

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 27, 2017**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commission At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Julie M. Strandlie, Mason District
Earl L. Flanagan, Mount Vernon District
Phillip A. Niedzielski-Eichner, Providence District
Janyce N. Hedetniemi, Commissioner At-Large

ABSENT: Karen A. Keys-Gamarra, Sully District

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The meeting was called to order at 8:20 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Migliaccio announced that the Planning Commission's Land Use Process Review Committee would meet on September 28, 2017 at 7:00 p.m. in the Board Conference Room at the Fairfax County Government Center to discuss County policies regarding short-term rentals.

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Commissioner Sargeant announced that the Planning Commission's Schools Committee had met earlier that evening to discuss the agenda for reviewing the work program that had been assigned to the Committee by the Board of Supervisors. He then stated that the Schools Committee's next meeting was scheduled for October 5, 2017 at 7:00 p.m. in the Board Conference Room of the Fairfax County Government Center.

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Chairman Murphy announced that Commissioners had been invited by the Fairfax County Park Authority to attend the dedication ceremony for Ken Lawrence Park on October 14, 2017 at 10:00 a.m. at 8081 Jones Branch Drive in Tysons, Virginia. He stated that the park would honor Kenneth Lawrence, who passed away in December 2016. He then noted Mr. Lawrence's contributions to the County and towards the redevelopment efforts in Tysons, stating that he had served as a Planning Commissioner for the Providence District and had participated in numerous efforts to install park facilities throughout the area.

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Commissioner Ulfelder said that the applicant for RZ 2017-DR-007/PCA 1997-DR-028/SEA 97-D-038-02, Trustees of the Temple of Rodef Shalom, had requested additional time to review the applications; therefore, he MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR RZ 2017-DR-007/PCA 1997-DR-028/SEA 97-D-038-02, TRUSTEES OF THE TEMPLE OF RODEF SHALOM, TO A DATE CERTAIN OF OCTOBER 19TH, 2017.

The motion carried by a vote of 11-0. Commissioner Hedetniemi was absent from the meeting.

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2232-P16-41 – FAIRFAX COUNTY PARK AUTHORITY, Ruckstuhl Park, 7545 Idylwood Road, Falls Church, VA 22043

(Start Verbatim Transcript)

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman. I have a “feature shown” motion. I MOVE THAT THE PLANNING CONCUR WITH STAFF DETERMINATION THAT THE PROPOSED ELEMENTS OF THE RUCKSTUHL PARK MASTER PLAN, THE PARK BEING LOCATED AT 7545 IDYLWOOD ROAD, FALLS CHURCH, VIRGINIA, be approved by the Fairfax County Park Authority on – AS WAS APPROVED BY THE FAIRFAX COUNTY PARK AUTHORITY BOARD ON OCTOBER 28TH, 2015, ARE IN SUBSTANTIALLY IN ACCORD WITH RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A “FEATURE SHOWN,” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of that motion? All those in favor of the motion to concur with the “feature shown” determination in 2232-P16-41, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Hedetniemi was absent from the meeting.

(End Verbatim Transcript)

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2232-S17-32 – FAIRFAX COUNTY PARK AUTHORITY, Patriot Park North, Corner of Braddock Road and Willow Springs School Road, Centreville, VA 20120

(Start Verbatim Transcript)

Chairman Murphy: I also have a “feature shown,” which is concerning Patriot Park North, which is a reaffirmation of the language of a Comprehensive Plan Amendment for this park. It is in conformance with the Comprehensive Plan and the Zoning Ordinance. And I WOULD MOVE THE PLANNING COMMISSION CONCUR WITH THE “FEATURE SHOWN” DETERMINATION IN 2232-S17-32.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Hedetniemi was absent from the meeting.

(End Verbatim Transcript)

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RZ 2016-SU-015 – OLD LEE ROAD, LLC (Decision Only)
(The public hearing on this application was held on September 14, 2017.)

(Start Verbatim Transcript)

Commissioner Hart: Thank you, Mr. Chairman. The Commission held a public hearing on September 14 on a rezoning in the Sully District in the Dulles Suburban Center. We deferred the decision until tonight to allow time for review of revised proffers. The application requests a rezoning from the I-3 to the I-5 District for the development of a new vehicle lot and a major and light vehicle service establishment. I want to thank Sharon Williams of the Department of Planning and Zoning for her fine work on this case. I also want to thank the applicant and its council, Keith Martin, for continuing to work on the green building third party certification issue, subsequent to the publication of the staff report and their cooperation with its resolution. We do want third party certification in the Dulles Suburban Center and this case is an example of a utilization of an alternative to LEED, within the flexibility contemplated by the Comprehensive Plan. The application has staff’s favorable recommendation, with which I concur, as well as the support of the West Fairfax County Citizens Association and a vote of no opposition from Sully District Council. The site is planned industrial and is appropriate for this type of use. The potential impacts are satisfactorily mitigated by the revised proffers. Therefore, Mr. Chairman, I will have two motions. First, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2016-SU-015, SUBJECT TO THE EXECUTION OF PROFFERS DATED SEPTEMBER 14, 2017.

