

Planning Commission Meeting
January 23, 2014
Verbatim Excerpt

RZ/FDP 2013-HM-012 – SEKAS HOMES, LTD.

Decision Only During Commission Matters
(Public Hearing held on December 5, 2013)

Commissioner de la Fe: Thank you, Mr. Chairman. Mr. Chairman, on December 5th, we held a public hearing on the Sekas Homes application, RZ/FDP 2013-HM-012. We have heard from the neighbors before, during, and after the public hearing that the neighbors, by and large, express their opposition to the rezoning. It is clear that the majority of the neighbors would prefer that the property be developed by-right. To put it succinctly as the neighbors have passionately and eloquently expressed time after time, they believe that the by-right development would be better and change their neighborhood less than a rezoning. I, frankly, don't agree with that. The neighborhood is going to change, whether by-right or by rezoning. The by-right development is not as – or cannot be controlled as well as a rezoning that is within the requirements of the Comprehensive Plan – is well-conditioned and has proffers. I realize that the neighbors do not agree with that. However, I firmly believe that a well-conditioned and proffered redevelopment that is within the Comprehensive Plan is better, generally, for the – in the public interest – than by-right development. The staff has recommended approval, as has the Land Use Committee of the Hunter Mill District. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2013-HM-012 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED DECEMBER 23RD, 2013.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. 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 2013-HM-012, say aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: Mr. Chairman?

Chairman Murphy: Yes?

Commissioner Migliaccio: Abstain, not present for the public hearing.

Chairman Murphy: Mr. Migliaccio abstains and so does Mr. Ulfelder.

Commissioner Ulfelder: Correct.

Chairman Murphy: Mr. de la Fe.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2013-HM-012, SUBJECT TO DEVELOPMENT CONDITIONS DATED DECEMBER 31ST, 2013, AND THE BOARD'S APPROVAL OF RZ 2013-HM-012 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor of the motion to approve FDP 2013-HM-012, subject to the Board's approval of the rezoning and conceptual development plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same abstentions.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF SECTION 8-0201.3 OF THE PUBLIC FACILITIES MANUAL REQUIRING A TRAIL ALONG TETTERTON AVENUE IN FAVOR OF THE CONSTRUCTION OF THE SIDEWALK SHOWN ON THE CDP/FDP.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF SECTIONS 8-0101.1 AND 8-0102 OF THE PUBLIC FACILITIES MANUAL, REQUIRING A SIDEWALK ALONG BESLEY ROAD AND BOTH SIDES OF THE PRIVATE STREET, IN FAVOR OF THE SIDEWALKS DEPICTED ON THE CDP/FDP.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Thank you very much, Mr. Chairman. And I thank everyone that so passionately opposed this, but I do believe that in the end this will be better than a by-right development.

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(Each motion carried by a vote of 10-0. Commissioners Migliaccio and Ulfelder abstained.)

JLC