

8/7/89

4:00 p.m. Items - PCA-C-547-3 - NV COMMERCIAL, INC., ET AL
- PCA-76-P-046-2 - NV COMMERCIAL, INC., ET AL
Providence District

On Thursday, July 27, 1989, the Planning Commission voted 8-1-1 (Commissioner Huber opposed; Commissioner Byers abstaining; Commissioner Thomas absent from the meeting) to recommend to the Board of Supervisors approval of PCA-C-457-3 and PCA-76-P-046-2, subject to the proffers dated July 19, 1989.

Planning Commission Meeting
July 27, 1989
Verbatim Excerpts

PCA-C-547-3 - NV COMMERCIAL, INC., ET AL
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After Close of the Public Hearing

Secretary Harsel: I'll close the public hearing and recognize Mr. Hanlon from the Providence District for (unintelligible).

Commissioner Hanlon: Mr. Chairman, there -- actually it's, I guess it's still Madam Chairman, I'm not quite sure who's in the Chair right now.

Secretary Harsel: I'll (unintelligible).

Commissioner Hanlon: Well --

Chairman Murphy: Yeah, I'm easy.

Commissioner Hanlon: This is one of those cases which -- it may be housekeeping but housekeeping is, is not one of the more pleasant things to do, and I happen to think that we had it better before when we were getting units next to the Metro Station than including -- than having a cash option. And philosophically, I'm very much opposed to, to doing this kind of thing. Partly the reason we are here is, is that there was not adequate tracking of the proffers earlier, and most of Country Creek was built without any of these units being provided, so that now we have one devel -- one relatively small area of Country Creek left which will -- it would end up, if they provided units, being one-third the low or moderate income units all concentrated in one place. It's also true that the clarifications, if that's what they are, regarding the dedication are much needed and the Housing and Community Development Department is at least willing to entertain a cash contribution. I would like to point out that as is true of so many other things, HCD has its price and while it does have preference of land over units, we are now talking about a buy-back of that land for an amount somewhere in the neighborhood of \$2 million, and HCD is working up from there, so I anticipate that it will be at least three before we actually come to closure on this and ultimately we will get the units if HCD, or ultimately RHA, is not satisfied with the price that they get from the applicant. I guess on -- my views on the balance between land and proffers might be different if we systematically have people coming in for \$2 million instead of that many units. I fortunat -- unfortunately haven't had the occasion to test that principle so far, but under the -- all of the circumstances here, while I think that it's a little unfortunate we've gotten to this point, it seems to me that this is one of those things which we have to do. And so consequently, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-C-547-3 AND PCA-76-P-046-2, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDICES 1 AND 2 OF THE STAFF REPORT.

Commissioner Lockwood: Second.

Commissioner Bobzien: Second.

Chairman Murphy: Seconded by Mr. Lockwood and Mr. Bobzien. Discussion of the motion?

Commissioner Huber: Mr. Chairman?

Chairman Murphy: Ms. Huber.

Commissioner Huber: I hate housekeeping maybe even more than Mr. Hanlon, but I hate this kind of housecleaning more than anything else. And if I vote "no" on this application it's going to be in a way of protest to the powers that be that goofed up on the proffer; the whole system that let this thing happen where we lost units where we needed them most, right next to the Metro Station. It's, it's really unpardonable in my book.

Chairman Murphy: Further --

Commissioner Huber: So, pardon me if I vote "no."

Commissioner Murphy: Further discussion of the motion?

Commissioner Hanlon: Mr. Chairman?

Chairman Murphy: Mr. Hanlon.

Commissioner Hanlon: I don't want to let Ms. Huber's comment pass. I do want to stress that we haven't lost the units necessarily because there is as of yet no deal between the applicant and the Housing Authority; and we still retain the option -- County's option to insist upon the units. All that this is doing is allowing the applicant to bargain with the RHA for a price to be -- to basically buy the land back. And -- so I just want to stress that it is not automatically the case that we are shifting from units to cash, although I think that that's by far the more probable outcome but we have not yet reached that.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA-C-547-3 and PCA-76-P-046-2, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Byers: Abstain, I was out of the room.

Commissioner Huber: No.

Chairman Murphy: Mr. Byers abstains, out of the room; Ms. Huber votes "no"; motion carries.

Commissioner Byers: Mr. Chairman?

Chairman Murphy: Mr. --

Ms. Godfrey: Mr. --

Chairman Murphy: Is there any other action on this application?

Ms. Godfrey: Mr. Chairman, the applicant just pointed out that the approval should be SUBJECT TO THE PROFFERS DATED JULY 19TH.

Commissioner Hanlon: I see, I gave the ones in the staff report?

Ms. Godfrey: That was my mistake.

Commissioner Hanlon: Okay. If, if I could say that the intent of my motion was to do that, if the seconder would be agreeable, we might be able just to --

Commissioner Bobzien: I agree.

Chairman Murphy: Agreeable by Mr. Bobzien and Mr. Lockwood. Please amend the motion accordingly.

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(The motion passed by a vote of 8-1-1 with Commissioner Huber objecting; Commissioner Byers abstaining; Commissioner Thomas absent from the meeting.)

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