

Planning Commission Meeting
November 29, 2012
Verbatim Excerpt

RZ 2012-HM-013 – SEKAS HOMES, LTD.

Decision Only During Commission Matters
(Public Hearing Held on November 1, 2012)

Chairman Murphy: Mr. de la Fe.

Commissioner de la Fe: Thank you, Mr. Chairman. I have a decision tonight. This is on RZ 2012-HM-013. Mr. Chairman, the public hearing for this case was held November 1st, 2012. At that hearing, ten speakers testified. Almost all, nine out of ten, were members of the two homeowners associations next to the property, Wolf Trap Downs and Manors at Wolf Trap. Members of the former spoke in favor of the rezoning and members of the latter were opposed to the rezoning. The majority of issues raised at that time concerned overall density, stormwater management, and the development's Lot 5 impact, particularly on two of its abutting neighbors. Decision was deferred primarily because a meeting that had been scheduled to take place between the developer and opposing neighbors had to be cancelled because of adverse weather conditions. It was my hope that the parties would come up with plans that ameliorated if not totally resolved the issues during the deferral period. Unfortunately, that has not occurred. This area is particularly prone to flooding. This development cannot solve the problem, but as was discussed during the public hearing by DPWES staff, the stormwater from this property will be significantly reduced from its pre-development condition. Concerning the impact of the Lot 5 development on its abutting neighbors, the developer has made proffer commitments to increase understory-type trees to provide additional screening for both Lot 5 and Lot 4 neighbors. In listening to opponents at the public hearing, as well as during the discussions at the Hunter Mill Land Use Committee and other conversations, it is clear to me that the fundamental trigger for the opposition to the proposed development is density. The proposed density is within the recommendations of the Comprehensive Plan. Neighbors in opposition would prefer that less than five houses be developed. However, one of their proposals for resolution of their differences with the developer did include a five house development. Unfortunately, that proposal would require rezoning to a P-District or R-cluster, neither of which is preferable even if possible, when a conventional R-District option without waivers is available, as in this case. I realize that there will be disappointment among the opponents. However, the Hunter Mill Land Use Committee and the staff have recommended approval and I agree with those recommendations. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2012-HM-013, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED NOVEMBER 19, 2012.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence, 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 2012-HM-013, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Sargeant: Mr. Chairman? Abstain.

Commissioner Hart: Abstain.

Chairman Murphy: Mr. Hart abstains and Mr. Sargeant abstains.

Commissioner Hart: I wasn't here for the public hearing.

Chairman Murphy: Not here for the public hearing; okay.

//

(The motion carried by a vote of 10-0-2 with Commissioners Hart and Sargeant absent from the meeting.)

JLC