

Planning Commission Meeting
January 9, 2014
Verbatim Excerpt

SE 2013-DR-001 – TD BANK, NATIONAL ASSOCIATION

Decision Only During Commission Matters
(Public Hearing held on July 18, 2013)

Commissioner Donahue: Thank you very much. A number of weeks ago, we held the public hearing on SE 2013-DR-001, TD Bank, and a number of legitimate concerns – challenges came up, which we've been working on ever since. And thanks to an awful lot of people – I'm going to start naming names here – because Lori Murphy and Jeff Leiter have been absolutely terrific. The leadership that came from the GSCA – exposing some of the difficulties was very good and they were very good and they were good to work with. And most of all – most of all – Kris Abrahamson and Mike Lynskey – Mike in particular – who constantly took my questions, trying to understand plumes and hydrology and various other things. And I think we have this thing settled, at least to the point that everyone is willing to agree on the – on the course we've decided to take. So without further ado, I MOVE THE PLANNING COMMISSION RECOMMENDED THAT THE BOARD OF SUPERVISORS APPROVE SE 2013-DR-001, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JANUARY 8TH, 2014, WITH THE FOLLOWING MODIFICATIONS:

- CONDITION NUMBER 11 SHOULD BE – SHOULD BE REVISED TO READ AS FOLLOWS: ANY SITE PLAN FOR THE PROPOSED FINANCIAL INSTITUTION SHALL BE COORDINATED WITH THE DESIGN AND INSTALLATION OF THE ENVIRONMENTAL REMEDIATION SYSTEM, AS SPECIFIED IN THE CORRECTIVE ACTION PLAN APPROVED BY THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (VADEQ) TO ADDRESS PREVIOUSLY DISCOVERED SITE CONTAMINATION AND THE INFRASTRUCTURE AND CONSTRUCTION OF THE FINANCIAL INSTITUTION SHALL NOT CONSTRICT OR LIMIT INSTALLATION OR EFFECTIVE OPERATION OF THE REMEDIATION SYSTEMS SPECIFIED AND APPROVED BY VADEQ;
- AND CONDITION NUMBER 30 SHOULD BE REVISED TO READ AS FOLLOWS: ALL OUTDOOR ILLUMINATED SIGNAGE, TO INCLUDE BUILDING-MOUNTED AND FREESTANDING SIGNS, SHALL BE DIMMED TO AT LEAST 50 PERCENT OF FULL OPERATIONAL LEVELS WITHIN ONE HOUR AFTER THE CLOSE OF BUSINESS, UNLESS OTHERWISE REQUIRED BY THE ZONING ORDINANCE.

Commissioners Hedetniemi and Litzenberger: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi and Mr. Litzenberger. 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 2013-DR-001, as amended by Mr. Donahue, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Donahue: Thank you, Mr. Chairman.

Chairman Murphy: Hold on.

Commissioner Hart: Yes, Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Hart: If I could be recorded as not voting on that – I recused myself whenever we did this months ago.

Chairman Murphy: Okay.

Commissioner Donahue: Correct.

Chairman Murphy: Thank you.

Commissioner Donahue: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT the Board of Supervisors – THE BOARD OF SUPERVISORS APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS:

- A WAVIER OF LOADING SPACE REQUIREMENT FOR THE DRIVE-IN FINANCIAL USE.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi, is there a discussion of the motion? All those in favor, say aye.

Commissioners: Aye.

Commissioner Hart: Abstain.

Chairman Murphy: Oppose? Motion carries, same division with Mr. Hart not voting.

Commissioner Donahue: Thank you, Mr. Chairman – A MODIFICATION OF PART 8 OF SECTION 11-102 OF THE ZONING ORDINANCE TO ALLOW A 9.5-FOOT PARKING SETBACK ALONG WALKER ROAD, AS SHOWN ON THE SE PLAT, IN LIEU OF THE 10-FOOT SETBACK REQUIREMENT.

Commissioners Hedetniemi and Litzenberger: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same division.

Commissioner Donahue: A MODIFICATION OF THE TRAIL REQUIREMENT ALONG GEORGETOWN PIKE IN FAVOR OF A 5-FOOT CONCRETE SIDEWALK, AS SHOWN ON THE SE PLAT.

Commissioners Hedetniemi and Litzenberger: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi and Mr. Litzenberger. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same division.

Commissioner Donahue: And finally, A MODIFICATION OF SECTION 2-505 OF THE ZONING ORDINANCE TO ALLOW THE PARKING AREA TO ENCROACH ON THE CORNER LOT RESTRICTION, AS SHOWN ON THE SE PLAT AND AS CONDITIONED.

Commissioners Hedetniemi and Litzenberger: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same division.

Commissioner Donahue: Thank you, Mr. Chairman. And again, thanks to all the participants. We finally got this done.

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(Each motion carried by a vote of 11-0-1. Commissioner Hart abstained.)

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