

**CITY OF FORT LAUDERDALE, FLORIDA  
REGULAR MEETING OF THE PLANNING AND ZONING BOARD  
CITY COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE**

**WEDNESDAY, AUGUST 17, 2005  
6:30 P.M.**

<u>Board Members</u>	<u>Attendance</u>	<u>Cumulative Attendance</u>	
		<u>From 1/19/05</u> (P)	(A)
Mary C. Fertig	P	7	1
Alan Gabriel	P	7	1
James McCulla	P	8	0
Charlotte Rodstrom	P	7	1
Judith Hunt	A	7	1
Maria Freeman	P	8	0
Edward Curtis	P	6	2
Rochelle Golub	A	1	2
Catherine Maus	P	3	0

**Planning Staff:** Jim Koeth, Principal Planner  
Yvonne Reading, Planner I  
Ella Parker, Planner II  
Mark McDonell, Planner III  
James Cromar, Planner III  
Michael Ciesielski, Planner II  
William Pennix, Engineering  
Wayne Jessup, Architect

**Legal Counsel:** Sharon Miller, Assistant City Attorney

**Court Reporting Service:** Jamie Opperlee/Margaret Muhl (D'Alessio)

**NOTE: ALL INDIVIDUALS WHO PRESENT INFORMATION TO THE BOARD  
DURING THESE PROCEEDINGS AFFIRM TO SPEAK THE TRUTH**

Chair Alan Gabriel called the meeting to Order at approximately 6:35 p.m. and all rose for the Pledge of Allegiance. He announced that the meeting would not be on television this evening, and that the audio was also not functioning.

Jim Koeth, Principal Planner, proceeded to introduce staff that were present at tonight's meeting.

Chair Alan Gabriel stated that there were two requests for deferrals from tonight's agenda.

**10. City of Fort Lauderdale Mark McDonnell 5-T-05**

Request: \* Amend the Text of the Future Land Use Plan  
Element of the Comprehensive Plan to Transfer  
475 existing residential flexibility units from  
Flex Zone 56 into the South Regional Activity Center (SRAC)

General South of the Tarpon River, East of Flagler  
Location: Drive, West of Federal Highway and  
North of State Road 84

Jim Koeth, Planning and Zoning, stated that staff was requesting that this matter be deferred until the September meeting.

**Motion** made by James McCulla and seconded by Maria Freeman to defer this matter until September 21, 2005 at 6:30 p.m. Board unanimously approved.

**11. Coolidge-South Markets/Hyde Park Market Wayne Jessup 83-R-05**

Request: \*\* Site Plan Level IV/ Residential Use

Legal Tracts 4 and 5 and portions of Tracts 1, 2, and  
Description: 3 of "Burnham's Subdivision," Section 10,  
Township 50 South, Range 42 East, according  
To the plat thereof, as recorded in P.B. 15, P. 29,  
Of the Public Records of Broward County, Florida.

General Between Las Olas and the New River and  
Location: between S.E. 5 Avenue and S.E. 6 Avenue

Chair Alan Gabriel stated that the applicant and the Stranahan House requested a deferral of this matter until the September meeting.

**Motion** made by James McCulla and seconded by Maria Freeman to defer this matter until September 21, 2005 at 6:30 p.m. Board unanimously approved.

Chair Alan Gabriel proceeded to explain the procedure to be followed for tonight's meeting.

James McCulla stated that the Board had a policy regarding adjourning the meeting once they were approaching 11:00 p.m., and asked if that policy would be followed this evening. Chair Alan Gabriel replied that time would tell regarding the schedule of tonight's meeting. The matter could then be discussed.

Sharon Miller, Assistant City Attorney, explained that quasi-judicial matters were treated similar to a Court hearing. Individuals were sworn in and could be cross-examined. All evidence presented would be part of the record, along with the case file from the planners and City staff. She further stated that such information would be used as the basis for the Planning and Zoning Board to decide whether the application met the criteria according to the ULDR.

Sharon Miller continued stating that the State of Florida Legislature stated that every City was to have a body that would review certain applications to make sure they complied with the City's Land Use Plan, the Comprehensive Plan which was the overall plan for the City. This Board was appointed to also act as the Local Planning Agency on behalf of the City. Certain matters, such as rezoning, were reviewed and then a decision made that the development request was consistent with the City's Comprehensive Plan.

Sharon Miller, Assistant City Attorney, stated that the City adopted a Lobbying Activity Ordinance, and therefore, anyone who communicates with any member of City Staff for the purpose of influencing what is thought of a request or proposal being applied for is considered a lobbyist. There are some exceptions for homeowners associations and other individuals not being paid to speak on someone's behalf. She further stated that the requirement is to register with the City Clerk's Office. She stated that the penalties are censure reprimand or up to two years of being restricted from lobbying within the City of Fort Lauderdale.

### **September Meeting**

Chair Alan Gabriel announced that the next regularly scheduled meeting of the Planning and Zoning Board would be held on September 21, 2005 at 6:30 p.m. He advised that a workshop meeting would be held on August 23, 2005 at 6:30 p.m.

### **Approval of Minutes – July 20, 2005 Meeting**

**Motion** made by James McCulla and seconded by Ed Curtis to approve the minutes of the July 20, 2005. Board unanimously approved.

**1. Altaire Village, LLC, et al. Wayne Jessup 115-R-05**

Request: \*\* Site Plan Review/Level III/Mixed Use  
Residential, Retail and Fire Station (CB)

Legal Description: Galt Ocean Mile, Block 1, Lots 1 through 8,  
Block 2, Lots 1 through 14, Block 5, Lots  
1 through 5, P.B. 34, P. 16, of the Public  
Records of Broward County, Florida

General Location: 3115-3125 N.E. 32 Avenue  
3211-3223 East Oakland Park Boulevard  
3220 N.E. 32 Street

**2. Altaire Village, LLC, et al. Ella Parker 5-P-05**

Request: Vacation of Right-of-Way (CB)

Legal Description: A portion of that certain 20 foot wide Alley  
lying north of Lots 1, 2, 3, 4, 5, 6 and 7 and  
South of Lots 8, 9, 10, 11, 12, 13 and 14,  
All of Block 2, Galt Ocean Mile, P.B. 34, P. 16

Of the Public Records of Broward County, Florida

General North of Oakland Park Boulevard and South of  
N.E. 32 Street, between N.E. 32 Avenue

