

MINUTES OF THE PLANNING AND ZONING BOARD

PUBLIC HEARING/REGULAR MEETING

CITY OF DELRAY BEACH
DELRAY BEACH, FLORIDA

MEETING DATE: November 18, 2013

LOCATION: City Commission Chambers

MEMBERS PRESENT: Gerald Franciosa, Derline Pierre-Louis, Christopher Davey, Jordana Jarjura, Dr. Craig Spodak

MEMBERS ABSENT: Thuy Shutt & Clifford Durden

STAFF PRESENT: Mark McDonnell, Ronald Hoggard, Janice Rustin (Asst. City Attorney) and Diane Miller

I. CALL TO ORDER:

The meeting was called to order by the Dr. Craig Spodak, Chairman, at 6:02 p.m. Upon roll call it was determined that a quorum was present.

II. MINUTES:

Motion made by Ms. Jordana Jarjura, seconded by Mr. Gerald Franciosa, and approved 5-0 to move approval of the September 16, 2013 minutes as written.

Chair Dr. Craig Spodak read the Quasi-Judicial Rules for the City of Delray Beach and Ms. Miller swore in all who wished to give testimony on any agenda item.

III. COMMENTS FROM THE PUBLIC (*Comments on items that are not on the Agenda will be taken immediately prior to Public Hearing Items.*)

Marie Gardella – 329 NE 7th Avenue

I have a fence issue and I am here tonight to find out what my steps are in resolving this issue. I have had a fence on my property since 1995, the neighbor north of me is commercial rental and wants my fence to be taller. The problem is that if I do not alter my fence the neighbor is going to build a fence right against it. So if this was to happen my good boards will be on his side and who will maintain it then? Number 2 is I can take down my fence and use his would be fine except I have a slide gate to allow the phone company to have access to a pole and also that would compromise the safety of my property.

Mr. Spodak asked Mr. Dorling what would her next step and Mr. Dorling said that she could call the Planning and Zoning department and we would be happy to help her.

Dr. Victor Kirson – President of Tierra Verde, Delray Beach

Delray Beach has achieved much success, more than any other city. I want to thank and show appreciation to the Planning and Zoning Board for all their hard work.

IV. LAND USE ITEMS

A. Final subdivision plat approval for Delray Village Shoppes Plat (fka Lintco Development), a proposed commercial shopping center located on the north side of Linton Boulevard, west of SW 4th Avenue. Quasi-judicial Hearing

Exparte Communication - None

Ronald Hoggard entered project file No. 2013-155 into the record.

The item before the Board is that of approval of a preliminary plat and certification of a final plat for a new shopping center development to be platted as **Delray Village Shoppes formerly Lintco**. The subject property is located on the north side of Linton Boulevard, west of SW 4th Avenue.

On November 14, 2012, the Site Plan Review and Appearance Board (SPRAB) approved a Class V Site Plan proposal for Lintco Development which included construction of a shopping center consisting of three (3) commercial buildings and associated parking on the subject property. Submission of a replat for the property was included as a condition of Site Plan approval.

On September 25, 2013, the Site Plan Review and Appearance Board (SPRAB) approved a Class III Site Plan proposal for Delray Village Shoppes which included changing the previously proposed bank outbuilding located in the southwest corner of the site to a multi-tenant retail building containing a restaurant and retail uses, plus associated landscaping and parking lot modifications in the affected area immediately adjacent to the outbuilding.

The replat will subdivide the subject property into three (3) development Tracts. Tract "A" is the development parcel which will contain all of the buildings and the parking lot. Tract "B" is a dedication tract of 12 feet of additional right-of-way for Linton Boulevard. It will be dedicated to Palm Beach County by special instrument and the recording information will be noted on the plat. Tract "C" is a dedication tract of 5 feet of additional right-of-way for SW 4th Avenue and is being dedicated to the City of Delray Beach by this plat. The plat contains a number of new general utility, water, sewer and drainage easements located throughout the property and non-vehicular access lines are being provided along Linton Boulevard and SW 4th Avenue to limit vehicular access to the driveway connections indicated on the approved site plan.

There are a number of findings to be met. These findings relate to Future Land Use Map, Concurrency and Consistency with the Comprehensive Plan, and Compliance with the Land Development Regulations.

There is a right of way dedication. Twelve (12) feet of additional road right-of-way for Linton Boulevard along the south side of the property is required. The dedication will be made by special instrument and referenced on the plat. Five feet (5 ft.) of additional road right-of-way for SW 4th Avenue along the east side of the property is being dedicated to the City of Delray Beach by this plat.

There are still a few technical items that have to be met which are described on page 8 of the Staff Report. Most of these items are very minor, with some labeling issues.

Courtesy Notices:

Courtesy notices have been provided to the following groups and neighborhood associations:

- Delray Citizens Coalition
- Southridge HOA
- Linton Ridge HOA
- Tierra Verde of Delray HOA

Staff recommends approval and that all comments under the “Technical Items” section (Appendix “B”) of the report be addressed prior to scheduling the plat for City Commission action.

Applicant Presentation

Paul Engle – O’Brien, Suiter & O’Brien – The agent on behalf of the client

We are here to answer any technical questions that you might have. With the comments on the technical items, they will be addressed prior to the City Commission meeting. We do not see any issues with any of the outstanding issues.

Public Comments

Dr. Victor Kirson – President of Tierra Verde, Delray Beach

This project is about 4 blocks from Tierra Verde and this project is taking much too long. All my residents are in favor of this project, so hopefully it moves along soon.

BOARD DISCUSSION - None

MOTION/FINDINGS

Move a recommendation of approval to the City Commission of the Preliminary Plat and certification of the Final Plat for **Delray Village Shoppes**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(J) (Major Subdivisions), Section 3.2.3 (Standards for Site Plan and/or Plat Actions) and Section 3.1.1 (Required Findings for Land Use and Land Development Applications) of the Land Development Regulations, subject to the following condition:

1. That all comments under the “Technical Items”, Page 8, Section (Appendix “B”) of the report be addressed (1-14) prior to scheduling the plat for City Commission action.

MOTION

Motion by Mr. Franciosa and seconded by Ms. Jarjura. Said motion approved 5-0.

