

**PLANNING AND ZONING BOARD MINUTES
THURSDAY, SEPTEMBER 20, 2018 - 1:30 PM
COUNCIL CHAMBERS, CITY HALL, VERO BEACH, FLORIDA**

PRESENT: Chairman, Lawrence Lauffer; Vice Chairman, John Carroll; Members: Steven Lauer, Robin Pelensky, Alternate Member #1, Richard Cahoy and Alternate Member #2, Ken Daige **Also Present:** Senior Planner, Gayle Lafferty; Principal Planner, Cheri Fitzgerald; Assistant City Attorney, Stefanie Beskovoyne and Deputy City Clerk, Sherri Philo

Excused Absence: Honey Minuse

I. PRELIMINARY MATTERS

A. Agenda Additions and/or Deletions

None

II. APPROVAL OF MINUTES

A. Regular Meeting – June 21, 2018

Mr. Carroll made a motion to approve the minutes of the June 21, 2018 Planning and Zoning Board meeting. Mrs. Pelensky seconded the motion and it passed unanimously.

At this time, Mr. Lauffer publically thanked Mr. Tim McGarry, former Planning and Development Director, for his outstanding service to the Planning and Zoning Board, the Planning and Development Department, and to the City of Vero Beach. He then read the following statement, *“Tim has served us since 2006, 12½ years. Some of those years were contentious and his dedication has left the City a better place. As the Board Chairman, I know that I speak for this entire Board and we thank you for your service, Tim, and your dedication. We wish Tim the best in his retirement and our prayers are with him and his family. Tim, we will miss you today and have a great time. Thank you.”*

III. PUBLIC COMMENT

None

IV. PUBLIC HEARINGS

[Quasi-judicial]

A. Preliminary Plat Application Submitted by Mills, Short & Associates, LLC, for a Proposed 55 Lot Subdivision Located at 1205 and 1245 11th Avenue (#SD18-000002)

The Chairman read Preliminary Plat Application #SD18-000002 submitted by Mills, Short and Associates, LLC by title only.

Mr. Lauer reported that he visited the site yesterday at 10:15 a.m.

There were no other ex parte communications reported by the Board.

The Deputy City Clerk swore in staff and all witnesses present for today's meeting en masse.

Ms. Gayle Lafferty, Senior Planner, gave a brief overview of staff's report to the Board members (attached to the original minutes). She noted that the site plan for this project was previously approved by the Board in December, 2016 (#SP16-000001). The plat never was approved in that they submitted the paperwork and then withdrew the application. Before the Board today is both the site plan and the preliminary plat for approval. She then showed on the screen an aerial view of the site (on file in the City Clerk's office). Staff finds that the preliminary plat complies with the approved site plan, as well as the site plan the Board will be reviewing today. She noted that the only change in the site plan before them today is wall on the south property line has been eliminated, which is not required. Staff recommends approval of the preliminary plat application by the Planning and Zoning Board for submission to the City Council, subject to the condition listed in staff's report.

Mr. Lauer asked what was the blue line that was shown in the aerial.

Ms. Lafferty answered the City boundaries.

Mr. Lauer asked where are the property boundaries.

Ms. Lafferty said they are shown in purple.

Mr. Lauer referred to staff's report where it states, "*The following table compares the minimum lot size and internal setbacks of approved Site Plan #SP16-000001 with those in Sections 61.40 and 61.41.*" He asked is there some significance to that particular site plan.

Mr. David Gay, City of Vero Beach Chief Surveyor, said they are both related together.

Mr. Lauer asked how.

Ms. Lafferty believed that Section 61.40 and Section 61.41 are the requirements of the Multi-Family Zoning District RM-8.

Mr. Lauer said if they follow the provisions Sections 61.40 and 61.41, a duplex would have to have 5,000 square feet. He asked what does "approved site plan" mean. He explained that the square footage is 2,277 or less than half than what is provided by the Code. He asked what is the approved site plan. He thought that what they were doing today was approving the site plan.

Ms. Lafferty explained that it is a two (2) step process. What is before the Board now is the plat. The site plan will govern any changes to the entire site. She explained that individual property owners would not be able to add anything impervious without the entire site being reviewed. But, this enables people to be individual homeowners rather than it being a multi-family rental type of property.

Mr. Lauffer said that is confusing and hard to understand. He questioned this enables the new site plan to be appropriate based on the prior site plan.