**3. Altaire Village, LLC, et al Ella Parker 25-P-04**  
Request: Vacation of Right-of-Way (CB)

Legal A portion of N.E. 32 Avenue, a 60 foot wide  
Description: Right-of-Way, as shown on the Plat  
Galt Ocean Mile, recorded in P.B. 34, P. 16,  
Of the Public Records of Broward County, Florida

General A portion of N.E. 32 Avenue, North of Oakland  
Park Boulevard and South of N.E. 33 Street

**4. Altaire Village, LLC, et al Ella Parker 23-P-04**  
Request: Vacation of Right-of-Way (CB)

Legal A portion of N.E. 32 Street, a 110 foot wide  
Description: Right-of-Way, as shown on the plat of Galt  
Ocean Mile, recorded in P.B. 34, P. 16,  
Of the Public Records of Broward County, Florida

General A portion of N.E. 32 Street, East of N.E. 32 Avenue,  
Location: and West of N.E. 33 Avenue

Chair Alan Gabriel announced that there were four items and all would be called together and discussed as one item, but separate votes would be taken. He also advised that the first item was quasi-judicial.

**ALL INDIVIDUALS WISHING TO SPEAK ON THIS MATTER WERE SWORN IN.**

The Board made the following disclosures: Catherine Maus stated that she had spoken with Robert Lochrie. James McCulla stated that he also had spoken with Robert Lochrie. Maria Freeman stated that she had spoken with Robert Lochrie. Alan Gabriel stated that he had been to the site and had spoken with Robert Lochrie.

Robert Lochrie, attorney for Opus Land South the applicant, stated that Les Matthews, Vice President of Opus Land South, along with Duet Price, Real Estate Manager, as well as Victor Hugh, architect were present at tonight's meeting. He further stated that the first item was a site plan review with the allocation of residential units, along with a waterway use, together with an alley vacation and two street vacations.

Mr. Lochrie stated that the project known as Altaire Village is located within the general Galt Ocean shopping area bounded between A-1-A on the east, the Intracoastal on the west, and north of Oakland Park Boulevard. He stated that he had been working on this project for the last two years.

Mr. Lochrie continued stating that there has been no real reinvestment in this area until recently. He explained that about 3-4 years ago the Merchants Association, together with the residents to the north and east of the area, met with the City to create a Master Plan for the general area. Some City funding was used and an outside consultant had been hired to create a plan and vision for the area. He stated the vision was accepted by the Association in January, 2003. He stated that he wanted to briefly touch on some aspects of the Master Plan because he wanted to mention what was occurring in the neighborhood.

Mr. Lochrie stated that the Master Plan anticipates retaining the shopping areas to the east, a community center further to the west on the north side, together with a proposed development at the northwest corner of the site. He stated that about a year and a half ago this Board approved plans for a hotel for that site which was presently under construction. He further stated that other things included in the Master Plan were the existing condominiums located south of the hotel, and a future development for the portion of the property to the south. In addition, the Master Plan contemplated narrowing 32<sup>nd</sup> Street in order to provide for a more pedestrian friendly and vehicular friendly area with various types of uses, including retail, along the street. It also proposed a new parking garage. He stated that after accepting this plan, property owners sought developers. One developer that became interested in the area was Opus Land South, and first received the La Reserve portion of the site.

Mr. Lochrie continued stating that as the Master Plan was finalized, Opus saw the opportunity and ability to expand their project north. Therefore, Opus has under contract 12 different parcels in the area.

Mr. Lochrie explained that the proposal tonight was very similar to the Master Plan. He stated there were some difficulties with the site. The portion of the property to the south was bisected by an alley, and left the remnant portion hard to develop. He stated that some of the site provided parking for the Fire Station. In addition, they were requesting that the 100' right-of-way to the north be narrowed and dedicated back. He stated further that in keeping with the concept of the Master Plan, they have included a roundabout at 32<sup>nd</sup> Street and 33<sup>rd</sup> Avenue, along with a 6,000 sq. ft. retail component, and uses along 32<sup>nd</sup> Street and parallel parking. He stated they were also contemplating a 3-story townhouse project on 32<sup>nd</sup> Street, a 2-story townhouse project on the north side of 32<sup>nd</sup> Street, and a 3-story project with 5 units living above and being work/play areas. He explained that the residential building was included. Since this Master Plan was adopted, the City had adopted a Consolidated Master Plan for the Downtown area, and part of that plan suggested the breaking up of buildings so as not to have one large building in a project. Therefore, this project would include two 12-story towers that would permit air, wind and space between them, and provide views from all units.

Mr. Lochrie further stated that a parking garage was included on the south to better serve the residential units. He stated they were also providing public parking on the entire first floor of the parking garage. He stated further that they were also contemplating the move of the Fire Station and a land swap with the City. He explained they would build the station, and specifications would be presented to the City Commission for their approval. He explained they want to move the Fire Station to 33<sup>rd</sup>

Avenue that is a better location due to the amount of residents further north. Also, the City would be getting a new Fire Station at no cost to them, but a temporary location had to be chosen while the new station would be under construction. He explained that the existing station would remain in service until the new one was completed. He also stated they were also going to provide 24 parking spaces within the garage for the fire station personnel. In addition at the north end there would be a park feature consisting of an access and pedestrian easement to the water. He explained this would serve the need and interest of the community with a park-like setting, while still providing access to the water. It would also allow the developer to separate the buildings. He added that enhancements for the park, along with its maintenance, would be taken care of by the applicant.

Mr. Lochrie continued to explain that 32nd Avenue would be rebuilt, including landscaping, parallel parking, and wider sidewalks. He added that the applicant would also maintain those areas. Along the south end of the property, enhancements would be made including a sidewalk adjoining the parking garage, and a 7' sidewalk with a landscape buffer provided. He stated that the landscaping would wrap around 32<sup>nd</sup> Avenue and go along under the bridge. He explained that the area between the building itself and the water would be improved, including sidewalks and other enhancements. He proceeded to show photographs of the area. He explained the garage would not be visible from Oakland Park Boulevard or from the water, and only residential units would face those areas.

Mr. Lochrie further stated that the alley would be vacated, thereby permitting them to construct the parking garage. He stated that at one point during discussions of this project, they had contemplated completely closing 32<sup>nd</sup> Avenue, but that had been opposed by many residents. He explained that they had several letters of support from various homeowners associations and proceeded to distribute those to the Board. He added that the overall density of the project was 25 units per acre.

