

**PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, MAY 21, 2014 – 6:30 P.M.**

Cumulative

Board Members	Attendance	June 2013-May 2014	
		Present	Absent
Patrick McTigue, Chair	P	12	0
Leo Hansen, Vice Chair (6:35)	P	12	0
Brad Cohen	P	11	1
Stephanie Desir-Jean (7:06)	P	10	2
Michael Ferber	P	11	1
James McCulla	P	10	2
Michelle Tuggle	P	12	0
Tom Welch	P	10	2
Peter Witschen (6:35)	P	10	2

It was noted that a quorum was present at the meeting.

Staff

Ella Parker, Urban Design and Planning Manager
D'Wayne Spence, Assistant City Attorney
Eric Engmann, Urban Design and Planning
Karlanne Grant, Urban Design and Planning
Jim Hanzel, Urban Design and Planning
Todd Okolichany, Urban Design and Planning
Randall Robinson, Urban Design and Planning
Lorraine Tappen, Urban Design and Planning
Yvonne Redding, Urban Design and Planning
Jim Koeth, Public Works Department
Anthony Fajardo, Zoning Administrator
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair McTigue called the meeting to order at 6:30 p.m. and all stood for the Pledge of Allegiance. The Chair introduced the Board members, and Urban Design and Planning

Manager Ella Parker introduced the Staff members present. Assistant City Attorney D'Wayne Spence explained the quasi-judicial process used by the Board.

Chair McTigue advised that Applicants and their agents have 15 minutes in which to make their presentations to the Board; representatives of associations and groups are allotted five minutes, and individual speakers have three minutes.

II. APPROVAL OF MINUTES

Motion made by Ms. Tuggle, seconded by Mr. Welch, to approve. In a voice vote, the **motion** passed unanimously.

III. AGENDA ITEMS

Index

<u>Case Number</u>	<u>Applicant</u>
1. Z14001** *	Church of Intercession, Inc. / Wilton Arbor
2. R14005** *	Fort Lauderdale Aquatic Complex / City of Fort Lauderdale
3. R14013**	Dundas Real Estate Investment, LLC / 309 Hendricks Isle
4. R14004**	1055 LLC / 1055 Federal
5. R14017** *	WD Cordova LLC / PDQ Restaurant
6. R14003** *	Foreclosure Specialists of Florida / Landings Cluster
7. T14003*	City of Fort Lauderdale / Comprehensive Plan Amendment – Adaptation Action Areas
8. T14004	City of Fort Lauderdale / ULDR Amendment – Automotive Repair
9. T14005	City of Fort Lauderdale / ULDR Amendment / Accessory Uses, Buildings & Structure

Special Notes:

Local Planning Agency (LPA) items (*) – In these cases, the Planning and Zoning Board will act as the Local Planning Agency (LPA). Recommendation of approval will include a finding of consistency with the City's Comprehensive Plan and the criteria for rezoning (in the case of rezoning requests).

Quasi-Judicial items ()** – Board members disclose any communication or site visit they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on quasi-judicial matters will be sworn in and will be subject to cross-examination.

1. <u>Applicant / Project:</u>	Church of Intercession Inc. / Wilton Arbor
Request: ** *	Rezone from Residential Single Family/ Medium Density (RDs-15) to Residential Single Family/Cluster Dwellings/ Low Medium Density (RC-15)
Case Number:	Z14001
General Location:	501 NW 17 th Street; The north side of NW 17 th Street between NW 3 rd Avenue and NW 6 th Avenue.

Legal Description: N ½ of SW ¼ of NE ¼ of NW ¼ of S 34, T 49 S, R 42 E; Less N 135 ft of W 200 ft.

Case Planner: Eric Engmann

Commission District: 2

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Neil Kalis, representing the Applicant, explained that the subject property is a 4.2 acre infill site in the South Middle River District. The property is currently zoned RDS-15, which allows 15 units per acre. The rezoning request would change this to RC-15, which allows the same density in town homes.

Vice Chair Hansen and Mr. Witschen arrived at 6:35 p.m.

Mr. Kalis noted that the zoning surrounding the subject property allows the same density or higher. The effective density of the site, to be known as Wilton Arbor, would be 14.3 units per acre. He advised that the Applicant's plan to improve the site with market-rate properties for sale would provide the neighborhood with an opportunity for redevelopment, which will improve nearby property values and reduce crime. The property will be heavily landscaped and will meet hurricane impact Code.

