

**PLANNING AND ZONING BOARD  
CITY OF FORT LAUDERDALE  
CITY HALL COMMISSION CHAMBERS – 1<sup>ST</sup> FLOOR  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
WEDNESDAY, OCTOBER 16, 2013 – 6:30 P.M.**

**Cumulative**

| <b>Board Members</b>        | <b>Attendance</b> | <b>June 2013-May 2014</b> |               |
|-----------------------------|-------------------|---------------------------|---------------|
|                             |                   | <b>Present</b>            | <b>Absent</b> |
| Patrick McTigue, Chair      | P                 | 5                         | 0             |
| Leo Hansen, Vice Chair      | P                 | 5                         | 0             |
| Brad Cohen (arr. 6:32)      | P                 | 4                         | 1             |
| Stephanie Desir-Jean        | P                 | 4                         | 1             |
| Michael Ferber (arr. 6:41)  | P                 | 4                         | 1             |
| James McCulla               | P                 | 4                         | 1             |
| Michelle Tuggle (arr. 6:36) | P                 | 5                         | 0             |
| Tom Welch                   | P                 | 4                         | 1             |
| Peter Witschen              | P                 | 4                         | 1             |

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

**Staff**

Cynthia Everett, City Attorney  
D'Wayne Spence, Assistant City Attorney  
Eric Engmann, Urban Design and Development  
Thomas Lodge, Urban Design and Development  
Yvonne Redding, Urban Design and Development  
Randall Robinson, Urban Design and Development  
Anthony Fajardo, Chief Zoning Examiner  
Diana Alarcon, Director of Transportation and Mobility  
J. Opperlee, Recording Secretary, Prototype, Inc.

**~~Communications to the City Commission~~**

~~**Motion** made by Vice Chair Hansen, seconded by Ms. Tuggle, that the Planning and Zoning Board recommends that the City undertake a multimodal transportation study of 17<sup>th</sup> Street and its surrounding areas. In a voice vote, the motion passed unanimously.~~

**Index**

- | <u>Case Number</u>                               | <u>Applicant</u>           |
|--|----------------------------|
| <del>1. Pledge of Allegiance</del>               |                            |
| <del>2. Approve September 18, 2013 Minutes</del> |                            |
| 3. 16P13**                                       | Gaddis Capital Corporation |

- ~~4. 53R13\*\* \*~~ ~~Art Institute Investment LLC / Seminole River Landing~~
- ~~5. 12P13\*\* \*~~ ~~Coral Ridge Golf Course, Inc. / 3850 Federal~~
- ~~6. 6Z13\*\* \*~~ ~~Coral Ridge Golf Course, Inc. / 3850 Federal~~
- ~~7. 7Z13\*\* \*~~ ~~Holman Automotive, Inc. / BMW MINI Automotive Sales Facility~~
8. 10T13\* City of Fort Lauderdale / Event Banner Signs
- ~~9. Communication to the City Commission~~
- ~~10. For the Good of the City~~

### ~~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.~~

~~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 Chief Zoning Examiner Anthony Fajardo introduced the Staff members present. Attorney Spence explained the quasi judicial process used by the Board.~~

~~Chair McTigue advised that Applicants and their agents are allotted 15 minutes of speaking time. Individuals are allowed three minutes, and representatives of civic entities have five minutes.~~

~~Mr. Cohen arrived at 6:32 p.m.~~

~~**Motion** made by Mr. McCulla, seconded by Mr. Welch, to approve [the minutes of the September 18 meeting]. In a voice vote, the **motion** passed unanimously.~~

~~Robert Lochrie, representing the Applicants for Items 3, 4, 5, and 6, requested that Items 5 and 6 be heard first. The Board agreed to this request by unanimous consensus. Attorney Spence advised that while Items 5 and 6 will be heard together, each Item will be voted upon separately.~~

~~The following Items were taken out of order on the Agenda.~~

~~5. Coral Ridge Golf Course, Inc. / 3850 Federal Eric Engmann 12P13~~

~~Request: \*\*\* Plat Review~~

~~Legal Description: A portion of the North one-half (N ½) of Section 24, Township 49 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida.~~

~~that the subject property has gone through the Development Review Committee (DRC) process, and will be a sales location only, not a service center.~~

~~Chair McTigue recalled that the Applicant has proposed a 17 ft. landscape buffer to separate the subject parcel from Ms. Waterbury's properties. Ms. Waterbury stated that one of her buildings is 5 ft. from the property line, which she did not consider to be sufficient distance. Ms. Desir Jean asked if Ms. Waterbury felt another type of business would have a lesser impact on her properties. Ms. Waterbury cited the example of a nearby medical center, which has not affected her properties. She concluded that it was the proposed use to which she objected.~~

~~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. Cohen to approve [Item 7].**~~

~~Mr. Witschen **seconded** the **motion** and offered the following amendment: that there will be not any service provided on that facility, whether it's allowed for [in] B-1 or not. Mr. Cohen accepted the amendment.~~

