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MINUTES

PLANNING AND ZONING COMMISSION

2003-2004 ZONING HEARINGS

Thursday, January 15, 2004 at 9:00 a.m.

360 South County Road, Palm Beach

Town Council Chambers

I **Call to Order and Roll Call:** Chairman James Bertles called the meeting to order at 9:00 a.m.

PRESENT: James B. Bertles, Chairman
 Richard M. Kleid, Secretary
 Peter S. Broberg, Member
 Harrison M. Robertson, Member
 Jorge A. Sanchez, Member (arrived at 9:02 a.m., after Roll Call)
 Lowry M. Bell, Member
 Joanna Golino, Member
 Nancy M. Murray, Alternate Member
 Elizabeth S. Murphy, Alternate Member
 Susan Markin, Alternate Member
 John C. Randolph, Town Attorney
 Robert L. Moore, Director of Planning, Zoning & Building
 Veronica B. Close, Asst. Dir. of Planning, Zoning & Building
 Timothy M. Frank, Planning Administrator
 Paul W. Castro, Zoning Administrator

ABSENT: None

RECORDED AND TRANSCRIBED BY: Cynthia M. Delp

(Due to technical difficulties, rather than continuing with the agenda as prepared, the Planning and Zoning Commission proceeded to the additional agenda item - Site Visibility Triangles)

II **Additional Agenda Item - Site Visibility Triangles**

Please note that the back up materials for discussion of this item had been hand delivered to the members.

Mr. Moore explained that the Town Council, at their meeting of January 13, 2004, had discussed site visibility relative to town intersections. Site visibility was discussed with respect to two different scenarios: requirements to ensure site visibility for properties with ongoing construction over 50%, whether new construction or remodels, and secondly, the possibility of creating requirements for existing properties with hedges and/or property walls which

may be impeding site visibility, i.e., the possibility of retroactively requiring those properties to improve that visibility by requiring them to move/remove hedges, property walls, and fences.

Mr. Castro explained that several months ago, during construction of a home, a wall with a hedge on a particular property created a visibility problem despite the fact that the code provisions were met. In this case, after staff review, the property owner agreed to move the wall to create safe site visibility. This brought to question, however, whether the site visibility triangle portion of the code is adequate for new construction and homes which are being remodeled, as well as looking retroactively at walls, hedges and fences. Staff is requesting that the Planning and Zoning Commission recommend to the Town Council that the Town Manager retain a traffic engineer to look into this issue, investigating ITE and DOT standards, to complete a study and bring those results back to the Planning and Zoning Commission for recommendations to the Town Council. Mr. Castro stated that triggers might be considered in conjunction with instituting retroactive requirements. Mr. Sanchez commented that the Town must be careful in choosing the engineer to do this study so that this individual does not take too extreme an approach, as the character of the Town must be preserved. Mr. Castro responded that it is staff's role as project managers to work with the traffic engineer to ensure that the town's expectations are met, including maintaining the character of the town.

Mr. Bell stated that he lives in the estate area of town, and it is one of the worst places with respect to site visibility. As such, he was in favor of retroactive requirements for site visibility, and advocated adding that there should be no parking permitted within 30' of the intersection. Mr. Kleid commented that he took his own personal tour of the town, and he was shocked to discover how many instances of terrible site visibility exist on town streets.

Mr. Moore commented that site visibility requirements have been in the ordinance since approximately 1980. The Town Council looked at retroactive requirements in 1979 and 1980. Letters had been sent to property owners requesting that the owners take action to meet code site visibility requirements. The response from the property owners was "so swift and strong" that the effort was abandoned. Public Works previously had criteria in their Right of Way Manual, but now, site visibility is addressed only in the Zoning Ordinance. As such, there is no need for the Planning and Zoning Commission to review and approve the Public Works Right of Way Manual, as had been suggested at a previous meeting. In any event, the Town Council is requesting action by the Planning and Zoning Commission today so the process may begin.