Mr. Kalis requested the opportunity for rebuttal following the public comment portion of the meeting, and provided petitions collected on the Applicant's behalf as part of the record. He noted that a conceptual video of the site is included in the backup materials.

James Oaksun, also representing the Applicant, stated that he is a licensed realtor and trained appraiser in the state of Florida. He asserted that the proposed 16 new housing units would not materially increase the population or traffic in the South Middle River area, and is consistent with the overall density and nature of housing in the neighborhood.

Reverend Mark Sims, priest in charge of the Church of the Intercession in Fort Lauderdale, explained that the Church's existing facilities, including educational buildings, do not meet the criteria necessary to attract families, and would be very costly to improve. He stated that the sale of the property is the only viable alternative at present to salvage the Church's investment.

Eric Engmann, representing Urban Design and Planning, stated that the subject property is currently developed with a House of Worship use, which is a legally nonconforming use. Rezoning to the RC-15 zoning district would allow for attached single-family units such as duplexes, town homes, or cluster units in addition to standard single-family units. Staff recommends approval of the request.

Chuck Dinsmore, listing agent for the subject property, estimated the approximate value of the 4.2 acre site as \$1.3 million if the zoning change is approved.

There being no questions from the Board at this time, Chair McTigue opened the public hearing.

Jon Earl Floria, manager of the Intercession Food Pantry, explained that the Church's food pantry currently feeds 2500 individuals each month. If the rezoning request and sale of the property are approved, the Food Pantry will have to either close or relocate. Mr. Floria stated that he opposed the rezoning and sale. He added that there may also be as many as 87 individuals buried on the property, which is not a cemetery.

Rob Geritano, private citizen, asserted that members of the neighborhood would like more information regarding the proposed Wilton Arbor project. He requested more information regarding the property value and cost of the town homes, and concluded that he would also like to see the by-laws of any homeowners' association that would include the town homes.

Attorney Spence clarified that the Application before the Board includes only a request for rezoning, which requires the Applicant to meet three criteria from Code. He added that the community and neighbors have the opportunity at tonight's hearing to state a case regarding the Application; however, the Board's decision must be based only on competent substantial evidence that the three criteria are met.

Ms. Desir-Jean arrived at 7:06 p.m.

Sal Gatano, member of the South Middle River Civic Association, stated that the primary issue of concern to the neighborhood is density. He described the density of the properties surrounding the subject parcel, many of which are significantly higher than what is proposed for Wilton Arbor.

Steve Lavrowsky, Board President of Hidden Harbor Condominiums, stated that this association was in favor of the zoning change.

Richard Viola, private citizen, observed that the project would contribute to traffic in the area and noted that a park near the subject area is not regularly monitored.

Mark Adler, private citizen, said the project's density would have an impact on the neighborhood and the traffic. He also pointed out that there are no sidewalks in the surrounding area and that the subject property is a flood zone.

Gregg Pentecost, Chair of the South Middle River Planning Committee, distributed a map showing a lack of direct access from the project to a primary or secondary arterial roadway. He added that the project fails to comply with the neighborhood's Master Plan or the City's Comprehensive Plan, as no traffic islands or diverters are planned at the

site and there are no sidewalks in the area to make the neighborhood more pedestrian-friendly. Mr. Pentecost concluded that the project lacks adequate storm drainage and violates a 1996 memo from the City regarding the ULDR's goal of retaining single-family neighborhoods. Mr. Engmann advised that the zoning districts of RS-4.4, RD-15, and RC-15 are still considered to be single-family districts.

Ms. Tuggle left the room at 7:20 p.m. and returned at 7:30 p.m.

Jay Jackson, private citizen, requested more information regarding the three criteria on which the Board's decision must be based. Attorney Spence advised that these are found in ULDR Section 47-24.4, and noted that the Florida Department of Economic Opportunity has reviewed the City's Comprehensive Plan and found it to be effective. Mr. Jackson asserted that the information available to the public online regarding the Comprehensive Plan should be updated, and that the density of the proposed project is not compatible with this Plan.

Lin Morgan, private citizen, expressed concern regarding the project's density and its potential effect on traffic. She noted that sufficient renderings of the project have not yet been provided by the Applicant.

