

5:30 P.M. Items - RZ-2001-SP-007 - ROSEWOOD BUILDING & DEVELOPMENT
RZ-2001-SP-009 - ROSEWOOD BUILDING & DEVELOPMENT
Springfield District

On Wednesday, July 25, 2001, the Planning Commission unanimously voted (Commissioners Koch, Moon, Palatiello and Smyth absent from the meeting) to recommend the following actions to the Board of Supervisors:

Approval of RZ-2001-SP-007, subject to execution of proffers consistent with those dated July 12, 2001;

Approval of RZ-2001-SP-009, subject to execution of proffers consistent with those dated July 12, 2001;

Modification of the sidewalk requirement along Silverbrook Road in favor of a trail for both applications RZ-2001-SP-007 and RZ-2001-SP-009;

Modification of the sidewalk requirement along Bayberry Ridge Road in favor of that shown on the Generalized Development Plan.

Planning Commission Meeting
July 25, 2001
Verbatim Excerpts

RZ-2001-SP-007 - ROSEWOOD BUILDING & DEVELOPMENT, LLC
RZ-2001-SP-009 - ROSEWOOD BUILDING & DEVELOPMENT, LLC

After Close of Public Hearing

Commissioner Murphy: Thank you, Mr. Chairman. This has been a very interesting experience since 1988. I think one of the reasons that we didn't look favorably upon a Plan Amendment at that time was -- I think the request was from commercial and we didn't see that commercial would be very appropriate on that street at that particular time. But times change and the people that live on Silverbrook Road and in these houses were probably approached back in 1983 to be consolidated in with Silverbrook -- I mean in with Crosspointe, but didn't opt to do that and then decided they would like to consolidate. And we came up, I thought, with some creative language to give them some density and have a neighborhood consolidation, and as Mr. Lawson pointed out, that fell apart. And it was unfortunate that did fall apart. And we got together and we came up with some more creative language which is a language that we all heard, I think it was on June 6, 2001, before the Planning Commission and we approved it unanimously to allow these folks who'd been waiting for a long time to improve their lot and to get rid of the older houses there and bring that property up to speed with Crosspointe and the neighborhoods across the street, their chance at rezoning. And this was the creative language that we came up with and obviously tonight I'm proud to say that both rezonings are in conformance with the Comprehensive Plan. There are some negotiations still going on -- an easement which is going to cost the developer some money. And he's been rather generous on rather a small rezoning -- a modest rezoning with the contributions he's made. As far as the contribution is concerned, I talked with Neil McBride at Plan Amendment time, I told him I was not going to put that kind of language in the Plan Amendment. It wasn't in the Laurel Hill Plan Amendment; he was four square behind. It wasn't in the Plan Amendment for the Lorton Towne Center. All of a sudden we've discovered that there's a school problem in this part of town. Could have told you that a long time ago. There's a school problem in Fairfax County. And I'm not going to insist that any of the developers in Fairfax County come across with that -- those funds until we follow the guidance of Chairman Hanley and the Board and come up with the appropriate guidelines in making financial contributions to everyone. And it would be arbitrary and capricious of me to insist that that kind of proffer be in this to support the schools in South County when I'll tell you right, with the expansion of the Springfield District, we have that problem all the way to Chantilly High School. You are not alone, Mr. Moore, and neither is Mr. McBride. And until we get a unified policy in Fairfax County that's adopted by the Board of Supervisors, which we now have a consultant on board and we're looking at this right now, and the consultant is looking at donations. Not only to schools but to libraries, police stations and fire stations, in addition to what has already been given to affordable dwelling units, and the Park Authority. When we get that all sorted out we'll probably have some sort of public hearing on what we're going to do, a

public information hearing, and then the schools will get a piece of that rock. But until that time I'm not going to exercise any arbitrary and capricious judgments on my part to satisfy this requirement, although we recognize the need. And Supervisor McConnell certainly has taken some creative steps which were not passed by the legislature to finance schools. So, therefore, we're stuck with that sort of Catch-22 situation. It's not that we don't support the schools. I want to make sure that we do it correctly. And I'm going to follow those guidelines and so is she until the Board of Supervisors and Chairman Hanley adopt the guidelines that's going to apply to all rezonings and all developers. One part that does disturb me is that we're always tapping the residential developer. We haven't hit the commercial developer yet. And there is definite linkage between schools, commercial developments, and the houses that are necessary for us to build in this County to support those people coming into this County who want to work in our commercial nodes. Something is wrong here and we cannot deny an application because of lack of public facilities. Okay. Having said that, it's been a joy working with Lawson, Ballard and Jennen on this case. I also want to thank Pam Nee who really helped us with the Plan Amendment language and Fran Burns on the staff who did a great job coordinating all this. We had a lot of citizens meetings. Just tonight, no speakers except for the school people. No speakers. That just shows you how hard we worked on it. And I want to thank Supervisor Wilson (sic) and also Supervisor -- I mean Commissioner Wilson and Commissioner Byers for their assistance in this too.

Commissioner Wilson: Yes, I've been promoted.

Commissioner Murphy: So I really want to congratulate everybody. It was a great case. And, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ-2001-SP-007, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED JULY 12, 2001.

Commissioners Wilson and Alcorn: Second.

Vice Chairman Byers: Seconded by Ms. Wilson and Mr. Alcorn. Any discussion? All in favor of the motion to recommend the Board approve RZ-2001-SP-007, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed? Motion carried. Mr. Murphy.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2001-SP-009, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED JULY 12, 2001.

Commissioner Wilson: Second.

Vice Chairman Byers: Seconded by Ms. Wilson. Any discussion? All in favor of the motion, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed? Motion carried. Mr. Murphy.

Commissioner Murphy: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE THE MODIFICATION OF THE SIDEWALK REQUIREMENT ALONG SILVERBROOK ROAD IN FAVOR OF THE TRAIL FOR BOTH RZ-2001-SP-007 AND RZ-2001-SP-009.

Commissioner Wilson: Second.

Vice Chairman Byers: Seconded by Ms. Wilson. Any discussion? All in favor of the motion, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed? Motion carried. Mr. Murphy.

Commissioner Murphy: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE MODIFICATION OF SIDEWALK REQUIREMENT ALONG BAYBERRY RIDGE ROAD IN FAVOR OF THAT SHOWN ON THE GENERALIZED DEVELOPMENT PLAN.

Commissioner Wilson: Second.

Vice Chairman Byers: Seconded by Ms. Wilson. Discussion? All in favor, say aye.

Commissioners: Aye.

Vice Chairman Byers: Opposed? Motion carried.

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(The motions carried unanimously with Commissioners Koch, Moon, Palatiello and Smyth absent from the meeting.)

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