

4/17/95

3:30 p.m. Item - RZ-93-H-043 - WOLF TRAP CREEK, L. P.
Hunter Mill District

On Thursday, March 30, 1995, the Planning Commission voted unanimously (Commissioner Koch not present for the vote; Commissioners Hanlon and Hartwell absent from the meeting) to recommend to the Board of Supervisors approval of RZ-93-H-043, subject to the execution of proffers dated March 30, 1995, modified as follows:

- delete Proffer #5a and renumber subsequent subparagraphs accordingly;
- amend Proffer #6 to read: "The developer shall monitor construction traffic and oversee that its agents and/or subcontractors who are performing construction do not park their vehicles along Drewlaine Drive.";
- amend Proffer #7 to read: "The developer shall install a monitor for two years from the date of issuance of a residential use permit, a ground water monitoring well to monitor well yields on the existing wells located on parcels 28-4((8))7 and 28-4((1))10 or upon determination of the County Health Department or by agreement of the owners of said parcels, the developer shall redrill the affected well or wells."

Planning Commission Meeting
March 30, 1995
Verbatim Excerpts

RZ-93-H-043 - WOLF TRAP CREEK L. P.

After Close of the Public Hearing

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

Commissioner Palatiello: Thank you, Mr. Chairman. At that workshop that was mentioned earlier, Chairman Murphy made the point very eloquently that the land use process in Fairfax County is one that balances the rights of landowners against the interests of the public. And I think this case is probably the best example of that that I've seen in my tenure on the Commission. The Commissioners will note on the cover of the staff report that this application was filed on December 20, 1993. We have been working on this for quite some time. This is a far superior application that we have before us today than was filed on December 20, 1993. And I think the credit for that goes to the people who are in this room, both the applicant who I thought was very willing to work with the citizens to accommodate their legitimate concerns and to make significant modifications to the application as a result. I also want to thank all of the citizens who are here, those who participated in the Task Force, both those who spoke this evening and those who are quietly sitting in the audience, because I think they made a much better development application that will more appropriately and more consistently conform with their existing neighborhoods. I particularly want to thank Tom McVey who headed the Task Force and kept everyone on focus on this application, kept the process moving and made sure that all of the issues were resolved. I do have a letter that I received from Tom today indicating that there were the two issues that are now, will be resolved as a result of the addition of one proffer and the elimination of another that I will make in my motion and that other than those, he was not aware of any other concerns of the members of his committee that were still outstanding. I would call to the Commission's attention the staff analysis on page 14 of the staff report. And I think this pretty much summarizes the situation we find ourselves with this particular application. It says as follows: "Staff supports the option of cluster development on the site. Tree preservation areas, a replanting program and a more sensitive design for the Tetterton Avenue extension as proposed with this application would likely not be achieved if the site were to be developed under a conventional zoning district. The property is presently zoned R-1 and could potentially be developed, by right, with no assurance that the EQC and wooded areas would be preserved, that new landscaping would be planted on the site, and that the bifurcated road layout would be provided." I think that pretty much summarizes the advantages of this application, particularly when you compare it against a by-right development that would result in only a few less lots than is proposed in here. I would point out that this has, depending on whether the waiver is granted on one of the stormwater management ponds in lieu of a regional pond, we will have between 34 -- between 32 and 34 percent open space. This is at the mid

range of what is permitted under the Plan and I think it is a supportable application. With that Mr. Chairman, I would MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-93-H-043, SUBJECT TO THE EXECUTION OF PROFFERS DATED MARCH 30, 1995, WITH THE FOLLOWING MODIFICATIONS:

- FIRST, THAT PROFFER #5a BE STRICKEN AND THAT THE SUBSEQUENT SUBPARAGRAPHS BE REDESIGNATED ACCORDINGLY;
- THAT PROFFER #6 BE MODIFIED SO THAT THE SENTENCE READS: "THE DEVELOPER SHALL MONITOR and -- the developer shall monitor CONSTRUCTION TRAFFIC AND OVERSEE THAT ITS AGENTS AND/OR SUBCONTRACTORS WHO ARE PERFORMING CONSTRUCTION DO NOT PARK THEIR VEHICLES ALONG DREWLAINE DRIVE.";
- AND FINALLY THAT PROFFER #7 BE MODIFIED TO READ: "THE DEVELOPER SHALL INSTALL A MONITOR FOR TWO YEARS FROM THE DATE OF ISSUANCE OF A RESIDENTIAL USE PERMIT, A GROUND WATER MONITORING WELL TO MONITOR WELL YIELDS ON THE EXISTING WELLS LOCATED ON PARCELS 28-4((8))7 AND 28-4((1))10 OR UPON DETERMINATION OF THE COUNTY HEALTH DEPARTMENT OR BY AGREEMENT OF THE OWNERS OF SAID PARCELS, THE DEVELOPER SHALL REDRILL THE AFFECTED WELL OR WELLS." I so move.

Commissioners Hunter and Thomas: Second.

Chairman Murphy: Seconded by Mr. Hunter and Mr. Thomas. Is there a discussion of the motion? All those in favor recommend to the Board of Supervisors that it approve RZ-93-H-043, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried unanimously with Commissioner Koch not present for the vote; Commissioners Hanlon and Hartwell absent from the meeting.)

GLW