Vicki Kantner, private citizen, stated that she opposed the project due to the impact it would have on traffic and its location in a flood zone. She added that while nearby residents would not like to see the property remain in its current condition, they would prefer to see a smaller development that was more compatible with the neighborhood.

Jose Mareus, private citizen, said the project is too far away from the Wilton Manors neighborhood to be called Wilton Arbor.

Steve Kantner, private citizen, said he opposed the project because it would result in a loss of green space in the neighborhood. He did not feel the native landscaping proposed by the Applicant would be sufficient to offset this loss.

Cris Padron, representing Total Relief Housing, stated that his client opposed the rezoning request, as it would result in a substantial change in the character of the area surrounding the subject property. He pointed out that the densities to the immediate north, west, and south are well below the density of RDS-15. He also noted that there has been no expert testimony regarding traffic or traffic studies in the area.

Mr. McCulla asserted that the difference in density from the subject parcel to the surrounding area would be inconsequential, and advised that the Applicant would be required to retain all the property's water on the site itself.

Ray Thrower, private citizen, stated that while he wished to see the South Middle River neighborhood improved through development, he felt the density of the proposed project would be too great.

Lawrence Jackson-Rosen, President of the South Middle River Civic Association, stated that a project with 60 units was not compatible with the surrounding community. He noted that there are already safety concerns regarding traffic in the neighborhood. He advised that the Association had voted in opposition to the project by a margin of 29-17, and responses to an informal survey resulted in a vote of 107-22 opposed.

P.J. Espinal, private citizen, stated that the church garden was deeded in trust to the Church of the Intercession for community use. She advised that the neighborhood does not wish to see high-density development, and felt the construction of single-family homes would be more beneficial to property values.

As there were no other members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Mr. Kalis responded to the comments from the public, stating that the neighborhood surrounding the subject property has a mixture of densities, with higher density abutting the site to the northeast and east. He added that if approved, the project must go through the site plan and platting processes, which may affect the number of units that may be constructed on the site.

Vice Chair Hansen asked if the rezoning could be restricted to a certain number of units. Attorney Spence replied that this could not be done, as it would change the criteria of the proposed zoning district; any limitation on density or review of the site layout would need to occur at the Development Review Committee (DRC) level. Chair McTigue noted that the DRC was also the appropriate forum to hear some of the concerns raised at tonight's meeting.

Other concerns discussed by the Board included how the proposed project would age, its compatibility with the character of nearby detached single-family homes, and the renderings of the subject property provided by the Applicant. Mr. Kalis clarified that the Applicant in this case is the Church of the Intercession, while his client is the prospective purchaser of the property. The contract is contingent upon rezoning. He noted that the renderings were only a representation of what the site might look like.

Mr. Cohen requested clarification of the City's response to the second criterion, which states that the proposed rezoning would not substantially change the character of the surrounding area. Mr. Kalis asserted that the character of the area is declining, as no larger properties are being constructed, while surrounding neighborhoods have continued to progress with new development.

Ms. Parker clarified that Staff's response to the second criterion was due to the neighborhood's proximity to main corridors with more amenities and urban context, which would allow it the opportunity for further development, including improved

walkability. As one abutting parcel has a density of RM-25, Staff concluded that it would be possible to design a compatible project.

Vice Chair Hansen asked if it would be possible for an Applicant to combine a rezoning request and Site Plan Review in the same Application. Ms. Parker pointed out that any rezoning must be done before Site Plan Review, and noted that in this case, the Site Plan Review would be Level II and would go before the DRC rather than the Planning and Zoning Board. The rezoning request would also go before the City Commission for final approval.

Ms. Tuggle requested additional information regarding the South Middle River Master Plan. Randall Robinson of Urban Design and Planning advised that this is a public realm plan, including streetscapes, sidewalks, and roundabouts. It does not address private property or zoning.

Motion made by Mr. McCulla, seconded by Ms. Desir-Jean, to approve [Item 1]. In a roll call vote, the **motion** failed 2-7 (Chair McTigue, Vice Chair Hansen, Mr. Cohen, Mr. Ferber, Mr. McCulla, Ms. Tuggle, and Mr. Welch dissenting).

