

5:30 P.M. Item - RZ-2000-SU-012 - CENTEX HOMES
Sully District

On Thursday, September 28, 2000, the Planning Commission voted 8-1-1 (Commissioner Harsel opposed; Commissioner Kelso abstaining; Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting) to recommend that the Board of Supervisors take the following actions:

Approval of RZ-2000-SU-012, subject to execution of proffers consistent with those dated September 20, 2000;

Waiver of the barrier requirement along the eastern and souther property lines of the townhouse deveopment;

Waiver of the requirement for construction of a service drive along Route 29;

Waiver of construction of an eight foot wide Type 1 asphalt trail along Route 29 in favor of refurbishing the existing eight-foot wide asphalt trail;

By a vote of 7-0-3 (Commissioners Harsel, Kelso and Moon abstaining; Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting) the Planning Commission recommended that the Board waive the requirement for a 600-foot maximum length of private streets.

The Planning Commission voted 8-1-1 (Commissioner Harsel opposed; Commissioner Kelso abstaining; Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting) to approve FDP-2000-SU-012, subject to the development conditions contained in Attachment 2 of the staff report and subject also to the Board's approval of RZ-2000-SU-012.

Planning Commission Meeting
September 28, 2000
Verbatim Excerpts

RZ-2000-SU-012 - CENTEX HOMES
FDP-2000-SU-012 - CENTEX HOMES

Decision Only During Commission Matters
(Public Hearing was held on 9/13/00)

Commissioner Koch: Thank you, Mr. Chairman. Two weeks ago we held a public hearing for Buckley's Reserve by Centex Homes. We deferred the decision to give the applicant time to respond to public hearing comments and to address concerns we raised. This case has come a long way since the original staff report was published and has improved even more over the last two weeks. Since the public hearing, the applicant has provided additional buffering for residents near the Sebastian Drive cul-de-sac and worked with the key property owners on Sebastian Drive towards securing an agreement on additional right-of-way for a permanent cul-de-sac at this location. Finally the applicant has added standard garage proffer language and committed to fencing the tree save area during construction, as we had recommended. I know a few of you are concerned about the location of the ADUs. This is a good night to talk about this too, I guess. While I might agree with the concept of dispersal in this particular case because there are two builders and several different product types, integrating the ADUs would be extremely difficult. However, I am satisfied that with the inclusion of the commitments to construct each of the ADUs with a garage and a brick front and with the dispersal of some of the ADUs, the applicant has made its best faith effort to ensure that the ADUs are compatible with the market rate units and are truly part of this community. It will be very difficult, if not impossible, to distinguish the ADUs from the market rate units. I also want to respond to other issues raised on the night of the public hearing. Staff, the applicant and I wrestled with the fact that there is only one primary road serving the proposed development. I want to clarify that the Comprehensive Plan calls for both Sebastian and Olivia Drives to terminate in cul-de-sacs. That is why the applicant has not proposed a connection to Willowmeade and why transportation staff did not press this issue. I should add that Willowmeade vigorously opposed these connections as well. As Mr. McDermott noted last week, until March of this year, a connection to the west by way of the Summit Drive-Steuben Pike loop road was contemplated to serve this site. However, for very good reasons, that possible connection was deleted by the Board of Supervisors through an Out-of-Turn Plan Amendment with the support of residents of Fair Lakes Glen and Westbrook Drive. A second point of access to the development from Route 29 was opposed by VDOT and our Office of Transportation. Yes, the project will have one major access point, but the Comprehensive Plan leaves no real alternative. The applicant will provide a signal at Route 29 that will address the needs of this new community and respond to the needs vocalized to Supervisor Frey and me for several years by the Crystal Springs community. He has also added another turn lane to the entrance. The applicant is providing an emergency access to the site and has proffered to provide right-of-way and escrow funds to construct a service drive west of Summit Drive when needed. With respect to noise

attenuation, the site plan and subdivision plans for this project will not be approved unless and until the applicant demonstrates to DPW&ES that the units to be constructed will meet proffered County approved interior and exterior noise standards for residences. This means that residential use permits for affected units will not be issued until noise fences, if required, have been constructed. And it has been demonstrated that interior noise will be mitigated with appropriate construction materials. This applicant has worked with the surrounding communities throughout the development of this plan. There have been substantial changes as a result of citizen comments, including relocation of Summit Drive, redesign of the stormwater management facility and relocation and reorientation and reduction of units proposed on the plan. I also think there is a value to the County and to the adjacent community to maintaining this assemblage, which was very difficult to put together, as a cohesive project. I am satisfied that the applicant has adequately addressed the concerns raised at the public hearing. The applicant has staff's favorable recommendation and the development plan and associated proffers conform to the Comprehensive Plan and to the Fairfax Center checklist. Mr. Chairman, I RECOMMEND THAT WE RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2000-SU-012, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 20, 2000.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion? All those in favor --

Commissioners Harsel and Moon: Mr. Chairman?

Chairman Murphy: Ms. Harsel.