Wayne Jessup, Planning and Zoning, stated that there would be 133 units in this project, 10,700 sq. ft. of retail, with the Fire Station being slightly over 13,000 sq. ft. He stated that he wanted to make one correction in staff's report which was that the required parking was 393 spaces, and 398 spaces were being proposed. He added that if the project was approved by this Board, staff was suggesting the following conditions to be imposed:

1. Development Agreement to be entered into with the City regarding the dissolution of properties.
2. Construction Mitigation Plan should be put into effect.
3. Approvals received from the various environmental agencies.
4. All requirements of the ULDR be met.

Ella Parker, Planning and Zoning, stated there were three vacations in question, including an alleyway. She stated that the applicant was intending to provide a public access and utility easement on 32<sup>nd</sup> Avenue and 32<sup>nd</sup> Street. She stated that the if this Board recommended this to the City Commission the following conditions would apply:

1. The applicant shall provide any necessary easements required by the utility companies and by the City's Property and Right-of-Way Committee, and any utilizes to be installed or relocated would be done so at the applicant's expense and approved by the City's Engineer.
2. The vacating ordinance shall be in full force and effect on the date of the Certificate executed by the City Engineers, and reported in the Public Records of Broward County.
3. The applicant shall reimburse the City's Parking and Fleet Services Department for the loss of meter and citation revenue for the duration of time that the meters are removed during construction.

Wayne Jessup added that 50 of the required spaces that were being displaced from the street by the project would be incorporated into the garage.

Mary Fertig asked how the parking spaces would break down. Mr. Jessup replied that the ULDR required 50 less parking spaces than the 393. Mary Fertig asked if the fire station personnel spaces were also calculated within the 393 spaces. Mr. Jessup confirmed.

Robert Lochrie clarified that there were currently 50 metered parking spaces, and 5 fire station personnel spaces. He explained they were going to replace those with 51 public parking spaces in the garage, along with 24 spaces for fire station personnel.

Catherine Maus asked if the City's Fire Advisory Board had reviewed the plans for the proposed station. Mr. Jessup explained that the Fire Department had reviewed the proposed plans.

Keith Allen, Deputy Chief Fire-Rescue Department, stated that the Board would review the plans at their September meeting. He explained that the Board had not been convened prior to the creation of these plans. He further stated that in the future, the plans could be presented to the Board before the public hearings take place. He advised that this station was not one of their prototypes.

James McCulla asked what the differences were in this station from the others. Mr. Allen stated that the size was similar to their satellite stations which were smaller. He added that the other sites were designed with front doors and back doors, but the other items were similar. James McCulla asked if there was anything in this design that affected public safety. Chief Allen replied there was not.

Charlotte Rodstrom asked if the moving of the station would affect access of the trucks going northbound on A-1-A. Chief Allen explained they would turn left out of the station and go up to 33<sup>rd</sup> Avenue. Charlotte Rodstrom further asked if the trucks would be able to maneuver around the roundabouts. Chief Allen stated that the City Engineers would review the plans and check for the radius for the trucks.

Maria Freeman asked if currently the public had access to the walkway by the Intracoastal. Mr. Jessup replied that he believed it was on private property. Maria Freeman asked further if this project was going to provide public access to the water. Mr. Jessup confirmed.

Chair Alan Gabriel stated that there had been a push at previous stations regarding "ins" and "outs," and he asked if that feature was being given up at this location. Chief Allen confirmed and stated that the satellite stations did not retain as many units as the larger stations. Chair Alan Gabriel further asked if this design would limit their ability of placing other equipment in the future at this station. Chief Allen explained that it was still under the current configuration, but if density increased than possibly another rescue truck would be added, but the station would be sufficient to hold all necessary equipment. He stated the square footage would be more than what currently exists.

Mary Fertig asked what was the square footage of the existing station. Chief Allen stated that it was 11,000 square feet.

Charlotte Rodstrom asked where was the primary fire station for that area. Chief Allen stated that #13 was located at Birch State Park on the beach.

Chair Alan Gabriel proceeded to open the public hearing.

Laurence Blacke, Vice President of Galt Area Improvement Association, stated that this project embodies all the items of concern for the area property owners. He stated further that it addressed parking and beautification, retail development, and would increase pedestrian and vehicular traffic for the area businesses. He stated that the surrounding neighborhoods were in favor of this project.

John Slattery stated that he lived north of the proposed project and stated that when the trucks returned to the firehouse, the 100' area was used to back into the garage. He believed that should be taken into consideration. He asked if the parking spaces in the garage would be at the same rate as the existing metered parking. He stated that their lot was an open lot across from their building, and could be used by the public. He also stated that in regard to the open space adjacent to their building, he felt there was not a reason to open the area to the public to gain waterway access. He felt they were going to also lose some of their view with the proposed buildings, and asked what the setback requirements would be. He reiterated that the area did need some upgrades, but the neighborhood also deserved some consideration regarding certain issues.

Chair Alan Gabriel asked if Mr. Slattery was in support of the project. Mr. Slattery confirmed, but felt some considerations had to be addressed for the neighborhood and its residents.

Gerry Sila stated that he resided at the Continental Condominiums that was the building north of this project. He stated that the residents were concerned about the security for the public area and the parking area. He further stated that he was in favor of the project because the area south was blighted and caused concern for the neighboring residents.

Ralph Hannecker, President of the Coral Ridge Towers South Homeowners Association, stated that this project is a dream come true for the area and would help bring individuals to the area. He stated that a key element to the redevelopment of this area was an attraction along the Intracoastal that would pull pedestrians, businesses, and traffic to the area.



Dr. Alex Leeds stated that this project would improve the neighborhood, and urged the Board to vote in favor of it. He stated that the project would also help the businesses in the area.

Art Seitz, 1905 N. Atlantic Boulevard, stated that he believed there was already too much traffic in the area at this time, and the lack of sufficient parking also caused problems. He stated that there was a Senior Center in the area with about 36 parking spaces. He stated that the area was blighted because the City let the area go "to hell in a hand basket." He stated that the Oakland Park Bridge was going to be rebuilt. He stated that the project should be half-the-size of what was being proposed. He stated that Bridge Side Square was an absolute disgrace and an entire rip-off. He stated also that he was happy to pull into a metered spot to park and not have to go around to a garage. He added that he was also concerned about loss of a view for some residents and possibly the building should be set back further than proposed. He suggested that possibly there be a promenade built and opened to the public that would be an asset to the area.

Marilyn Leeds stated that the area was depressed, but the applicant was willing to place \$90 Million into redevelopment for the community. She did not see how else the land could be renovated. She hoped this project would encourage further renovation of the neighborhood.

