

**Board Agenda Item
April 8, 2002**

**5:00 P.M. Item - RZ-2000-MV-051 - LANDMARK PROPERTY DEVEL. LLC
Mt. Vernon District**

On Wednesday, July 25, 2001, the Planning Commission unanimously voted (Commissioner Wilson not present for the vote; Commissioners Koch, Moon, Palatiello and Smyth absent from the meeting) to recommend the following actions to the Board of Supervisors:

Approval of RZ-2000-MV-051 and the Conceptual Development Plan, subject to execution of proffers consistent with those contained in Appendix 1 of the staff report, with Proffer 4 revised to read "60 days" rather than "30 days";

Modification of the transitional screening and barrier requirements between the single family detached and attached dwellings within the development and along to the periphery of the development in favor of that shown on the CDP and FDP;

Waiver of the limitation on fence height to permit sections of the proposed wall along Richmond Highway to be six feet in height, as shown on the CDP and FDP;

Waiver of the 600-foot maximum length limitation for private streets and waiver of the service drive requirement along Richmond Highway;

Waiver of the 200-square foot privacy yard requirement for the rear-loaded single family attached units only.

The Planning Commission also unanimously voted (Commissioner Wilson not present for the vote; Commissioners Koch, Moon, Palatiello and Smyth absent from the meeting) to approve FDP-2000-MV-051, subject to the Development Conditions dated July 25, 2001 and Board approval of RZ-2000-MV-051 and the Conceptual Development Plan.

Planning Commission Meeting
July 25, 2001
Verbatim Excerpts

RZ/FDP-2000-MV-051 - LANDMARK PROPERTY DEVELOPMENT

After Close of Public Hearing

Chairman Murphy: The public hearing is closed; recognize Mr. Byers.

Commissioner Byers: Thank you, Mr. Chairman. When I inherited this case I said "Oh, dear, Jack's done it to me again." But since that time Mr. Thillmann has been working arduously with staff and Cathy Lewis and all the controversial issues have been sorted out. Everything is fixed. And as of this afternoon we even got the underground utility requirement fixed. So, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE RZ-2000-MV-051 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioners Alcorn, Hall and Kelso: Second.

Chairman Murphy: Seconded by Mr. Alcorn, Mr. Kelso and Ms. Hall. 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-2000-MV-051 and the conceptual development plan, say aye.

Commissioners: Aye.

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

Commissioner Byers: Mr. Chairman, I need to make ONE MODIFICATION to that motion I just made that on paragraph -- IN PROFFER #4, CHANGE "30 DAYS" TO "60 DAYS."

Chairman Murphy: All right. Mr. Thillmann, for the record.

Mr. John Thillmann: Yes.

Chairman Murphy: Okay. Mr. Thillmann has no problem with that, neither do the seconders. Without objection. Mr. Byers.

Commissioner Byers: Mr. Chairman, I MOVE THE PLANNING COMMISSION APPROVE FDP-2000-MV-051, SUBJECT TO THE DEVELOPMENT CONDITION DATED JULY 25, 2001, AND THE BOARD'S APPROVAL OF THE REZONING AND THE CDP.

Commissioners Alcorn and Kelso: Second.

Chairman Murphy: Seconded by Mr. Alcorn and Mr. Kelso. Is there a discussion of that motion? All those in favor of the motion to approve FDP-2000-MV-051, subject to the Board's approval of the rezoning and conceptual development plan, and subject to the development conditions as amended by Mr. Byers, say aye.

Commissioners: Aye.

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

Commissioner Byers: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND THE BOARD MODIFY THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS BETWEEN THE SINGLE FAMILY DETACHED AND THE SINGLE FAMILY ATTACHED DWELLINGS WITHIN THE DEVELOPMENT AND ALONG THE PERIPHERY OF THE PROPOSED DEVELOPMENT TO THAT SHOWN ON THE CDP AND FDP.

Commissioner Kelso: Second.

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

Commissioners: Aye.

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

Commissioner Byers: Mr. Chairman, I MOVE THE PLANNING RECOMMEND THE BOARD OF SUPERVISORS WAIVE THE LIMITATION ON FENCE HEIGHT PURSUANT TO PARAGRAPH 8 OF SECTION 16-401 TO PERMIT SECTIONS OF THE PROPOSED WALL ALONG RICHMOND HIGHWAY TO BE SIX FEET HIGH AS DEPICTED ON THE CDP AND FDP.

Commissioner Kelso: Second.

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

Commissioners: Aye.

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

Commissioner Byers: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS WAIVE THE 600-FOOT MAXIMUM LENGTH FOR PRIVATE STREETS WITHIN THE DEVELOPMENT AND WAIVE THE SERVICE DRIVE REQUIREMENT ALONG RICHMOND HIGHWAY.

Commissioner Kelso: Second.

Chairman Murphy: 600-foot private streets, eh?

Commissioner Harsel: She's sitting in the audience.

Chairman Murphy: She didn't say a word.

Commissioner Harsel: I know, she's sitting in the audience. There's no one --

Chairman Murphy: All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Byers: And finally, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS WAIVE THE 200-SQUARE FOOT PRIVACY YARD REQUIREMENT FOR SINGLE FAMILY ATTACHED UNITS ONLY FOR THE REAR-LOADED GARAGE, SINGLE FAMILY ATTACHED UNITS which are the proposed units 14 to 29 and 147 to 187.

Commissioner Kelso: Second.

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

Chairman Murphy: Opposed? Motion carries.

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(Each motion carried unanimously with Commissioner Wilson not present for the vote; Commissioners Koch, Moon, Palatiello and Smyth absent from the meeting.)

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