

Planning Commission Meeting
September 21, 2011
Verbatim Excerpt

SE 2011-MV-002 – MUHAMMAD T. BUTT

Decision Only During Commission Matters
(Public Hearing held on September 15, 2011)

Chairman Murphy: Mr. Flanagan.

Commissioner Flanagan: Yes, thank you, Mr. Chairman. I think I have a brief motion. I hope it's brief. During the last meeting of the Commission, we heard public testimony on a request to recommend approval of a Special Exception to permit a total of 10 children at any one time in an existing day care facility located in one of 25 detached Talbott Farms subdivision homes in the Mount Vernon District. Numerous residents within and without Talbott Farms testified unanimously in favor of the approval, as did the Talbott Farms Homeowners Association. The Mount Vernon Land Use Committee raised no objections, although all were aware of a staff recommendation for denial. Through questioning of staff and the applicant, however, raised four principal problems needing mitigation: the first related to the hazardous placement of rear yard playground equipment, the second related to the adequacy of play space for 10 children, and the third related to the role of the Homeowners Association, and the fourth related to the hazardous potential of the stormwater drain near the middle of the rear yard. I'm pleased to report that staff, in particular Nick Rogers, immediately set about to find mitigation measures for all four problems. In the process, Nick and I became aware that the storm drain inspection staff of DPWES would be removing the grate installed by the applicant over the storm drain inlet and requiring a fenced enclosure instead during their five-year periodic inspection. Those requirements are now included in the revised conditions in a new paragraph 14. I'm satisfied that the other three problems have been also mitigated in a revised paragraph 11 plus two new paragraphs 12 and 13. And those were distributed to you Commissioners this evening and you should have them in a document dated September 21, 2011.

Commissioner Hart: September 20?

Commissioner Flanagan: Well, the date is for the meeting of the September 21, yeah. It's dated September 20, but it's for the meeting, September 21. So, I THEREFORE MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-2011-MV-002, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 20, 2011.

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 SE-2011-MV-002, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. And I abstain, not present for the present hearing.

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(The motion carried by a vote of 8-0-1 with Commissioner Murphy abstaining; Commissioners Donahue, Hall, and Harsel absent from the meeting.)

JLC