B. Final subdivision plat approval for 1001 Hibiscus Lane Plat, a proposed three-lot single family subdivision, located at the southeast intersection of Hibiscus Lane and NW 6th Avenue, and north of NW 9th Street. Quasi-judicial Hearing

Exparte Communication

Gerald Franciosa – email

Derline Pierre-Louis – email

Christopher Davey – email

Dr. Craig Spodak – I met with a person affiliated with the project in a social setting, but I am not influence by this conversation.

Ronald Hoggard entered project file No. 2013-242 into the record.

The item before the Board is that of approval of a preliminary plat and certification of a final plat for a 1.68 acre residential development containing three (3) single-family lots to be platted as **1001 Hibiscus Lane Plat**. The subject property is located at the southeast intersection of Hibiscus Lane and NW 6th Avenue, and along the north side of NW 9th Street.

The 1.68 acre subdivision is a replat. The replat will subdivide the subject property into three (3) single-family home lots and one tract consisting of an additional 15' right-of-way dedication for NW 9th Street. Lots 2 and 3 will front on and take access from NW 9th Street and Lot 1 will front on and take access from NW 6th Avenue. A new 10' general utility easement will be located along the north boundary of the property (on Lot 1), and a 15' general utility easement will be located along the south boundary (on Lots 2 and 3), adjacent to the expanded right-of-way for NW 9th Street. A 5' sidewalk easement will be provided along the south lot lines of Lots 2 and 3, immediately north of the road right-of-way dedication tract.

There are a number of findings that need to be made that are found in the staff report for subdivisions. There is one that does not meet the guidelines, and that is Section 3.1.1 (D) - Compliance with the Land Development Regulations. . As shown on the following table, with the exception of frontage for lot 1, all three lots will exceed the minimum lot size and dimension requirements in Section 4.3.4(K), "Development Standards Matrix" for the Single-Family Residential (R-1-AAA-B) zoning district.

<u>Lot Size</u>	<u>(Square Feet)</u>	<u>Lot Width</u>	<u>Lot Depth</u>	<u>Lot Frontage</u>
<i>Minimum Required</i>	12,500	100'	110'	100'
<i>Proposed Lot 1</i>	34,858	219.21'	159.02	25'
<i>Proposed Lot 2</i>	17,574	109.79	160'	110.13
<i>Proposed Lot 3</i>	17,457	109.11	160'	108.67

The Fire Department reviewed the proposal and noted that although existing conditions do not meet all of the requirements of the Florida Fire Prevention Code for Fire Department Access Roads, the proposal does not increase this nonconformity. Since the proposal is to only provide access to one lot, consistent with existing conditions, the Fire department did not object to the proposal. Based on this review, the waiver will not create an unsafe situation.

Other requests to create similar nonconformities under unique circumstances have been previously approved. The "Fryinger properties" located at the southeast corner of S.E. 5th Street and S.E. 4th Avenue (Lots 7 & 8, Block #4, Plat of Osceola Park) consisted of two reconfigured lots that were both approved with nonconforming frontage, width, depth and size. To aid in the preservation of an existing historic house, Lot 2 in the Marine Way plat was approved with only 24 feet of frontage along a private access easement. More recently, the Dell

Grove plat, located at the southeast corner of NE 2nd Avenue and NE 12th Street was approved with two lots that did not meet the minimum lot size and dimension requirements. All of these cases had unique conditions which warranted approval of the waiver(s). Overall, given the existing development pattern and existing conditions in the immediate area, the waivers will not adversely affect the neighboring area, diminish public facilities, or create an unsafe situation, and an approval would be granted in a similar situation. Based upon the above, it is necessary and appropriate to approve the requested waiver.

Courtesy Notices:

Courtesy notices have been provided to the following groups and neighborhood associations:

- Delray Citizen's Coalition
- Lake Ida Property Owners

Public Notice:

Pursuant to LDR Section 4.3.1(D), formal public notice of the proposed waiver was provided to all property owners within a 500' radius of the subject property.

Staff recommends approval subject to some minor conditions that are on Page 8 of the staff report to be addressed prior to scheduling the plat for City Commission action.

Applicant Presentation

Jeff Hodapp – Perimeter Surveying & Mapping – Representing the applicant

We have read through the report and agree with it and we will take care of all the technical issues. We are here for any questions that you might have.

Gary Eliopoulos – 205 George Bush Blvd. – Architect of the project

Mr. Eliopoulos wanted to go through briefly how this project came about and to say that we know that we cannot get this right on the first run. Mr. Eliopoulos said that most of the people in Lake Ida consider this Hibiscus Lane but it is actually NW 6th Avenue. He proceeded to continue his presentation with a powerpoint presentation and commented that he had met with the neighbors with his proposal and they were not too positive with all the suggestions.

Public Comments

Phil Colnon – Developer - 151 NE 5th Avenue – *(indicated that he was speaking for a group of residents from Hibiscus Lake Estates)*

The property that we are talking about was divided directly next door to the property that Mr. Eliopoulos is talking about. There is an easement that is the 25 feet that they are asking for. This is a property that I own and divided with 25 feet on the same length. This request was denied by Planning and Zoning and we were required to put 60 feet on the cul-de-sac to allow for frontage, even though this driveway has existed since 1947. Mr. Colnon continued to explain the give and take for each lot but one of the main concerns is the maintenance of the road. We have spoken to the residence and they have no interest in maintaining the road, so is this going to be the City's responsibility and who will decide this.

Pete Goodridge – 1075 Hibiscus Lane

My property is just north of the property in question. I have lived there for 10 years and when I bought the property I knew the vacant lot would someday be developed. I have given my feedback and I have no issues with what they are proposing here today.

Lainie Lewis – 1089 Hibiscus Lane

I have lived here for 39 years and we are in favor of the project.

Julie Schmitt – 945 Hibiscus Lane

I have lived here in Delray Beach since 1986 and we purchased our home in 1983. I am here tonight to endorse the project at 1001 Hibiscus Lane.

Staff Comments

Ronald Hoggard

Based on what Mr. Colnon has said I would indicate that the attorney for the applicant has indicated that this is a prescriptive easement. We would like to add a condition of approval into this report, that they would provide a legal opinion on and that would work with the City Attorney's office on that before this goes forward in order to address this specifically. In terms of the other lots that were discussed, I don't think this is compatible.

Mr. Franciosa asked Mr. Hoggard is what he wants is a legal description of the lot and he said that they have stated the description but now they want it in writing.

