettered North / South access
		- The path along the East / West on the north side would have a pivot
		- Possible larger
* (Kevin Fellin): we relooked at the Sunset Hills Road / American Dream Way
	+ Bumped out the curbs into the site. Converted pavement to bike lanes.
	+ The high visibility crosswalk along Sunset Hills Road
* (Andrea Crossett): Townhomes streetscapes
	+ Flipping the sidewalk
	+ Landscape amenity with significant trees
	+ Nice size front yards
* Realigned the private public mews
* No longer two units located north of pond B, does not technically meet EQC but removed units and added a pedestrian bridge
* On rear-loaded units, there are examples of units in Reston, including Western Market and future EYA units.
* Believes rear-loaded units provides diversity of housing
* Along the northern property line with Ivy Oak, we have committed to leaving up the fence, but also included a proffer to leave discussions open with Ivy Oak
* Committed in proffers to ensure that any fence that may be needed on the North South pedestrian connection will be reviewed and if there is a secure tenant, the American Dream Way pedestrian connection will remain publicly accessible.



**Committee Member Questions/Comments**

Member Name: Richard Kennedy

* What did you mean by “the applicant reserves the right to provide gates and restrict public access for the exclusively office portion?”
	+ (Van Atta): Baseline commitment is full public access, but if there is a secure tenant with specific needs, we can work with the zoning administrator on gates.
	+ (Coniglio): Just the area around the office building and the parking.
* Where is the access point on the north side?
	+ The new sidewalk on the north eastern side of American Dream Way will provide public accessibility to the ponds.

Member Name: WIlliam Pegues

* On native and adaptive plants: adaptive are not native. While some can be beneficial or not cause harm, they are not native.
* Any animals that use this site will flee.
* You should attempt to integrate the dark skies program.
* I agree these units are way too urban. The lack of a place to put your car other than inside your garage is an unacceptable way to build this area.
* Too dense and compressed for the area where you are building.
* How and where will trash be picked up?
* I could not vote positively for this project.

Member Name: WIlliam Penniman

* I think putting townhouses is better than the office buildings.
* Public access is a huge benefit for the community.
* On the EQC, I understand those can be adjusted if there are good reasons. I do not have the detailed knowledge if this is appropriate.
* I appreciate the additional EQC.
* I would eliminate the 6 units closest to Ponds A & B
* I appreciate the green building and EV charging
* What is the ongoing commitment on how these ponds, paths, and open space being maintained?
	+ There will be an HOA with the residential and the commercial owners.
* The LED lights, it would be good to have limits on lights and have them downward facing. You should consult with RA on an appropriate temperature.
	+ (Congilio): We can commit to full shut off lights.
* Will American Dream Way be a private road or VDOT?
	+ Private road.
* The office building across Old Reston, we tried to get it to open its land area to public access and they said no.
* Will help to have more 3 bedrooms in the TSA.

Member Name: Sue Anne Straits

* Some positives: public art, contribution to athletic fields, relocating the playground out of the EQC
* Green building techniques: did you consider striving for LEEDS?/
	+ This is a standard townhome proffer for Fairfax county. It is reserved for the ultimate builder to decide. But we have ensured EV and solar panels can be installed.
	+ (Coniglio): LEED is proprietary, and not all ways to get points are really benefiting the environment.
* DRB: our committee likes to encourage you to have the plans reviewed by DRB. You talked a lot about the look and feel of this design, but this feels crowded. I am also concerned with the EQC.
	+ (Coniglio): Normally I am happy to have them review stuff, but some of the answers are very difficult for builders. I would try to avoid DRB because it will take a bunch of extra time.
	+ (Van Atta): Happy to do post zoning check-in.
* Staff wanted you to remove units, but there could be a compromise by deleting units 14-22.

Member Name: John Kauppila

* Bill Penniman wrapped up the comments well.

Member Name: Mike Jennings

* I wish the proffer for RA was more committal
* We have many applications come through here with just pocket parks, but here we have a lot of park-like land close to the metro.
* Since this is TSA, we should not expect the same density as the neighborhoods.

Member Name: Matt Stevinson

* Wanted to thank the team that put together this presentation.
* No issue with density on this site due to its proximity to other urban amenities.
* Would encourage you to work towards a higher level of green compliance.

Member Name: Michelle Kimmel

* This presentation presents a false choice. Instead of comparing the changes you made since you last met with us, you continue to compare this residential option to a commercial option that no one believes will be built as approved.
* We need to know what you have changed since staff recommended denying this application. What did staff say to the changes you made?
	+ Need more details to justify the EQC modifications. Staff is still talking internally.
* If staff says no?
	+ We will press forward with this because we feel there is precedent to do this.
	+ (Coniglio): We think we are adding open space and eqc. Scientifically this is what they say this should be the line. The current EQC is wrong. Kind of like painting a picture. The canvas is the site.
* Why can you not commit to RA membership
	+ (Coniglio): This is the exact language from RA
	+ (Larry Butler): we would like a more formal commitment.
* Why do you have a proffer that RA might take over maintenance of the ponds? We do not want to take over ownership and maintenance of your ponds.
	+ (Coniglio): This is still part of our discussions.

Member Name: Rebecca Zakowicz

* Struggling internally with the density issue and RA membership.

