

MINUTES OF THE REGULAR WORKSHOP MEETING  
CITY COUNCIL  
BOCA RATON, FLORIDA  
TUESDAY, OCTOBER 12, 2004  
1:30 PM

The regular workshop meeting of the City Council of the City of Boca Raton, Florida was called to order by Mayor Abrams at 1:30 p.m.

ATTENDING THE MEETING WERE:

Mayor Steven Abrams  
Council Member Dave Freudenberg  
Council Member Susan Haynie  
Council Member Susan Whelchel

Deputy Mayor Bill Hager was absent (excused).

Also attending the meeting were:

City Manager Leif J. Ahnell  
City Attorney Diana Grub Frieser  
City Clerk Sharma Carannante

**1. BOARD INTERVIEWS:**

- a) Marine Advisory Board – (1) one vacancy, due to the resignation of D. Archibald (Condo-adjacent Inland Waterway), whose term expires 3/20/06.

Barry Lehman, Jerome Murray and Art Grossman expressed interest in serving on this board.

**2. PUBLIC REQUESTS:**

John Stetz again advocated the use of off-shore wind farm generators to supplement electricity needs.

Mark Hopin alleged that the possible location of The Boca Raton Charter School at a site within the FAU Research Park, on land that is owned by the State and leased to the Florida Atlantic Research Authority, would be in violation of Florida Statutes and Palm Beach County Regulation 16. He stated the site the school is proposing to lease is within a runway protection zone. Regulation 16 and Florida Statute 333.03(3) define the parameters for the location of educational facilities within certain distances of airport runways. He inquired as to which governmental entity would be responsible for enforcing the law. At the Mayor's request, he submitted to the Clerk a copy of his letter to the Mayor and Council; staff will review his questions and advise accordingly.

Jack Davenport, representing the Boca Raton Federation of Homeowners, stated the Federation's position on the two referendum questions that will be on the November 2, 2004 ballot. The Federation is in support of Question 1 regarding an increase in Mayor and Council salaries but does not support Question 2, the proposed Charter Amendment that would elect Council Members by seats. He also stated that the Federation's position is that City questions should be on the March ballot, not the November ballot.

**3. REVIEW OF REGULAR AGENDA ITEMS:**

- a. Questions relating to the agenda.

(Consent Agenda Item 3.a.2. – Life Guard Tower #1) Council Member Haynie asked if any lifeguard towers sustained damage during the two hurricanes. The City Manager advised that the towers held up well during the storms; one temporary tower sustained damage, but there was only minimal damage to the permanent towers.

(Consent Agenda Item 3.a.3. – Spanish River Boulevard Widening – Phase 2) Council Member Haynie asked that the City obtain a letter from Mr. Whitfield of the Metropolitan Planning Organization that would clarify the funding for the bridge widening; she asked that it be made available prior to tomorrow night's consideration of this item.

- b. Resolution Nos. 170-2004 & 171-2004 (Regular Agenda Nos. 4 and 5), which would grant master plan approval and tentative plat approval for the proposed Gardens at Memorial Park project, located at 4103 Military Trail.

Planner Daryl Johnson made the PowerPoint presentation. Mr. Johnson reviewed the history of approvals for the mausoleum site and the current petition. Location, acreage, zoning, and land use designation were provided. The proposed Master Plan outlines Phases 4 through 9 that are scheduled to be completed by 2012. The Master Plan identifies the location of seven buildings, several accessory structures, and a reconfigured parking lot. The existing lake will be reconfigured; the size of the retention area represents a change to the Master Plan and the existing site conditions. The proposed plat provides for a buffer area, a lake, a driveway, building areas, utility easements and for the dedication of right-of-way for a right turn lane into the Pope John Paul High School campus, which is south of the site. The proposed tentative plat is consistent with the proposed Master Plan and Code requirements. The Planning and Zoning Board recommends approval with the condition that prohibits any other activity on the site. The Development Services Department concurs with this recommendation and recommends approval of the master plan and the tentative plat.

- c. Ordinance Nos. 4810, 4811, 4814 & 4815 (Regular Agenda Nos. 6 through 9), which would grant a Future Land Use Map amendment and a rezoning for the proposed Yamato Commons project, located at 300 West Yamato Road, and vacation and abandonments of an anchor easement and a utility easement.

Senior Planner Alejandro Zurita made the PowerPoint presentation. Mr. Zurita noted the four petitions before Council. Location, acreage, current zoning and current land use designation were provided. As currently platted, the site could accommodate seven single-family homes. The petitioner proposes to construct two buildings, approximately 8,517 sq. ft. each, located on the east and west portions of the property. The two-story office buildings would be approximately 30 feet in height. Vehicular access would be by way of one driveway off Yamato Road. Seventy-three parking spaces are required; 73 are provided at-grade with 26 additional parking spaces under each building. Mr. Zurita advised that staff's analysis has determined that the project does not meet the consistency, compatibility, or concurrency standards of the Comprehensive Plan. The project received favorable review by the Community Appearance Board. The Planning and Zoning Board expressed concerns regarding the reasonable use of the property for single-family residential and recommended approval. Staff recommends denial; however, if approved, staff recommends the approval be conditioned upon compliance with the conditions in Ordinance Nos. 4810 and 4811.

**4. FUTURE AGENDA MATTERS/ITEMS OF COUNCIL/PUBLIC CONCERN:**

There were no matters to discuss.

**5. CITY MANAGER REPORTS:**

The City Manager had no reports.

**6. CITY ATTORNEY REPORTS:**

The City Attorney had no reports.

**7. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:**

Council Member Haynie stated that she has received reports that homeless persons were camping in the Rosemary Ridge Preserve and asked that it be investigated. Ms. Haynie also requested an update in regard to a

petition submitted by residents opposing any development of the Oak Hammock Preservation Area. She inquired as to the genesis of the concern. Additionally, she asked about the City's policy regarding the closure of City facilities, specifically the boat ramp, prior to a hurricane. The City Manager explained that it is the City's policy to close City facilities once a hurricane warning is issued.

Council Member Whelchel advised that Lt. Governor Toni Jennings has stated that the Governor is extremely interested in restoring beaches as soon as possible. Ms. Whelchel suggested that the City get into the queue of those seeking funding. The City Manager reminded Council that turtle season begins next month and even if dollars become available, any beach renourishment will most likely have to wait until the end of the season.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 2:22 p.m. on Tuesday, October 12, 2004.

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Sharma Carannante, City Clerk