Ms. Jarjura asked Mr. Colnon to clarify that he was here tonight on behalf of a neighborhood association or the four lots that you own. Mr. Colnon is the developer and he owned 2 of the 4 lots and I do not live there, the homes are being built now. There is 1 existing home and 3 are undeveloped. Ms. Jarjura asked that he is the owner of all 4 lots? Mr. Colnon said that he is not the owner of all the lots, we have sold 2. Mr. Colnon is here on behalf of the 2 owners that I have sold to and the 2 lots that I have yet to sell. Ms. Jarjura asked Mr. Colnon if he had letters attesting that he is the owners representative. Mr. Colnon was not aware that he had to bring these letters.

Rebuttal

Gary Eliopoulos – He wanted to say that he is not familiar with all these properties that were talked about but have worked on 2 other projects; one in the Marina District and another was Sealand and I am not sure these are the same. I do agree that the construction traffic should not come down Hibiscus Lane, and we plan on building a temporary road just for the construction of the homes.

Board Discussion – None

MOTION/FINDINGS

Move approval of a waiver to LDR Section 4.3.4(K) (Development Standards Matrix) to reduce the required lot frontage for Lot 1 from 100 feet to 25 feet, based upon positive findings with respect to LDR Sections 2.4.7(B)(5) and 4.3.1(D).

Move a recommendation of approval to the City Commission of the Preliminary Plat and certification of the Final Plat for **1001 Hibiscus Lane Plat**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the

Comprehensive Plan and meets criteria set forth in Section 2.4.5(J) (Major Subdivisions), Section 3.2.3 (Standards for Site Plan and/or Plat Actions) and Section 3.1.1 (Required Findings for Land Use and Land Development Applications) of the Land Development Regulations, subject to the following condition:

That all comments under the “Technical Items” section (Appendix “B”) of the report be addressed prior to scheduling the plat for City Commission action and to incorporate staff recommendation in writing the legal opinion that this is prescriptive easement.

Motion

Motion by Ms. Jarjura and seconded by Mr. Franciosa. Said motion approved 5-0.

C. Final subdivision plat approval for Windsor, a four-unit townhouse development located at the northeast corner of Ingraham Avenue and Venetian Drive. Quasi-judicial Hearing

Exparte Communication - None

Ronald Hoggard entered project file No. 2014-009 into the record.

The subject property is located on the northeast corner of Venetian Drive and Ingraham Avenue (141 Venetian Drive). The property contains a 4-unit apartment building that was constructed in 1951. The site is zoned RM (Multiple Family Residential – Medium Density).

At its meeting of May 22, 2013, the Site Plan Review and Appearance Board approved the Class V Site Plan, Landscape Plan and Architectural Elevations for the project. As a condition of approval, a plat for the subject property is to be recorded prior to the issuance of a building permit.

The proposed development consists of 4 three-story townhouse units with two-car garages fronting of Ingraham Avenue and either a spa or swimming pool in the rear yard.

The replat of the subject property will include four townhouse lots. A new 10' general utility easement and a 5' sidewalk easement are being provided in the front of the lots along Ingraham Avenue. A new 10' drainage easement is also being provided along the front of the lots, as well as on the west side of Lot 1 and the east side of Lot 4. A 7' access easement is being provided in the rear of Lots 1, 2 and 3. The purpose of the access easement is to provide exterior access to the rear yards of Lots 2, 3 and 4 to service the pool and spas.

The performance standards outlined in the staff report has all been met. We have also already received a school concurrency on this property that is required

In regards to the right-of-way, the width for Venetian Drive and Ingraham Avenue is 60'. While the existing right-of-way for Venetian Drive meets this requirement, the right-of-way for Ingraham Avenue is only 40'. For existing streets, the City Engineer, upon a favorable recommendation from the Development Management Services Group (DSMG), may grant reductions in right-of-way width. At its meeting of April 18, 2013, the City Engineer and DSMG reviewed the existing right-of-way width and determined that the current right-of-way width of 40' would be sufficient for this section of Ingraham Avenue, provided a 5-foot wide sidewalk easement be dedicated with the plat.

Courtesy Notices:

Courtesy notices have been provided to the following groups and neighborhood associations:

- Beach Property Owners Association
- Delray Citizen's Coalition
- Seagate Towers Condo
- Via Marina
- Inner Circle Condo
-

Staff recommends approval subject to some minor conditions that are on Page 8 of the staff report to be addressed prior to scheduling the plat for City Commission action.

Applicant Presentation

Paul Engle – Obrien, Suiter & Obrien – Representing the applicant

We have read through the report and agree with it and we will take care of all the technical issues. We are here for any questions that you might have.

Public Comments – None

Staff Comments - None

MOTION/FINDINGS

Move a recommendation of approval to the City Commission of the Preliminary Plat and certification of the Final Plat for the **Windsor**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(J) (Major Subdivisions), Section 3.2.3 (Standards for Site Plan and/or Plat Actions) and Section 3.1.1 (Required Findings for Land Use and Land Development Applications) of the Land Development Regulations, subject to the following condition:

1. That all comments under the “Technical Items” section (Appendix “B”) of the report be addressed prior to scheduling the plat for City Commission action.

Motion

Motion by Ms. Pierre-Louis and seconded by Ms. Jarjura. Said motion approved 5-0.

D. Final subdivision plat approval for The Grove at Lake Ida associated with replatting a 4-lot subdivision into seven single family lots, located at the intersection of NW 3rd Avenue, NW 12th Street and Grove Way. Quasi-judicial Hearing

Exparte Communication - None

Ronald Hoggard entered project file No. 2014-007 into the record.

The subject property is located at the intersection of Grove Way, NW 3rd Avenue and NW 12th Avenue.

The 1.78 acre subdivision is a replat of Maison Delray, a four lot single-family subdivision recorded in Plat Book 116, Pages 124-125 of the public records of Palm Beach County, Florida on March 22, 2013. Prior to the approval of the plat for Maison Delray earlier this year, the property consisted of 6 lots and portions of abandoned alley and road rights-of-way within two platted subdivisions—The Grove (Plat Book 20, Page 92) and Ida Lake Terrace (Plat Book 22, Page 39). Even though the property had 6 platted lots, it had previously been developed with only one house. While the Maison Delray replat sought to retain the existing house on a large lot within the new subdivision, the current proposal is to remove the existing house and shift the lot lines to allow for 7 single-family lots.

