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**MINUTES
PLANNING & ZONING BOARD
THURSDAY, NOVEMBER 5, 2009
BOCA RATON CITY COUNCIL CHAMBERS**

CALL TO ORDER:

The meeting was called to order by Chairman William Fairman at 6:30 p.m. Roll was called.

PRESENT: William Fairman
Arnold Sevell
Steve Utrecht
Scott MacLaren
Grace Johnson
Keith O'Donnell

ABSENT: Richard Coffin

STAFF: Linda MacLaren, Deputy City Attorney
Jorge Camejo, Community Development Director
Susan Lesser, Senior Planner
Joy Puerta, Transportation Analyst

APPROVALS:

MINUTES: None

QUASI-JUDICIAL HEARINGS:

Linda MacLaren, Deputy City Attorney, outlined the procedure to be followed for these hearings. All of the following testimony of staff, applicants, petitioners, and public is sworn testimony under oath. Official City files are hereby offered for the purposes of inclusion into the record of proceedings and are available for inspection at the offices of the Development Services Department. Board members indicated they have visited the site of the petitions being heard this date.

Marjorie Ovelmen, Notary Public, administered the oath to all persons who intended to testify at this public hearing.

NEW BUSINESS:

Public Hearings:

AM-09-06 An Ordinance of the City of Boca Raton, amending Sections
09-92500007 23-353, 23-361, 28-52, 28-54, 28-57, 28-1741, and 2-128,
Code of Ordinances; requiring architectural building elevations
for proposed development; requiring Community Appearance
Board review of such elevations and revisions to color

P&Z-11-05-09

1 selections, and amending the Board's authority to modify
2 Development Orders; deleting approval of minor modifications
3 by the Planning and Zoning Board; clarifying that a violation of
4 a Development Order constitutes a Code Violation.

5 **(RECOMMENDATION TO CITY COUNCIL)**
6

7 Jorge Camejo presented for the Department, outlined the events that precipitated
8 this proposed code change. At the previous Board workshop for this code change,
9 the Board, after considerable discussion, referred the code amendments back to
10 staff for further study.

11
12 Mr. Camejo presented a very similar plan with minimal modification to previous
13 proposal and there was further discussion that resulted in the same general
14 consensus. Members restated some of the concerns expressed at the previous
15 meeting.

16
17 **MOTION** was made by Mrs. Johnson and seconded by Mr. Sevell to
18 approve **AM-09-06**.

19 **MOTION FAILED TO CARRY with zero (0) Yes votes to six (6) No votes**
20 **(William Fairman, Arnold Sevell, Steve Utrecht, Scott MacLaren,**
21 **Grace Johnson, and Keith O'Donnell opposed).**
22

23 **(NOT RECOMMENDED TO CITY COUNCIL)**
24

25 The Board requested that Mr. Utrecht prepare a letter to City Council outlining the
26 Board's concerns and reasons for denial.
27

28 **Site Plan Approvals:**
29

30 **SPA-91-14R3** Petition of Alexander D. Raine, on behalf of U.S. Foodservice,
31 09-97500018 Inc., considering an amendment to a previously approved site
32 plan that includes a reduction in square footage of the
33 warehouse facility for **U.S. Foodservice, Inc.**, located at
34 7598 N. W. 6th Avenue

35 **(RESOLUTION BY PLANNING AND ZONING BOARD)**
36

37 Susan Lesser presented for the Department recommended approval.
38

39 Mr. MacLaren requested clarification of the proffer dollar amounts in Section 2
40 Condition No. 8, page 5 of the Resolution.
41

42 Jeff Evans, for petitioner, noted the figures are correct, however, he addressed this
43 section to provide better clarity.
44

45 **MOTION** was made Mrs. Johnson and seconded by Mr. MacLaren to
46 approve **SPA-91-14R3. MOTION CARRIED 6 to 0.**
47
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