Motion made by Mr. McCulla, seconded by Ms. Desir-Jean, to deny on the basis that [the Application] fails to meet criteria 2. In a roll call vote, the **motion** passed 7-2 (Ms. Desir-Jean and Mr. Witschen dissenting).

The Board took a brief recess from 8:33 p.m. to 8:46 p.m.

2. Applicant / Project:	Fort Lauderdale Aquatic Complex / City of Fort Lauderdale
Request: * * *	Site Plan Level IV - New Aquatic Complex with structured parking
Case Number:	R14005
General Location:	501 Seabreeze Boulevard
Legal Description:	International Hall of Fame Swimming Complex, 139-19 B, Parcel A
Case Planner:	Randall Robinson
Commission District:	2

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Ms. Jean recused herself from this Item.

Joe Cerrone, representing the Applicant, advised that the project has been scaled back from its original density and size.

Chris Boyette, also representing the Applicant, showed a PowerPoint presentation of the facility's programmatic elements, which include renovation of an existing 50 meter pool at the lower level and combination of recreational elements with a parking garage that accommodates more than 520 cars. Most of the programmatic elements are consolidated at the center of the site in order to allow a public pedestrian perimeter, by which pedestrians may access the waterfront.

It was noted that the facility's bleachers are located to the west in order to preserve optimal viewing of events. The only element to be retained from the existing facility is the 50 meter pool; the remainder of the facility will be leveled. The lower-level pool is intended for warmup use and smaller competitive events, while larger events will be located atop the proposed garage.

Randall Robinson, representing Urban Design and Planning, advised that there are two sets of criteria before the Board for Site Plan Level IV review: public purpose criteria, which determine if there is a need for the use or structure and whether or not it meets a valid municipal purpose, and criteria for development within the Central Beach area, including whether or not the proposed use is compatible with the Draft Central Beach Master Plan. He clarified that this Plan includes references to improving a nearby park and creating a new pedestrian edge at the Aquatic Complex.

Mr. Robinson noted that with regard to adequacy and neighborhood compatibility, the project includes generous setbacks on all four sides of the proposed structure, which preserve the use of the waterway. A pedestrian entry plaza is also planned between Seabreeze Boulevard and the east side practice pool. Parking demand for the site was calculated at 341 spaces. Staff has proposed one condition for the site, which is that the final design of the hardscape materials and details along the Seabreeze Boulevard frontage space be coordinated with D.C. Alexander Park.

With regard to the project's construction plan, Mr. Cerrone clarified that all construction will take place on the project's 5 acres, with D.C. Alexander Park used as a staging area. No street closures are planned, and the construction is intended to be built out as a continuous project rather than a phased project.

He continued that the project was presented to the Idlewyld neighborhood, which did not approve the original plans; however, the plans have been before the City Commission numerous times since their first presentation. Mr. Cerrone asserted that the neighborhood approves the updated plan.

Vice Chair Hansen expressed concern with the noise level of the current facility, and asked if this might be addressed through increased landscaping between the building and the river. Mr. Cerrone replied that due to the height of the facility, which is more than 30 ft., it is difficult to provide a landscaping barrier. The western plaza is also designed as a staging area for the International Boat Show.

Mr. McCulla requested clarification of why an exception should be made to provide the facility with 501 ft. of length, while the area's zoning permits only 200 ft. Mr. Robinson referred the Board to the criteria for public purpose use on p.2 of the Staff report, which state there must be a need for the use or structure and that it must meet a valid municipal purpose.

Mr. Cerrone pointed out that the City is the Applicant for this Item, explaining that his firm responded to a request for proposal (RFP) that required two 50 m. pools, a dive tower, and excessive parking. He stated it was not possible to include these facilities in the project with a lesser volume of space.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing.

Fred Carlson, Vice President of the Central Beach Alliance (CBA), advised that the project's developer has been very forthcoming with respect to the requirements of the project and has met numerous times with the CBA to resolve their concerns, which included both noise and parking. He noted that compromises were necessary, as the City had failed to secure multiple bids on the project. He concluded that the CBA accepts and approves the Application.

As there were no other members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Witschen, seconded by Vice Chair Hansen, to approve with the Staff condition. In a roll call vote, the **motion** passed 8-0. (Ms. Desir-Jean abstained. A memorandum of voting conflict is attached to these minutes.)

Ms. Desir-Jean rejoined the Board at this time.