Mr. Robertson inquired whether anyone has considered the legal implications of placing retroactive requirements on property owners. Mr. Moore responded that, of course, Mr. Randolph will have to study this, but an amortization schedule based upon how long the condition has existed might be used. Ms. Markin suggested that before property owners are asked to tear down or move walls, etc., the existing code (3' setback from the street and meeting existing site visibility code requirements) should be changed to require larger setbacks. Mr. Sanchez stated that if the Town implements the retroactive requirements, the properties of the past and current Town Council members and board/commission members should be made to comply first. Mr. Kleid commented that if there is a study, and the retroactive requirements are considered, there should be a legal report from Mr. Randolph as part of that study.

MOTION BY MR. BELL THAT THERE BE A STUDY "FOR BOTH THE ISSUES, THE FIRST BEING THE PRESENT CONDITIONS THAT WE HAVE AND THE SECOND, GOING RETROSPECTIVELY, OR LOOKING AT THOSE WHO HAVE NOT COMPLIED, AS WELL AS...THE STUDY SHOULD ALSO COME BACK WITH THE NUMBERS OF THOSE THAT WOULD BE NECESSARY TO CHANGE."

THERE WAS NO SECOND TO THIS MOTION.

Mrs. Golino asked how a property owner would seek relief from these requirements, if enacted. If it would become a variance process, enacting these regulations could trigger a tremendous increase in variances. Staff responded that it would, indeed, be the variance process that might offer relief to the owners. Mr. Broberg was concerned about paying for this study, and suggested that the total cost involved and the source of the funding be determined prior to the study being undertaken.

Town Councilman Norman Goldblum requested that a police report be requested to determine how many accidents can be attributed to the site visibility issue as a means to justify the expense. He felt the real problem is that vehicles are parked too close to the intersections.

MOTION BY MR. BELL THAT “WE SHOULD INVESTIGATE THE PARKING NEAR THE EXISTING REGULATIONS ON THE SITE VISIBILITY,” ADDING THAT “I DON’T THINK IT NEEDS TO BE INCREASED, BUT I DO THINK THAT PARKING IS A CONSIDERABLE PROBLEM.”

**MOTION SECONDED BY MR. SANCHEZ.
MOTION CARRIED UNANIMOUSLY.**

MOTION BY MR. KLEID THAT THE STAFF BE DIRECTED TO REVIEW THE EXISTING INTERSECTION VISION PROVISIONS, THAT THEY LOOK AT THE FLORIDA DEPARTMENT OF TRANSPORTATION MODEL, AND OTHER ACCEPTED STANDARDS IN THE INDUSTRY FOR SAFE INTERSECTION SITE VISIBILITY, AND DRAFT A REPORT WITH A RECOMMENDATION FOR THE PLANNING AND ZONING COMMISSION.

MOTION SECONDED BY MR. ROBERTSON.

MOTION CARRIED 5-2, WITH MR. SANCHEZ AND MR. BELL VOTING AGAINST.
(Mr. Sanchez voted against the motion as he felt this was a well intended bad idea that will cost us a lot of money.)

MOTION BY MR. BELL THAT “WE HAVE THEM STUDY THE INTERSECTIONS IN TOWN THAT NEED THIS RETROACTIVE IMPLEMENTATION, AND FURTHER STUDY WHETHER IT’S NECESSARY, OR HOW DO WE COMPENSATE OR DO SOMETHING FOR THESE PEOPLE WHERE THEY’RE GOING TO HAVE TO GO BACK IN AND CHANGE THEIR INTERSECTION SITE,” AND CLARIFYING THE MOTION, “I AM RECOMMENDING THAT THEY DO THE STUDY ON RETROACTIVE IMPLEMENTATION.”

Prior to the second, Mr. Kleid asked Mr. Bell if he would amend his motion to require that the study include a report from the Town’s solicitor on that subject.

