

8/2/99

4:00 p.m. Item - RZ-1999-HM-020 - ARTHUR J. AND CAROL L. COHEN  
Hunter Mill District

On Thursday, July 29, 1999, the Planning Commission voted unanimously to recommend that the Board of Supervisors approve RZ-1999-HM-020, subject to execution of proffers consistent with those set forth in Appendix 1 of the staff report, with the following modification:

Revise Proffer No. 6 to read: "Prior to the issuance of the first residential use permit, the applicant shall contribute the sum of \$1800 to the Fairfax County Park Authority for improvements to a nearby park in the Hunter Mill District; and, the sum of \$3000 to the Wolf Trap Elementary School for arts, recreation or technology programs for the benefit of the students."

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Verbatim Excerpts

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After Close of the Public Hearing

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

Commissioner Palatiello: Thank you, Mr. Chairman. This is a very clean application. I appreciate Mr. Burlow coming out and sharing his views. And I'll make a comment on that in a moment. I know there are other folks here that are interested in this application and did not wish to speak. I do know that some of the neighbors did have some questions. I'm not sure they had issues or had opposition but I would note that this application first of all has a tree save Proffer No. 3. The plan does designate limits of clearing, particularly on the southern boundary to preserve the existing trees that are there. And those are the homes that the back property lines of those homes adjoin this property. These homes are on John Marshall Drive. And there is an additional landscaping Proffer No. 4b that -- in which Mr. Cohen has committed to planting of pine trees along that southern property line to create a buffer between his property and the homes on John Marshall Drive. I would point out that the Comprehensive Plan calls for development of this property at 2 to 3 dwelling units per acre. This proposal is for 1.8 dwelling units per acre. With regard to Mr. Burlow's comment, I would only echo what the Chairman had said. Mr. Burlow would like for us to make the developers live within the zoning that is in place. That is not within our power if all of the other aspects of an application are in place. We do have an obligation to honor the guidance of the Comprehensive Plan and make sure that the Comprehensive Plan language that is in place is honored and that, in fact, is what we're doing with this application. I would note that this application, based on the School Board's own analysis would yield a grand total of, at the most, one additional elementary school student. So I think the impact is diminimus. With that, Mr. Chairman, I congratulate Mr. Cohen. As was indicated the property that he acquired did have a blighted house on it. That has been cleared. And I think, given the fact that this is his own property and he will be living here, I'm sure he will be very sensitive to his neighbors because he is one of them. So, I would **MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-1999-HM-020, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE SET FORTH IN APPENDIX 1 OF THE STAFF REPORT WITH PROFFER NO. 6 REVISED TO READ AS FOLLOWS: "PRIOR TO THE ISSUANCE OF THE FIRST RUP THE APPLICANT SHALL CONTRIBUTE THE SUM OF \$1800 TO THE FAIRFAX COUNTY PARK AUTHORITY FOR IMPROVEMENTS TO A NEARBY PARK IN THE HUNTER MILL DISTRICT; AND, THE SUM OF \$3000 TO WOLF TRAP ELEMENTARY SCHOOL FOR ARTS, RECREATION OR TECHNOLOGY PROGRAMS FOR THE BENEFIT OF THE STUDENTS."**

Commissioner Byers: Second.

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

Commissioner Alcorn: Mr. Chairman? Mr. Chairman?

Chairman Murphy: Oh, yes.

Commissioner Alcorn: I would add that I concur with Mr. Palatiello's and the Chairman's comments on the school issue. And, also, just to add that we have had discussions in a couple of committees about reviewing the Comprehensive Plan stage in terms of residential density and school overcrowding and school capacity issues where we can perhaps have some impact.

Chairman Murphy: Good point. Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-1999-HM-020, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Palatiello: Mr. Chairman, there are no other motions or waivers. I wish Mr. Cohen well. I thank Ms. Sieber. This is her first case in the Hunter Mill District and I thank her. She presented a very clean and thorough staff report. Thank you.

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(The motion carried unanimously.)

GLW/map