The subject property has a Future Land Use Map designation of LD (Residential- Low Density, 0-5 du/ac) and is zoned R-1-AA (Single Family Residential). Pursuant to the Land Use Designation/Zoning Matrix (Table L-7, Future Land Use Element), the R-1-AA zoning district is consistent with the LD Land Use Map Designation. Based upon the above, it is appropriate to make a positive finding with respect to consistency with the Future Land Use Map designation.

There are a number of technical items that need to be addressed and they are included on Page 8 of the staff report. The subject property is not located within a geographical area requiring review by the CRA (Community Redevelopment Agency) or the DDA (Downtown Development Authority).

Courtesy Notices:

Courtesy notices have been provided to the following groups and neighborhood associations:

- Delray Citizen's Coalition
- Lake Ida Property Owners

Staff recommends approval based on meeting the positive findings in respect to 3.1.1., 3.2.3. and 2.4.5 and subject to conditions that are included in the Appendix B.

Applicant Presentation

Paul Engle – O'Brien, Suiter & O'Brien – Representing the applicant

We have reviewed the report and have no issues with this and all issues will be addressed prior to going to City Commission. I would like the architect, Richard Jones to make a presentation.

Richard Jones – Richard Jones Architect

Very happy to be a part of this project and as an architect living and working in the downtown Delray Beach area, we get to be involved in a lot of projects. We are very happy to be involved with this project, The Gove at Lake Ida. We have an opportunity to design a 'Village within a Village' by the sea. We have gotten to know the character and fabric of the community by getting to know the design of the houses. The proposed design is consistent with the lot sizes and meets the criteria of the LDRs. Some of the benefits of these 7 houses are increase property values as the houses start at \$1.29 million and go up from there, increased architecture and consistent streetscape.

Public Comments

Mark Little – 505 NW 12th Street – I bring to the conversation experience of being past board member of SPRAB, CAB, and CRA. I have some questions for staff on regulations, whether they were done or not, replatting of lots, and notification. (*Applicant asked for 2 additional minutes because he brought his son. The board voted in favor of this request.*) I have not had a chance to review the plans but I have heard some catch phrases that we should not be swayed on. Phrases like the sidewalks that any developer has to put in, front loading vs back loading garages. It is not within the architectural esthetics value of this neighborhood. The density that is being presented here is trying to achieve the maximum profit for the developer. It should be kept in character of the neighborhood and this is not a representation of what is happening.

Mike Cruz – 1510 N. Swinton Avenue – I am former president of the HOA for about 6 years, and I have lived in this neighborhood for about 15 years. I think that the 5 lots that is being discussed is acceptable to the neighborhood; it's the bumping up to 7 lots that is a problems for the neighbors. There has been '0' contact with the neighbors from the architect or the developer. I feel what Mr. Jones has done in the neighborhood has looked nice, and I am sure this will look great, but I think it should stay at 5 houses and not 7 as proposed.

Lynnette Rosenberg – 122 NW 12th Street – I live almost right in front of Lot #7 and I am just reiterating what Mike Cruz and Mark Little have said. We have all been talking about 5 lots, and it seems that would be acceptable, but 7 seems to be just jammed into the property and I was also NOT notified of what was happening by the developer or anyone else.

Sharon McGuire – 22 Grove Way – I live a few doors down from this property and was not notified by anyone of what was happening. I saw the house being demolished, the landscape being taken away, and read in the records from the City Commission meeting and saw that it was for 4 lots and thought that was going to be ok. I spoke to neighbors and they clarified that it was being proposed for 7 lots and the only reason I am here tonight is that Mike Cruz informed us of this meeting.

Julie Schmitt – 945 Hibiscus Lane – I live 3 blocks west of this potential development and I wanted to state some concerns. If you have never driven by this property, it's a 5 point intersection with stop signs and when people are walking in this area this is all a concern to the drivers, so to have 7 lots it seems that is a lot of density for that area.

Tom Leeman – 122 NW 12th Street – Our house is directly across from Lot #7 and when you look out the window it is just a mess. This developer has not come and talked to the neighbors and some of the people on the street are selling cause they are going to put 'City Place' on the corner.

Brad Winney – 1515 N. Swinton Avenue – Lake Ida is changing, but I think what is scaring the neighbors is the amount of the houses, and the density. Also the comment of 'A Village within a Village', that is not what we want to do.

Esther Naidoo – 215 Grove Way – I live the opposite of the project and I am going to have 4 new neighbors. The reason that I chose to live here was because it is old Florida and now we look like we are going to get a development community. I feel this is to many houses.

Jonathan Moulton – 115 Grove Way – I live right across the street and I agree the homes are lovely but 7 houses are just too many. It's a big lot but not a village and not what I am looking for.

Doug Ayerse – 111 NW 11th Street – I want to compliment the architect about the houses, they are lovely but far to dense for the neighborhood. These houses are in character to the neighbor. I also agree with the traffic issue, it's a 5 point intersection and very hazardous to neighbors that are walking, etc.

Lainie Lewis – 1089 Hibiscus Lane – I drive one of the 'Citizen On Patrol Cars" through the neighborhood once or twice a week, which is one of the worse intersections that I drive through. There are blind driveways now and to add these houses would be worse. There are children riding their bikes to and from Unity School, people walking their dogs and adding these 7 houses will make the area very unsafe.

Tom Honker – 615 Wiggin Road – I have been a resident for 48 years and I am total agreement with what everyone has said and 7 houses are too many.

Susan Edwards – 33 NW 12th Street – I live just a few lots away from where this development is taking place. I have 3 young children and I am extremely concerned about their safety. So now with this 'Village" at the end of the street I am more concerned for them. I have an old Florida home with a nice big lot, not to be next to a lot of seven 2 story homes prohibiting my children once again from riding their bikes.

Andrea Sherman – 222 NW 15th Street – I have lived here for 28 years in a little Florida home. I moved into this neighborhood because of the old style homes, and anything else coming into the neighborhood should be of diversity not for the look of Boca Raton.

Pete Goodridge – 1075 Hibiscus Lane – I am a resident in this area and I walk my dog, sometime unleashed, but when I get to this area I have to put him on the leash as it is a traffic issue. I agree with all the people that have spoken and reiterate how bad the traffic is at this area.

Richard Jones - Richard Jones Architect

Thank everyone that spoke with all their comments. When you look at this project there are a lot of positives. The sidewalks are continuous for the children to walk. As there are 7 lots that wrap around the street, you never really see all the houses as they are at different angles and the lot sizes in the community are consistent with the LDRs. I understand the safety and right of way, and we feel that we have addressed that in the design.

