

4:00 P.M. Item - RZ-2000-HM-025 - DULLES CONSOLIDATION LLC  
Hunter Mill District

On Thursday, February 1, 2001, the Planning Commission unanimously voted (*Commissioners Symth and Wilson absent from the meeting*) to recommend the following actions to the Board of Supervisors:

- ◆ Approval of RZ-2000-HM-025 and the conceptual development plan, subject to the proffers dated January 12, 2001, revised as follows:
  - In proffer #5, correct the density from 13.1459 to 12.69;
  - Add the following sentence at the end of proffer #6: "However, the ADU units will be located within the multifamily portion of the site and will be dispersed to the satisfaction of DPWES."
- ◆ Modification of the transitional screening and waiver of the barrier requirements along a portion of the north side of Fox Mill Road in favor of that shown on the CDP/FDP.
- ◆ Waiver of the 600-foot limitation on the maximum length of private streets.

The Planning Commission unanimously voted (*Commissioners Symth and Wilson absent from the meeting*) to approve FDP-2000-HM-025, subject to the development conditions dated January 17, 2001, and subject to Board approval of RZ-2000-HM-025.

The Commission then unanimously voted (*Commissioners Symth and Wilson absent from the meeting*) to recommend that the Board of Supervisors withdraw Out-of-Turn Plan Amendment S99-III-UP1.

Planning Commission Meeting  
February 1, 2001  
Verbatim Excerpts

RZ-2000-HM-025 - DULLES CONSOLIDATION LLC  
FDP 2000-HM-025 - DULLES CONSOLIDATION LLC

After Close of the Public Hearing

Chairman Murphy: Close the public hearing. Recognize Mr. Palatiello.

Commissioner Palatiello: Thank you, Mr. Chairman. Let me make a comment or two before I make my motions, because this is an extraordinarily anti-climactic end to a very long story. I think Ms. DuBois should maybe make these comments rather than I, because she has probably perhaps a longer history with this property than even I do. But if patience is a virtue, the people who are sitting in the audience this evening are among the most virtuous in Fairfax County because they have been patient for a long, long time. In the late 1980s, I believe it was, Mr. Thomas managed both the Plan Amendment and the rezoning for the McNair Farms community here before the Planning Commission. He chaired a special task force that facilitated that. Out of the process came some language that said the Greg Roy subdivision shall be at one to two dwelling units per acre unless total consolidation was achieved. Then it could go up to 12 dwelling units per acre. Of course under the Ordinance that would be exclusive of the ADUs. Over the last nine years that I have been on the Commission, there has been considerable interest among some of the people sitting in the audience to try to change that language to loosen up the requirement for total consolidation. I think a lot of credit, first of all, a lot of vision goes to Mr. Thomas, but also a lot of credit goes to Supervisor Pennino and Supervisor Dix and now Supervisor Hudgins, who have resisted efforts to change that language because I think there was great foresight on their part that it would not be good planning if we were to redevelop Greg Roy on a piece-meal basis. I don't think we ever would have gotten the quality of development that we have before us this evening if we had not over these years held tight with that language. I particularly want to recognize Mr. Verchek and Mr. McCauley who are in the audience. Mr. McCauley, I think, everyone on the Commission recognizes as the unofficial mayor of Greg Roy because he is the one who has come before us and met with me and has been to every citizen meeting on behalf of the citizens in Greg Roy to make sure that their views were considered in the development that occurred around them. And as the development did occur around them in accordance with the Comprehensive Plan, they started to develop a consensus among themselves as to what they envisioned for the ultimate redevelopment of their neighborhood. I think that is what we have before us this evening. And I think Mr. Verchek gets a lot of credit for working for a number of years and trying to bring the citizens together and to achieve that complete consolidation which we have this evening and which Mr. Byrne and Mr. Riegle and their colleagues have been able to achieve. This is a high quality development. It is consistent with the Comprehensive Plan. It does meet all of the applicable provisions of the Zoning Ordinance. At the end of my motions, I am going to offer an additional motion