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| 3. Applicant / Project: | Dundas Real Estate Investment, LLC. / 309 Hendricks Isle |
| Request: ** | Site Plan Level III – Waterway Use with Yard Modification |
| Case Number: | R14013 |
| General Location: | 309 Hendricks Isle |
| Legal Description: | Lot 13, Block 3, of VICTORIA ISLES, according to PB 15, PG 67 of the PRBC, Florida |
| Case Planner: | Yvonne Redding |
| Commission District: | 2 |

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Jiro Yates, representing the Applicant, advised that the request is for a five-unit condominium project consisting of five units over three stories of parking in an RMM-25 zoning district. The site is approximately 75 ft. wide, including roughly 43 ft. of clear space. The fourth level of the building includes a stepback, which minimizes the impact of the project's massing on residents across the waterway.

Yvonne Redding, representing Urban Design and Planning, stated that the request is for Site Plan Level III review on the waterway, with a yard modification request. The Applicant requests a 10 ft. setback on its sides rather than the 20 ft. setback required by Code. They also request a pool setback at 5 ft. with deck. The project meets adequacy and neighborhood compatibility criteria.

There being no questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. McCulla, seconded by Mr. Witschen, to approve. In a roll call vote, the **motion** passed 9-0.

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| 4. <u>Applicant / Project:</u> | 1055 LLC. / 1055 Federal |
| Request: ** | Site Plan Level III – Mixed Use with Flex Allocation |
| Case Number: | R14004 |
| General Location: | 1055 N. Federal Hwy. |
| Legal Description: | LAKE PARK UNIT 1 23-36 B, LOT 1 LESS N 710.91 & LESS THAT PT AS DESC IN DB 729/115 & LESS ST RD RW |
| Case Planner: | Yvonne Redding |
| Commission District: | 2 |

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Robert Lochrie, representing the Applicant, stated that the request is for Site Plan Level III approval of a mixed-use project, consisting of 8 stories with 205 residential units, retail, and amenities on the ground floor. The property currently houses a 148-room motel, which is used for dormitory housing and is zoned B-1 with a Commercial land use designation.

Mr. Lochrie showed renderings of the property, which will be modified to include one driveway for ingress/egress and a right turn lane into the facility as required by the Florida Department of Transportation (FDOT). The sidewalk will be pulled back from the curb in order to provide a 10 ft. landscape buffer. The existing 6 ft. sidewalk will be replaced with a 10 ft. sidewalk, which will have shade trees on both sides. The property will include a central parking garage for residents and retail use, a central courtyard with

a public plaza, and 69,000 sq. ft. of open space. Additional screening has been added to the garage.

Mr. Lochrie continued that in addition to the parking garage, more parking will be available in front of the site's retail component. The roundabout driveway will be roughly 12 to 15 ft. in width. Moving trucks may access the first floor of the garage, as will garbage pickup vehicles. A traffic light is located to the north of the property, although the proposed use is not sufficiently intense to require an additional signal at the site.

Ms. Redding of Urban Design and Planning stated that the Application is for a mixed-use project including 205 residential units and 2409 sq. ft. of retail/commercial space. The project meets criteria for conditional use and mixed use, neighborhood compatibility, and adequacy. The site will include 401 parking spaces.

There being no questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Motion made by Ms. Tuggle, seconded by Mr. Cohen, to approve. In a roll call vote, the **motion** passed 9-0.

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| 5. <u>Applicant / Project:</u> | WD Cordova LLC / PDQ Restaurant |
| <u>Request:</u> ** * | Site Plan Level III - Parking Reduction for Outdoor Seating |
| <u>Case Number:</u> | R14017 |
| <u>General Location:</u> | 1207 SE 17 th Street |
| <u>Legal Description:</u> | W 175 ft of E 325 ft of S 250 ft, Block 5, HERZFELD'S ADDITION TO LAUDERDALE HARBORS, PB 35, P 22 of PRBC, Florida. |
| <u>Case Planner:</u> | Eric Engmann |
| <u>Commission District:</u> | 4 |

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Mr. McCulla recused himself from this Item.

John Milledge, representing the Applicant, stated that the request is for a parking reduction for an area consisting of 436 sq. ft. of outdoor seating. The restaurant itself has been fully approved and is under construction. It includes just under 4000 sq. ft., which would necessitate 44 spaces; however, when the outdoor seating area is included, the business crosses the threshold of 4000 sq. ft., which changes the parking calculation under Code. The site has 46 spaces rather than the 83 required by Code for the entire parcel.

