

4. Lease award to Xerox Corporation in the total amount of \$16,646.76 via the Putnam Contract #071736300 for the lease of a Xerox DC555SH digital copier for the Fire Department. Funding is available from 001-2311-522-44.30 (Equipment Rental/Lease).
5. Purchase award to McCotter Ford in the amount of \$30,933.00 via the Florida Sheriffs Association Bid #02-10-0826 for the purchase of a 2003 Ford Excursion for the Police Department. Funding is available from 001-2119-521-64.20 (Police District 2/Automotive).
6. Bid award to Frederico, Inc. in the amount of \$16,500.00 for demolition and land clearing of the property located at 150 Davis Road. Funding is available from 334-6120-519-61.90 (General Construction Fund/Other Land Costs).

Mr. Levinson moved to approve the Consent Agenda as amended, seconded by Ms. McCarthy. Upon roll call the Commission voted as follows: Mayor Perlman – Yes; Mr. Costin – Yes; Mrs. Archer – Yes; Mr. Levinson – Yes; Ms. McCarthy – Yes. Said motion passed with a 5 to 0 vote.

9. REGULAR AGENDA:

9.A. REQUEST FOR IN-LIEU PARKING SPACES/OCEAN CITY LOFTS:
Consider a request by Ocean City Lofts for the purchase of four (4) in-lieu parking spaces in the amount of \$48,000.00 and the construction improvement of thirteen (13) existing on-street parking spaces in the adjacent rights-of-way. Ocean City Lofts is located at the southeast corner of N.E. 2nd Street and N.E. 4th Avenue and on the west side of N.E. 4th Avenue, 100 feet south of N.E. 2nd Street.

Paul Dorling, Director of Planning and Zoning, stated Ocean City Lofts is located at the southeast and southwest corner of N.E. 2nd Street and N.E. 4th Avenue and is a proposed mixed use development containing 63 residential units and 5,315 square feet of commercial space located on the ground level. Pursuant to LDR Section 4.6.9(C)(8) Shared Parking, the development requires 127 parking spaces. The proposed site plan provides 123 on-site parking spaces. Pursuant to LDR Section 4.6.9(E)(3)(b)(2) the applicant is requesting the purchase of four (4) in-lieu parking spaces at a cost of \$12,000 each, totaling \$48,000.

LDR Section 4.6.9(E)(3)(e) states in addition to in-lieu fees, where adequate right-of-way exists adjacent to a proposed project the applicant must construct additional on-street parking. Mr. Dorling stated while the applicant will provide appropriate delineation of spaces, no new spaces will be created. Therefore, the applicant will not be eligible to receive reimbursement of the in-lieu fees paid.

At its meeting of March 25, 2003, the Parking Management Advisory Board unanimously recommended approval of the applicant's request.

Mr. Costin moved to approve the request of Ocean City Lofts for the purchase of four (4) in-lieu parking spaces and the construction improvements for the existing thirteen (13) on-street parking spaces adjacent to the site, seconded by Mr. Levinson. Upon roll call the Commission voted as follows: Mr. Costin – Yes; Mrs. Archer – Yes; Mr. Levinson – Yes; Ms. McCarthy – Yes; Mayor Perlman – Yes. Said motion passed with a 5 to 0 vote.

At this point, the Commission moved to Item 9.A.1. of the Regular Agenda.

9.A.1. FINAL SUBDIVISION PLAT APPROVAL/SABAL LAKES PHASE IV:
Approve the subdivision plat for Sabal Lakes Phase IV, located on the northeast corner of Barwick Road and the LWDD Canal L-31. (*Quasi-Judicial Hearing*)

Mayor Perlman read into the record the City of Delray Beach procedures for Quasi-Judicial Hearings.

Mayor Perlman asked the Commission to disclose any ex parte contacts. Mayor Perlman stated he received an email from Kevin MacMahon. No ex parte contacts were disclosed for Mrs. Archer, Mr. Costin, Mr. Levinson and Ms. McCarthy.

Paul Dorling, Director of Planning and Zoning, entered the Planning and Zoning Department project file #2003-064 and project file #2003-082 into the record.

The City Clerk swore in those individuals who wished to give testimony on this item.

Paul Dorling, Director of Planning and Zoning, stated on April 26, 1988, the City Commission approved the Master Development Plan and Master Plan Narrative for Sabal Lakes, a planned residential development.

At its meeting of November 18, 2002, the Planning and Zoning Board approved a Master Development Plan modification with conditions and internal adjustments for Phase IV of the Sabal Lakes subdivision. The approval was appealed to the City Commission by the Sabal Lakes Phase III Board of Directors. At its meeting of December 10, 2002, the City Commission upheld the Planning and Zoning Board's approval of the Master Development Plan Modification.

The plat currently before the City Commission is required for single-family/zero lot line type developments and was listed as a condition of approval by the Planning and Zoning Board with the Master Development Plan Modification.

At its meeting of February 24, 2003, the Planning and Zoning Board considered the proposed plat and after review, the Board voted (6-0) to recommend approval of the preliminary/final plat of Sabal Lakes Phase IV. Staff recommends approval of both the plat and the abandonment request.

Mayor Perlman declared the Quasi-Judicial Hearing open.

Michael Rodriguez, representing the applicant, concurs with staff's recommendation for approval of both the plat and the abandonment.