which would be recommend to the Board that the Out-of-Turn Plan Amendment that was authorized two years ago now be withdrawn. Mr. Riegle addressed that in his comments, but there is another side of it that I think, first of all, I want to make sure is on the record. and second of all, I think really adds to the veracity and the attractiveness of this particular application. The Out-of-Turn Plan Amendment would have permitted a higher density range. The proposed Amendment did not address the issue of the total consolidation. But I was concerned, and I know the very first time that I sat down with Ms. Hudgins when she was elected was to say that I really had some problems with that Out-of-Turn Plan Amendment because we have a serious school problem in this part of the County. We have an overcrowding of schools even under the current development pattern and the current Comprehensive Plan language and while we cannot exercise adequate facilities authority on rezonings, we certainly have the authority to try to do some planning in the Comprehensive Plan. I for one felt that if we already had a school problem in this neighborhood I would not in good conscience support an increase in the density range in a Plan Amendment that would knowingly exacerbate that problem. The applicant, to his credit, tried to work with my concerns. We went through a number of different ways that that might be addressed. Then they went back and worked with the neighbors and worked not only with the neighbors in Greg Roy but the surrounding neighbors, and worked with me. They went back and looked at the balance sheet on the project and they found that they could come up with a high quality broadly accepted and financially rewarding plan within the 12 dwelling unit per acre range. To their credit that brings them before us this evening. So I think we have, in many ways, preserved the integrity of our Comprehensive Plan and our planning process by bringing forward this application this evening. With that Mr. Chairman, I would MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ-2000-HM-025 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE PROFFERS DATED FEBRUARY 12, (sic) 2001 with two amendments --

Commissioner Harsel: Wait -- February 12?

Commissioner Palatiello: I'm sorry, did I say February?

Commissioner Harsel: Yes.

Commissioner Palatiello: JANUARY 12, 2001 WITH THE FOLLOWING AMENDMENTS. I would ask Mr. Riegle to come forward to indicate for the record his agreement that IN PROFFER NUMBER 5 THE NUMBER 13.1459 BE STRICKEN AND THAT 12.69 BE INSERTED IN LIEU THEREOF, AND THAT IN PROFFER NUMBER 6, A SENTENCE BE ADDED AT THE END THEREOF THAT SAYS: "HOWEVER, THE ADU UNITS WILL BE LOCATED WITHIN THE MULTI-FAMILY PORTION OF THE SITE AND WILL BE DISPERSED TO THE SATISFICATION OF DPW&ES."

Gregory Riegle, Esquire: For the record, we accept those changes and will make them.

Commissioners Alcorn and Byers: Second.

Chairman Murphy: Seconded by Mr. Alcorn and Mr. Byers. Is there a discussion of the motion?

Commissioner Alcorn: Mr. Chairman?

Chairman Murphy: Mr. Alcorn.

Commissioner Alcorn: Obviously, I am going to support this, but I just would make one statement, given the uncertainty with the implementation, at least in my mind, of the ADU Ordinance to the multi-family. I would hope that the applicant, during the next few days, would search to find some way to increase their contribution to affordable housing. But by and large, I think this is a very good application and a wonderful outcome for this particular property.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-2000-HM-025, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner DuBois: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner DuBois: I'd like to just make a brief comment. I'd like to congratulate Mr. Palatiello. I like to congratulate the citizens of Greg Roy. As Mr. Palatiello indicated, I participated in many discussions with these folks about consolidation of their neighborhood and I am very pleased to support this final product.

Chairman Murphy: Thank you very much. Mr. Palatiello.

Commissioner Palatiello: Mr. Chairman, I MOVE THE PLANNING COMMISSION APPROVE FDP-2000-HM-025, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 17, 2001, AND SUBJECT TO THE BOARD'S APPROVAL OF RZ-2000-HM-025.

Commissioners Alcorn and Byers: Second.

Chairman Murphy: Seconded by Mr. Alcorn and Mr. Byers. Discussion? All those in favor of the motion to approve FDP-2000-HM-025, subject to the Board's approval of the rezoning and conceptual development plan, say aye.

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

Commissioner Palatiello: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENTS ALONG A PORTION OF THE NORTH SIDE OF FOX MILL ROAD IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Byers: Second.

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

Commissioners: Aye.

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

Commissioner Palatiello: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE 600 HUNDRED FOOT LIMITATION ON THE MAXIMUM LENGTH OF PRIVATE STREETS.

Commissioner Byers: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Palatiello: Mr. Chairman, I have one additional motion. Inasmuch as this rezoning application proposes residential development at 12.69 dwelling units per acre, inclusive of the ADUs, and represents full consolidation of the Greg Roy subdivision, it is wholly in accordance with the recommendations of the existing Comprehensive Plan and it would no longer be necessary to proceed with the Out-of-Turn Plan Amendment filed and authorized by the Board to examine the appropriateness of a higher density of this site. Therefore, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WITHDRAW OUT-OF-TURN PLAN AMENDMENT S99-III-UP1.

Commissioner Byers: I would second that, but wouldn't normally the applicant --

Commissioner Palatiello: There is not an applicant with an Out-of-Turn Plan Amendment. It is a Board's motion to authorize.

Chairman Murphy: Okay. Seconded by Mr. Byers. Is there a discussion of the motion? All those in favor of the motion articulated by Mr. Palatiello regarding the Out-of-Turn Plan Amendment and the Board's action, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motions carried unanimously with Commissioners Smyth and Wilson absent from the meeting.)

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