Ms. Lafferty explained that the site plan that is going to come before the Board today is going before them because the previous site plan expired. She explained that staff still looks at the entire site for any modifications. It is reviewed as a whole. But, this enables individuals to own their own home. She explained what happened before was that the site plan was approved contingent on the plat being

approved. The plat was submitted and then was withdrawn. The plat and site plan should have gone before the Board together at that time, but they didn't. This is being done by the proper procedure today by both the subdivision and the site plan being reviewed.

Mr. Lauffer questioned it still meets all criteria for this zoning.

Ms. Lafferty said that is correct.

Mr. Cahoy said what she is saying is that the preliminary plat in December, 2016, never came before the Board.

Ms. Lafferty said there was not a preliminary plat.

Mr. Lauer asked why would they want to approve 2,277 square feet when the Code requires 5,000 square feet.

Ms. Lafferty said because of the type of subdivision that it allows for the division of property for individuals to own their property. The site plan for the zoning district is what governs any modifications. This just allows individuals to own their own property.

Mr. Lauffer questioned as opposed to what a condominium would be.

Ms. Lafferty said that is correct.

Mr. Lauffer said then this gives them individual ownership of a property.

Ms. Lafferty said that is correct.

Mr. Lauer said staff is basing this approval on Section 70.14 (a) of the Code and that Section states in part, "*Except preliminary and final plats for a platted-over subdivision, all approved preliminary and final plats shall meet the following criteria.*" He thought this was a platted-over subdivision. He asked why would Section 70.14 apply.

Mr. Carroll thought they were missing some history. He asked what was presented to the Board when Application #SP16-000001 was approved. He asked what criteria permitted it to get approved with less than the 5,000 square foot minimum.

Mr. David Gay thought Section 70.14 (a) becomes appropriate because it is being treated as a major subdivision as part of this plat.

Mr. Lauffer said the difference is the ability of the homeowner to change how they own the property from a condominium type of ownership to a private property ownership situation and that precipitated changing the plat.

Mr. Gay said that is correct.

Mr. Daige asked why was the wall removed.

Ms. Lafferty said it wasn't required.

Mr. Wesley Mills, of Mills, Short and Associates, explained that initially the property was owned by

10 different investors. Because there are not a lot of subdivisions that come through the City and are platted, they worked with Mr. McGarry and his staff to develop a plan. In that plan at the time his clients had the property under contract, which was contingent of some kind of an approval from the City. Therefore, in an effort to get some kind of approval before they closed on the property, it was brought before the Planning and Zoning Board to get an approval, which was done. After that, the group consolidated and there are now one (1) or two (2) owners who own the property and they intend to build on the property. The timeframe between 2016 and now is they found out the site needed a significant amount of fill. He said the site plan never changed, the number of units never changed, and the square footage of the buildings never changed from the previously approved plan. However, the wall was removed because they were able to get the site to balance a little better and they felt that adding landscaping rather than having walls would be more aesthetically pleasing. He said they felt that having people own their lot would take the burden off of the Homeowners' Association (HOA) so costs could be reduced.

Mr. Lauffer said from a condominium type of ownership where they don't own the property around them, the property owners would individually own their lot. He asked is that the difference between the two (2) site plans, other than the fact that the first site plan expired.

Mr. Mills said they had to resubmit the site plan because they brought the site plan before the Board prior to the preliminary plat. He said they could have extended the site plan or they would have acted a little quicker, but Mr. McGarry felt the proper way to do this was to bring the site plan and the plat before the Board together.

Mr. Carroll asked in looking at the requirements, how and why can they reduce the requirement by more than 50% of the lot size just because of an ownership situation. He asked is there a provision in the Code that allows for that. That is the most important question to him because otherwise it doesn't meet the requirements of RM-8.

Ms. Lafferty said it is under Section 70.04 (e) – Platted-over subdivision lots and development standards, which states in part, *“The approved site plan for projects being platted over shall govern access/frontage requirements, internal setbacks, lots size and dimensional requirements.”*

Mr. Mills explained that the difference is that if there were platted lots, once the lots are created they are governed by setbacks, maximum coverage ratios, etc., for that specific lot. This is not the case. The homeowners cannot modify or put an addition on their building. The compliance is for the entire site as a whole. Therefore, when the site is platted the floor area ratio is not governed by the individual lot, it is the entire site.

Mr. Carroll asked what in the RM-8 zoning regulations allows staff and the Board to approve substantially reduced sizes on the lots.