Commissioner Ulfelder: Second.

Chairman Murphy: Seconded by Mr. Ulfelder. 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 2016-SU-015, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Keys-Gamarra abstains.

Commissioner Sargeant: Mr. Chairman, I abstain, not present.

Chairman Murphy: And Mr. Sargeant abstains.

Commissioner Hart: And secondly, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF TRANSITIONAL SCREENING IN FAVOR OF THAT DEPICTED ON THE GENERALIZED DEVELOPMENT PLAN.

Chairman Murphy: Seconded by - Mr. Ulfelder?

Commissioner Ulfelder: Yes.

Chairman Murphy: Is there a discussion of that motion? All those in favor of the motion, as articulated by Mr. Hart, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Sargeant: Mr. Chairman, abstain.

Chairman Murphy: Same abstentions.

Commissioner Hart: Thank you. That's it.

Each motion carried by a vote of 9-0-2. Commissioners Keys-Gamarra and Sargeant abstained from the vote. Commissioner Hedetniemi was absent from the meeting.

(End Verbatim Transcript)

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. PA 2016-III-P1 – COMPREHENSIVE PLAN AMENMDMENT (WORKHOUSE ROAD AREA) (Mount Vernon District)

This order was accepted without objection.

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PA 2016-III-P1 – COMPREHENSIVE PLAN AMENMDMENT (WORKHOUSE ROAD AREA) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. This Amendment concerns approx. 18.6 ac. generally located on the north side of Workhouse Road, east of Ox Road, and south of Lorton Road, (Tax map #s 106-4 ((1)) 29-38 and 55) in the Mount Vernon Supervisor District. The area is planned for residential uses at a density of 0.2-0.5 dwelling units per acre. The Amendment will consider residential uses at a density of 1-2 dwelling units per acre. PA 2016-III-P1 is concurrently under review with Rezoning application RZ/FDP 2016-MV-028. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Jonathan Buono, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended adoption of the recommended modifications articulated in PA 2016-III-P1.

Commissioner Sargeant asked for additional information regarding the impact that the operation of the nearby Workhouse Arts Center, which was located to the south of the subject property, had incurred on the area. Mr. Buono explained that such increased use of that facility had generated additional traffic and increased recreational activity on the surrounding area. When Commissioner Sargeant asked how such an impact affected the recommended development for the site, Mr. Buono noted the change in character that the impact incurred on the existing development in the area.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Lori Greenlief, 1750 Tysons Boulevard, Suite 1800, Tysons, representing McGuireWoods, LLP, said that she was speaking on behalf of the contract purchaser of the subject property. She explained that she and the purchaser had been coordinating with staff, the surrounding community, and the South County Federation (SCF) to redevelop the site with a residential development at a greater density than the existing R-1 zoning. Ms. Greenlief noted that the Board of Supervisors had authorized the proposed amendment in September 2016 to determine an appropriate density for such a redevelopment, which was not to exceed three dwelling units per acre. She added that the redevelopment would function as a transitional development between the existing residential community to the north and the Workhouse Arts Center to the south. Mr. Greenlief said that she supported staff's recommendation to revise the Comprehensive Plan to favor a density range of one to two dwelling units per acre for a redevelopment, adding that such density adequately reflected the character of the area and provided an appropriate transitional density. She noted that the contract purchaser had filed a rezoning application for a development on the site that was consistent with the recommendations prescribed by the proposed amendment and subsequent coordination with staff would be conducted to ensure that

the provisions of such a development were appropriate. Ms. Grenlief stated that the Planning Commission's public hearing for that rezoning was scheduled for December 2017. In addition, she stated that she had distributed three letters from nearby residents expressing support for the proposed amendment. (Copies of the letters provided by Ms. Greenlief are in the date file.)

