

Board Agenda Item
August 3, 2009

3:00 p.m.

Public Hearing on RZ 2008-PR-017 (Merrifield Garden Center Corporation) to Rezone from R-3 and HC to C-8 and HC to Permit Retail Sales Establishment with an Overall Floor Area Ratio of 0.32 and a Waiver of the Minimum Lot Size, Located on Approximately 10,155 Square Feet, Providence District

and

Public Hearing on SE 2006-PR-018 (Merrifield Garden Center Corporation) to Permit a Plant Nursery, Located on Approximately 3.91 Acres Zoned I-5 and HC, Providence District

The application property is located east of Gallows Road and north of Lee Highway at 8112 Lee Highway, Tax Map 49-2 ((1)) 28A.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 25, 2009, the Planning Commission voted unanimously (Commissioners Alcorn, Donahue, and Hall absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2008-PR-017, subject to the execution of proffers consistent with those dated June 12, 2009;
- Waiver of the minimum lot size requirement;
- Approval of SE 2006-PR-018, subject to Development Conditions consistent with those dated June 25, 2009;
- Modification of Standard 9 (Parking) of the Additional Standards for Plant Nurseries in favor of that shown on the SE Plat and as conditioned;
- Waiver of the service drive requirement along Lee Highway;
- Modification of frontage improvements along Lee Highway in favor of that shown on the SE Plat in accordance with VDOT project 0029-029-119; and
- Waiver of Sect. 2-504 of the Zoning Ordinance to permit outdoor storage and sales in a required yard and of Sect. 5-505(3) to permit outdoor storage and sales in a front yard.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

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STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

Planning Commission Meeting
June 25, 2009
Verbatim Excerpt

RZ 2008-PR-017/SE 2006-PR-018 – MERRIFIELD GARDEN CENTER CORPORATION

After Close of the Public Hearing

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

Commissioner Lawrence: Thank you, Mr. Chairman. Mr. Chairman, I intend to move this thing right now. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2008-PR-017, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED JUNE 12TH, 2009.

Commissioners Lusk and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Lusk. 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 2008-PR-017, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE MINIMUM LOT SIZE.

Commissioners Lusk and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Lusk and Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2006-PR-018, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JUNE 25TH, 2009.

Commissioners Lusk and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Lusk. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2006-PR-018, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE ADDITIONAL STANDARDS FOR PLANT NURSERIES NUMBER NINE, PARKING, IN FAVOR OF THAT SHOWN ON THE SE PLAT AND AS CONDITIONED.

Commissioners Lusk and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Lusk. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG LEE HIGHWAY.

Commissioners Lusk and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Lusk. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF FRONTAGE IMPROVEMENTS ON LEE HIGHWAY IN FAVOR OF THAT SHOWN ON THE SE PLAT IN ACCORDANCE WITH VDOT PROJECT 0029-029-119.

Commissioners Lusk and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Lusk. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: And finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF SECTION 2-504 OF THE ZONING

ORDINANCE TO PERMIT OUTDOOR STORAGE AND SALES IN A REQUIRED YARD
AND OF SECTION 5-505 (3) TO PERMIT OUTDOOR STORAGE AND SALES IN A
FRONT YARD.

Commissioners Lusk and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Mr. Lusk. Is there a discussion of that
motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motions carried unanimously with Commissioners Alcorn, Donahue, and Hall absent from
the meeting.)

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