MOTION AMENDED BY MR. BELL THAT THE REPORT INCLUDE A REPORT FROM THE TOWN’S SOLICITOR, THE TRAFFIC INFORMATION, AND A REPORT FROM EVERYONE ELSE THAT IS INVOLVED WITH IT.

**MOTION SECONDED BY MR. KLEID.
MOTION CARRIED 5-2, WITH MR. BROBERG AND MR. SANCHEZ VOTING AGAINST.**

****At this point, 9:35 a.m., there was a five minute recess, after which the members moved out into the Chambers for the presentation to follow.****

III Presentation of the Maximization Study of Ridgeview Drive and Jamaica Lane in the R-B Zoning District - Urban Design Studio

Mr. Castro explained that the purpose of this presentation is to show, in both two dimensional and three dimensional form, the difference between existing conditions on two R-B district streets versus maximized conditions allowed by current code, with respect to scale, size, and pervious/impervious area. This study was done to assist the Planning and Zoning Commission and the Town Council in making a determination to take action to either strengthen the code or leave it as it exists. Urban Design Studio has been retained to bring the maximization study to light in a very graphic and visual way. Russell Scott, Landscape Architect and Planner, and Alejandro Zurita, Consultant, both with Urban Design Studio, gave the presentation.

Mr. Scott described how the study, an independent analysis of two streets in the R-B district, was performed. The study “was not intended to form conclusions, but rather, to accurately portray statistical information in a graphic format that could be used as a tool to help further understand potential development in the northern end of the island under the town’s current regulations.” Architectural styles and details were not included, but size and shape of structures that would be allowed by code were stressed. He acknowledged that although landscaping plays a major

role in the appearance of a property and neighborhood, it was not included in the preparation of this study. The study was divided into three main parts: Building Envelope Analysis, 3D Computer Models, and Pervious/Impervious Area. Jamaica Lane totals twenty-five (25) lots, while there are just nineteen (19) on Ridgeview Drive. The study assumed the development envelope allowed by code, 12 ft. height for the first floor, 10 ft. for the second floor, and 8 ft. for the roof. So, a one story home could be 20 feet in height, while a two story home could be 30' in height. The study used the minimum lot size for the R-B district of 100'x100', although lots can be combined. Other code maximums, including but not limited to cubic content, angle of vision and setbacks, were considered in the models. Mr. Scott referred to their report entitled *Town of Palm Beach Potential Development Study Jamaica Lane and Ridgeview Drive* which had been distributed to the members.

Mr. Zurita stated it is clear that the code provides that as the building height increases, the footprint gets smaller. He described several different house types which were used as models: One story with a front garage; Two story with one story side loading garage; One story/two story setback combination; Two story setback line with one story back portion, Two story setback line with an entry feature; Two story setback line with maximum angle of vision; Aggregate of two lots (one story/two story combination); and corner lots. Mr. Castro noted that most of the models have two-car side-loaded garages. The Urban Design representatives toggled back and forth, on screen, between the graphic representation of the existing conditions versus maximized conditions on both streets, using the aforementioned models. Mr. Scott reviewed the pervious/impervious areas as referenced in the handout. The result for Jamaica Lane's "Existing Conditions" is 54% pervious, as contrasted to the 40% pervious in the maximized development by code. The result for Ridgeview Drive's "Existing Conditions" is 65% pervious, versus 40% pervious with maximized development.

Resident David Barton requested the definition of pervious and impervious. It was his opinion that the models presented were not correct. Mr. Castro noted that there is no definition of pervious and impervious in the code. Staff defines "landscaped open space in our code as anything that is pervious to the ground", i.e., with no structures between the ground and the water table, and having the ability to percolate water into the ground. Pea rock, stone, decks, swimming pools, and structures are all examples of impervious area.

