

Board Agenda Item

~~September 23, 2002~~

October 7, 2002

3:00 p.m. Item - RZ-2001-PR-054 - D.R. Horton, Inc.
Providence District

On Thursday, June 27, 2002, the Planning Commission unanimously voted (Commissioner Dubois absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ-2001-PR-054 and the Conceptual Development Plan, subject to execution of proffers consistent with those dated June 27, 2002;
- Waiver of the service drive requirement along the frontage of Route 123; and
- Approval of a variance to the fence height along the Route 123 frontage of the site to permit a six-foot wall.

The Planning Commission then unanimously voted (Commissioner Dubois absent from the meeting) to approve FDP-2001-PR-054, subject to Board approval of RZ-2001-PR-054 and the Conceptual Development Plan.

Planning Commission Meeting
June 27, 2002
Verbatim Excerpt

RZ/FDP-2001-PR-054 - D. R. HORTON, INC.

Decision Only During Commission Matters
(Public Hearing was held on May 2, 2002)

Commissioner Smyth: Mr. Chairman, I have a decision only tonight as well. This was a case that was heard back on May 2 -- a reasonably small infill development -- 11 houses. The applicant has been working with the immediate neighbors and has done a very good job of sorting through a lot of problems, but we would like one statement on the record, please, if Mr. Martin would come down here.

Keith Martin, Esquire: For the record, I'm Keith Martin, Walsh, Colucci, Stackhouse. On behalf of D. R. Horton, we want to state that Paciulli, Simmons and Associates and Walsh, Colucci will continue to work with the Supervisor's office and DPWES on trying to minimize the length of the service road that serves the stormwater management pond. We think it, as shown on the FDP, is excessive in nature and should be and can be shortened. So we will be continuing to work on that all the way to the Board of Supervisors and through subdivision plan.

Commissioner Smyth: Thank you very much. I think that was one of the citizens' concern and I'm sure they will be appreciative of your taking care of that as much as possible. As I said, the citizens have been working with the applicant. I have a statement of consensus from the adjoining neighbors that I will include in the record. We did, however, have a letter last night from the other side of the neighborhood. They still have issues about the service drive and whether or not there will be an eventual cut-through to their part of the neighborhood, but they have been talking about that with Supervisor Connolly, and I think he will be addressing that issue for them. We had proffers on the web -- well, on your email today -- I think about three times. But the changes were minor. The last one was merely the date because it was still yesterday's date. But now we have proffers dated the 27th. The only changes that were made today were to put in a qualification on the landscaping that said it would be done along the southern boundary in consultation with the neighbors and the Urban Forester. There was another statement that was just a precautionary measure in case the stormwater management pond needed to grow a little bit and we might need a PFM modification to be sure we can get some landscaping in there or alternatively, in the neighbors' yards. So, with that, Mr. Chairman, I am ready to move on this. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ-2001-PR-054 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS NOW DATED JUNE 27, 2002.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. 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-2001-PR-054, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Smyth.

Commissioner Smyth: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP-2001-PR-054, SUBJECT TO THE BOARD'S APPROVAL OF RZ-2001-PR-054 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion? All those in favor of the motion to approve FDP-2001-PR-054, subject to the Board's approval of the rezoning and the conceptual development plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Smyth: Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG THE FRONTAGE OF ROUTE 123.

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 Smyth: One more, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A VARIANCE OF THE PERMITTED FENCE HEIGHT ALONG ROUTE 123 FRONTAGE OF THE SITE TO PERMIT A SIX-FOOT WALL IN ACCORDANCE WITH THE PROVISIONS OF SECTION 16-401 OF THE ZONING ORDINANCE.

Commissioner Byers: Second.

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

Commissioners: Aye.

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Chairman Murphy: Opposed? Motion carries.

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(The motions carried unanimously with Commissioner DuBois absent from the meeting.)

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