The Applicant has established three pedestrian access points on 17th Street and is working to develop a pedestrian corridor in the area. A parking analysis shows that peak parking demand would be met by the 46 spaces. It was noted that when parking is calculated for restaurants with less than 4000 sq. ft., the gross size of the facility is used, including kitchen space.

Chris Heggen of Kimley-Horn, traffic consultant for the Applicant, explained that it was not possible to conduct a traffic study on 17th Street; instead, they provided a traffic statement and a parking study for the facility at the restaurant's location in Pompano Beach, which is of similar size.

Eric Engmann, representing Urban Design and Planning, stated that the restaurant is located on a 1 acre property and has submitted a parking study and site plan as part of its Application. The Applicant will provide additional pedestrian connectivity options along with outdoor dining amenities. The Staff report concludes that the Applicant meets the criteria for a parking reduction and recommends approval.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Mr. Cohen observed that parking requirements for restaurants should be reviewed in the future to prevent a calculation that includes previously existing kitchen space.

Motion made by Ms. Desir-Jean, seconded by Ms. Tuggle, to approve with Staff's recommended conditions. In a roll call vote, the **motion** passed 8-0. (Mr. McCulla abstained. A memorandum of voting conflict is attached to these minutes.)

Mr. McCulla rejoined the Board at this time.

6. Applicant / Project:	Foreclosure Specialists of Florida/ Landings Cluster
Request: ** *	Site Plan Level III - Three Cluster Dwelling Units
Case Number:	R14003
General Location:	5450 NE 25th Avenue
Legal Description:	THE LANDINGS FIRST SECTION, Tract E, PB 56, P 4 of PRBC, Florida.
Case Planner:	Eric Engmann
Commission District:	1

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Mark Antonelli, representing the Applicant, explained that the request is for a two-story cluster dwelling of three units on a parcel zoned RD-15. He showed photographs of the subject property, noting that the future land use is High-Density Residential.

Mr. Engmann of Urban Design and Planning advised that cluster development is permitted on the property, subject to Site Plan Level III review and approval. The property has been developed in a manner consistent with the requirements for cluster developments, including a spa as its common amenity. Staff recommends approval of the Application with a 5 ft. recordable easement along the front and rear property lines, as well as a maintenance agreement for all common areas.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

It was noted that the Applicant accepted the proposed Staff conditions.

Motion made by Ms. Tuggle, seconded by Mr. McCulla, to approve with Staff conditions. In a roll call vote, the **motion** passed 9-0.

7. <u>Applicant / Project:</u> Action Areas	City of Fort Lauderdale / Comprehensive Plan Amendment - Adaptation
Request: *	Comprehensive Plan Text Amendment to Coastal Management Element
Case Number:	T14003
General Location:	N/A
Legal Description:	N/A
Case Planner:	Todd Okolichany
Commission District:	N/A

Jim Koeth, representing the Office of Sustainability, showed a PowerPoint presentation on an ongoing pilot project the City is undertaking for the Florida Department of Economic Opportunity. The Item before the Board is an Amendment of the coastal management element of the City's Comprehensive Plan.

Mr. Koeth recalled that in 2011, the State Legislature revised its growth management laws as part of the Community Planning Act. Part of this revision included adaptation action areas, which is an optional Comprehensive Plan designation for areas that experience coastal flooding or are vulnerable to the effects of rising sea levels. The incorporation of adaptation action areas in municipal or County Comprehensive Plans is recommended by the Southeast Florida Regional Climate Action Plan.

Mr. Koeth advised that the Comprehensive Plan Amendment included in the Application includes several goals, which are included in the Board's backup materials. The primary goal is to increase the City's resilience to the effects of climate change and rising sea levels by developing and implementing adaptation strategies to protect human life, natural systems and resources, public infrastructure services, and public and private property. There are 14 policies associated with this objective, which are also included in the Board's backup materials.

Mr. Koeth concluded that the initiative was presented at a City Commission Conference Agenda meeting in March 2014, where it received unanimous consensus to proceed. If the Board recommends the Amendments to the City Commission, they will first be heard at a transmittal hearing, which will begin the Statewide Comprehensive Plan Amendment process. It will ultimately be sent to the Department of Economic Opportunity and other State and regional agencies for comments before coming back to the City Commission for adoption.