There were several questions relative to details shown on the screen, but Mr. Bertles asked that everyone look at the "big picture" in reviewing the presentation. He commented that the Planning and Zoning Commission has been asking for a maximization study, and "in five minutes, you can pick up the handout and it probably could tell you 80% of the story, and it's not a pretty story, from what I can tell." He urged the members to "figure out the lesson" and determine what course of action, if any, is needed. Mr. Bertles asked staff if staff believes that the study is accurate. Mr. Castro responded that he believes that the maximum development by code, as shown, is accurate. Mr. Moore commented that the study is accurate within 5%, plus or minus, in his opinion.

Mrs. Golino commented that there are two separate issues here: Pervious/impervious (drainage) and a massing study, i.e., how the CCR relates to the lot size. She felt they should be handled separately. Mr. Castro responded that they are, nevertheless, interrelated. Mr. Bell called it "frightening" to see the size of the development which could occur, but stated that it could be somewhat mitigated through landscaping.

At this point, 10:45 a.m., there was a short recess to allow the members time to reassemble on the dias. The meeting reconvened at 10:50 a.m.

Mr. Frank noted that staff has been studying massing for the last fifteen years, and it was his opinion that this study was highly accurate with regard to massing, in excess of 95%.

Mr. Bertles thanked Urban Design for an excellent and very helpful presentation.

IV **Presentation of the Survey of New Homes Built in the R-B Zoning District in 2001 and 2002**

Mr. Moore explained that the Town Council had requested to know what development looks like in the town, under the current code with the sliding scale. Mr. Castro stated that staff surveyed the homes that were either under construction or completed in 2001 and 2002, while under the sliding scale. This information was provided to the

Planning and Zoning Commission and the Town Council in August of 2003. The members had been asked to personally visit each of the development sites referenced in the report. Reviewing the data revealed that, in most cases, the properties used a maximized CCR, and often included bonuses for open porches, trellis work and such. Photos showed the homes with landscaping, and Mr. Castro felt that the landscaping did, indeed, soften the massing of the structure.

Comments by the Planning and Zoning Commission relative to the Survey:

Mr. Kleid commented that he was pleasantly surprised, in looking at these homes, at how the sliding scale seems to be working, except in the case of 232 Garden Road. He said the vast majority of the homes were very proportional to the street, and were not offensive in any way.

Mr. Robertson agreed with Mr. Kleid that the CCR appears to be working well, except for 232 Garden Road, which is a two story house set too close to the road. This particular home, in his opinion, was disproportionate and totally out of place.

Mrs. Golino commented that the houses located on wide streets with other large homes seemed to fit better than the “precedent setters,” the first large house on a given street. Overall, she stated that while a sliding scale may be appropriate, the maximums may be set too high. She felt that the context of the neighborhood deserves more consideration.

Mrs. Murray commented that the layout of the driveways has a great impact on how the house is viewed.

Ms. Murphy commented that most of the homes included in the survey were fine, but she identified five of them which were too close to the street.

Mr. Bell thought that the sliding scale was working well, but attributed a good measure of the credit to the Architectural Commission, which, in previous years, had input into the size of the structures. He advocated retaining the sliding scale, as is, for several more years, rather than attempting to make it more stringent at this juncture.

Ms. Markin also agreed that generally, the sliding scale works well, but six of the homes surveyed were too large with too little green space in the rear. She added that consideration of pervious/impervious area is very important.

Mr. Sanchez thought that the sliding scale is working well, except in cases of smaller lots, and especially due to the town’s requirements for side loaded garages. In his review of the study homes, and comparing one story homes to two story homes, Mr. Sanchez felt that a one story home with more impervious percentage should be favored over a two story home. He was also concerned that as houses are raised to 7.5 feet to meet FEMA requirements, the lots will be raised also, and this will have a direct affect on drainage, particularly drainage to adjacent properties.

