

Planning Commission Meeting
July 24, 2002
Verbatim Excerpt

RZ-2001-MA-047 - BILLIE BRYAN MACKEY, TRUSTEE FOR MARIE F. BRYAN TRUST
FDP-2001-MA-047- BILLIE BRYAN MACKEY, TRUSTEE FOR MARIE F. BRYAN TRUST
SE-01-M-044 - BILLIE BRYAN MACKEY, TRUSTEE FOR THE MARIE F. BRYAN TRUST

Decision Only During Commission Matters
(Public Hearing was held on July 10, 2002)

Commissioner Hall: We have a decision only in the Mason District. It is SE-01-M-044. Billie Bryan Mackey is the applicant. If you recall when we had the public hearing, there were essentially two items that we needed to clarify. The first one was the tree proffer. We thought we were ready to move on the application then we realized the tree proffer we envisioned receiving was, in fact, not included in the proffers. Then there was the question of the -- a proffer for the schools. I'm happy to report -- and I appreciate the applicant providing a -- willing to proffer \$1,000 for the three additional units for the schools. So we're delighted to receive that because one of the things we'll be discussing this evening is the need to offset the impacted schools. The other issue had to do with the proposed tree proffer language. And, if you will recall, during that hearing it was clear we could not clean it up and it would require a site visit. And, in fact, that site visit did take place. I want to thank Dane, the Urban Forester, for meeting us on site and providing us the information. Included in the revised proffers which were e-mailed to you and then again provided this evening is the revised language. All of these revised proffers have been reviewed by staff. There is a cover memo dated July 24th which outlines those revised development conditions, et cetera. There was a revised plan because of the recommendation from the Urban Forester to move some trees out from where they were in the easement. There was also a discussion that evening by the people of Falls Court about having the guest house as part of the HOA. I believe Jane Gwinn has already ruled on that and the applicant has been made aware of that decision. Essentially, as long as it is a bed-and-breakfast, it does not have to be included into the Homeowners Association, but should that change, in fact, it would be. With that, Mr. Chairman, I think this case is ready to move forward. With that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ-2001-MA-047, TO THE BOARD OF SUPERVISORS, SUBJECT TO THE EXECUTION OF THE PROFFER STATEMENT DATED JULY 19, 2002.

Commissioners Kelso and Byers: Second

Chairman Murphy: Seconded by Mr. Kelso and Mr. Byers. Is there a discussion?

Commissioner Harsel: Mr. Chairman?

Chairman Murphy: Mrs. Harsel.

Commissioner Harsel: I was absent for the public hearing and did not look at the tape, so I will be abstaining.

Chairman Murphy: All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-2001-MA-047, say aye.

Commissioners: Aye.

Commissioner Harsel: Abstain.

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

Commissioner Hall: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION APPROVE FDP-2001-MA-047.

Commissioners Kelso and Byers: Second

Chairman Murphy: Seconded by Mr. Kelso and Mr. Byers. Is there a discussion? All those in favor of that motion to approve FDP-2001-MA-047, subject to the Board's approval of the rezoning and conceptual development plan, say aye.

Commissioners: Aye.

Commissioner Harsel: Abstain.

Chairman Murphy: Opposed? Motion carries; same abstention.

Commissioner Hall: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD APPROVAL OF THE REQUEST TO MODIFY THE TRANSITIONAL SCREENING REQUIREMENTS TO THE SOUTH IN FAVOR OF THE EXISTING VEGETATION.

Commissioner Byers: Second

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

Commissioners: Aye.

Commissioner Harsel: Abstain.

Chairman Murphy: Opposed? Motion carries; same abstention.

Commissioner Hall: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD APPROVAL OF THE REQUEST TO WAIVE THE BARRIER REQUIREMENT TO THE SOUTH.

Commissioner Byers: Second

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

Commissioners: Aye.

Commissioner Harsel: Abstain.

Chairman Murphy: Opposed? Motion carries; same abstention.

Commissioner Hall: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD APPROVAL OF THE REQUEST TO WAIVE THE MINIMUM P DISTRICT SIZE REQUIREMENT.

Commissioner Byers: Second

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

Commissioners: Aye.

Commissioner Harsel: Abstain.

Chairman Murphy: Opposed? Motion carries; same abstention.

Commissioner Hall: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE-01-M-044, TO THE BOARD OF SUPERVISORS, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JULY 24, 2002.

Commissioner Byers: Second

Chairman Murphy: Seconded by Mr. Byers. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE-01-M-044, say aye.

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Commissioners: Aye.

Commissioner Harsel: Abstain.

Chairman Murphy: Opposed? Motion carries; same abstention.

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(Each motion carried by a vote of 9-0-1 with Commissioner Harsel abstaining; Commissioner Wilson not present for the vote; Commissioner Koch absent from the meeting.)

GLW