~~Attorney Spence recalled that the Applicant had also proffered two conditions, and requested that these be stipulated in the **motion** as well. He also asked that the Applicant advise whether or not he was willing to accept the condition proposed by Mr. Witschen. Mr. Weary said the Applicant accepted the **amendment**.~~

~~Mr. Cohen restated his **motion** as follows: **motion** to approve with Applicant's proffer [and the restriction to exclude service from among B-1 uses]. Mr. Witschen **seconded** the restated **motion**. In a roll call vote, the **motion** passed 9-0.~~

8. City of Fort Lauderdale / Event Banner Signs

Anthony Greg Fajardo

10T13

Request: \*

Amendment to the City's Unified Land Development Regulations ("ULDR"): proposed revision to Section 47-22.3.C. Banner Signs; providing an exception to the prohibition on banner signs, revising the application requirements, modifying limitations on the period of time and locations for the display of banner signs, and allowing for posting of an annual refundable deposit associated with the cost of removal of banner signs.

General Location:

Citywide

District:

All Districts

Chief Zoning Examiner Anthony Fajardo explained that this was a proposed ULDR amendment regarding event banner signage. At present, Code requires that banner signs must be applied for through a nonprofit organization, such as an established homeowners' association, and may only be displayed during a two-week time frame, unless the event they are advertising lasts longer than two weeks. Banner signs are limited to certain locations within the City, and there are issues related to refunding the deposits that applicants must pay for them.

Staff has proposed an Ordinance amendment that would address these issues by permitting banner signs for any City co-sponsored event, regardless of the organization associated with that event. The amendment would also allow banner signs to be displayed for up to 30 days as approved by Staff, subject to provisional call-up by the City Commission. If an applicant wishes to display signs for a longer time period, they could directly make this request of the City Commission.

He continued that the amendment would also allow banner signs to be permitted in a larger area, as indicated on the Board members' backup materials. Mr. Fajardo noted that a non-residential corridor of Federal Highway should also be added to these expanded locations, which include major corridors and gateways into the City, such as Federal Highway, Andrews Avenue, and portions of SE 17<sup>th</sup> Street, Las Olas Boulevard, NE 13<sup>th</sup> Street, and Himmarshee.

Regarding deposits, the amendment would allow applicants to make a \$1000 deposit, which would last for one year and could be renewed thereafter. Mr. Fajardo explained that the intent of the deposit was to cover the costs of removing banner signs if an applicant failed to do so.

Vice Chair Hansen asked if there had been any negative discussion of the amendment. Mr. Fajardo replied that he was not aware of any such discussion; instead, there had been a good deal of positive reaction to the proposal. Ms. Tuggle asked if events such as museum displays, which could last for months rather than weeks, would be addressed by the amendment. Mr. Fajardo confirmed this.

Chair McTigue asked what controls existed to prevent the display of banners for multiple small events on an ongoing basis. Mr. Fajardo explained that under the amendment, the City Commission and Mayor could call the item up if they had any concerns regarding the display.

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.

**Motion** made by Mr. McCulla, seconded by Vice Chair Hansen, to approve [Item 8]. In a roll call vote, the **motion** passed 9-0.

**9. ~~Communication to the City Commission~~**

~~Vice Chair Hansen returned the discussion to the issue of 17<sup>th</sup> Street, stating that while it is not an applicant's responsibility to address traffic at this location, traffic-related problems do exist. He suggested that there might be a long term study to improve pedestrian conditions at this location.~~

~~Mr. McCulla noted that there are additional projects planned for this area as well, which could contribute to ongoing conflict between the area's residents and the corridor. There is also a conflict between the City and the County regarding 15<sup>th</sup> Street, 17<sup>th</sup> Street, and Federal Highway. He concluded that he would encourage the City Commission to listen to these concerns, and to direct City Staff to determine how to best coordinate between the City, County, and the Florida Department of Transportation (FDOT) to calm traffic at these locations.~~

~~Diana Alarcon, Director of Transportation and Mobility, recommended that any communication to the City Commission direct Staff to consider multimodal forms of transportation. Mr. McCulla agreed with this suggestion.~~

~~Ms. Mammano stated that while she is supportive of mixed use development and multimodal elements of transportation, this type of study would not adequately address the issue currently facing her neighborhood. She asserted that this is an opportune time for the City to implement traffic calming measures on portions of SE 15<sup>th</sup> Street. While she did not expect these measures to prohibit cut-through traffic, she felt they could provide some relief to the area.~~

~~**Motion** made by Vice Chair Hansen, seconded by Ms. Tuggle, that the Board recommend to the City Commission that they do a multimodal transportation study of 17<sup>th</sup> Street and the surrounding areas. In a voice vote, the **motion** passed unanimously.~~

~~The Board agreed by consensus that the above **motion** would be sent as a communication to the City Commission.~~

**10. ~~For the Good of the City~~**

~~Attorney Spence introduced City Attorney Cynthia Everett at this time.~~

~~There being no further business to come before the Board at this time, the meeting was adjourned at 8:16 p.m.~~

*Ralph E. McGuire*

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Chair

*Brigitte Chiappetta*

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Prototype

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