Mrs. Golino added that reviewing what has been built (the survey) is very different from the maximization presentation seen earlier. In her opinion, it is frightening to think the town could look the way the maximization study revealed it could look, and anyone, regardless of their qualifications or education, could look at the maximization study and understand the impact on the town. To say that the CCR is working well, and to retain the current code, will result in the town being maxed out, in her opinion.

Mr. Bertles stated that he was very pleased that the maximization study was completed, as it confirms the suspicions of many as to what the town could really look like with the current code in place. The study indicates that there are problems to be dealt with, and some recommendations to the Town Council are in order. From the survey, Mr. Bertles concluded that there is a problem with the smaller lots when large homes are squeezed onto them. The houses become too tall, too close to the road, "too in your face". In short, he thought that the CCR is too generous on the smaller lots, and this should be studied for possible decrease. Mr. Castro noted, in tandem, that with the existing sliding scale, the smaller the lot, the more CCR is offered.

Mr. Goldblum commented that he was shocked at the presentation, and stated that the public has a right to see this . The drainage problems, likewise, were eye opening, when reviewing pervious/impervious conditions. He stated that he had always been an advocate of cisterns to pick up extra water on a property, and then re-use that water for lawn sprinkling.

Resident David Barton (Jamaica Lane) had several comments, as follows:

- The survey of homes built does not include all of the houses built.

- "The little houses are getting the shaft," while the larger lots are working fine.
- It has taken too long to finally see a maximization study, but it's not a complete maximization study. "It is missing many elements." "Why was it limited to what we got today?"
- "Nothing has been done in four years to mitigate the trouble that we've been talking about in the north end."
- "Ridgeview Drive is a horror show."
- The Town should pay attention to the concerns of the existing residents, not the concerns of those coming into town merely for financial gain.

Mr. Sanchez inquired whether the drainage work which has been ongoing has been designed to meet existing conditions or maxed out conditions. Mr. Marty Gauthier, Engineer with the Public Works Dept. and the Planning Zoning and Building Dept., responded that the drainage study which was done focused on existing conditions and the homes which flooded regularly, but does address future needs also. He stated that as low properties are re-developed, they will be constructed at a higher elevation which should alleviate flooding. Secondly, drainage on re-developed properties must now be designed to retain 2" of water. Mr. Sanchez commented that while a 2" retention sounds good, it will not help in storms where we have 6" to 7" of rainfall. Mr. Gauthier stated that the Town's drainage system is huge in comparison to systems in other communities, and the new pump stations will have a capacity to pump 40" to 60" of rainfall per day, as opposed to the 1" to 2" per day pumped in other communities in Palm Beach County. Mr. Gauthier added that the 2" retention reduces the run off from lots, and if all lots would retain 2" of rainfall, the run off to the lake would be reduced by 75% annually, irrespective of pervious/impervious ratios. With regard to most new construction, Mr. Gauthier stated that these properties typically have permanent underground exfiltration systems as opposed to berms, which are often removed.

Mr. Barton commented that water is the most serious problem facing the town, and he referred to the Town's drainage efforts, thus far, as unrealistic. "The Town does not have a water management plan," he said.

Mrs. Jan Conroy (Colonial Lane) addressed the Planning and Zoning Commission after having sent a letter to the members yesterday. She lives on a smaller lot, and felt it was unfair to target smaller lots, acknowledging the fact that at some point her house will be rebuilt too. She felt the existing code should be given a chance to work, as there are already enough restrictions. She asked that homeowners be given the latitude to reconstruct their homes, and keep some of the charm on these streets.

Mr. Broberg noted that the code conflicts with itself as it seeks to eliminate non-conforming structures, yet an owner must abide by the 50% rule. This does not allow people to add on to their homes, thus, a tear down is often the owner's next request.

Mr. Bell stated that although he believes strongly in property rights, after having sat on ARCOM for many years, and after having seen today's presentation, there should be a change in the sliding scale.

