

RZ 2014-PR-018- THE EVERGREENE COMPANIES, LLC (Providence)

Decision Only During Commission Matters
(Public Hearing held on April 16, 2015)

Commissioner Hart: Thank you, Mr. Chairman. On the Evergreene case – on April 16th the Commission held a public hearing on the Evergreene Company’s request to rezone 1.2 acres in the Providence District. We deferred decision twice in order to work on a number of issues raised by the neighbors, the commission, and the supervisor’s office - including the intensity, parking, stormwater, landscaping and noise. I first want to thank Suzanne Wright and Cathy Lewis, as well as Mike Wing in Supervisors Smyth’s office, for their fine work on this case and their insistence and guidance with the resolution of citizen concerns. Especially, as I’m still pitch-hitting for Commissioner Lawrence on the Providence cases. I also want to thank the speakers who spoke or submitted written comments and I believe their participation in the process has resulted in an approved application. I also want to thank Mr. Adams and the applicant for listening to all the communities’ feedback and continuing to work with staff towards a resolution of the neighbor’s concerns. Infill cases can be difficult, sometimes the smaller cases are the most difficult. The geometry of this site is particularly challenging. The lot is long and shallow but the vehicular access has to come from the short end rather than having the driveways directly connect to Route 123. The site backs up to a Verizon facility and has a large gas meter at one end. The use will be heavily impacted by a noisy arterially roadway. As the commission may remember, the site has been the subject of previous unsuccessful applications both for residential use and for a child care operation. This time around the applicant originally sought approval for four lots. But after the public hearing, revised the application to show only three lots and made other revisions to the proffers including relocation of the access point from the service drive, enlargement of the driveways, and a commitment that the sound walls or acoustical fencing will not be cinderblock or plastic faux bricks. With three lots we are now at a density of 2.33 units per acre, below the plan range of three to four dwellings per acre, but a density that is more workable on a very problematic site. Not every leftover infill site is going to achieve the density levels theoretically possible under the Comprehensive Plan. Staff has recommended approval, both in the addendum and the original staff report. I concur with staff’s recommendation and adopt its rationale. I believe the three lot layout is a significant improvement from where we started and that the case is now ready to move forward. Therefore, Mr. Chairman, I FIRST MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY APPROVE RZ 2014-PR-018 SUBJECT TO PROFFERS CONSISTENT WITH THOSE NOW DATED MAY 28, 2015.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. 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-PR-018 say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Litzenberger: Uh, Mr. Chairman? I abstain.

Chairman Murphy: Oh, Mr. Litzenberger abstains.

Commissioner Strandlie: I - Mr. Chairman.

Chairman Murphy: On the last item also.

Commissioner Strandlie: I need to abstain too, I was not here for the hearing.

Chairman Murphy: All right, thank you.

Commissioner Hart: Secondly, Mr. Chairman, I MOVE THAT THE BOARD OF SUPERVISORS DIRECT THE DIRECTOR OF DPWES TO APPROVE A DEVIATION OF THE TREE PRESERVATION REQUIREMENTS IN FAVOR OF WHAT IS SHOWN ON THE GDP.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Discussion? All those in favor of that motion say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same abstentions.

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(The motion carried by a vote of 7-0-2. Commissioners Litzenberger and Strandlie abstained. Commissioners Flanagan, Lawrence, and Sargeant were absent from the meeting.)

TMW