

**UNAPPROVED MINUTES OF THE JULY 11, 2007 MEETING
OF THE PLANNING COMMISSION**

SUP-19-07 King of Glory Lutheran Church

Mr. Jose Ribeiro presented the staff report stating that Mr. Matthew Burton has applied for a special use permit to allow for the replacement of an existing modular building of 1,407 square feet with a larger one of 2,800 square feet at the church site located on 4897 Longhill Road. The proposed modular building will serve as additional preschool classrooms. The property is also known as parcel 3240100033 on the JCC Tax Map. The property is zoned R-2, General Residential and is designated Low Density Residential on the Comprehensive Plan. Staff found the proposal consistent with surrounding uses and the Comprehensive Plan Land Use Map and recommended approval.

Mr. Kennedy opened the public hearing.

Mr. Matthew Burton, DJG Inc, represented the applicant and requested that condition #6 concerning a re-forestation requirement be deferred until such time that it is determined to be necessary. He stated that the adjacent property is heavily wooded therefore re-forestation at this time is unnecessary.

Mr. Kennedy informed the applicant that the Commission could not defer one item. He stated that Staff had drafted an additional condition concerning re-forestation that could be considered or the entire case could be deferred.

Mr. Burton said the applicant did not want to defer the entire case.

Mr. Obadal asked if the requirement can be conditional.

Mr. Kennedy asked Mr. Ribeiro to distribute the additional condition.

Mr. Kennedy read the draft condition and asked if the applicant is considering a future purchase.

Mr. Burton stated that the applicant is interested in purchasing the adjacent property and as well as relocating the church in the future.

Mr. Sowers stated that once the Certificate of Occupancy is issued the County is unable to go back and require the landscaping. He stated that the options are to accept either condition as written or deleting the requirement altogether.

Mr. Kennedy asked if the condition could be bonded.

Mr. Kinsman answered yes and stated that a bond would not be staff's preference.

Mr. Sowers added stated that the cost of a re-forestation is low compared to planting a full size landscaping so that the cost of the bond is fairly close to the cost of re-forestation.

Mr. Obadal asked for an estimate of the cost.

Mr. Sowers stated that he thought the cost would be approximately \$1,000.

Ms. Jones informed the Commission that the applicant has stated that if the item could not be deferred they desired to move forward with the original condition.

Mr. Kennedy stated that he would be inclined to accept the applicant's word. He asked Mr. Kinsman for suggestions.

Mr. Kinsman gave other suggestions to ensuring compliance.

Mr. Kennedy asked if the applicant would be willing to submit a Letter of Credit.

Mr. Burton asked for an explanation of that process.

Mr. Kinsman explained the Letter of Credit process and suggested that the church could submit the funds to the County to be held in escrow.

Mr. Kennedy stated that he was confident something could be worked out.

Mr. Burton stated the applicant's satisfaction with either option. He also stated their willingness to comply with the condition if those options were not plausible. Mr. Burton stated that they appreciated staff's assistance in working with them.

Ms. Hughes asked if something could be worked out by the Board of Supervisors meeting.

Mr. Sowers stated that if Mr. Kennedy is comfortable then something could be worked it out.

Mr. Kinsman stated that the Church would benefit by submitted a Letter of Credit should they buy the other property because the landscaping would not be necessary.

Mr. Burton said he could accept that option.

Hearing no other requests to speak; the public hearing was closed.

Ms. Jones motioned to approve the application with the terms of condition #6 to be worked prior to BOS hearing.

Mr. Krapf seconded the motion.

In a roll call vote the application was approved (7-0). AYE: Obadal, Fraley Hughes
Billups, Krapf, Jones, Kennedy (7); NAY: (0).