MOTION BY MR. BELL THAT THE CCR REQUIREMENT IS LOWERED 10% FOR THOSE PROPERTIES WHICH ARE 10,000 SQUARE FEET OR LESS.

THERE WAS NO SECOND TO THIS MOTION. MOTION FAILS.

MOTION BY MR. KLEID THAT THE CCR REQUIREMENT IS LOWERED 10% FOR THOSE PROPERTIES WHICH ARE LESS THAN 10,000 SQUARE FEET.

MOTION SECONDED BY MR. BELL.

Under discussion, Mrs. Golino stated that this has shown her that perhaps the sliding scale is not the answer to the problem. She suggested a "one number fits all" approach, with a CCR of 3.5. She based this number on her years of experience with ARCOM, and seeing what size homes typically fit well into neighborhoods and onto lots. This number still allows for development, but keeps the size of the houses down. She also advocated that on larger lots, above 13,000 square feet, or on an assemblage of lots, a neighborhood index should be introduced. She stated that there is a perception problem with establishing 3.5 CCR as the maximum standard because people do not want to have the size of their homes restricted. Generally, she thought, people do not understand what a CCR of 3.5 means, and the value of a study, such as the one shown graphically today, is that it could show what the streets would look like if development was held to a CCR of 3.5. It could also show the third part of her proposal, that landscaping be increased and/or hardscape be limited. She advocated that such a presentation be shown at the 5:01 p.m. meetings, which are typically well attended.

Mr. Castro noted that the presentation today could be adapted to reflect the proposed CCR of 3.5, if that is what is requested.

MOTION FAILED 2-5, WITH ALL MEMBERS, EXCEPT FOR THE MAKER AND SECONDER, VOTING AGAINST.

MOTION BY MRS. GOLINO TO REDUCE THE CCR ACROSS THE BOARD TO 3.5, AND ELIMINATE THE SLIDING SCALE.

MOTION SECONDED BY MR. SANCHEZ.

MOTION FAILED 2-5, WITH ALL MEMBERS, EXCEPT FOR THE MAKER AND SECONDER, VOTING AGAINST.

Mr. Broberg stated that he voted against the motion because he has not had a chance to really consider it.

Mr. Kleid stated that he voted against the motion as it has come to him quite suddenly, and he would like to think about it longer.

Mr. Robertson gave no reason for his vote against the motion.

Mr. Bell stated that he voted against the motion because he did not think the sliding scale should be eliminated yet.

Mr. Bertles voted against the motion, not because he did not think it was a good idea, but because he would like to see the affect of the reduction to 3.5, and suggested that the motion be re-cast in the form of a study item for next season.

MOTION BY MRS. GOLINO TO ASK STAFF TO STUDY REDUCTION OF THE CCR TO 3.5, ELIMINATING THE SLIDING SCALE, AND TO PROVIDE A VISUAL REPRESENTATION OF THAT LIKE THE COMPUTER MODEL PRESENTATION GIVEN THIS MORNING.

MOTION SECONDED BY MR. KLEID.

MOTION CARRIED 6-1, WITH MR. BELL VOTING AGAINST.

MOTION BY MRS. GOLINO THAT ON THE LARGE LOTS (SUGGESTED - OVER 13,000 SQUARE FEET), OR ON LOT ASSEMBLAGES, THAT STAFF IS ASKED TO STUDY THE INTRODUCTION OF A NEIGHBORHOOD AVERAGE INDEX TO LIMIT THE SIZE OF HOUSES. (*See note below.)

MOTION SECONDED BY MR. SANCHEZ.

Staff asked if 13,000 square feet was a firm number, or could the number be the average size of an R-B lot. Mrs. Golino explained that it did not necessarily have to be 13,000, but the number needed to address lot assemblages. Mr. Moore stated that staff will arrive at an appropriate square footage number. ***Also under discussion, Mrs. Golino clarified that the study should include all town streets in the R-B District.**

MOTION CARRIED 5-2, WITH MR. ROBERTSON AND MR. BELL VOTING AGAINST.