The Board members discussed the Application, including concerns that the Amendments could have a negative effect on redevelopment within the City, the broad nature of some of the Amendments' language, and whether or not the Amendments provide the authority to challenge FDOT's authority. Mr. Koeth clarified that incorporating the Amendments into the Comprehensive Plan show a commitment to addressing concerns. He characterized this as having a positive effect on the City's interaction with other agencies.

Vice Chair Hansen asserted that he would like to recommend the implementation of these strategies as soon as possible for some critical areas. He felt the process should move forward more aggressively than proposed. Mr. Koeth noted that the Amendments include a deadline by which vulnerabilities must be assessed.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing.

Dennis Ulmer, private citizen, emphasized the seriousness of climate change on the City as a coastal community, and stated that the proposed Text Amendment would allow Code changes that would help the City meet the challenges of rising sea levels.

As there were no other members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. McCulla, seconded by Mr. Cohen, to approve. In a roll call vote, the **motion** passed 9-0.

8. **Applicant / Project:** City of Fort Lauderdale / ULDR Amendment – Automotive Repair
- Request:** Amendment to ULDR Section 47-18.4, *Automotive Repair Shop*, to clarify development requirements and criteria and specify criteria for

maintenance and repair of private vehicles within residential zoning districts.

Case Number: T14004
General Location: City-wide
Case Planner: Anthony Greg Fajardo
Commission District: City-wide

Anthony Fajardo, Zoning Administrator, explained that at present, Code only addresses automotive repair shops located in non-residential zoning districts. The proposed Amendment is intended to establish additional criteria for professional repair facilities in non-residential districts as well as to clarify the types of repairs that can be made there. It will also address the private repair of vehicles on private property within residential zoning districts, as Staff believes some types of repair can be made in these locations, such as changing of oil, tires, spark plugs, and other minor repairs. Body repair would be prohibited in residential districts.

The Board discussed the Application, including a time frame in which minor repairs must be completed. Mr. Fajardo pointed out that the City's nuisance ordinance addresses derelict vehicles, as well as other violations that could result from repairs in a residential setting. He explained that the reason for the proposed Amendment is that incidents involving more intense repairs, such as painting or body work, have occurred in some parts of the City.

The Board members noted that the strict enforcement of existing Code and/or nuisance ordinance violations could be sufficient to address this issue. Mr. Fajardo advised that the law would clarify what repairs may be appropriately made in a residential setting. It was also noted that there is an existing appeals process for individuals cited for Code violations.

Mr. Witschen and Vice Chair Hansen suggested that examples of incidents that led to the proposed Amendment, such as specific Code Enforcement violations, could be provided at a subsequent meeting.

Motion made by Ms. Tuggle, seconded by Vice Chair Hansen, to defer [the Item] to June 18, 2014. In a roll call vote, the **motion** failed 4-5 (Mr. Cohen, Ms. Desir-Jean, Mr. Ferber, Mr. McCulla, and Mr. Welch dissenting).

Motion made by Mr. McCulla, seconded by Vice Chair Hansen, to approve. In a roll call vote, the **motion** failed 1-8 (Chair McTigue, Mr. Cohen, Ms. Desir-Jean, Mr. Ferber, Mr. McCulla, Ms. Tuggle, Mr. Welch, and Mr. Witschen dissenting).

9. **Applicant / Project:** City of Fort Lauderdale / ULDR Amendment – Accessory Uses, Buildings & Structures

Request: Amendment to ULDR Section 47-19. *Accessory Uses, Buildings and Structures* to include Section 47-19.12, *Bus Shelter* to add criteria for the location of bus shelters when placed on private property.

Case Number: T14005

General Location: City-wide

Case Planner: Anthony Greg Fajardo

Commission District: City-wide

Mr. Fajardo stated that this Amendment would add a Code section regulating bus shelters. He explained that new shelters are being installed in various locations throughout Broward County as part of a County partnership to fund and maintain these shelters, including upgrades at roughly 160 bus stops. While most shelters are placed within the existing public right-of-way, the Amendment would allow some of the shelters to be an accessory or principal use on currently vacant land, and with permission of the property owner, placed directly against the property line if necessary.

