

Planning Commission Meeting
May 5, 2011
Verbatim Excerpt

RZ/FDP 2010-LE-020 – FB PROPERTY, LLC

After the Close of the Public Hearing

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

Commissioner Migliaccio: Thank you, Mr. Chairman. Tonight, we heard from an applicant who wishes to rezone four and a half acres from C-8 and R-1 to PDC in order to build a high quality hotel. Currently on the site there is a vacant hotel, the Hunter Motel. This application will bring a high quality, full service hotel to the area that - to help service the growth expected from BRAC. It will be LEED certified. It will greatly improve the stormwater situation on-site. It will provide money for our park system. The Lee District Land Use Committee supports the application. The neighboring business owners now, with the current proffers, support the application. Therefore, Mr. Chairman, I have a few motions to make this evening.

Chairman Murphy: All right.

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2010-LE-020 AND THE ASSOCIATED CDP, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED MAY 5TH, 2011.

Commissioner Donahue: Second.

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

Commissioners Hart and Lawrence: Mr. Chairman?

Chairman Murphy: Mr. Hart, then Mr. Lawrence.

Commissioner Hart: Subject to staff cleaning up a couple of the proffers that Ms. Coyle had addressed at the beginning –

Commissioner Migliaccio: Correct. Thank you, Mr. Hart.

Commissioner Hart: – before it gets to the Board

Commissioner Migliaccio: Correct.

Chairman Murphy: Mr. Lawrence.

Commissioner Lawrence: Same comment.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors to approve RZ 2010-LE-020, say aye.

Commissioners: Aye.

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

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2010-LE-020, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2010-LE-020 AND THE CDP.

Commissioner Donahue: Second.

Chairman Murphy: Seconded by Mr. Donahue. Is there a discussion? All those in favor of the motion to approve FDP 2010-LE-020, subject to the Board's approval of the rezoning and Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE 75-FOOT MINIMUM REQUIRED DISTANCE FOR A COMMERCIAL BUILDING FROM INTERSTATE HIGHWAY RIGHTS-OF-WAY TO THAT SHOWN ON THE CDP/FDP.

Commissioner Donahue: Second.

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

Commissioners: Aye.

Commissioner Harsel: Abstain.

Chairman Murphy: Opposed? Motion carries. Ms. Harsel abstains.

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE LOADING SPACE REQUIREMENT.

Commissioner Donahue: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRAIL REQUIREMENT ALONG THE LOISDALE ROAD PROPERTY FRONTAGE TO THAT SHOWN ON THE CDP/FDP.

Commissioner Donahue: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENT TO THAT SHOWN ON THE CDP/FDP.

Commissioner Donahue: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. What? Did you say something?

Commissioner Hall: I said aye.

Chairman Murphy: Oh, she said aye.

Commissioner Hall: Aye; Aye aye.

Chairman Murphy: She wanted to mitigate that "aye."

Commissioner Hall: I did.

Commissioner Migliaccio: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENT ALONG THE EASTERN PERIMETER OF THE SITE TO THAT SHOWN ON THE CDP/FDP.

Commissioner Donahue: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A DEVIATION FROM THE TREE PRESERVATION TARGET REQUIREMENT OF chapter 1- - CHAPTER 122 OF THE COUNTY CODE IN THE PFM.

Commissioner Donahue: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Harsel: No.

Chairman Murphy: Ms. Harsel votes no.

Commissioners Hall: I abstain.

Chairman Murphy: Ms. Hall abstains.

Commissioner Lawrence: Abstain.

Commissioners: Mr. Lawrence –

Chairman Murphy: Mr. Lawrence abstains.

Commissioner Migliaccio: And Mr. Chairman, I have one final motion that impacts directly the business owners in Mount Vernon. And I'd like Mr. Flanagan to handle this one, please.

Chairman Murphy: All right, Mr. Flanagan.

Commissioner Flanagan: Yes, this evening, earlier I think you all received an email from Mr. Budnik –

Chairman Murphy: Yes.

Commissioner Flanagan: – indicating that - that we had had a very good, productive meeting with the applicant and the staff in both Lee District and Mount Vernon. And we came up with the modifications to the proffers that were presented this evening. And the one motion that it took to get the - us to that particular point is the following motion here, which is that I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE BOARD OF SUPERVISORS SEND A WRITTEN REQUEST TO VDOT URGING VDOT TO RETAIN THE EXISTING ACCESS FOR A SOUTHBOUND LEFT TURN INTO THE SERVICE STATION AND FAST FOOD RESTAURANT, LOCATED AT TAX MAP 99-1((01))-4 AND -5D, OPEN UNTIL SUCH TIME AS ALL ACCESS OPTIONS TO SOUTHBOUND AND NORTHBOUND LOISDALE ROAD ARE EVALUATED BY VDOT.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. 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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(Motions 1, 2, 4, 5, 6, 7, and 9 carried unanimously with Commissioner Sargeant recusing himself.)

(Motion 3 carried by a vote of 10-0-1, with Commissioner Harsel abstaining; Commissioner Sargeant recusing himself.)

(Motion 8 carried by a vote of 8-1-2, with Commissioner Harsel opposed; Commissioners Hall and Lawrence abstaining; Commissioner Sargeant recusing himself.)

JN