Answering questions from Commissioner Flanagan, Ms. Greenlief confirmed the following:

- The proposed amendment was an out-of-turn plan amendment, which had been initiated by the Board of Supervisors;
- The scope of the proposed amendment was limited to the parcels included within the subject property;
- The Board of Supervisors had initially targeted a density of two to three dwelling units per acre for a redevelopment on the site;
- The parcels within subject property were zoned R-1 and could be developed by-right as such; and
- The property owners of the existing lots had agreed to sell each parcel to the contract purchaser and had expressed support of the proposed amendment.

When Commissioner Sargeant asked how many dwelling units there were within the existing Hollymeade community to the north of the site, Commissioner Flanagan stated that there were 27 units within that community. Commissioner Sargeant then asked for additional information regarding the amount of coordination that had been conducted between the contract purchaser and the residents of that community. Ms. Greenlief indicated that there had been a meeting on the amendment on September 26, 2017 and another meeting had been scheduled for October 11, 2017 at the Workhouse Arts Center.

Commissioner Sargeant noted the importance of ensuring sufficient buffering between the subject property and the existing Hollymeade community to the north and asked whether there had been efforts to address that issue. Ms. Greenlief stated that there had been discussions on the issue of buffering and pointed out that the provisions for buffering would be finalized during the rezoning process, adding that the contract purchasers intended to supplement the existing buffer between the lots and incorporate tree preservation measures.

Chairman Murphy called for speakers from the audience.

Sabrina Klunder, 8938 Highgrove Court, Lorton, voiced opposition to the proposed amendment because of concerns regarding the impact of higher-density development on the surrounding area. She then said that she favored redeveloping the site by-right under the existing R-1 zoning, adding that there had been multiple redevelopment efforts on the subject property that the community had not supported. Ms. Klunder also noted that there had been disagreements between her community and the existing homeowners of the lots on the subject property

regarding an appropriate redevelopment of the site. In addition, she stated that the changes in the surrounding area were not sufficient to warrant permitting a higher-density development and made reference to a lack of benefits of such a development to the existing community.

Roger Facklam, 8939 Highgrove Court, Lorton, spoke in opposition of the proposed amendment because of the potential impact that a higher-density development on the site would incur on the surrounding area. He pointed that he was a resident of the Hollymeade community to the north and his property abutted the site. Mr. Facklam explained that the amount of additional residents that a higher-density development would accommodate did not provide sufficient benefits to the surrounding community or the County to warrant approval. In addition, he described the existing traffic conditions along Workhouse Road and the associated impact on Hollymeade, noting that the area was subject to significant congestion during peak traffic periods. Mr. Facklam also pointed out the location of the existing recycling facilities located to the west of the site and indicated that the impact of that facility would be increased due to the tree removal that a higher-density development would require. He said that he favored redeveloping the subject property by-right under the R-1 zoning and suggested alternative designs for such a redevelopment, which could potentially utilize green energy features.

Commissioner Flanagan informed Mr. Facklam that if the subject property were developed by-right, then the alternative designs he suggested in his testimony would not be implemented because such features could not be required or incentivized. Mr. Facklam acknowledged that statement, but reiterated that he favored redeveloping the site by-right under the R-1 zoning.

John Gereski, 8937 Hollymeade Drive, Lorton, spoke in opposition to the proposed amendment due to concerns regarding the traffic impact that a higher-density development on the site would incur. He also noted the limited accessibility of the site from Ox Road and pointed out the roads within the Hollymeade community that would be impacted by additional traffic. In addition, Mr. Gereski stated that such a development would not be consistent with the character of the surrounding area and would incur a negative visual impact on the neighboring residential communities, which would subsequently reduce land values. He also expressed concern regarding the pace of redevelopment throughout area and the possibility that the site would be subject to subsequent modifications.

Commissioner Flanagan explained that the proposed amendment would modify the Comprehensive Plan's density recommendations for the subject property, but a site plan for a redevelopment had not been finalized. He also stated that issues regarding the impact of such a redevelopment, such as traffic mitigation provisions, were beyond the scope of the proposed amendment and would be addressed during the rezoning process. Mr. Gereski acknowledged Commissioner Flanagan's remarks, but reiterated that he did not support the plan amendment, adding that he had purchased his property with the understanding that the subject property would not be redeveloped beyond a specific density. Commissioner Flanagan announced that he intended to defer the decision only of the proposed amendment after the conclusion of the public hearing. A discussion ensued between Commissioner Flanagan and Mr. Gereski regarding the history of the subject property, the impact of the Workhouse Arts Center on the area, and the possibility of developing portions of the site with park facilities wherein Commissioner Flanagan

requested that Mr. Gereski provide additional information on planned park facilities throughout the area during the deferral period.

