

Planning Commission Meeting  
January 28, 2010  
Verbatim Excerpt

FDPA 2003-MV-033-02 – LORTON ARTS FOUNDATION, INC.

After Close of the Public Hearing

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

Commissioner Flanagan: Thank you, Mr. Chairman. First of all, I'd like to say that I was aware of Commissioner Sargeant's request, and I agree with it. So, I was hoping to make it a separate friendly amendment rather than voting on the amendment.

Chairman Murphy: Okay.

Commissioner Flanagan: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 2003-MV-033-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 25, 2010, WITH THE FOLLOWING LANGUAGE ADDED AS CONDITION 18: "THIS FDPA IS SUBJECT TO THE PROVISIONS OF ARTICLE 17, SITE PLANS, AS MAY BE DETERMINED BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES. ANY PLANS SUBMITTED PURSUANT TO THIS FDPA SHALL BE IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED FDPA ENTITLED LORTON WORKHOUSE ARTS CENTER, PREPARED BY WALTER L. PHILLIPS, INC., AND DATED NOVEMBER 13, 2009, AS REVISED THROUGH JANUARY 12, 2010. MINOR MODIFICATIONS TO THE APPROVED SPECIAL EXCEPTION (*sic*) MAY BE PERMITTED, PURSUANT TO PARAGRAPH 4 OF SECTION 9-004 OF THE ZONING ORDINANCE – "

Suzanne Lin, Zoning Evaluation Division, Department of Planning and Zoning: Commissioner – I'm sorry. Commissioner Flanagan, I made a mistake there. The last sentence says, to the approved Special Exception. It should be TO THE APPROVED FDPA.

Commissioner Flanagan: – after –

Ms. Lin: – MINOR MODIFICATION TO THE APPROVED FDPA MAY BE PERMITTED, PURSUANT TO PARAGRAPH 4, instead of Special Exception.

Commissioner Flanagan: Yes.

Ms. Lin: Thank you.

Commissioner Flanagan: So it should be – insert to the FDPA for special exception?

Kristen Abrahamson, ZED, DPZ: Just replace the words Special Exception with FDPA.

Commissioner Flanagan: All right.

Ms. Abrahamson: It was an error. We apologize.

Commissioner Flanagan: And also, I'd like to accept currently the amendment suggested by Commissioner –

Chairman Murphy: Hold on. Let's vote on this first, okay. Are you finished with the motion?

Commissioner Sargeant: Mr. Chairman, doesn't he need a second that I offered a friendly amendment?

Chairman Murphy: Yes, okay. Seconded by Mr. Sargeant. Discussion of the motion? Mr. Sargeant.

Commissioner Sargeant: Thank you, Mr. Chairman. I would like to offer A FRIENDLY AMENDMENT WITH REGARD TO DEVELOPMENT CONDITION NUMBER 9 TO INSERT THE FOLLOWING WORDS, "WITHIN THE SUBJECT PROPERTY," AFTER THE WORDS "REFORMATORY HISTORIC DISTRICT," SO THAT THE SENTENCE WOULD READ: "ALL RESOURCES IDENTIFIED AS CONTRIBUTING TO THE NATIONAL REGISTER, DC WORKHOUSE AND REFORMATORY HISTORIC DISTRICT WITHIN THE SUBJECT PROPERTY SHALL BE RETAINED AND MAINTAINED."

Commissioner Flanagan: I agree wholeheartedly with that amendment.

Chairman Murphy: Okay. Mr. Flanagan agrees. And I presume the seconder agrees with what he just said.

Commissioner Sargeant: Yes, thank you.

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Just for the record. Mr. Hart.

Commissioner Hart: Germane to the friendly amendment, I'd just like to ask staff if it would be more precise to refer to a specific Tax Map number. Because the phrase "the subject property" might be construed as referring to the historic district property rather than the instant application, which I think could be defined with a specific objective Tax Map number. I mean, like, I would ask staff wouldn't it be better with the Tax Map number.

Ms. Abrahamson: It's really clear to us "subject property" is subject to the development conditions. But we can put the Tax Map reference in too. That's not a problem.

Chairman Murphy: Okay.

Commissioner Sargeant: Mr. Chairman, I think the specificity is a good idea.

Chairman Murphy: Okay.

Commissioner Flanagan: I'll accept that.

Chairman Murphy: Wow, this should have been last week.

Commissioner Hart: Or even earlier.

Chairman Murphy: All right. Further discussion of the motion? All those in favor of the motion to approve FDPA 2003-MV-033-2, subject to the conditions as amended this evening by Mr. Sargeant and Mr. Flanagan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried unanimously with Commissioners Hall and Harsel absent from the meeting.)

JN