I want to take a minute to introduce Tom Laudoni, Developer of Sea Side Builders.

Applicants Rebuttal

Tom Laudoni – 185 NE 4th Street – Sea Side Builders

I first want to apologize to the neighbors that feel that they were not informed of what was happening, as I am usually very sensitive to what is going on. This is the first project that I have done in the Lake Ida neighborhood but I am very familiar with it. We are developing the property, basically zoning by right and very careful not to ask for any waivers.

Staff Comments

Ron Hoggard – To comment that so many people did not get any notice of this project; there is no notice requirement for sending out notices for plats. We only send out notices to the homeowner association.

Some people commented on a previous project; 1001 Hibiscus Lane. That is a different zoning district, which is R1-AAA-B, this project is R1-AA and they have different standards.

Craig Spodak – He asked Ron in regards to lot #7, it says arch is 62.85. Can you help me understand that.

Ron Hoggard – That is only along the arch, but look at a straight line. The lot width in the back is 75 ft. and that is the frontage.

Derline Pierre-Louis – She said that she remembered when the P&Z board approved this project for 4 houses and wanted to know why we are at 7 houses now?

Ron Hoggard – The original owner of the house did the re-plat before they were going to market it for sale and the city is trying to save it. Ms. Pierre-Louis stated that the house is demolished so we have new owner and new developer. They decided that the economics of the whole situation would be better with the 7 lots.

Jordana Jarjura – I think we had 15 residents speak in opposition and each of them said they did not receive notice, and notice was not required. My question to Mr. Jones is that you said you met with the neighbors and reached out to them, so if you could give me some clarification on that points cause it doesn't seem that the most adjacent neighbors were reached out to.

Rich Jones – He said he didn't say he reached out to the neighbors, but that he spent a lot of time in the Lake Ida neighborhood observing homes and the details of the homes.

Jordana Jarjura - She said that she seems to be struggling with this issue, and you kind of put me on the spot Mr. Jones when you called me out. You do raise a valid point that it is consistent in terms of the LDR requirements for plot size and the dimensional requirements. But there are also code requirements and comprehensive requirements in keeping with the character of the neighborhood. Unfortunately, while you gave a very nice presentation, when you said "A Village within a Village" you could almost feel all the neighbors here tonight feeling a very distraught reaction. While 7 lots are clearly permitted with the code, I think I would be able to absorb this if there were more architectural differences and not a development within a development. This is what I am having a problem with.

Gerald Franciosa – I understand all the concerns and I live in Tropic Isles and I have seen a lot of development but we are in progressing development and there is a lot of money involved and people want to make money. I was here when it was 5 lots and I think this is going to add to the neighborhood and the values of the homes.

Christopher Davey – I am struck by the difference between the community neighborhood reaction of 1001 Hibiscus and this project. In one case the developer went out and met with the community and listened to their comments and suggestions, and really wish that people that come before us to really go out and speak with the community, because what I am hearing is the "Village within a Village" statement is not what the neighbors are looking at.

Craig Spodak – This project is an interesting situation and I think the board is going to see a lot more of this. This is clearly economic development and density which are driving things at this point. I know that Tom Laudoni and Sea Side Builders are reputable developers I would love to see a similar reach to the community like the other developer was doing where you have voice and people behind you. I agree with Ms. Jarjura and that having so many homes, driving by 3 or 4 and then turning the corner and having 3 more is a lot of that development in one space. This is not in character to have that many houses and I am going to have a hard time supporting this project.

Richard Jones – Would we be able to ask for a deferral to meet with the neighbors. Mr. Spodak said that this could happen.

Motion

Derline Pierre-Louis made a motion to table this item. Second by Jordana Jarjura and all was in favor. 5-0

V.A. Conditional use request to allow the establishment of a vocational nursing school for Kaab Nursing School, within the Congress Park Development, located on the west side of South Congress Avenue, south of West Atlantic Avenue. The proposed use will occupy a 4,100 sq. ft. tenant space located on the second floor of the existing 3-story office building at 220 Congress Park Drive within the office park. Quasi-judicial Hearing

Exparte Communication - None

Mark McDonnell entered project file No. 2014-004 into the record.

The action before the Board is making a recommendation to the City Commission on a request for Conditional Use approval to establish an instructional school (KAAB Nursing School). The development proposal includes leasing a 4,100 sq. ft. tenant space located on the second floor of the existing 3-story office building (52,712 sq. ft.) as an instructional KAAB Nursing School. The subject property measures 3.82 acres, is zoned MROC (Mixed Residential Office and Commercial) and is part of the Congress Park Re-plat Tracks "E" and "E-1", according to the plat.

The hours of operation for the proposed school are 8:00 a.m. to 9:30 p.m. Monday through Friday. The class size will vary from 4-20 students per classroom. There will be two classrooms at the school; therefore, the maximum projection of students at any one time is 40 students.

Student parking will not interfere with the daily operations of businesses occupying the other floor of the office building. The anticipated maximum occupancy will include 40 students. The nursing school will have two (2) full time staff to help with the day to day administrative office duties. There will also be two (2) full time teachers and four part-time teachers. The full-time administrative office staff will be offering enrollment services and assistance to potential new students.

Student parking will not interfere with the daily operations of businesses occupying the other floor of the office building. The anticipated maximum occupancy will include 40 students. The nursing school will have two (2) full time staff to help with the day to day administrative office duties. There will also be two (2) full time teachers and four part-time teachers. The full-time administrative office staff will be offering enrollment services and assistance to potential new students.

Pursuant to Section 2.4.5(E)(5) (Findings), in addition to provisions of Chapter 3, the City Commission must make findings that establishing the conditional use will not:

- A. Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located;
- B. Nor that it will hinder development or redevelopment of nearby properties.

The following zoning designations and uses border the property:

Direction:	Zoning:	Use:
North	MROC (Mixed Residential Office & Commercial)	2-story office building constructed in 2006
South	MROC (Mixed Residential Office & Commercial)	Alta Congress Multiple Family Residential Development
West	MROC (Mixed Residential Office & Commercial)	Two 2-story office buildings (which are part of Congress Park Office Center)
East	MROC (Mixed Residential Office & Commercial)	South County Administrative Building and Congress Avenue r-o-w

There will be no detrimental effect upon the stability of the neighborhood. Likewise, the proposed conditional use will not hinder development or redevelopment of nearby properties. Based upon these facts, the proposed conditional use will not have an adverse impact on the surrounding area. Thus, positive findings can be made with respect to LDR Section 2.4.5 (E).