Ms. Lafferty said it is not in the RM-8 zoning regulations. It is in Section 70.04 of the Code that she just read to the Board. She reported that this section was added to the Code in 2013. She noted there were others in the City like this to allow the individual homeowners that don't meet the standard requirements for different zoning districts. The overall site plan will apply to those units. They cannot modify things without the entire site being looked at.

Mr. Carroll said it states that they must meet the current requirements. He said staff was referring to Sections 60.40 and 60.41 of the Code. He questioned if this shows the minimum requirement then why are they allowing for the reduction.

Mr. Daige said that he understands what the Board members are talking about and staff is stating that Section 70.14 allows what they want to do with this property.

Mrs. Cheri Fitzgerald, Principle Planner, said that is correct. The platted-over subdivision rules in the subdivision section of the Code that Ms. Lafferty referenced allows a site plan to be submitted along with the preliminary plat that meets the overall setbacks, open space, drainage, etc. for the project. Therefore, this still meets the RM-8 setbacks for the overall project, which they would get into more detail when they get to the site plan. The homeowners will be allowed to own their individual unit and their piece of property, but any change would have to go through an overall site plan site plan review process of the entire property.

Mr. Daige said then the way this development is being set up is that someone can purchase a unit and the property, but they cannot make any modifications to the property or to the unit.

Mrs. Fitzgerald said that is correct, unless it is for the entire site.

Mrs. Pelensky questioned so this is being done for marketing reasons.

Mr. Mills answered yes.

Mr. Lauer asked who owns the road.

Mr. Mills answered the HOA.

Mrs. Pelensky said this would make the individual homeowner's payments to the HOA less than if they owned just the building.

Mr. Mills said that is correct because each homeowner would be responsible for maintaining their own yard.

Mr. Lauffer asked Ms. Beskovoyne is the Board doing the right thing legally. He asked is this appropriate.

Ms. Stefanie Beskovoyne, Assistant City Attorney, said after they have closing arguments and have evidence from anyone who wishes to present, the Board can either grant or deny this application.

Mr. Carroll said they could table this in order to get more information as to why this is permitted. He said that he doesn't see that at this point. He wants to have something that he can "hang his hat on." He explained that he wants to see in the Code if the RM-8 district has a duplex type of subdivision that they are allowed to reduce the approved lot size from 5,000 square feet. If the site plan was approved in 2016, it would seem to him that someone would have asked that question.

Mr. Lauer said it was approved as a condominium in 2016 and this is a whole different thing.

Mr. Lauer asked why staff is relying on Section 70.14 of the Code when it states that it doesn't apply to platted-over subdivisions. He said that he cannot get past that. He said in looking at the plan, it appears that there are a bunch of buildings sitting on top of each other with a little setback or zero setback in the middle and it doesn't look like a Vero Beach subdivision to him. He said that is why they have the Code. He understands that staff has a certain opinion, but he does not have the same opinion.

Mr. Mills thought what might be confusing in looking at the plat without the site plan, is that the little lots shown are duplexes. It is not one (1) duplex unit on one (1) lot. It is one (1) duplex over two (2) units.

Mr. Lauer said there is a drawing in their backup that shows where the footprint of the building is and he can see what Mr. Mills is referring to.

Mr. Mills said there is a setback between the buildings.

Mrs. Pelensky asked what is the setback.

Mrs. Fitzgerald suggested that the Board go over the site plan and then come back to this item. She said they do have to approve the preliminary plat first.

The Board agreed to table this application and go to the next public hearing and then come back to this.

Mr. Cahoy noted that the Board has never seen a preliminary plat before. This is the first time a plat has come before them.

Mr. Lauffer said the Board saw one (1) before this and it was identical, except for the wall and it was for a condominium.

Mr. Mills said no, what was brought before the Board previously was a site plan. He noted that it was never a condominium project.

Mr. Cahoy said that he was on the Board in 2016, and he doesn't remember the word "condominium" being part of their presentation. Also, he thinks it is up to the City to convince the Board that this meets Code, not the Engineer. He said the City has approved this based on reading the Code and he is not convinced.

Mr. Daige felt it might have been helpful if the Board had the information from 2016, as well as the minutes of the meeting as part of their backup material.

Mrs. Pelensky said according to the Code they would essentially get half the amount of units on this parcel.

Ms. Lafferty said if it were a multi-family development they would be allowed to have the number of units that is currently proposed. It would just be a multi-family unit development. It would not be the individual ownership of the land. She noted that under the current zoning this project would allow for 63 units and they are proposing 55 units.

