

Planning Commission Meeting  
March 14, 2012  
Verbatim Excerpt

PRC 77-C-076 – RTC PARTNERSHIP, LLC

After the Close of the Public Hearing

Chairman Murphy: The public hearing is closed; recognize Mr. de la Fe.

Commissioner de la Fe: Thank you, Mr. Chairman. Obviously, there are questions related to this application primarily as to the height and intensity, and also the - - as Mr. Hart mentioned, the legal issues, as to what is applicable here or not. I would ask not only - - and Mr. Walsh has promised us a legal document - - I would ask staff to get from the County Attorney not only a legal, you know, interpretation, but I would also ask that they look at the record of the discussion and at the time of approval of the new PRC approval process, when it was changed from a purely administrative function of the Department of Public Work and Environmental Services and making it a legislative process through the public hearing process of the Board. That happened two or three years ago. They worked very - - there were a number of statements made at that time which, if I remember correctly, differ from what the interpretations are now. So I want to make sure that I know what rules we are operating under. And that - I would request that because it was made very plain at that time that these were not rezonings - so, you know - and that there was a difference. So with that, Mr. Chairman, I would MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY, WITH THE RECORD REMAINING OPEN, FOR PRC 77-C-076 TO A DATE CERTAIN OF MARCH 29<sup>TH</sup>, 2012, with the record remaining open. And if we need to move that, we'll move it again if we're not ready.

Chairman Murphy: The date?

Commissioner de la Fe: March 29<sup>th</sup>.

Commissioner Alcorn: Second.

Chairman Murphy: Seconded by Mr. Alcorn. Is there a discussion of the motion? All those in favor of the motion to defer the decision on application PRC 77-C-076 to a date certain of March 29<sup>th</sup>, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried unanimously with Commissioner Donahue not present for the vote.)

JN