MOTION BY MRS. GOLINO THAT STAFF STUDY LIMITING THE HARDSCAPE, AND INCREASING THE LANDSCAPE

MOTION SECONDED BY MR. BELL.

Under discussion, Ms. Markin suggested that landscaping be added to the computer models when they are modified.

MOTION AMENDED BY MRS. GOLINO TO INCLUDE THAT THE DEFINITIONS OF PERVIOUS AND IMPERVIOUS BE WELL DEFINED IN THE STUDY.

AMENDMENT SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

Councilman Norman Goldblum stated that although new construction often means that houses/lots will be higher, many homes in the north end are still at very low elevations. He stated that he would like to see a motion to find some way...cisterns or some other form to retain water on newly constructed homes in an effort to prevent run off onto existing adjacent lower lying properties.

MOTION BY MR. BELL TO ASK TOWN COUNCIL TO CONSIDER THE USE OF A MORE PERMANENT METHOD OF WATER RETENTION, AND TO RECOMMEND TO THE TOWN COUNCIL THAT THE ORDINANCE BE CHANGED TO PROVIDE FOR PERMANENT UNDERGROUND RETENTION AS WELL AS CISTERNS, WHICH COULD ALSO BE USED FOR IRRIGATION. (*See note below.)

MOTION SECONDED BY MR. ROBERTSON.

Mr. Sanchez commented, under discussion, that such a requirement would add approximately \$10,000 per lot to the costs for the property owner. Also, he stated that an engineering opinion would need to be given relative to converting exfiltration trenches to cisterns because, when you consider the amount of water used to water lawns, the numbers will not work.

***Under discussion, Mr. Bell clarified that the intent of his motion is that the allowance for berms for water retention be removed from the ordinance, that permanent types of water retention be required, and to investigate the possibility of using underground cisterns as part of that which could be used for irrigation.**

He stated that owners of new construction are already spending the money for underground permanent systems, so the ordinance should be changed to make it a requirement.

MOTION CARRIED 4-3, WITH MR. SANCHEZ, MRS. GOLINO AND MR. BERTLES VOTING AGAINST.

Commission bids farewell to Mr. Bertles:

Mr. Moore, on behalf of Staff, thanked Mr. Bertles for his many years of excellent service on the Planning and Zoning Commission. Mr. Kleid echoed that sentiment. He stated that Mr. Bertles has done a very professional job as Chairman of the Planning and Zoning Commission, and he has always been receptive to the recommendations of others and respectful of their opinions. He hoped that Mr. Bertles would continue his service to the Town on some other board or commission.

Mr. Bertles encouraged other members of the Planning and Zoning Commission to attend the February Town Council meeting, at which time the Town Council will consider delegating the responsibility for long range planning to the Planning and Zoning Commission.

Let the record show that Mr. Robertson left the meeting at 12:35 p.m.

Approval of the Minutes of the December 10, 2003 Meeting:

(Let the record show that this matter was handled after Mr. Robertson had left the meeting. Mrs. Murray voted in his stead.)

MOTION BY MR. KLEID TO APPROVE THE MINUTES AS SUBMITTED.

MOTION SECONDED BY MR. SANCHEZ.

MOTION CARRIED UNANIMOUSLY.

Scheduling of next meeting:

Mr. Castro stated that there is a meeting scheduled for April, but there will probably be another one before then to discuss the site visibility issue. At that meeting, there will be an election for a new Chairman and Secretary .

Comments from Mr. Bertles:

Mr. Bertles stated he has enjoyed his nine years service on the Planning and Zoning Commission, particularly the last three years.

The meeting adjourned at 12:30 p.m. without benefit of a motion.

Respectfully submitted:

James B. Bertles, Chairman

Richard Kleid, Secretary

Planning and Zoning Commission

Planning and Zoning Commission

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