Sam Marquez, Continental Condominiums, stated that open space sometimes encouraged the wrong kind of people to enter into an area. He stated that previously a proposal had been submitted to construct a park at this site, but some of the residents were not in support of it. He stated that he was opposed to an open space area.

Charlotte Rodstrom asked if security was provided for the open area would Mr. Marquez feel more comfortable about the proposal. Mr. Marquez suggested that possibly a fence be installed that would be open and closed during certain hours.

Robert Lochrie stated that the roundabout were reviewed by the City's Engineering Department, and a 60' radius would be provided. He stated that there might not be parking meters in the garage, and probably the same rates would apply, but that would be up to the City. He also stated that the City's Code regarding parking requirements was being met. He continued stating that this Fire Station would include a large apron space which would allow the trucks to maneuver back into the station. He reiterated that many meetings were held with the area residents and input provided, which resulted in changes being made to the project.

Robert Lochrie further stated that the residents had stated their concerns regarding public access to the water, but there would be a fence along the seawall and dock. The City would be able to decide if such fence should be closed at certain hours. He added that security guards would be located at the proposed building. He felt it was important to have the open space for the residents. He reiterated that the zoning was for commercial and the setback would be 5'. He remarked that the density was half the amount of Bridge Side. He added that the buildings would be separated by 63'.

Maria Freeman asked what would divide the other units on the side. Robert Lochrie proceeded to show the Board the site design for the park area. Maria Freeman stated that the property owners were concerned about the access area. Robert Lochrie explained that access would not be provided to the residential properties surrounding the project. He stated it would strictly be a park area to the waterway. He explained a fence would run along the seawall, and another one that would separate the building from the open space. Maria Freeman asked if the developer would be opposed to a fence that would close at night. Mr. Lochrie stated that the developer would not be opposed to such a fence.

Charlotte Rodstrom asked how the boats were presently parked at the site. Robert Lochrie stated there was current parallel parking for the boats, and they were not requesting any waivers to go further into the water. Charlotte Rodstrom asked if there were size limits for the boats that could park in the area. Robert Lochrie confirmed and stated that they would be 25' or 10% of the waterway whichever was less.

Jim Koeth stated that he would check on that matter and stated the waterway was wide at this point.

Charlotte Rodstrom asked what was the distance between the building and the waterway. Robert Lochrie stated that the Code required 20' of a landscape area. Charlotte Rodstrom asked if the public would have access behind the proposed development. Robert Lochrie explained that the access would only be in the public park area. He further stated that the area between the boats and the condominiums would only be for those residents. Charlotte Rodstrom asked about the size of the sidewalk going under the bridge because it appeared narrower than others. Robert Lochrie stated that the sidewalk would go along the Oakland Park access road to the property limits. He stated that he believed the plaza area was public right-of-way. He stated that on the west side there was no existing sidewalk, but there was one on the north side.

Chair Alan Gabriel stated that there was existing parking along the Bridge. Robert Lochrie confirmed and stated that no changes would be made. He added that crosswalk and paver improvements were to be made across the Oakland Park access road to get people from the south side to the north side of the street.

Jim Koeth stated that to follow-up on the question regarding waterway width, it was 10% of the width of the waterway or 20' whichever was less for waterways exceeding 50'.

Maria Freeman asked who would be utilizing the parking garage. Robert Lochrie stated that the first story would be open to the public, and 24 spaces would be provided for firefighter personnel, thereby leaving 33 parking spaces for the public. He explained that the 2<sup>nd</sup> and 3<sup>rd</sup> floors would be for the residents of the project, along with parking for the retail customers. Maria Freeman asked where the residents of the Continental Condominium presently parked. Robert Lochrie stated that they owned a lot directly to the east and north of this project.

Chair Alan Gabriel stated that the open space was being referred to as a public park, but yet the public would not have access to the waterway due to the fence. Robert Lochrie confirmed and added that the dock would not be located at the site. He added that there

would be limited use. Chair Alan Gabriel asked who were setting the limits regarding public rights to the property. Robert Lochrie stated that the City Commission would decide.

Chair Alan Gabriel clarified with staff that there would be no dock at the site. Jim Koeth confirmed. Chair Alan Gabriel further asked what would be included in the 20' landscape area. Robert Lochrie explained that there would be three paver areas between the dock and the building, trees and other landscape items such as sod, along with some sidewalks. He reiterated that there would be no structures within the 20' landscape area.

Mary Fertig asked if this project would be kind of a village with waterway access. Robert Lochrie stated that he had never heard such a description in regard to this project, but that the general area would have access to the waterway. Mary Fertig asked if this project was being coordinated with the greenway going under the bridge. Robert Lochrie stated they met with the City's Park Division regarding improvements for the area. He added that changes had been included in the plan based on recommendations made by Cathy Connor.

James McCulla clarified that the project owner would maintain the park area. Robert Lochrie confirmed and stated that the area would be a mixture of green area and pavers. He proceeded to show on a graphic the public areas. James McCulla further asked if the condominium fees would include costs for maintaining the area. Robert Lochrie confirmed and explained that some of the improvements included non-City materials. He added that it would also include the parking spaces. James McCulla asked what was the public benefit of the park. Robert Lochrie explained that it would encourage public congregation and a vista point to the waterway. James McCulla stated that the residents of the Continental Condominium were concerned about too much public access to their property. Robert Lochrie stated that they felt such area would be a nice element to the overall project. He stated a deed was not being granted to the City, but only public access being permitted. He explained they would maintain the area and pay the taxes, and they recognized these were additional burdens they were undertaking, but it would allow them to unify the site and control it. He added that the cost of the fire station had increased greatly during the last 12 months, and would probably continue to do so.

Ed Curtis asked if there was going to be a sidewalk along Oakland Park Boulevard, the parking garage, and the Fire Station. Robert Lochrie confirmed and explained it would be 7' with a 5' landscape buffer, but it had not been shown on the rendering.

Charlotte Rodstrom asked if the 5-story structure would be entirely residential and built in the middle of the project. Robert Lochrie confirmed. Charlotte Rodstrom stated that individuals were concerned that this company would not move forward with the project. Robert Lochrie stated that the company has invested millions of dollars into the site, and some closings are contingent upon approvals. He explained that the project has changed over the past. Charlotte Rodstrom asked what would occur if the vacations were not granted. Robert Lochrie stated that the project could not be built as being presented and changes would have to be made. He stated that the high-rise residential would have to move off the Intracoastal, and there would be denser development in the middle of the project. By vacating the rights-of-way, they were moving the density of the project according to the Master Plan. Charlotte Rodstrom further asked if things were

switched and the denser development was in the center of the project, would they be able to create a linear park or provide public access along the entire Intracoastal Waterway, or a bike path. Robert Lochrie stated that support would be lost for this project.