Jeff Long, 8937 Hollymeade Drive, Lorton, voiced opposition to the proposed amendment, echoing remarks from previous speakers regarding the impact that a higher-density redevelopment would incur on the surrounding area and the various efforts of the Hollymeade community to preserve the character of the site. He also said that he supported redeveloping the subject property by-right under the existing R-1 zoning, adding that the impact of other development in the area, such as the widening of Ox Road, did not warrant a higher-density development. In addition, Mr. Long expressed concern regarding the traffic impact of a higher-density development on the site, adding that the existing residential neighborhoods in the area had been subject to overflow parking due to events at the Workhouse Arts Center.

A discussion ensued between Commissioner Flanagan and Mr. Long, with input from Mr. Buono, regarding the amount of dwelling units that would be permitted under the recommended density compared to that permitted by-right and the extent of the traffic impact that a higher-density redevelopment would incur wherein Mr. Buono noted that a by-right development would permit 18 dwelling units on the site and a maximum of 37 units would be permitted under the density recommended by the proposed amendment.

Patty Klunder, 8939 Highgrove Court, Lorton, spoke in opposition to the proposed amendment, echoing the remarks from previous speakers regarding the impact that a higher-density redevelopment onto the subject property would incur on the character of the surrounding area, the traffic impact of such a redevelopment, and the various efforts of the Hollymeade community to preserve the existing character of the area. In addition, she expressed concern regarding the impact that such a redevelopment would incur on the surrounding environmental features, the local school system, and the safety of existing and future residents of the area. Ms. Klunder cited incidents wherein traffic generated by events at the nearby Workhouse Arts Center had hindered the ability of emergency vehicles to access residential communities and a higher-density development on the site would increase the safety risk. She also pointed out that the additional residents accommodated by a higher-density development would supplement the existing noise impact generated by the Workhouse Arts Center.

Sue Facklam, 8939 Highgrove Court, Lorton, voiced opposition to the proposed amendment, echoing concerns from previous speakers regarding the impact that a higher-density redevelopment would incur on the character of the surrounding area. She described the location and character of her property, which was located in the neighboring Hollymeade community to the north. Ms. Facklam then said that such a development would negatively impact the character of the surrounding community and indicated that she supported redeveloping the site by-right under the existing R-1 zoning. In addition, she noted that the existing supply of housing in the County was sufficient and additional density on the site was not necessary.

There being no more speakers, Chairman Murphy called for closing remarks from Mr. Buono, who declined.

Commissioner Hart asked for additional information regarding the outreach efforts for the proposed amendment. Mr. Buono said that a citizen task force had not been utilized prior to the public hearing for the proposed amendment. However, he indicated that there had been outreach efforts to the surrounding community, adding that staff had coordinated with the SCF on multiple occasions on the amendment. He also echoed Ms. Greenlief's remarks regarding the SCF's meeting on the amendment that occurred on September 26, 2017, adding that staff had attended that meeting. Mr. Buono stated that concerns similar to those expressed by the speakers had been voiced at that meeting, but staff had not modified their recommendation for approval. A discussion ensued between Commissioner Hart and Mr. Buono regarding the SCF's support of the proposed amendment, the density range that the Board of Supervisors had authorized for redeveloping the site, and the method staff utilized for determining the density recommendations articulated in the amendment wherein Mr. Buono indicated that the SCF had not voted on a resolution for the proposed amendment.

When Commissioner Hart asked whether the Hollymeade community was a part of a community organization, Mr. Buono indicated that the community was part of the SCF, adding that some of the speakers that had testified had also spoken at previous SCF meetings during discussions of the amendment.

A discussion ensued between Commissioner Niedzielski-Eichner and Mr. Buono regarding the previous efforts that had been made to redevelop the subject property, the reasons that previous redevelopment efforts had not been approved, and the density of the redevelopment recommended by the proposed amendment compared to those previous efforts wherein Mr. Buono explained that previous redevelopment efforts on the site had included mixed-use development at a higher density than that recommended in the amendment and the Commission had not approved those previous developments.

A discussion ensued between Commissioner Niedzielski-Eichner and Mr. Buono regarding the testimony of Ms. Greenlief, the prospective applicant for the pending rezoning application for the site, and the process for reviewing the proposed amendment and the rezoning application wherein Mr. Buono indicated that it was common practice for an applicant to have a pending rezoning application for a site prior to the approval of an out-of-turn plan amendment.

Commissioner Niedzielski-Eichner asked for additional information regarding the potential visual impact that the recommended redevelopment would incur on the surrounding community, the process for providing sufficient buffering with such a development and the topography of the area. Mr. Buono explained that the subject property was at a lower elevation compared to that of the existing Hollymeade community and a redevelopment on the site would require grading, but the provisions associated with such efforts, along with those regarding buffering, would be finalized during the rezoning process.

