

Planning Commission Meeting
March 25, 2010
Verbatim Excerpt

PCA 82-P-084-02 – FATHIA H. SOLIMAN D/B/A F.A.Z. CREATIVE EDUCATION CENTER

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. This application is unusual in that the application itself is the cure for condition of violation. We have a letter from the Regency in which they express their inability to support the application. They cited several reasons for that. Many of the reasons that they gave were the result of behavior of the property owners and not this lease holder. I don't think it's reasonable for us to visit on this lease holder the problems of the property owners, and as long as she holds the lease, which I understand is 10 years then I expect that conditions will not deteriorate to the point where the Regency has any difficulty. In case there is any sort of problem, we have established, as you've seen in the proffers, a point of contact so that any, any sort of situation can be communicated and also to the Providence District Supervisor's Office. So I think we've pretty much attended to the sins of the past, if you will. With that, Mr. Chairman, I have four motions. I move that staff - - I'm sorry - - I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF PCA 82-P-084-02, SUBJECT TO THE PROFFERS NOW DATED MARCH 25, 2010 [sic].

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 82-P-084 - -

Brenda Cho, Zoning Evaluation Division, Department of Planning and Zoning: Oh, Mr. Murphy, just to correct that the proffers are actually dated March 22nd. Just - -

Commissioner Lawrence: Oh, I have a set in front of me dated March 25th. Is there something that I should know about them?

Commissioner de la Fe: The memo - - the memo is dated March 25th.

Chairman Murphy: The memo is dated March 25th.

Commissioner Lawrence: Oh.

Ms. Cho: The proffers are dated March 22nd.

Commissioner Lawrence: All right. May I correct the motion, Mr. Chairman?

Chairman Murphy: Please.

Commissioner Lawrence: The proffers - -

Chairman Murphy: All right.

Commissioner Lawrence: THE PROFFERS NOW DATED MARCH 22ND.

Chairman Murphy: All right. All those in favor of the motion to recommend to the Board of Supervisors to approve PCA 82-P-084-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Lawrence.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BARRIER REQUIREMENTS ALONG THE EASTERN, SOUTHERN, AND WESTERN BOUNDARIES OF PCA 82-P-084-02, BE MODIFIED TO THOSE SHOWN ON THE PLAN.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE PERIPHERAL AND INTERIOR PARKING LOT LANDSCAPING REQUIREMENTS BE WAIVED.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE TRAIL REQUIREMENT.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Thank you, Mr. Chairman. If I may take a moment? First, I'd like to thank all those people who turned out tonight in support of the application. While it may not be strictly land use rules, it is good for us to know that we are talking about an organization that has a good reputation. And I myself observed some of the very conditions you talked about when I went and saw this site. Thank you very much for coming out. I'd like also to thank staff who worked through the thing pretty well I think in the end. And finally, I'd like to thank the applicant for staying with it to - - to get this thing done. Thank you, M. Chairman.

Chairman Murphy: Thank you. And just let the record reflect - - just let the record reflect that every member of the Planning Commission who voted to support this application does not have a child young enough to go to this school.

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(The motions carried unanimously with Commissioner Lusk not present for the votes; Commissioner Hart recused; Commissioners Alcorn, Hall, and Litzenberger absent from the meeting.)

KAD