James McCulla asked if the Continental Condominiums had public access along their property line on the Intracoastal. He stated that it appeared they were inferring that public access should be given to private property.

There being no other individuals who wish to speak on this matter, the public hearing was closed and discussion was brought back to the Board.

Sharon Miller advised that all three items could be voted on together, but if the vote was not unanimous, then the items would have to be voted on separately.

**Motion** made by James McCulla and seconded by Maria Freeman to approve the vacations listed in Item Nos. 2, 3 and 4.

James McCulla asked what would happen if the vacations were approved, but the site plan was not.

Sharon Miller stated that this was circular, and the vacations would be subject to the site plan approval. It is a packaged process and would be tied together.

James McCulla amended his motion as follows:

**Motion** made by James McCulla and seconded by Maria Freeman to approve the vacations listed in Item Nos. 2, 3 and 4, dependent upon the approval of Item No. 1 which was the site plan.

Roll call showed: YEAS: James, McCulla, Mary Fertig, Catherine Maus, Maria Freeman, Ed Curtis, and Alan Gabriel. NAYS: Charlotte Rodstrom. Motion carried 6-1.

**Motion** made by James McCulla and seconded by Mary Fertig to approve Item No. 1 which was the site plan per staff's recommendations. Roll call showed: YEAS: James McCulla, Catherine Maus, Mary Fertig, Maria Freeman, Ed Curtis, and Alan Gabriel. NAYS: Charlotte Rodstrom. Motion carried 6-1.

**MEETING RECESSED AT 8:20 P.M.**

**MEETING RECONVENED AT 8:30 P.M.**

**5. Kenneth Sandler, LLC  
Development Corp.**

**James Cromar**

**57-R-05**

Request: \*\* Site Plan Review/Level III  
Yard Modifications/RMM-25  
3-Story Residential Multi-Family Development

PLANNING AND ZONING MEETING  
AUGUST 17, 2005  
PAGE 13

Legal Description: Block 260, Lots 5 and 6, Progresso,  
according to the plat thereof as recorded  
In P.B. 2, P. 18 of the Public Records of  
Dade County, Florida

General Location: West Side of N.W. 1 Avenue between  
N.W. 8 Street and N.W. 9 Street

Chair Alan Gabriel announced that this item was quasi-judicial. He also stated that this matter had been deferred from the June 15, 2005 meeting.

No disclosures were made by the Board regarding this matter.

James Cromar, Planning and Zoning, stated that the department had not received a signed affidavit regarding this project to indicate that the sign was up for the required amount of time. It was stated that last time this item had been deferred due to the fact that the sign had blown down. The appropriate sign was up as of yesterday.

**Motion** made by Ed Curtis and seconded by Mary Fertig to defer this matter until September 21, 2005 at 6:30 p.m.

James McCulla stated that a memorandum had been distributed to the Board by Sharon Miller stating that: "sign notification is not a jurisdictional (he asked to replace jurisdictional with legally) required to assure that signs were on the property." He stated they (the applicant) are required to provide mail and newspaper notices such as a legal jurisdictional requirement." Sharon Miller remarked that the sign was the only other notice provided to the public. James McCulla asked if there was an instance where the sign was a jurisdictional requirement. Sharon Miller stated there was nothing included in the Code. James McCulla stated that the sign requirements might have been a past policy of this Board. Sharon Miller explained there was a legal requirement, but not doing it exactly according to the criteria can be decided by the Board.

Mary Fertig asked if the information on the sign regarding this matter was correct. James Cromar stated that the sign had included the wrong date for the meeting, and the correct date was not reflected until yesterday. Mary Fertig clarified that it was up to this Board to decide whether proper notification was provided.

Ed Curtis stated that he urged strict notice enforcement be followed since that was the public's means of knowing about the meeting and presenting their views on the matter. He felt otherwise they would be setting a very bad precedent.

Roll call showed: YEAS: Charlotte Rodstrom, Maria Freeman, Mary Fertig, Catherine Maus, Ed Curtis, and Alan Gabriel. NAYS: James McCulla. Motion carried 6-1.

Chair Alan Gabriel asked staff to ensure that the applicant be made aware of the proper information to be included in the sign notification.

**6. City of Fort Lauderdale/Fire Station 47**  
Request: \*\* Plat Approval/CF-HS

**Ella Parker 10-P-05**

Legal Description: That part of the S.E. ¼ of Section 8,  
Township 50 South, Range 42 East,  
Broward County, Florida

General Location: Southeast corner of S.W. 27 Avenue  
(Riverland Road) and S.W. 10 Street

**7. City of Fort Lauderdale/Fire Station 47**

**Ella Parker 62-R-05**

Request: \*\* Public Purpose Use/Replacement of  
Fire Station 47/(CF-HS)

Legal Description: That part of the S.E. ¼ of Section 8,  
Township 50 South, Range 42 East,  
Broward County, Florida

General Location: Southeast corner of S.W. 27 Avenue  
(Riverland Road) and S.W. 10 Street

Chair Alan Gabriel stated that Item Nos. 6 and 7 would be heard together. He announced that both items were quasi-judicial. The Board made the following disclosures: Charlotte Rodstrom stated that she had been to the site. Maria Freeman stated that she had been to the site.

Frank Snedaker, Chief City Architect, stated that this was approved by this Board on October 20, 2004, which was prior to the passage of the Fire-Rescue Bond in the November election. The previous matter was a replacement fire station, as this is, but this station is larger. This plan was revisited after the passing of the bond, and it was decided that additional funds would be spent to expand the fire station further since it was the most remote station in the southwest portion of the City. He explained there was the possibility of further annexation to the west, and therefore, the capacity of this station was to be expanded by an additional bay and five additional firefighters. He stated that the facility was redesigned and the footprint was the same presented, and additional square footage was added to the second floor to accommodate additional sleeping quarters for the additional firefighters, and moved some other elements from the first floor to the second floor. He stated that another apparatus bay was also added on the ground floor.