The City's Police Department has reviewed the development proposal for KAAB Nursing School and has offered the following comments and recommendations:
That the students not park in the ramp garage as this is among the most difficult types of commercial properties to protect.

The parking lots currently use pole mounted shoebox style fixtures. Because the quality of lighting is as important as quantity, the current shoebox style fixtures should use L.E.D. or metal halide lamps, and thus, this attached as condition of approval. The photometric study does not provide illumination levels for the curtilages, and parking garage. It also indicates that most Foot Candle (FC) illumination levels in the north parking lot are less than 1.0 Luminaries in the parking lot should provide a minimum of 4.0 FC during, and immediately after, class hour of operation, and thus this is attached as condition of approval. The parking garage should receive a minimum of 5 .0 FC of illumination level at all times, and be protected with CCTV near doorways and ambush points, and thus this attached as condition of approval.

Courtesy Notices:

Special courtesy notices were provided to the following homeowners and civic associations:

- Fairways of Delray
- Delray Citizen's Coalition
- Ms. Gloria Leone, Woodlake

Staff recommendation is that you recommend to the City Commission approval of this proposal with conditions.

Applicants Presentation

Jeffrey Lynne – Weiner, Lynne & Thompson (Representing Client)

Where the city is encouraging re-development, our client is bringing in a nursing school and to increase diversity and there is a demand for this.

We do have a comment in regards to this project and the CPTED Review through the police department. In regards to the lighting, they have asked that they have CCTV everywhere and the entire park lot be lit up like a Christmas tree. There has never been a problem with the foot candles, but by doing this it would make the entire project cost prohibited and would make the potential tenant not be able to go there. We are here to answer any questions that you might have.

Public Comments – None

Board Discussion

Derline Pierre-Louis – In regards to the requirements of the CPTED Review, was that something that was supposed to be done before, or is this just because the school is going to be there?

Jeffrey Lynn – Yes, this is because the school is going in this area.

Dr. Craig Spodak – In the CPTED Review, are they asking that this lighting be done to the whole parking lot? Mr. Lynn said yes it needs to be the whole parking lot and the parking garage.

Paul Dorling – He said that because women will be walking to their car late at night that the lighting would need to be increased.

Derline Pierre-Louis – She asked if multiple tenants will be occupying this building, why is the burden being put on this nursing school? Jeffrey Lynn replied that it is because of the extended hours of the school. Derline Pierre-Louis said that we are excluding the parking garage because it was stated that the students are not permitted to use this area. Mr. Lynn said yes that is Part A of the request, and Part B is to replace lights as needed.

Jordana Jarjura asked for clarification of the lighting and Mr. Dorling said that he could not comment on other uses in the building, but there are other offices and they usually get out at 5pm. Ms. Jarjura then said that what they want is only lighting for the parking lot and Mr. Dorling agreed with that.

Dr. Craig Spodak – He asked Mr. Dorling about the number of parking spaces per thousand and with 4000 sq. ft. should it be 2 parking spaces? Mr. Dorling said it is about 3-1/2 spaces. Ms. Jarjura commented that for the school it is 1 parking space per 5 students so that would be 8 spaces for the school. Mr. Spodak said that the board has a concern about the lighting, where CPTED is recommending lighting for over 150 spaces. So we are asking the new applicant to improve lighting for all these spaces and Mr. Dorling concurred.

Christopher Davey – Where we are encouraging business to come to the city, and there is lighting existing on the lot, if we get assurance from the applicant that as lighting needs to be replaced they will upgrade it. I think that would be reasonable and to ask any business when

they are going to only use 8-12 parking spaces, to upgrade 15 times that amount would be a hardship.

Mark McDonnell – The hours of operation are listed in the staff report and you might have a student coming to the area and finds that the parking lot is full from all the other offices in the building. This student has to park a distance from the building and gets out of class at 9:00pm and has to walk to their car in the dark. If you do not want to upgrade the lighting in the parking garage or the parking lot then the applicant might consider reserving parking in the front of the building for the school.

Jordana Jarjura – She asked the applicant how would they about the City asking to adjust these parking spaces in the front of the building for after a certain hour?

Jeffrey Lynn – He agreed with this request and we are only required to provide for 8 spaces and from those lights we would be illuminating much more.

Christopher Davey – I suggest that you reserve these spaces around the clock as some students will not be able to go out and move their car at that particular time.

MOTION/FINDINGS

Recommend to the City Commission **approval** of the conditional use request to establish an instructional center (**KAAB Nursing School**) based upon positive findings with respect to LDR Section 3.1.1 (Required Findings), LDR Section 2.4.5(E)(5) (Conditional Use Findings), of the Land Development Regulations, and consistency with the Comprehensive Plan Including Housing Element Policy A-11.3, subject to the following conditions:

1.A landscape plan signed and sealed by a Registered Landscape Architect will be required to be submitted to the Building Department (as part of the tenant improvement permit and prior to a business tax receipt being issued) that indicates the trees to be added to the perimeter landscape buffer adjacent to Congress Avenue. Several required trees are missing. Trees are required every thirty feet (30) on center. The replacement trees shall be an FPL approved species due to the overhead wires that exist in this area. A good choice would be Green Buttonwood which must be a minimum of sixteen feet (16') in height. Trees are to be added to some of the landscape islands that are missing the required shade trees. Shade trees shall be installed in each of the landscape islands within the parking lot directly east of the subject building. These trees must be a minimum of sixteen feet (16') in height with a seven foot (7') spread. Live Oaks would be a good choice.

2.That the applicant reserves spaces closes to the building for students (24 hours a day, seven days a week) and improve elimination for the 8 required parking spaces pursuant to code.

Motion

Motion by Jordana Jarjura and seconded by Gerald Franciosa. Said motion approved 5-0 to City Commission.

B. City-initiated amendments to the Land Development Regulations Section 4.4.13(D) “Conditional Uses Allowed”; Section 4.4.13(F) “Development Standards” Section 4.4.13(I)(2) “Performance Standards” and Section 4.3.4(J)(4) pertaining to density, height and the number of stories within the Central Business (CBD) District.

Paul Dorling presented this item.

