

RZ/FDP 2015-SP-007 MRD PROPERTIES, LLC

Decision Only During Commission Matters
(Public Hearing Held on January 14, 2016)

Commissioner Murphy: Yes, also I have a decision on SE, excuse me, RZ and FDP 2015-SP-007 Meade Properties. This is an application in the Springfield District on 9.99 acres in the Springfield District again in the Fairfax Center area.

Commissioner Sargeant: Mr. Chairman, I'm sorry to interrupt. As you know I recused myself from this public hearing in this case from the last meeting due to an affidavit issue and I'm going to recuse myself from vote as well.

Commissioner Murphy: Okay, thank you. This was a residential 2.5 units per acre which is the overlay district in the Fairfax Center area. This application is in an area where we always get a lot of citizen comments and I'm very thankful to get those comments but I think in this particular case this application should be supported for a number of reasons. First of all, it is in conformance with the Comprehensive Plan. They requested 2.4 dwelling units per – per acre and the comprehensive plan calls for a maximum 2.5 its close but it's still in conformance with the plan. They have addressed successfully the Fairfax Center residential checklist. They have come in they are in conformance with the applicable zoning ordinances, and the PDH provisions and they maxed out basically in the residential development criteria. One of the issues that was discussed in the staff report and this is an issue that sometimes is misinterpreted - is the context of the application. Does it fit in with the neighborhood? and the folks sort of took a position that it doesn't fit in with the neighborhood because the lots are smaller than the lots next door or the next down the street and so forth and although that may be true this application has a very, very comprehensive tree preservation plan. It also have 40 percent open space so although the density is a little higher but still in conformance with the Comprehensive Plan the application has a tremendous amount of open space that I think will be an attractive situation for this particular part of town. Also, they have a very comprehensive set of proffers and you received a new set tonight and the only addition to that is a proffer that would restrict putting as we call them popsicle stick – popsicle stick signs on the streets in the neighborhood telling, you know, these house are up for sale and so forth and the others are just as I understand it just typos that have been, have been have been corrected so this is almost the same as the rezoning, - the proffers that are in the rezoning and development conditions that are in the rezoning application. They also have, have proffered to improve Westbrooke Drive in front of the site the sidewalks and so forth it has, as I said, a tree preservation plan. It has addressed the request for funding in the Fairfax Center area for residential property to contribute to the housing fund. It has a generous donation of 82,000 thousand dollars plus to the schools and also a very generous donation of 61,000 thousand dollars to parks. So it is in conformance with the comprehensive plan the proffers are very comprehensive. Also one of the things I would like to clear up one of the issues that was raised was at Westbrooke Drive. West Brook Drive no question about it, is a rural road. Maybe one of the few left in Fairfax County in this part of town. But we have rural roads all over the place and I know this one has been a bone of contention for a long time. We are trying to do something about it but there's nothing in the VDOT plan or in the Fairfax County Plan that -has the funding to do something with this road. So we are stuck with this road and its

configuration although this development will help that out by doing a lot of frontage improvements- improvements in front of the site. But someone said there are a lot of accidents on the road and I just want to make sure that I clarify that as far as the police reports are concerned, in 2015, there was an accident that involved a vehicle approaching the downhill curve, lost control on icy, on the icy roads and skidded into an oncoming lane striking an oncoming car. There were no injuries. The second, and only second reported in 2015, was a crash at the Stringfellow Road intersection involved, involving a pedestrian who had been drinking and was wearing headphones and dark clothing who went out for a walk and was hit by a car turning from Stringfellow Road onto West Brook and only minor injuries occurred. Now it's sad that those things happen but this is not a road problem. Ice on the road is all over the county. Someone in this particular situation gets hit by a car, we are very sorry to hear about that but that's, you can't blame that on the road. So therefore, having said all that Mr. Chairman, I MOVE –first I'd like to have the applicant please come forward because we do have a special exception here. Oh we have a PRC, I'm sorry, FDP.

Sara Mariska, Esquire, Applicant's Agent, Walsh, Colucci, Lubeley, and Walsh: We have read and agree to abide by the conditions that are contained in the staff report.

Commissioner Murphy: Okay, thank you very much. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE RZ 2015-SP-007 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AND SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JANUARY 20TH, 2016.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Is there any discussion? Hearing and seeing none, all those I favor please signify by saying aye.

Commissioners: Aye.

Commissioner Migliaccio: Mr. Chairman, abstain, I was not here for the public hearing.

Vice Chairman de la Fe: Okay. Motion, motion carries.

Commissioner Murphy: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2015-SP-007, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 22ND, 2015, AND THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2015-SP-007 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Same abstention.

Commissioner Murphy: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO PERMIT A DEVIATION FROM THE TREE PERSERVATION TARGET.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion, same abstention, carries.

Commissioner Murphy: Thank you very much and I want to thank Ms. Bishop, as always she brings with us always interesting, brings to us always interesting applications. She always does a wonderful job and I really appreciate it, thank you very much.

Vice Chairman de la Fe: One question, on the previous one on the Meade case, Ms. Keys-Gamarra you abstained on that one right because you were not at the Commission then, yes. Right, I just want to make that clear.

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(The motion carried by a vote of 9-0-2. Commissioners Keys-Gamarra and Migliaccio abstained. Commissioner Sargeant was not present for the meeting.)

TMW

