

SE 2015-MV-032/RZ 2016-MV-011 – ARTIS SENIOR LIVING, LLC

After Close of the Public Hearing

Commissioner Flanagan: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF THE SUPERVISORS APPROVAL OF RZ 2016-MV-011 AND A GENERALIZED DEVELOPMENT PLAN SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED MAY 16, 2016 AND APPROVAL OF SE 2015-MV-033 (SIC) SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 1, 2016.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor... Oh, Mr. Ulfelder.

Commissioner Ulfelder: Yes, how does – where do we fit in my suggestion for...

Commissioner Flanagan: That's going to come up. I have another motion on that that takes into consideration that, the easement.

Commissioner Ulfelder: Okay, we're not going to amend the development conditions to include it as a condition?

Commissioner Flanagan: Well, I'm just going to ask for a waiver of the construction the lieu of. I thought I would ask for a waiver of the construction in lieu of.

Commissioner Ulfelder: In lieu of, pardon?

Commissioner Flanagan: An easement.

Commissioner Ulfelder: In – in – in lieu of... In other words, you're going to – you're going to condition the waiver on a – on an easement for the service drive.

Commissioner Flanagan: Right.

Commissioner Ulfelder: Okay.

Commissioner Flanagan: In my motion I had a waiver of the service drive requirement totally but I'm going to modify that too just excuse the – the construction adjustment for the easement.

Commissioner de la Fe: Mr. Chairman, a point of clarification.

Chairman Murphy: Yeah.

Commissioner de la Fe: You read the SE as MV-033, I think, rather than 32.

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Commissioner Flanagan: Yes. Oh, 33. You're right, it is 32.

Commissioner de la Fe: Okay, thank you.

Commissioner Flanagan: It was a typo. Thank you, staff.

Chairman Murphy: All right. Ms. Strandlie, did you have a question?

Commissioner Strandlie: Yes. On the affordable bed issue. I do see it on – in the healthcare advisory document that they have confirmed their commitment to provide four percent and it is mentioned in the staff report. But I thought it needed to be someplace else. Sorry?

Cathy Lewis, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ): It's development condition number 4.

Commissioner Strandlie: Development Condition number 4. Perhaps, I'm not looking at or having the right version cause I work through it.

Laura Arseneau, ZED, DPZ: There is – the development condition are in Appendix 2 of the staff report and most recent proffers were handed to you last week.

Commissioner Strandlie: Okay, then I have not that document. Thank you.

Ms. Arseneau: Okay.

Commissioner Strandlie: But it is in there?

Ms. Arseneau: It's – it's – it's in the staff report.

Commissioner Strandlie: It's in the staff report. Okay, thank you.

Ms. Arseneau: Yeah.

Commissioner Hart: Mr. Chairman.

Chairman Murphy: Mr. Hart.

Commissioner Hart: Question. And I'm sorry to do this during the verbatim but if we – if we want to accomplish Mr. Ulfelder's objective of the easement. Is Mr. Flanagan's suggestion of heading it as part of the waiver instead of a development condition, the appropriate methodology to do that?

Ms. Lewis: I think it would be better to be in the development conditions but we could put it into the development conditions or the proffers between, you know, ask the applicant to proffer to that between now and the Board.

Commissioner Hart. Between now and the Board. It seemed a little awkward and I don't – I think we weren't get in right even if we...

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Ms. Lewis: I – I think yeah, it would be cleaner to do it that way but ...

Commissioner Hart: Rather...

Ms. Lewis: We can accomplish that the other way as well.

Commissioner Hart: Rush through it tonight.

Chairman Murphy: All right. Mr. Pritchard, can you come up and declare your agreement with that?

Evan Pritchard, Walsh, Colucci, Lubeley & Walsh, P.C.: Yes, we will work with staff to come up with the development condition requiring the easement but not the construction for the service drive.

Chairman Murphy: Bless you. Further discussion of the motions? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2016-MV-011 and SE 2015-MV-032, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: I have some additional...

Chairman Murphy: Yeah, please.

Commissioner Flanagan: I have several waivers to. I guess – I think I'll do them as an omnibus. Okay?

Chairman Murphy: Please, I encourage it.

Commissioner Flanagan: I further MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF THE WAIVER OF SECTION 9-308 (3) FOR THE PROVISION OF A SIDE OR REAR SERVICE ENTRANCE FOR SERVICE VEHICLES; A WAIVER OF THE SECTION 9-308 (4) OF THE ZONING ORDINANCE FOR DIRECT ACCESS FROM AN ARTERIAL STREET; AND MODIFICATION OF THE SECTION 9-308 (5) OF THE ZONING ORDINANCE TO RUN A MEDICAL CARE BUILDING 61.6 FEET FROM THE NORTH PROPERTY LINE; AND MODIFICATION OF THE SECTION 10-104 TO INCREASE THE MAXIMUM PERMITTED FENCE HEIGHT, TO EIGHT FEET; MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS OF THE SECTION 13-303 AND 13-304 OF THE ZONING ORDINANCE IN FAVOR OF THE LANDSCAPING SHOWN ON THE GDP/SE PLAT; AND, LASTLY, WAIVER OF THE LOADING SPACE REQUIREMENT OF SECTION 11-203 OF THE ZONING ORDINANCE.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

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(Each motion carried by a vote of 10-0. Commissioners Hedetniemi and Lawrence were absent from the meeting.)

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