Mr. Lauffer suggested that they allow the public to speak on this and then table it until after they review the site plan.

The Chairman opened and closed the public hearing at 2:16 p.m., with no one wishing to be heard.

At this time, the Board tabled this item until after they reviewed the site plan (item IV-B).

The Board reopened the public hearing on this item at 2:49 p.m.

The Chairman reopened and closed the public hearing at 2:49 p.m., with no one wishing to be heard.

Mr. Lauffer made a motion that the Board table Application #SD18-000002 until the Board receives clarification from staff and from the City Attorney's office. Mr. Carroll seconded the motion and it passed 5-0 with Mr. Cahoy voting yes, Mr. Lauer yes, Mrs. Pelensky yes, Mr. Carroll yes, and Mr. Lauffer yes.

At this time, the Board went to item IV-C).

[Quasi-judicial]

B. Site Plan Application Submitted by Mills, Short & Associates, LLC, for the Construction of 27 Multiple-Family Duplex Units and 1 Single Family Residence (55 Dwelling Units) Located at 1205 and 1245 11th Avenue (#SP18-000002)

The Chairman read Site Plan Application #SP18-000002 submitted by Mills, Short and Associates, LLC, by title only.

Ms. Lafferty gave a brief overview of staff's report to the Board members (attached to the original minutes). Staff recommends approval of the site plan subject to the conditions listed in staff's report.

Ms. Beskovoyne noted that this is a separate quasi-judicial hearing.

Mr. Lauer reported that he visited the property yesterday at 10:15 a.m.

Ms. Beskovoyne asked if there is anyone else who wants to speak under this hearing that wasn't sworn in previously they would be sworn in at this time.

There was no one else in attendance that wanted to be heard.

Mr. Carroll referred to Attachment A, page two (2), Development Specifications. He said it appears to him, and he doesn't know this to be true, that the Planning and Development staff is looking at this like they were building a large building on a single site and are using all the criteria for that to make this appear to comply. He didn't know if that is right, wrong, or indifferent because if they start looking at setbacks, lot sizes, etc., they don't meet it.

Ms. Lafferty explained that is how they review multi-family projects. They look at the entire development. They look at the setbacks at each direction and that is how every multi-family development has been done within the City. They take the floor area of all the units and total it in order to get the proposed square footage.

Mrs. Pelensky said it looks to her like what they were trying to do was to apply two (2) separate Codes to one (1) project.

Ms. Lafferty explained that this is the multi-family zoning criteria. The Code was changed in 2013 to allow for the preliminary platted-over subdivision and states that overall, the site plan governs the entire site, but individuals are allowed to own their home and property. But, overall the rules of the site plan governs. She noted that this project has maxed out their open space so there would not be any additions, such as swimming pools, patios, etc.

Mr. Lauffer questioned then the modification that was done in 2013 is what is giving them

permission to do this.

Ms. Lafferty said that is correct.

Mr. Lauffer said what the Board is looking for is a description from the Attorney that this is legal. He asked is this appropriate. If it is then he doesn't have a problem. If it isn't then he doesn't think anything is going to be approved today.

Ms. Beskovoyne thinks that this has come this far in the process because staff is comfortable with its applicability with the City Code. She said the Planning and Development Director had a certain level of authority in interpreting the Code. She said the City Attorney's office does not necessarily render a legal opinion.

Mr. Lauffer questioned then should they accept staff's recommendation that this is meeting Code. He asked is that what she is telling the Board members.

Ms. Beskovoyne said it is their decision as an Advisory Board.

Mrs. Pelensky asked Ms. Lafferty to read verbatim where it states that the multi-family site plan Code takes precedence.

Ms. Lafferty read from the Code Section 70.04 (e), Platted-over subdivision lots and development standards, *"The approved site plan for projects being platted over shall govern access/frontage requirements, internal setbacks, lot size and dimensional requirements, and the location and dimensions of all structures and required project improvements."*

Mr. Lauffer questioned and they have met that.

Ms. Lafferty answered yes.

Mr. Lauer said the way he reads Section 70.04 (e) is in order to get to that Section they have to have an approved site plan. He said they don't have an approved site plan so it is their decision to either approve or not approve it. If they approve it then 70.04 (e) applies, but they haven't approved it yet. He asked why would they be there if it was an approved site plan. He said it was approved in 2016, but it has expired. Therefore, the Board has the opportunity right now to say no. That is the way he reads it.