Member Name: Tammi Petrine

* There is no way RA can take responsibility on any one cluster because the other 143 would want the same deal.
* You sent us a presentation with a significant paper dump which arrived late Friday before a Monday meeting but you did not divulge what had changed when you had the redline changes at your fingertips. This is abusive and inconsiderate after RPZ has met with you multiple times.
* Some of your ‘facts’ are wrong especially about RA.
* Did you shorten the driveways so cars cannot park in driveways?
	+ Yes, that was a comment from staff.
* There is not sufficient parking now that driveways have been shortened to disallow driveway parking and additional parking which you call ‘ample’ is anything but.
* Your streets are too narrow for residents to get into garages.
* If you did 45 two over twos with elevators, you would reduce footprint but Conigilio wants 148 DU’s if they are two over twos. What sense that that make at your price range of $1 – 1.2M each? The current plan does not provide the necessary space for expensive TH’s. This is most beautiful site left in Reston for residential and it will be ruined by 87 TH density.
* On DRB, you should have already met with them.
* Let’s wait for staff responses to your proposals.
* The floodplain data is not up-to-date and the study has not been completed.
* This applicant refused to add an RA membership proffer when they mistakenly thought RA was going to assume complex and expensive maintenance for the ponds and trails. What does that tell you about their commitment to Reston and the community as a whole?

Member Name: Robert Walker

* This site is in the TSA area so it is a little different than the neighboring communities.
* The EQC is a negotiated thing based on a lot of factors which can be further refined later.
* It comes down to what is the quality of the area and this applicant did save one sliver of wetlands.
* They did try to address some of the county staff comments.
* We do have a county staff report that shows a denial.
* We will not get a final staff report prior to the planning commission.
* I think the positives outweigh the negatives.

Member Name: David Vannell

* I wish there were some way they could reduce the number of townhouses. It is in a perfect location from the two stations. But I am not convinced the density is structured properly. It needs something that does not encroach on the wetlands and ponds.



**Planning Commissioner Comments**

* I did not understand you getting approval for 90 but the layout has 87.
* The setback from the pond area needs to be fixed.
* The layout. This does not have any units fronting on the alley. It might be good to do a layout on how a service vehicle like a trash truck gets to these units. There are tweaks you can make to make this better, but we need to have a grander discussion on whether or not Reston wants these layouts.
* We need to solve this RA issue. I understand the developers pushback, but we need a better understanding. This needs to be settled.
* The trail system needs to be settled too. Who should maintain it?
* The layout and the whole alley-width, I think we need to figure that out.
* Whether this gets approved or not, there are things that are setting a new standard. I think the attention to the environment and energy conservation will hopefully set a new standard.



**Public Comments**

Jan Delucian

* On transportation, you are saying American Dream Way will become a public access road for all traffic?
	+ It will have 100% pedestrian accessibility
	+ In terms of vehicular, we will have the ability to restrict traffic through the secure portion if needed.
	+ (Kevin Fellin): we evaluated two options one with and one without the gates
* This will be putting 90 units on 3.2 acre spot.

Lynne Mulston

* Tree save: are you taking down established trees and replacing them with trees with smaller diameters?
* Looking at the proposed EQC, it appears they are giving up a significant EQC. You should respect the existing EQC, and if you want to add, it should be added to that footprint, not deleted from it.
* The townhomes built on the EQC should be removed from the plan.
	+ What we are trying to showcase with our EQC graphics is that there is nothing that meets the criteria for EQC for the area.
	+ This is why we feel comfortable redefining the EQC.
	+ Previous EQC was conceptual and subject to further evaluation.
* Is Ivy Oak amenable to the public access point?
	+ (Van Atta): We have had a couple of conversations and they are discussing with the community. If they don't want it, we will remove it.
* You said the streetscape design was from community meetings, but the community is opposed to the density crammed in the site. You should remove units and expand the open space.
* Midline is urban TSA, this site is stable neighborhoods. We do not want to see a replication of the Tall Oaks design in this area.
	+ (Van Atta): this is in the TSA
* It is a requirement to carry forward the proffers from the 90s.
* Would respectfully request that you defer a vote until you hear back from staff on the changes.

Provided Over Chat

* My only comment is we don't want the canyon-like streets (like the ones just built on the Tall Oaks site). This would require removing one of the north-south facing rows and increasing the distance between the remaining rows (and you could probably add a house or two to the east-west facing rows if you do this). This also affects child safety - the narrow, canyon-like streets are much less safe for young children on bicycles. We want this neighborhood to be family and kid friendly!
* The North Shore Cluster still believes it's too dense. Also, the NSC agrees with the language in proffer #60 but opposes the language in proffer #20 that the fence and trees be removed if a secure tenant moves in. The fence and trees provides a critical buffer between NSC and the Fannie Mae building. And if this is approved, we would ask that the hours of construction be altered to M-F 8am - 7pm and Sat 9am-5pm.



**Votes**

Motion: William Penniman made a motion to approve the plan subject to the EQC issue worked out with staff. Mike Jennings seconded the motion.

* Sue Anne Straits: subject to removing units?
	+ William Penniman, no
* Michelle Kimmel: subject to dark skies?
	+ William Penniman, no
* Michelle Kimmel: subject to proffer that homeowners / commercial owners covering the maintenance of the ponds
	+ William Penniman, no

Vote

* No
	+ Tammi Petrine
	+ Michelle Kimmel
	+ Sue Anne Straits
	+ David Vannell
	+ William Pegues
* Yes
	+ Matt Stevison
	+ Mike Jennings
	+ John Kaupilla
	+ William Penniman
	+ Richard Kennedy
	+ Robert Walker
	+ Rebecca Zakowicz



**Administrative**

* January meeting minutes approved.
* Next meeting will have Commerce Center by Comstock. We have also been trying to do an update with the Reston Comprehensive Plan Task Force.
* Lofts 2 by Pulte will now likely come in May now.
* John Carter would like to offer a walk through of Comstock’s Commerce Park property.