The Board members discussed the Amendment, clarifying that all bus shelters are pre-designed and must meet Code requirements. Private property owners would not be able to install bus shelters on their property unless they did so in conjunction with Broward County Transit (BCT).

Motion made by Vice Chair Hansen, seconded by Mr. Witschen, to approve with the condition that the shelters be governmentally owned or licensed. In a roll call vote, the **motion** passed 9-0.

IV. COMMUNICATION TO THE CITY COMMISSION

None.

V. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

Ms. Parker thanked Board member Tom Welch for his years of service on the Planning and Zoning Board.

There being no further business to come before the Board at this time, the meeting was adjourned at 10:39 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

Patrick E. McGuire

Chair

Brigitte Chiappetta

Prototype

[Minutes prepared by K. McGuire, Prototype, Inc.]

Stacey Gordon

B14005

From: kenbergin@icloud.com
Sent: Monday, May 12, 2014 2:17 PM
To: PlanningAndZoningBoard@fortlauderdale.gov
Subject: Agenda Comment May 2014

Dear Board Members,

I understand that the Board will be discussing the design of the FLAC at the May, 2014 meeting. What follows is an email that I sent Commissioner Trantalis in October 2013 and last week to Ms. Voet, the FLAC manager, for the attention of the project manager. Your consideration is appreciated.

Dear Commissioner Trantalis,

When the proposal for rehabilitating the Aquatic Complex was recently under discussion, one of the concerns expressed was that of prospective noise. A suggestion was made to have a professional sound engineer design the public address system for the Complex and integrate that design into the construction plans. The idea was that qualified acoustical engineers can design sound systems so that announcements are heard only by the intended audience.

I was reminded of the suggestion by an article in today's *New York Times*. A university in NYC is proposing to "...install lighting and a sound system that, as in Yankee Stadium, would confine both lighting and noise inside the sports area." The sports area is a soccer field.

In addition, it has been my understanding that the proposed overall design for the Complex would not have open restaurants or entertainment areas adjacent to the Intracoastal.

I would appreciate any information you can give me concerning this matter.

Thank you.

Kenneth Bergin
2628 Aurelia Place
954-764-3212

Stacey Gordon

From: Robert Saladini <rsaladini@gmail.com>
Sent: Saturday, May 17, 2014 9:11 AM
To: PlanningAndZoningBoard@fortlauderdale.gov
Subject: Agenda Comment Z14001

I am writing in SUPPORT OF THE CHANGE IN ZONING for the Church of the Intercession property located on 17th St NW. I am a long-time resident (10+ YEARS) of the neighborhood, living on NW 6th Avenue just steps away from the property in question. This new construction will have a dramatic and positive impact on our blighted neighborhood, it will raise our property values, heighten the quality of life for current residents of the neighborhood, and increase the tax base for the city of Ft. Lauderdale.

Again, please vote YES in support of the change in zoning for this project.

Robert Saladini

Stacey Gordon

From: woodycouts@gmail.com
Sent: Wednesday, May 14, 2014 7:44 PM
To: PlanningAndZoningBoard@fortlauderdale.gov
Subject: Agenda Comment Z14001

I have resided at 1508 NW 6 avenue , within the South Middle River neighborhood since 2004. The rezoning of the project for the church of intercession must be approved. This blighted neighborhood with dirt roads (slowly being resurfaced) and the disproportionately foreclosed homes, and slum lords have improved somewhat overtime, however, much progress can be made, by approving the rezoning for WILTON ARBOR. It will expand the tax base for Fort Lauderdale, increase the quality of life for all property owners in South Middle River, and will stop the illegal use of this property for dumping of tires, debris, and trash. The abandon fenced in structures off of Andrews Ave. behind the former LGTB library, as well as that building, (that has been an eye sore for over four years), will have a greater chance of being torn down, and new business such as a Trader Joes, or Fresh Market, to be encouraged by the city to have an tax incentive to be placed there, providing jobs, and fresh produce to be sold there for the local residents. With approval for the rezoning, development will attract quality demands for services; those who purchase the new homes will spend money in neighborhood; create more incentives for slum lords to sell blighted properties; and overall benefit the greater Fort Lauderdale residents. I strongly SUPPORT the rezoning.

Sent from Windows Mail