The item before the Board is to make a recommendation to the City Commission regarding a City-initiated amendment to **Sections 4.4.13 (F)(I)(a) and 4.3.4 (J)(4)(b) and Section 4.4.13(D) and 4.3.4 (J)(4)(b)(i)(9)** the Land Development Regulations (LDRs) to modify the areas where conditional use approval for increased height and density can be requested. Further, the modifications will provide clarification with respect to the maximum number of stories that can be achieved within the respective 48’ and 60’ height maximums.

The proposed changes include LDR amendments to address immediate development concerns expressed by the City Commission. The changes include modifications to LDR Section 4.4.13 (D) (12) to eliminate the option to increase density (above 30 units per acre) in the two block area north and south of Atlantic Avenue, between approximately NE and SE 1st Avenue and the Intracoastal. In addition, the modifications include changes to LDR Section 4.3.4(J)(4)(b)(i)(9), which will modify the area within the Central Core portion of the CBD where 0-30 units per acre is an allowable permitted use, if you exceed 30 units per acre it requires a conditional use in this central core area. In addition, the modifications include changes to LDR Section 4.3.4(J)(4)(b)(i)(9), which will modify the area within the Central Core portion of the CBD where an increase in height to 60’ via a conditional use request is currently allowed. This area will be reduced to include only the area between the Federal Highway pairs (between SE 4th Avenue and NE 4th Avenue), and the old Chamber/City Library site. The Chamber/Library site was recently the subject of an RFP process in which the winning proposal included a development proposal which will require an increase in height above 48’.

In addition, after adoption of the Downtown Delray Beach Master Plan, design guidelines for the downtown area were adopted in May, 2004 to mitigate the mass/scale and serve to restrict uniform, monolithic appearances of large buildings. These downtown design guidelines contemplated a maximum of 4 stories in 48’ and 5 stories in 60’. Right now we allow and require a minimum area between floor and ceiling and when the design guidelines were created we thought that 48’ and given minimum separation while they didn’t equal 48’, would only allow 4 stories, and the same for 60’ for 5 stories. Recently we have had some creative designs which have squeezed out another floor within those minimum dimensions that was not a violation and that is being accomplished by putting your utilities in a vertical chase rather than hanging them from the ceiling.

Some things that you will hear from the public or already heard, is that the building scale and mass in recently higher projects is inappropriate and that might enhance the performance standards so they can be strengthened. At its meeting of November 7, 2013 the consensus of the Community Redevelopment Agency (CRA) was to recommend denial of the amendment and to wait until these issues are addressed as part of the comprehensive study being prepared by the Treasure Coast Regional Planning Council. The Downtown Development Authority (DDA) reviewed the LDR amendments at its meeting of November 4, 2013. The Board recommended approval of the amendments. The Pineapple Grove Mainstreet Board reviewed the amendments at their meeting of October 30, 2013 and recommended approval. Also, a letter of opposition to the amendments has been received from the Chamber of Commerce for your review.

The staff recommendation is that definitely implement the amendments to the clarification on 4 & 5 stories and given the data in the staff report we believe it is not necessary to implement the other two amendments at this time.

Public Comments

Jestena Boughton – General Manager of the Colony Hotel. I grew up in Delray Beach and I am a landscape architect. I totally support limiting this conditional use so you can easily have a taller building. One thing that I have been arguing for Atlantic Avenue is that there has not been a “Sun and Shade Study” included in the project. What I fear is that we will get really tall buildings on the south side of Atlantic, and it will cast a shadow like Clematis does.

Dr. Craig Spodak asked Ms. Boughton how tall was the Colony and she said it was 52 feet. Dr. Spodak commented that if the Colony was to come through today, the height would be out of scale.

Bob Ganger – Fla. Coalition for Preservation – 235 NE 6th Avenue – I started this evening saying that I was in favor of what I gather the staff is now against even though they proposed it. I have to say I am very confused. I thought we were here tonight to discuss a temporary and much localized standstill on conditional use. We have approved a lot of building and development and I think we have done the right thing but it’s a lot to absorb. But I think we should take a pause on the projects that are more controversial than others. Conditional use is just pricing land that you know you’re going to get and that is the value of the land. What needs to be done is to listen to the public.

Kristine de Haseth – 235 NE 6th Avenue – We have seen a lot of large projects start to be approved through different boards and start to get on the books. All the projects had one common factor and that was the use of Conditional Use and some of the projects rightfully so should have been approved.

Back in October when there was recommendation from staff that there should be a pause in the Conditional Use and let’s see where we are going with this Treasure Coast Regional Planning Council study in the next 12 to 18 months. Let’s send a message out there that we are not going to make this the norm rather than the exception. Since that time we have asked for a petition and Ms. De Haseth read the petition as follows:

I Kristine de Haseth support the Planning and Zoning Department proposed targeted amendments to current land use regulations that would temporarily limit conditional use

- 1. Restricting residential unit density to 30 units per acre in the core downtown;*
- 2. Redefining areas where building heights in excess of 4 stories can be allowed on the principal that taller structures be located away from adjacent residential neighborhoods.*

I support the original proposal from the Planning and Zoning and please take this into consideration.

Caroline Patton – 1020 Tamarind Road – I also own the historic house at 65 Palm Square and the lot next to it and I am the President of Marina Historic District Homeowners Association. Tonight I speak for myself and the Historic Association in support of the 4 amendments.

Janice Rustin interrupted to ask Ms. Patton, because she was representing the people of the homeowners association were they here tonight? Ms. Patton said yes they were here at this board meeting.

I remember the CRA coming in with the idea of these conditional uses when you could throw a bowling ball down Atlantic Avenue at 9pm at night. We needed them at that time and it was curative measure. Now we have Atlantic Crossing that is 35 feet from the Marina Historic District with an increased density and increased height. We have solved the problem and I support the amendments.

Jeffrey Lynn – Weiner Lynn – Attorney – I am not here representing anyone here tonight, I am a land use attorney. My personal opinion, and the attorney here tonight will disagree, but this is a moratorium. The law for a moratorium demands that it be for a limited purpose and for a limited period of time. This ordinance does not do this; it eliminates conditional use for height and density. I understand what the city wants to do and what the concern is, but there is a right way to do this.

Jim Knight – 10 SE 1st Avenue – We just hired the Treasure Coast Regional Planning Council at the price of \$210,000 to do a study, look at the LDR carefully and see what is correct. I think it is a huge mistake to come in now and make these changes. We have the right to say yes or no, but maybe we should wait for that \$210,000 study to be done and then make our decision.

