

**Board Agenda Item  
January 6, 2003**

**5:00 p.m. Items – RZ-2002-SP-004 – Equity Homes LP  
SE-2002-SP-032 – Clifford & Madonna Taylor**

**On Thursday, November 14, 2002 the Planning Commission voted 8-0-1 (Commissioner Wilson abstaining; Commissioners Alcorn, Byers and Harsel absent from the meeting) to recommend the following actions to the Board of Supervisors:**

- **Approval of RZ-2002-SP-004, subject to execution of proffers consistent with those dated November 7, 2002;**
- **Modification of the Public Facilities Manual to permit a trail in lieu of a sidewalk along Lee Highway and waiver of the service drive requirement along Lee Highway;**
- **Approval of SE-2002-SP-032, subject to the development conditions dated November 14, 2002;**
- **Modification of the transitional screening requirements in favor of the existing vegetation and landscaping shown on the SE Plat, waiver of the barrier requirement for the perimeter of the site, waiver of the interior parking lot landscaping requirement, and waiver of the trails and sidewalk requirements along Lee Highway;**
- **Modification of Additional Standard 4 to permit a plant nursery on 2.1 acres, modification of Additional Standard 5 to permit a building structure 50 feet from an abutting residential district, modification of Additional Standard 6 to permit off-street parking ten feet from an abutting residential district, and modification of Additional Standard 9 to permit 50 parking spaces as shown on the SE Plat.**

Planning Commission Meeting  
November 14, 2002  
Verbatim Excerpt

RZ-2002-SP-004 - EQUITY HOMES, LP  
SE-2002-SP-032 - CLIFFORD AND MADONNA TAYLOR

Decision Only During Commission Matters  
(Public Hearing was held on November 6, 2002)

Commissioner Murphy: I have a decision only in the Springfield District on two applications that were heard last week. There were some issues that we wanted to take a look at and address in the proffers. Last night the Commission received a set of draft proffers for item RZ-2002-SP-004, Equity Homes. Concurrent with that SE-2002-SP-032. As far as the proffers are concerned, a couple of the items that were addressed at the public hearing have been satisfactorily addressed in Proffer Number 10 which deals with a conservation easement and reads: "A conservation easement shall be also placed on the tree preservation area within the rear yards of lots 21 through 25 as shown on the GDP. Prospective purchasers of the homes and lots shall be advised in writing of the conservation easement prior to settlement." So that gets those trees back in a good position. And also Number 20 which is a school contribution which reads: "At the time of the first subdivision plan approval, the applicant shall purchase and donate to Willow Springs Elementary School four teacher desktop computer stations and four student desktop computer stations. Applicant shall confirm the product specifications ...", and so forth. There are also minor tweakings in the proffers that the staff and the applicant have worked out and I appreciate Mr. Mayland's work, not only in this application, but on the SE application for being here for the public hearing, for going off and getting married, and for coming here for the decision only. Thank you for all your efforts. One other item that came up at the public hearing was the parcel that had not been consolidated. And we talked about this for quite a while as to how it was notified and so forth -- and I think in the packet last night -- I will enter into the record several letters that have come together from Equity Homes regarding how the Crouches were notified during the process and so forth. I received for the record tonight a letter from Mr. Douglas Mackall, an attorney representing Mr. Crouch, which talks about some stuff that I really don't want to get into about the pricing and how much they were offered and how this is going to go on. All I can say is that I am moving ahead with the application tonight. It will have about four or five or six weeks before it goes to the Board of Supervisors. Mr. Martin, who I presume is here -- I presume Mr. Martin will be willing and able to talk to the Crouches and their attorney between now and the Board to see if this can be worked out. The object has always been -- and it was clear to me at the citizens' meeting -- the object has always been to attempt to consolidate this parcel into this application. That was always the intention. It was brought up at the citizens' meeting and maybe this can be resolved now. But I am going to move ahead with the application because I think that's the fair thing to do. A lot of the land owners have been involved in this who have consolidated and the Taylors have been very patient and we are going to move it ahead to the Board. Hopefully, between now and the Board date, those negotiations that need to be conducted about this parcel can be conducted. And I'm out of that one. And every member of the Planning Commission is out of that one. That's between the Crouches, Mr. Martin and Equity. The rezoning is in conformance with the Comprehensive Plan. It meets and addresses successfully the checklist items in the Fairfax Center Checklist. It's in conformance

with the Zoning Ordinances. It received, minus one, an affirmative vote from the Springfield Land Use Committee and Fairfax Center Land Use Committee. The special exception is in conformance with the Comprehensive Plan, with the Zoning Ordinance and also meets all the standards established by the 50-66 checklist. So, therefore, Madam Chairman, if you could just follow these motions through with me, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ-2002-SP-004, SUBJECT TO THE PROFFERS DATED NOVEMBER 7, 2002.