Mr. Snedaker further stated that they are before this Board because the site was small. The personnel checked other locations, but none were available that could be considered taking all circumstances into account. He stated the existing facility was built in the '60's and was designed for only 4 firefighters and two apparatus bays. Until recently, it housed seven firefighters. He explained that the new facility was designed to serve the community for the next 50 years. He further stated they were asking for minor variations, along with a reduction in the green space adjacent to the site. He stated that the major request was that fire stations were classified as public government buildings within the zoning code regarding parking, and a change in the ordinance was being requested regarding parking. He stated they were now requesting a reduction of parking spaces. The building would require 43 spaces for a crew of 15 firefighters, and are

requesting that the spaces be reduced to 17 spaces. The Fire Department has no objection to such request. He stated that a rendering had been distributed to the Board. He added that meetings were held with the neighboring homeowners associations who were instrumental in developing the character of the exterior of the fire station.

Ella Parker, Planning and Zoning, stated that if this is approved, staff is making the following recommendations:

1. A Construction Mitigation Plan be submitted.
2. Site Plan approval shall be valid and provided in accordance with Section 47-24.1, and plat approval which is also part of this application. She stated the plat request is being made for a ½ acre parcel of land to construct a 15,242 sq. ft. fire station.
3. Final DRC approval.

Ella Parker added that a letter of support had been received from the Southwest Coalition for this project.

Catherine Maus asked if this project had been presented to the Fire Advisory Board.

Chief Allen stated that it had been presented to the Board.

Michael Natale, Southwest Coalition, stated that he wanted to read their homeowners association letter dated August 16, 2005 into the record:

“August 16, 2005. Mark LaFerrier. On April 18, 2005, the City of Fort Lauderdale Architect, Mr. Frank Snedaker, presented the revised plans for Station #47 to the members of the neighborhood associations of the Southwest Coalition in the fire district served by this Fire Station. Mr. Snedaker answered questions about the changes made since the last version was presented to the Southwest Coalition on October 18, 2004. Representatives present from Chula Vista Aisles, Flamingo Park, Lauderdale Aisles, River Run, Riverland Curve, Riverland Manors, Riverland Woods, reviewed the plans and unanimously gave their support of the newly revised designed plans. Attached is a copy of the minutes of the April 18, 2005 meeting, Southwest Coalition, along with a copy of the sign-in sheet. We would like to take this opportunity to thank the City of Fort Lauderdale, the entire design staff, for including the community in the decision and making progress for Fire Station #47, and look forward to working together on additional projects in our community. Sincerely, Joan B. Sheridan, Chair Southwest Coalition and Civic Association.”

Mr. Natale commended the City staff for accommodating the needs of the community into the process and urge that this Board approve the request being made.

Craig Kennedy urged the Board to pass this request. He stated that the neighborhood supported the fire station expansion. He stated this would be a bonus for the community.

There being no other individuals who wished to speak on this matter, the public hearing was closed and discussion was brought back to the Board.

**Motion** made by Mary Fertig and seconded by James McCulla to approve the request as submitted for Item No. 6 per staff's recommendations. Roll call showed: YEAS: James McCulla, Charlotte Rodstrom, Mary Fertig, Maria Freeman, Catherine Maus, Ed Curtis, and Alan Gabriel. NAYS: None. Motion carried 7-1.

**Motion** made by James McCulla and seconded by Mary Fertig to approve the request as submitted for Item No. 7 per staff's recommendations. Roll call showed: YEAS: James McCulla, Charlotte Rodstrom, Mary Fertig, Maria Freeman, Catherine Maus, Ed Curtis, and Alan Gabriel. NAYS: None. Motion carried 7-1.

**8. Carlos Santoro/Splash East Ella Parker 79-R-05**

Request: \*\* Site Plan Review/Level III/Conditional Use  
For Mixed Use Development/RMM-25/  
Employment Center/10 Multi-Family Units with  
Flex Allocation

Legal Description: Block 22, Lots 4, 5, and 6, Everglades Land  
Sales Company's First Addition to Lauderdale,  
According to the plat thereof, recorded in  
P.B. 2, P. 15, of the Public Records of  
Dade County, Florida

General Location: Northwest corner of Miami Road and S.E. 19 Street

**9. Carlos Santoro/Splash West Ella Parker 114-R-05**

Request: \*\* Site Plan Review/Level III/Conditional Use  
For Mixed Use Development/RMM-25/  
Employment Center/10 Multi-Family Units  
With Flex Allocation

Legal Description: Block 22, Lots 4, 5, and 6, Everglades Land  
Sales Company's First Addition to Lauderdale,  
According to the plat thereof, recorded in  
P.B. 2, P. 15, of the Public Records of  
Dade County, Florida

General Location: North side of S.E. 19 Street, between South Federal  
Highway and Miami Road

Chair Alan Gabriel stated that the items would be heard together, but separate votes would be taken.

Chair Alan Gabriel announced that the items were quasi-judicial. Catherine Maus stated that she had spoken with Robert Lochrie. James McCulla stated that he also had spoken with Robert Lochrie. Charlotte Rodstrom stated that she had been to the site and had spoken with some of the neighbors in the area. Maria Freeman stated that she had been to the site. Alan Gabriel stated that he had spoken with Mr. Lochrie.



Robert Lochrie, attorney for the applicant, stated that this was a request to apply 20 flex units out of a total of 885 units to an employment center land use designated property so they could develop the proposed project. He stated there was a "quirk" between the Land Use Plan and the Code. He stated the underlying land use plan for this parcel was for an employment center that only allowed commercial use without the allocation of flex units. The underlying zoning only permits residential and does not permit commercial. Therefore, without granting the flex units, there would be no way to develop the site within the intended zoning category. He stated they met with the Harbordale Civic Association who approved the project unanimously and provided a letter of support.

Ella Parker, Planning and Zoning, clarified that the application was for a conditional use to construct a single-use development consisting of 10 multi-family units on each site. She stated that this involves the allocation of 10 flex units. She stated that single-use residential buildings were permitted, and no business uses are required on parcels less than 5 acres in size. The subject property consists of .46 acres. If the Board approves this request, staff recommends the following conditions be applied:

1. The application shall provide document of an agreement with the Broward County School Board regarding potential impacts to the public school facility planning through the restricted covenant prior to final site plan approval.
2. Site plan approval must be valid as provided in Section 47-24.1.M.
3. Final DRC approval.

Charlotte Rodstrom asked if the alleyway between the lots was the one they were requesting vacation on. Robert Lochrie stated that they were not requesting a vacation of the alleyway. He stated they had discussed the issue, but had decided not to do it in that manner. He stated further that enhancements would be made, including paving. He added that there would be sidewalks around the project on Miami Road.

