

Planning Commission Meeting
November 20, 2014
Verbatim Excerpt

RZ 2014-BR-001 – BLAGOJ SKANDEV (SD HOMES, LLC)

Decision Only During Commission Matters
(Public Hearing held on November 13, 2014)

Commissioner Hurley: Thank you, Mr. Chairman. This is regarding case RZ 2014-BR-001 – the Skandev (SD Homes, LLC). On the face of it, this is a simple case of a landowner wishing to build a house for himself and another for his brother-in-law at 2.06 dwelling units per acre. This rezoning comes in at the very low end at the Comprehensive Plan recommendation of two to three dwelling units per acre. As I stated when I moved to defer this case, site visits were conducted this week to assess the adequacy of the proposed tree protection measures and the limits of clearing and grading. In brief, the limits of clearing and grading have been expanded to avoid impacting any of the trees in the neighbor's back yards. However, the Urban Forester noted that most, if not all, of the off-site trees that within or near the sanitary easement will have to be removed. The applicant who owns the very few trees that might be left standing – also be taken down. And the applicant has agreed to do so. Proffered restoration of the area include backfilling of the trench, replacement of a trench, re-sodding lawns, mulching of planting areas, and replacing shrubbery. The applicant is to be commended for plugging his way through all the specifics that he needed to meet and, in particular, the many regulations regarding transportation improvements, tree preservation, and stormwater management. I also commend the many members of the County staff who has helped shepherd this case through. In this – Braddock's third infill case in as many weeks – the Braddock Land Use Committee has again put in many hours and represented well the concerns of our community. Putting all these stakeholders and performing her usual magic has been Rosemary Ryan from Supervisor John Cook's staff. With that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2014-BR-001, SUBJECT TO THE EXECUTION OF PROFFERS DATED 20 NOVEMBER, 2014.

Commissioner Hedetniemi: Seconded.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2014-BR-001, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Sargeant: Mr. Chairman-

Commissioner de la Fe: I abstain.

Chairman Murphy: Okay, Mr. de la Fe abstains.

Commissioner de la Fe: Not present for the public-

Commissioner Sargeant: Also abstain. Not present for the public hearing.

Chairman Murphy: Not present for the public hearing. Mr. Sargeant abstains – same reason, okay.

Commissioner Hurley: I MOVE THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE FOLLOWING:

- WAIVER OF THE LOCATION REQUIREMENTS OF BIO-RETENTION FACILITIES, PURSUANT TO SECTION 6-1307 OF THE PUBLIC FACILITIES MANUAL TO ALLOW INFILTRATION TRENCHES TO BE LOCATED ON INDIVIDUAL LOTS, PROVIDED THAT A PRIVATE MAINTENANCE AGREEMENT IN FORM ACCEPTABLE TO THE COUNTY ATTORNEY’S OFFICE IS COMPLETED FOR EACH LOT; AND
- DEVIATION OF THE TREE PRESERVATION TARGET, PURSUANT TO SECTION 12-0508 OF THE PUBLIC FACILITIES MANUAL, IN FAVOR OF THE ALTERNATIVES, AS SHOWN ON THE PROPOSED PLAN AND AS CONDITIONED.

Commissioner Hedetniemi: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioners de la Fe and Sargeant: Abstain.

Chairman Murphy: Same abstentions.

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(Each motion carried by a vote of 9-0-2. Commissioners de la Fe and Sargeant abstained. Commissioner Migliaccio was absent from the meeting.)

JLC