Scott Porten – 138 N. Swinton – What is in front of you tonight is not if you want to put a temporary delay or freeze on conditional use, you are asking to eliminate it. 2004 is when the code was put in and we haven't seen a lot of buildings being built with conditional use. It has been put into place not only to create an incentive for developers to develop in areas that otherwise would not be developed, but to also do better developments. Please vote NO.

Francisco Perez-Azua – Local Architect – Chairman of the Board of the Chamber of Commerce – I think we can all agree that the Land Development Regulations need to be updated. We need to protect buildings like the Colony that we all love and the sun and the light and the historic district. We have a study that is being done and that is what we need, a comprehensive study that looks at the entire downtown area.

Joe White – 1112 SE 1st Ave. – I am here tonight as others are, to see this community go ahead in a very productive way. The risk that some people are worried about is that the land is priced at a certain value because conditional use is automatic. I have a lot of confidence in the boards and if a project comes along that doesn't meet the views of the community, vote it down.

Dr. Victor Kirson – The mayor stated during his campaign that he wanted to keep the Village by the Sea. His friends promoted that and promoted him. Village by the Sea left 20-30 years ago and it was a vibrant city. It does not exist anymore. Also, the minute a project like this is passed, commercial property values go down because you can't make a profit with 30 units per acres.

Claudia Willis – 116 Marine Way – I came here tonight to support Paul Dorling and staff on this issue and the amendments. We have already paid \$150,000 for a study with Treasure Coast and now we are going to pay them again to do another study so I hope we listen to this one.

Christine Morrison – 2809 Florida Blvd – This city has recently approved a lot of development and Delray Beach is the envy of Palm Beach County because we are developing and improving things as we listened to the Master Plan. Conditional use was put in place so the city gets certain things and in return gives certain things. We are getting development on sand pits along the railroad tracks so people that work in our city can live here, too. So if we use the conditional use the way it is intended, it will only create a more vibrant downtown.

Board Discussion

Paul Dorling – Wanted to touch base on some of the comments that were made tonight. To make it clear that there was some reference that staff originally proposed this, but staff has brought this here tonight as an amendment and it is identified on Page 2 of the staff report, “*The proposed changes include LDR amendments to address immediate development concerns expressed by the City Commission.*” This is a staff directive issued from the City Commission.

Gerald Franciosa – Commission brought this up and did they recommend ‘elimination’ of the LDR?

Mr. Dorling said that it was discussed with commission members and it was suggested that these amendments be drafted and brought before them for their consideration and the consideration of the public. Staff has drafted, brought them forward for your consideration. Mr. Franciosa said that what is being said is that they want to eliminate them. Mr. Dorling said that these are recommendations and they are to put through the process of this board.

Dr. Spodak asked did City Commission bring this forward through regular meeting or workshop? Mr. Dorling said this is a City-Initiated Amendment. This is not a pause, but an elimination of the conditional use option in most areas.

Derline Pierre-Louis – We are putting a lot of money to Treasure Coast, let them do their job.

Jordona Jarjura – A few comments: (1) A temporary limitation is a mis-representation to the public, it is not a limitation, it is not a pause, but it is an elimination and amendment of the code, and the only way to get it back is to amend the code, (2) that I concur that we are spending money to look into this issue and the code, but why are we looking to eliminate the code when we have someone already looking into the code, (3) Why would the city take away its potential flexibility because that is what conditional use is, (4) This board is to ensure consistently with the goals and policy of the comprehensive plan. I think the staff did a great job articulating why this amendment is not consistent with the goals and policy of the comprehensive plan. You cannot have a vibrant community without density. With this I am not in support of this amendment.

Gerald Franciosa – I think if it was called a ‘moratorium’ with a start and end date it might have been more conducive to listen to. It seems that what you are doing here is what Treasure Coast is doing for a fee. I am not sure what this all is, I don’t like it and I am not going to support it.

Christopher Davey – I think that I will be in the minority on this vote. In 2002 the Downtown Delray Beach Master Plan sited as On page 37 – “*Aggressive residential incentive programs need to be put in place in order to promote residential uses along the Avenue and the blocks that surround it throughout the Central Core District.*” In 2002 that might have been true but not today. As a realtor certain statistics jump out at me and 80% of buyers say that a large number of tenants in one area are a negative. Lately every large project that has been approved has been rentals. The National Association of Realtors just did a study and the number of people since 2011 that prefer to rent has dropped 20% and yet we are packing the downtown.

Dr. Spodak – One of the goals of the Master Plan was to make a vibrant downtown and it specifically spoke of the residents. But when you go out on the weekend’s downtown it is absolutely a ‘zoo’, it is an entertainment zone. People that are not stake holders are getting drunk and disorderly and I am not pleased with the downtown. The Downtown Master Plan

specifically spoke about this and you need residents there, you need a certain amount of critical mass of people because residents are stake holders.

Christopher Davey – When you look at the rents here in the downtown area, this is not Manhattan or San Francisco. People are spending between \$1800 - \$4000 and in Manhattan that person is a tenant, here in Florida those people are homeowners. Homeownership is taking off and there has been a 20% drop in rental units.

Craig Spodak – I feel a lot more positive than you do Chris but without residential density with the critical mass as sited in 2002, we just don't have it yet. All we have is an entertainment zone and I cannot support this.

Motion/Findings

Move a recommendation of denial to the City Commission of the amendment to Land Development Regulations, **Section 4.4.13 (F)(I)(a) and 4.3.4 (J)(4)(b) and Section 4.4.13(D) and 4.3.4 (J)(4)(b)(i)(9)** by adopting the findings of fact and law contained in the staff report, and finding that the text amendment and approval thereof is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in LDR Section 2.4.5(M).

MOTION

Motion by Ms. Jarjura and seconded by Ms. Pierre-Louis. Said motion denied 4-1. Dissenting was Christopher Davey.

VII. REPORTS AND COMMENTS

Project Updates by Paul Dorling (attached)

Also, it was announced from Mr. Dorling that he was retiring from the Planning and Zoning Department as Director.

IX. ADJOURN

Adjourned: 10:00pm

The undersigned is the Secretary of the Planning and Zoning Board and the information provided herein is the Minutes of the meeting of said body for **November 18, 2013** which were formally adopted and approved by the board on **February 25, 2014**.

Diane Miller

Diane Miller, Executive Assistant

If the Minutes that you have received are not completed as indicated above, then this means that these are not the official Minutes. They will become so after review and approval, which may involve some changes.