Commissioner de la Fe: Second.

Parliamentarian Hall: Seconded by Commissioner de la Fe.

Commissioner Murphy: All those in favor of the motion....

Parliamentarian Hall: I didn't know I was doing this. All in favor, say aye.

Commissioners: Aye.

Parliamentarian Hall: Opposed?

Commissioner Wilson: Abstain.

Parliamentarian Hall: Okay. The motion passes.

Commissioner Murphy: Put your mic on, Janet, please. One abstention. Ms. Frost abstains.

Parliamentarian Hall: Yes, we have one abstention.

Commissioner Wilson: Yes, I was not here for the public hearing last week.

Commissioner Murphy: Madam Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE THE MODIFICATION OF THE PUBLIC FACILITIES MANUAL TO PERMIT A TRAIL IN LIEU OF A SIDEWALK ALONG LEE HIGHWAY AND APPROVAL OF A WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG LEE HIGHWAY.

Parliamentarian Hall: Is there a second?

Commissioner de la Fe: Second.

Parliamentarian Hall: All in favor?

Commissioners: Aye.

Parliamentarian Hall: Opposed? Mr. Chairman.

Commissioner Murphy: Madam Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE-2002-SP-032, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED NOVEMBER 14, 2002.

Parliamentarian Hall: Is there a second?

Commissioner de la Fe: Second.

Parliamentarian Hall: Seconded by Commissioner de la Fe. Any discussion? All those in favor?

Commissioners: Aye.

Commissioner Wilson: Abstain.

Parliamentarian Hall: Same abstention. Mr. Murphy.

Commissioner Murphy: Madam Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING IN FAVOR OF THE EXISTING VEGETATION AND LANDSCAPING SHOWN ON THE SPECIAL EXCEPTION PLAT AND WAIVERS OF THE BARRIER REQUIREMENTS FOR THE PERIMETER OF THE SITE, WAIVER OF THE INTERIOR PARKING LOT LANDSCAPING REQUIREMENT, AND WAIVER OF THE TRAILS AND SIDEWALK REQUIREMENTS ALONG LEE HIGHWAY FOR THE PLANT NURSERY.

Parliamentarian Hall: All in favor -- is there a second?

Commissioner de la Fe: Second.

Parliamentarian Hall: Any discussion? All in favor?

Commissioner Wilson: Abstain.

Commissioners: Aye.

Parliamentarian Hall: Same abstention.

Commissioner Murphy: Madam Chairman, finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF ADDITIONAL STANDARD 4 TO PERMIT A PLANT NURSERY ON

2.1 ACRES, MODIFICATION OF ADDITIONAL STANDARD 5 TO PERMIT A BUILDING WITH STRUCTURE OF 50 FEET FROM AN ABUTTING RESIDENTIAL DISTRICT, MODIFICATION OF ADDITIONAL STANDARD 6 TO PERMIT OFF-STREET PARKING TEN FEET FROM AN ABUTTING RESIDENTIAL DISTRICT AND A MODIFICATION OF ADDITIONAL STANDARD 9 TO PERMIT 50 PARKING SPACES AS SHOWN ON THE SE PLAT.

Parliamentarian Hall: Is there a second?

Commissioner de la Fe: Second.

Parliamentarian Hall: Seconded by Commissioner de la Fe. Any discussion? All those in favor?

Commissioners: Aye.

Commissioner Wilson: Abstain.

Parliamentarian Hall: Same abstention.

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(The motions carried by a vote of 8-0-1 with Commissioner Wilson abstaining; Commissioners Alcorn, Byers and Harsel absent from the meeting.)

LBR