Mr. Carroll said that is what he was hearing.

Mr. Lauer said that is the reason why he was asking earlier what the significance of the reference to the "approved site plan is." He said that was a previously approved site plan, which has expired.

Ms. Lafferty said that is correct.

Mr. Mills said that he understands the Board getting hung up on the platting process, but step one (1) is the site plan. If they weren't going to plat this subdivision they wouldn't even be talking about that. He said from a site plan perspective, this fully meets the Code. It is fully compliant with the zoning classification and it was approved by a previous Planning and Zoning Board. He understands the questions revolving around the plat. He said they have been working on this for years and it shocks him that now they are insinuating that the plan does not meet Code. He said that he doesn't understand how they can get this far with this much time, effort, and money and fully meet the Code

and now there is a question on it if the site plan is going to be approved.

Mr. Lauffer thought that unless questions of the Board are resolved he didn't think it was going to get an approval.

Mr. Mills asked what are the questions on the site plan.

Mr. Lauffer said if Mr. Carroll and Mr. Lauer are not getting their questions answered then they will continue with the process and table it to another meeting.

Mr. Mills said there are two (2) different approvals. He would hope that they would not table the site plan approval and would prefer that they not table the plat. He asked Mr. Carroll if there was anything that he was not comfortable with on the site plan.

Mr. Carroll questioned if they approve the site plan and disapprove the plat, then where are they. He said that is the issue. He said that he has done hundreds of subdivisions in his life and has never heard if the zoning district requires the lots to be a certain size that they can reduce it. He said that he is being asked as a Board member to approve that and he does not think that is the right thing to do unless he can find something that is an exception to the zoning district.

Ms. Lafferty read in part Code Section 70.14 (a), "*Except preliminary and final plats for a platted-over subdivision*" and Code Section 70.14 (5), "*comply with the minimum lot size and dimensional standards of part III.*" She said that is where it states that it doesn't have to comply with the minimum lot.

Mr. Carroll asked isn't that what Mr. Lauer stated. That they have to have an approval of the site plan before it could be platted over.

Mr. Lauffer said it looks like they were "hanging their hat" on an approval that expired.

Mr. Mills explained that it only expired because they were advised to bring the plat with the site plan before the Board. He said the site plan fully meets every criteria of the City's Code.

Ms. Lafferty said this was the direction of the Planning Director to bring it back before the Board in this manner. She said the Code Section that she just read is the Board's explanation as to why they don't have to meet the lot size. It is to enable people to own the land as an individual lot.

Mr. Lauer said what she is saying is the opposite of what the language of the provision is. He said none of Section 70.14 applies to platted-over subdivision. He read in part Section 70.14 (a), "*Except preliminary and final plats for a platted-over subdivision, all approved preliminary and final plats...*" He asked is this platted-over. He said if in Section 70.14 this does not apply, which is why he asked the question from the very beginning. He said that he has asked staff if the Board can have copies of these Sections so they can read them before they get to the meeting. He said that he does read them. He said that he is an Attorney and the way he interprets this is that Section 70.14 does not apply to this situation. He said staff refers to it throughout the report that it meets all the criteria when it clearly does not have any relevance to this proceeding.

Ms. Lafferty said the report was prepared by the Planning and Development Director.

Mr. Lauer said that he is not stating that staff is doing something wrong, but he cannot reconcile the two (2).

The Chairman opened and closed the public hearing at 2:46 p.m., with no one wishing to be heard.

Mr. Lauffer suggested to the Board that they table this until they get some clarification.

Mr. Daige felt that was a good idea because that way the Board is not denying it. He said the applicant has spent a lot of time on this. He would suggest that the information from when the site plan was approved in 2016 is included in the backup material. He also would suggest that the Sections of the Code are also included as Mr. Lauer suggested.

Mr. Lauffer made a motion that the Board tables this until the Board receives clarification from staff and from the City Attorney's office. Mr. Lauer seconded the motion and it passed 4-1 with Mr. Cahoy voting yes, Mr. Lauer yes, Mrs. Pelensky no, Mr. Carroll yes, and Mr. Lauffer yes.

At this time, the Board went back to item IV-A).

[Quasi-judicial]

C. Site Plan Application Submitted by Michael Schlitt Construction for the Construction of a 29-unit Multiple-Family Residential Development Located at 401 18th Street (#SP18-000003)

The Chairman read Site Plan Application #SP18-000003 submitted by Michael Schlitt Construction by title only.