Chair Alan Gabriel proceeded to open the public hearing.

Jose Marquez stated that he supported the project.

There being no other individuals who wished to speak on this matter, the public hearing was closed and discussion was brought back to the Board.

**Motion** made by Charlotte Rodstrom and seconded by James McCulla to approve the application as submitted per staff's recommendations. Roll call showed: YEAS: James McCulla, Catherine Maus, Maria Freeman, Charlotte Rodstrom, Ed Curtis, and Alan Gabriel. NAYS: None. Motion carried 6-0.

(Mary Fertig left the meeting some time during the above discussion.)

**Motion** made by Maria Freeman and seconded by James McCulla to approve the application as submitted per staff's recommendations. Roll call showed: YEAS: Catherine Maus, Maria Freeman, Charlotte Rodstrom, Ed Curtis, James McCulla and Alan Gabriel. NAYS: None. Motion carried 6-0.

**12. Hammocks at Edgewood Developers, Inc. Michael Ciesielski 11-P-05**

Request: \*\* Plat Approval (MHP)

Legal Description: A portion of Tracts 25 and 26, F.A. Barrett's Subdivision of the West ½ of Section 21, Township 50 South, Range 42, P.B. 1, P. 46 Of the Public Records of Miami-Dade County, Florida, and a portion of Parcel "A" of Lauderwood Amended, P.B. 36, P. 14, of the Public Records of Broward County, Florida, and a portion of Lots 1 and 2 of Block 13, and a portion of the 10' and 15' alleys contiguous to said Lots 1 and 2, Lauderwood, P.B. 9, P.61, of the Public Records of Broward County, Florida.

General Location: West of SW 15 Avenue between SW 28 Street and SW 30 Street

**13. Hammocks at Edgewood Developers, Inc. Michael Ciesielski 11-P-05**

Request: \*\* Plat Approval (MHP)

Legal Description: A portion of Tracts 25 and 26, F.A. Barrett's Subdivision of the West ½ of Section 21, Township 50 South, Range 42, P.B. 1, P. 46 Of the Public Records of Miami-Dade County, Florida, and a portion of Parcel "A" of Lauderwood Amended, P.B. 36, P. 14, of the Public Records of Broward County, Florida, and a portion of Lots 1 and 2 of Block 13, and a portion of the 10' and 15' alleys contiguous to said Lots 1 and 2, Lauderwood, P.B. 9, P.61, of the Public Records of Broward County, Florida.

General Location: West of SW 15 Avenue between SW 28 Street and SW 30 Street

**14. Hammocks at Edgewood Developers, Inc. Michael Ciesielski 12-P-05**

Request: Alley vacation (MHP and RD-15)

Legal Description: All of the 15' wide alley lying between Lots 19 and 20, Block 1, Lauderwood Amended, P.B. 36, P. 14, Together with all of the 15' wide alley lying west of Lots 1 and 2, Block 13, Lauderwood, P.B. 9, P. 61, And a portion of a 10' wide alley lying north of said Lot 1, both of the Public Records of Broward County, Florida.

General Location: West side of SW 15 Avenue North of SW 30 Street

Location:       and the North side of SW 30 Street West of SW 15  
                  Avenue

Chair Alan Gabriel announced that Item Nos. 12, 13 and 14 would be heard together, but voted on separately. He advised that Item Nos. 12 and 14 were quasi-judicial, and Item No. 14 also requiring this Board to act as the Local Planning Agency.

The following disclosures were made by the Board: Ed Curtis stated that he had been to the site. Charlotte Rodstrom stated that she had been to the site. James McCulla stated that he had spoken with Mr. Lochrie. Alan Gabriel stated that he had spoken with Mr. Lochrie.

Robert Lochrie, attorney for the applicant, stated that there were several zoning requests being made, along with the vacation. He continued stating that this property was purchased about one year ago, and there are a significant number of code violations against the property. He stated that several extensions had been granted for compliance pending the plat and rezonings being approved. He advised that a presentation was made to the neighborhood association and that the applicant had received a letter of support from them for the project.

Robert Lochrie stated that the underlying land use for a majority of the site was medium-high. He stated the existing zoning for the entire site was MHP, and they wanted to rezone to a residential category consistent with the land use. He explained that the residential zoning district was more restrictive regarding the number of units. He stated that for the large portion of the property there were three choices for zoning consistent with the 25 units per acre. The choices were RMH (residential medium high), RMM (medium), or RML (low). He stated that each had their own height restrictions and regulations. He advised that in this case, they went with the lowest zoning. In regard to the portion for 15 units, they were requesting a rezoning to RC-15 that would permit townhouses. He explained there was also a small portion presently zoned RMM, and they were down zoning that portion to RC-15. He stated the purpose of this rezoning was to bring everything into conformity with the land use and the neighboring properties.

Mr. Lochrie stated that the alley ran between two single-family lots but went nowhere and only exists on paper, and is occupied by mobile homes at the present time. He explained that the third portion of the perimeter plat required discussions with County Traffic Engineers who requested some additions, such as a turn lane onto 15<sup>th</sup> into the subject property, and lining up their entrance with 29<sup>th</sup> Street so the street grid would be continued. He proceeded to show a drawing of the proposed townhouses. He stated there were several oaks on the site, and they would use them to their advantage for entrance onto the site.

Michael Ciesielski, Planning and Zoning, stated that a letter from the Broward County Planning Council was received regarding the plat. This letter confirmed the current land use designation, the proposed number of 136 units for this site was below the maximum number permitted for the site which was 162. He stated that the plat was consistent with the City's Comprehensive Plan and that the plat had been reviewed by DRC. He advised that staff's recommendations, prior City Commission submittal, were that the applicant revise the title block and plat to include the City, County and State as requested by the

City Surveyor, and that the applicant would pay a cash equivalent fee of \$102,816 towards parks and open space impact fee, and that the fee would be paid prior to receiving final sign-off of the plat by the Planning and Zoning Board Chairman. He stated that in regard to the alley vacation, it was approved by the Property and Right-of-Way Committee on March 17, 2005 with the condition that WaterWorks 2011 have no objections. He stated further that the conditions for such vacation was that the applicant would grant an easement over the entire alleyway for utilities, and if any relocations were required the cost would be borne by the applicant, and a relocation plan submitted for approval to the City Engineering Department, along with receiving final DRC approval.