Commissioner Harsel: Ms. Johnson, I have the info channel with the GDP or whatever it is up here. Would you kindly put your pencil on where the exit ramp from the Parkway is? Where does that end? No, when you're on 29, I'm sorry. I was not clear.

Ms. Leslie Johnson: Where it ends?

Commissioner Harsel: Yes. If you're coming off --

Ms. Johnson: I believe it ends right there.

Commissioner Harsel: Okay. And where's Betty's Azalea Ranch?

Ms. Johnson: It's off the map. It's on the other --

Commissioner Harsel: I know it's on the other side, but just about where is it located? Mainly because I took it today. I've taken it everyday since we heard it.

Ms. Johnson: I think it's on this side.

Commissioner Harsel: Okay. I couldn't find Summit, but that's neither here nor there. Okay. Thank you.

Chairman Murphy: Mr. Moon.

Commissioner Moon: Thank you, Mr. Chairman. Mr. Koch. May I ask you whether there has been any change since we held the public hearing as to the location of ADUs?

Commissioner Koch: Yes, there has been. As I indicated, the applicant has proffered that all the ADUs will have garages, will have brick facades and he has agreed to disperse some of the ADUs. They are not all going to be dispersed.

Commissioner Moon: Could somebody show me on the map where those ADUs will be?

Commissioner Koch: We'll have to ask the applicant to do that.

Frank McDermott, Esquire: When we were here at the hearing all the ADUs were over in this area. There are 29 ADUs. Fourteen of those have been moved. This is one stick of ADUs. I can't tell from this drawing, the other is somewhere in this area and there are 14 markets over here. So they are equally dispersed in that fashion.

Commissioner Moon: Appreciate it.

Chairman Murphy: Mr. McDermott, would you please identify yourself for the record?

Mr. McDermott: I'm sorry. My name is Frank McDermott. I'm the attorney for the applicant.

Chairman Murphy: Thank you very much. Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-2000-SU-012, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Harsel: No.

Commissioner Kelso: Abstain.

Chairman Murphy: Mr. Kelso abstains, not present for the public hearing. Ms. Harsel votes no. Motion carries. Mr. Koch.

Commissioner Koch: Thank you, Mr. Chairman. I MOVE THAT WE APPROVE FDP-2000-SU-012, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN ATTACHMENT 2 AND THE BOARD'S APPROVAL OF RZ-2000-SU-012.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion? All those in favor of the motion to approve FDP-2000-SU-012, say aye.

Commissioners: Aye.

Chairman Murphy: And that of course is subject to the approval of the rezoning. Opposed?

Commissioner Harsel: Nay.

Commissioner Kelso: Abstain.

Chairman Murphy: Motion carries. The same division. Mr. Koch.

Commissioner Koch: I MOVE THAT WE APPROVE A WAIVER OF THE BARRIER REQUIREMENT ALONG THE EASTERN AND SOUTHERN PROPERTY LINES OF THE TOWNHOUSE DEVELOPMENT.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion? All those in favor --

Commissioner Harsel: No. Oh, I'm sorry.

Chairman Murphy: -- of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Harsel: No, no. I'm voting no on this.

Chairman Murphy: I know. I know.

Commissioner Harsel: I'm being emphatic.

Chairman Murphy: Same division. Motion carries. Mr. Koch.

Commissioner Koch: I MOVE THAT WE RECOMMEND APPROVAL --

Chairman Murphy: Don't let it get you shook up.

Commissioner Koch: -- OF A WAIVER OF THE REQUIREMENT OF THE CONSTRUCTION OF THE SERVICE DRIVE ALONG ROUTE 29.

Commissioner Byers: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Harsel: No.

Commissioner Kelso: Abstain.

Chairman Murphy: Motion carries. Same division. Mr. Koch.

Commissioner Koch: I MOVE THAT WE RECOMMEND APPROVAL OF A WAIVER OF THE 600 FOOT MAXIMUM LENGTH OF PRIVATE STREETS.

Commissioner Byers: Second.

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

Commissioners Aye.

Commissioners Harsel, Moon and Kelso: Abstain.

Chairman Murphy: Three abstentions. Mr. Moon, Ms. Harsel and Mr. Kelso abstain. Mr. Koch.

Commissioner Koch: I MOVE THAT WE RECOMMEND APPROVAL OF A WAIVER OF THE CONSTRUCTION OF AN EIGHT-FOOT WIDE TYPE 1 ASPHALT TRAIL ALONG ROUTE 29 IN FAVOR OF REFURBISHMENT OF THE EXISTING EIGHT-FOOT WIDE ASPHALT TRAIL.

Commissioner Byers: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Harsel: No.

Commissioner Kelso: Abstain.

Chairman Murphy: Motion carries. Ms. Harsel votes no. Mr. Kelso abstains, not present for the hearing.

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(The first, second, third, fourth and sixth motions carried by votes of 8-1-1 with Commissioner Harsel opposed; Commissioner Kelso abstaining; Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting.)

(The fifth motion carried by a vote of 7-0-3 with Commissioners Harsel, Kelso and Moon abstaining; Commissioner Alcorn not present for the vote; Commissioner Wilson absent from the meeting.)

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