Mr. Lauer reported that he visited the site yesterday at about 10:00 a.m. and again today at about 8:15 a.m.

Mr. Lauffer and Mr. Cahoy reported that they are familiar with the site.

The Deputy City Clerk swore in all witnesses present for today's meeting en masse.

Mrs. Cheri Fitzgerald, Principal Planner, gave a brief overview of staff's report to the Board members (attached to the original minutes). Based on staff's analysis and findings, staff finds that the proposed site plan application meets the provisions for site plan approval and recommends approval of the site plan subject to the conditions listed in staff's report.

Mr. Lauer asked does this zoning allow rentals.

Mrs. Fitzgerald answered yes.

Mr. Lauer questioned the Board approved this site plan before.

Mrs. Fitzgerald said they approved it in 2007 and in 2014.

Mr. Lauffer asked what was the updated item on this site.

Mrs. Fitzgerald said that was the finished floor elevations. She explained that they were raised to meet the current Code. She noted that they improved the drainage with the corresponding elevation change.

Mr. Carroll said that he was retained by a subdivision north of this site that drains into that canal that goes east/west and crosses under Indian River Boulevard. He said in 2016/2017 that subdivision flooded. He said their analysis determined that the canal is overstressed by the number of properties that are draining into it. He asked is this subdivision draining into that same canal.

Mrs. Fitzgerald reported that the stormwater is located on site. There is also exfiltration of the drainage and the drainage report shows that the existing upland drainage ditch along the north side of 18th Street would be utilized as the outfall for the system.

Mr. Carroll said then it would be going there.

Mrs. Pelensky said all the developments that are surrounding this subdivision were built prior to the requirements they currently have for stormwater. She said even without this they obviously have flooding.

Mr. Daige asked are they in the flood zone hazard area.

Mrs. Fitzgerald answered yes, but they meet all the requirements for the finished floor elevations.

Mr. Cahoy questioned the neighborhood meeting requirement. He questioned the fact that the meeting took place four (4) years ago, staff didn't feel it was relevant to reintroduce this to the neighborhood.

Mrs. Fitzgerald explained that decision was made by the Planning and Development Director at the time that they did not need a new neighborhood meeting because the layout remained the same. She noted that staff did send out notices to neighbors within 500 feet of the site, as well as being advertised in the newspaper.

Mr. Cahoy asked is the Board to rely on the neighborhood meeting notes of March 31, 2014.

Mrs. Fitzgerald answered yes.

Mr. Cahoy said some questions were raised about fencing along the canal and a brick wall. He said it states a fence along the canal "yet to be determined."

Mrs. Fitzgerald said as far as she knows a fence is not part of this site plan.

Mr. T.J. Tiedeman, of Sunshine State Engineering, LLC, said that he is present representing the applicant, Michael Schlitt Construction. He reported that there is an active St. John's River Water Management District permit on this project. They were concerned with the outfall on the 18th Street canal and did try to minimize the impact. He noted that they do meet the requirements and this is the only outflow in the area so that is where it has to be directed. He reported that there is a wall along 17th Street and there are no fences proposed.

Mrs. Pelensky questioned the landscape specifications.

Mrs. Fitzgerald reported that they are providing the required 10-foot landscape strip north and south and are also providing the required 5 (five) foot landscape strip east and west.

The Chairman opened and closed the public hearing at 3:12 p.m., with no one wishing to be heard.

Mr. Carroll made a motion that the Board approves Site Plan Application #SP18-000003 submitted by Michael Schlitt Construction for the construction of a 29-unit multi-family residential development located at 401 18th Street with the conditions listed in staff's report. Mrs. Pelensky seconded the motion and it passed 5-0 with Mr. Cahoy voting yes, Mr. Lauer yes, Mrs. Pelensky yes, Mr. Carroll yes, and Mr. Lauffer yes.

V. PLANNING DEPARTMENT MATTERS

None

VI. BOARD MEMBERS' MATTERS

Mr. Lauffer referred to items IV-A) and IV-B) on today's agenda. He said that he would like to see these applications expedited if possible.

Ms. Kira Honse, Assistant City Attorney, felt that it might be a month in order to have sufficient time to advertise, but she didn't think it would be any longer than that.

VII. ADJOURNMENT

Today's meeting adjourned at 3:16 p.m.

/sp