Michael Ciesielski further stated that in regard to the rezoning, all criteria have been met and consistent with the City's Comprehensive Plan. He stated the use for the site was compatible with surrounding uses.

James McCulla asked how the parks impact fee was calculated. Michael Ciesielski explained that the fee was based on a formula that included the number of residents who were estimated to live on a site, then multiplied by a coefficient, and then multiplied by a dollar figure per acre (\$140,000). He stated that he did not have the exact calculation at this time. James McCulla asked about the trailers presently on the property and asked if credit would be granted to the applicant for such residents. Michael Ciesielski stated that such credit could be granted if it was determined that such residents had previously contributed towards such fees.

Don Morris, Planning and Zoning, stated that the land was currently unplatted and explained that part of the process of platting was to account for any new residential units that would be using the parks so an impact fee could be provided. Since the land was unplatted, the City had not taken into consideration any of the current residents because the platting process would provide such an opportunity.

Sharon Miller stated that the matter would be further investigated and a report supplied to the Board.

Chair Alan Gabriel asked if the alley went through other properties and would they be part of the process. James McCulla stated that the alley was "L" shaped and the bend in the "L" and the right-turn of the "L" was on the applicant's property, and the long stem went through two other residential lots that were not part of the application. He asked if the entire alley was being vacated, or only the portion on the applicant's property.

Robert Lochrie explained the portion of the alley to be vacated. He stated that there were no utilities in one section, and therefore, they were not proposing any easements, and did not object to any easement on the southern portion of the parcel. He stated they would object to an easement on the northern portion of the parcel because it would not serve any purpose.

Charlotte Rodstrom asked how wide was the alley. Robert Lochrie replied that it was 15' and the property owners on each side would get 7.5'. He added that the FP&L box was in the middle of the alley, and it would be moved to their side.

Chair Alan Gabriel proceeded to open the public hearing. There being no individuals who wished to speak on the matter, the public hearing was closed and discussion was brought back to the Board.

Robert Lochrie stated that the City had an ordinance stating that when platting was done, a parks impact fee was to be paid, and they had no objection to doing so, but he was not sure if the dollar amount given was correct. He stated that there could also be an offset for the existing units. He requested that the condition regarding the payment of the impact fee be tied to the City Engineer's signature since he would be the last person to sign the plat.

Jim Koeth, Planning and Zoning, stated that was the policy, but the condition could be modified.

**Motion** made by James McCulla and seconded by Maria Freeman to approve the application as submitted per staff's recommendations regarding the impact fee. Roll call showed: YEAS: James McCulla, Catherine Maus, Maria Freeman, Charlotte Rodstrom, Ed Curtis, and Alan Gabriel. NAYS: None. Motion carried 6-0.

James McCulla asked if the applicant was requesting the entire area be vacated or just a portion. Robert Lochrie explained they were requesting an entire vacation of the alleyway.

**Motion** made by James McCulla and seconded by Maria Freeman to approve the application as submitted per staff's recommendations.

Robert Lochrie reiterated that they did not want to grant an easement for the northern portion of the parcel.

Michael Ciesielski stated that the City Engineer had signed off, and some letters were received with no objections to the vacation, such as ComCast, FP&L, but wanted to keep their rights to the easement, and BellSouth had no objections as long as an alternative easement 15' x 10' was granted. He added that the Engineering Design Manager stated that there would be the granting of an easement over the entire alley. Therefore, he could not waive the requirement.

Jim Koeth stated that a condition could be made based upon approval from the Design Engineer, along with the franchise utility companies.

Bill Pennix, Engineering, stated that they agreed to the vacation. He stated that BellSouth had some utilities in the area and requested to retain a utility easement in the alleyway, but they did not feel it was feasible to move the box.

Ed Curtis asked if staff reviewed the request that there not be any easements on the northern portion of the alley vacation. Bill Pennix stated that the easement would only be on the southern portion of the alleyway.

Robert Lochrie explained that there were no easements at the present time, but they were going to dedicate a new 10' easement all around the property for all utilities.

**Motion** made by James McCulla and seconded by Ed Curtis to approve the application as submitted per staff's recommendations with the exception that the utility easements proposed in the platted property be eliminated as a condition. Roll call showed: YEAS: Charlotte Rodstrom, Catherine Maus, Maria Freeman, James McCulla, Ed Curtis and Alan Gabriel. NAYS: None. Motion carried 6-0.

**Motion** made by James McCulla and seconded by Maria Freeman to approve the application for rezoning as submitted. Roll call showed: YEAS: Charlotte Rodstrom, Catherine Maus, Maria Freeman, James McCulla, Ed Curtis and Alan Gabriel. NAYS: None. Motion carried 6-0.

**"For the Good of the City"**

Draft Ordinance Language

Sharon Miller stated that she had provided the Board with a draft of a proposed ordinance regarding the rescheduling of meetings for the Board around holidays and other circumstances. She advised that the regular meeting of the Board was to be held on the third Wednesday of each month.

Chair Alan Gabriel asked if this matter had to be put on the agenda. Sharon Miller replied this was not a change to the land use. Chair Alan Gabriel stated that this be reviewed at the Workshop.

Signage

James McCulla stated that possibly staff could simplify the signage requirements and in micro-managing the issue, they could be placing an undue burden on the public and property owners.

Ed Curtis stated that the simpler the requirements the better and the clearer the better. He further stated that they were not protecting the applicant by allowing leeway regarding the signs. He believed the issue should be discussed on a case-by-case basis.

James McCulla asked if the public could challenge the issue based on bad signage. Sharon Miller stated that she did not believe that could occur, but a Judge would have to decide because there was no case law on this matter.

James McCulla further stated that a deferral of an item due to signage could add credence to the matter that they were trapped within a circle. He stated that a month was a long time regarding income producing property.

Charlotte Rodstrom stated that the Board's own inconsistency could get them into trouble.

Maria Freeman asked if the letter being sent to property owners within 300' required an affidavit. Sharon Miller replied it did not and that the letters were sent out only regarding site plans.

Jim Koeth stated that the applicant provided the postage, labels and envelopes for such notices, but staff sent out the letters. He stated that this applied to right-of-ways, rezonings, vacations, and site plans. Sharon Miller stated that there were various requirements for different situations.

**Motion** made by Ed Curtis and seconded by Maria Freeman to adjourn the meeting.

There being no further business to come before this Board, the meeting was adjourned at approximately 9:51 p.m.

CHAIRMAN

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Alan Gabriel

ATTEST:

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Margaret A. Muhl (D'Alessio)