

Planning Commission Meeting
October 6, 2010
Verbatim Excerpt

RZ 2009-PR-002 – SQUARE 1400, L.C.
FDP 2009-PR-002 – SQUARE 1400, L.C.

Decision Only During Commission Matters
(Public Hearing held on November 5, 2009)

Commissioner Lawrence: Thank you, Mr. Chairman. I'm ready to move.

Chairman Murphy: Okay.

Commissioner Lawrence: Mr. Chairman, Commissioners will recall that at the public hearings, I had issues with this application. Those issues have been resolved. The application now presents very differently along Prosperity than did the original design. The County now gets the benefit of a 3,000-foot space for its use over a period of 20 years. There are other changes, but those are very key and significant changes which have altered my view on this application. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2009-PR-002, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED ON SEPTEMBER 15, 2010.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. 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 2009-PR-002, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Lawrence.

Commissioner Lawrence: I move that the - -

Commissioner Migliaccio: Mr. Chairman, I abstain.

Chairman Murphy: I'm sorry. Mr. Migliaccio abstained.

Commissioner Migliaccio: Not present for the public hearing.

Chairman Murphy: Not present for the public hearing. Okay. Oh, you weren't on the Commission.

Commissioner Harsel: No. It was over 18 months ago since we heard this.

Commissioner Migliaccio: I'm a newbie.

Chairman Murphy: Okay. He wasn't here. Okay?

Commissioner Harsel: That's right. A bunch of us weren't either.

Chairman Murphy: I'm sorry. Go ahead.

Commissioner Lawrence: The person who does not exist just said he did not exist.

Chairman Murphy: I thought we were doing Commission minutes there.

Commissioner Harsel: But, we are. We are. With those, that's going to be tricky.

Chairman Murphy: Okay.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF CDP 2009-PR-002, SUBJECT TO THE BOARD'S APPROVAL OF THE ASSOCIATED RZ APPLICATION.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to approve FDP 2009-PR-002 [sic], subject to the Board's approval of the Rezoning and the Conceptual Development Plan [sic], say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstention.

Commissioner Migliaccio: Yes, Mr. Chairman. I abstain.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2009-PR-002, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 8, 2010, AND TO THE BOARD'S APPROVAL OF THE ASSOCIATED RZ APPLICATION.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I move that the Planning Commission recommend - -

Chairman Murphy: Same abstention.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE LOADING SPACE REQUIREMENT FOR RESIDENTIAL USES, IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstention.

Commissioner Lawrence: Finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT THE DIRECTOR OF DPWES TO PERMIT A DEVIATION FROM THE TREE PRESERVATION TARGET PERCENTAGE, IN FAVOR OF THE PROPOSED LANDSCAPING SHOWN ON THE CDP/FDP AND AS PROFFERED.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Thank you very much, Mr. Chairman. Thank you, Mr. O'Donnell and staff for your work on such a difficult application.

Chairman Murphy: Thank you very much.

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(The motions carried by a vote of 10-0-1 with Commissioner Migliaccio abstaining; Commissioner Hall absent from the meeting.)

KAD