Commissioner Ulfelder stated that staff had concluded that the impact of increased usage of the Workhouse Arts Center and improvements to Workhouse Road warranted recommending a redevelopment of the subject property at a higher density than the existing R-1 zoning, but the citizens that had testified did not concur with that conclusion. He then requested additional

information regarding the process staff had utilized to render such a conclusion. Mr. Buono, within input from Marianne Gardner, PD, DPZ, explained the following:

- The Mount Vernon Supervisor District’s planning and zoning staff had requested an evaluation of the subject property in 2015 to determine appropriate modifications to the Comprehensive Plan for the area, but staff had concluded that no modification were warranted;
- The completion of improvements to Workhouse Road and the increased use of the Workhouse Arts Center had prompted another evaluation of the area and staff concluded that such improvements warranted an increase in density for the site;
- The evaluation process utilized by staff emphasized the evolving character of the area; and
- The evaluation process conducted by staff had also concluded that permitting additional density on the site would allow greater flexibility in the designs and provisions for a redevelopment on the site, compared those afforded with a by-right development.

A discussion ensued between Commissioner Ulfelder and Mr. Buono regarding the designs of a by-right development on the site compared to those of a development under the increased density permitted by the proposed amendment, the extent to which the character of the area had changed due to the modifications to Workhouse Road, the extent to which higher-density redevelopment on the site conformed with that character, and the presence of other similar developments in the area wherein Mr. Buono indicated that a higher-density development would be similar to those in other parts of the Lorton area.

Commissioner Ulfelder pointed out that the rezoning process would provide additional opportunities for the prospective applicant to coordinate with the surrounding community to address their concerns, such as the buffer between the properties and the visual impact. Mr. Buono concurred with that statement.

When Commissioner Hart asked whether the subdivisions to the north of the site needed variances, Mr. Buono said that some of those subdivisions had required a variance.

Commissioner Migliaccio reiterated that staff had concluded that development and transportation improvements throughout the surrounding area had modified the character of the subject property and the surrounding areas. He also pointed out the areas to the north where the Comprehensive Plan recommended a higher density or one similar to that recommended for the site, but there had been no analysis regarding the possibility of consolidating the site with other similar sites. He then asked whether staff had considered the density of those areas and the possibility of subsequent consolidation with other sites when rendering a conclusion for the proposed amendment. Mr. Buono explained that the scope of the amendment precluded certain considerations, such as the possibility of consolidation with other parcels.

A discussion ensued between Commissioner Sargeant and Mr. Buono regarding the ingress/egress provisions for a redevelopment of the site under the recommendations of the proposed amendment, the speed limits for Workhouse Road, and the feasibility of utilizing Workhouse Road as an access during peak traffic periods wherein Mr. Buono said that access to the site would be finalized during the rezoning process and speed limits on Workhouse Road had not been included in staff's traffic analysis.

Referring to Figure 3 on page 11 of the staff report, which depicted an environmental assessment map, Commissioner Sargeant pointed out that there were multiple slopes traversing several parcels and into the neighboring Hollymeade community. He then asked for additional information regarding the impact that such slopes would incur under the recommendations prescribed by the proposed amendment and the impact of that redevelopment on the neighboring community. Mr. Buono stated that staff favored preserving environmental features on the site, noting that the applicant for the pending rezoning application had applied for a PDH-2 rezoning, which required the preservation of such features.

There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Flanagan for action on this item.

(Start Verbatim Transcript)

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Commissioner Flanagan: Well, I would first like to say I'd like to thank all the Commissioners here for coming out tonight for this sole, single public hearing. Given that, of course, what we're faced here is a request from the Board of Supervisors to consider increasing the zoning to match that – that of the plan for this area. The plan for this area, basically, is all one to two for this area, at the present time. So this is not inconsistent with what the Comprehensive Plan calls for this area. I would like to know – thank those who came out to testify. I think it's been helpful to understand your points of view and, also, the land use committee of the South County Federation is proposing to take this up by resolution on the 11th of October. So, consequently, I will – Mr. Chairman, in order to provide time for the South County Federation to provide a resolution on this plan amendment, I MOVE THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND DEFER ACTION ON PLAN AMENDMENT 2016-III-P1 UNTIL OCTOBER 12, 2017.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion?

Commissioner Hart: Mr. Chairman.

Chairman Murphy: Yes, Mr. Hart.

