

DRAFT
PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, JANUARY 16, 2013 – 6:30 P.M.

Cumulative

Board Members	Attendance	June 2012-May 2013	
		Present	Absent
Patrick McTigue, Chair	P	7	1
Leo Hansen, Vice Chair	P	7	1
Brad Cohen	P	5	0
Stephanie Desir-Jean	P	7	1
Michael Ferber	P	7	1
James McCulla	P	7	1
Michelle Tuggle	P	8	0
Tom Welch	P	7	1
Peter Witschen	P	6	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
Todd Okolichany, Principal Planner, Urban Design and Development
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

Index

	<u>Case Number</u>	<u>Applicant</u>
1.	12T12*	3850 Federal (Coral Ridge Golf Course, Inc.)
2.	Communication to the City Commission	
3.	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 Urban Design and Planning Manager Ella Parker introduced the Staff members present. Attorney Spence explained the quasi-judicial process used by the Board.

Motion made by Ms. Tuggle, seconded by Mr. Welch, to approve [the minutes of the December 19, 2012 meeting]. In a voice vote, the **motion** passed unanimously.

1. **3850 Federal (Coral Ridge Golf Course, Inc.)** **Todd Okolichany** **12T12**

Request: * **Land Use Plan Amendment**

Legal Description: A parcel of land lying within the north one half (N ½) of Section 24, Township 49 South, Range 42 East, Broward County, Florida

General Location: East of US 1, north of NE 37th Drive and south of Commercial Boulevard

District: 1

Robert Lochrie, representing the Applicant, explained that the request is for the recommendation of a Land Use Plan Amendment for a portion of the former American Golf Course. The property was the subject of a Land Use Plan Amendment in 2006; since that time, there have been significant changes to the Application.

The request would allow for the development of up to 37 single-family homes on this portion of the former golf course. Mr. Lochrie showed aerial photos of the site, noting that the Application would send the proposed Land Use Plan Amendment to the City Commission; the process would then send the request to the County Commission, the State Legislature, and the County and City once more, over the course of approximately nine months.

Mr. Lochrie clarified that the request differs from the original request in 2006, which had been for the development of 61 homes. The scale and density of the project have been significantly reduced. In addition, the former plan had placed the main access to the project on NE 37th Drive, which had concerned many residents in that area. The revised plan moves all vehicular access to the site to Federal Highway. Four acres of the project would be dedicated to the City as a passive park near the entrance of the new gated community.

He continued that the request is for 21.8 acres of the overall 213 acres. The 40 acre portion around the site will remain park and open space; a deed restriction will be placed against that property to preserve it as open space. The site will remain private property, with the exception of the 4 acre passive park.

Mr. Lochrie noted that the project meets the goals and objectives of the City's Land Use Plan and the Broward County Land Use Plan, as well as the Code and statutory requirements of Chapter 163. He concluded that the addition of the 37 homes on fallow land would create value for the City in the form of an increased tax base, as well as use of the surrounding commercial area and properties.

Mr. McCulla asked if the portion of the property restricted to open space would include the portion along Federal Highway. Mr. Lochrie clarified that the 40 acres do not include this area.

Todd Okolichany, Principal Planner, stated that according to ULDR Section 47-24.8, a Land Use Plan Amendment Application must be submitted for review by the Planning and Zoning Board in its capacity as Local Planning Agency, and for approval and adoption by the City Commission. An Amendment to the City's Comprehensive Plan must be re-certified by the Broward County Planning Council before such approval may take effect.

He continued that Staff has determined the proposed Land Use Plan Amendment furthers the goals, policies, and objectives of the City's and County's Comprehensive Plans. It also furthers the City's policy of creating new neighborhood parks. The Department of Parks and Recreation's Long-Range Strategic Plan identifies a need for a neighborhood park within the vicinity of the subject parcel; however, this Department has indicated that resources are not presently available for the construction, operation, or maintenance of the proposed park.

Adequate facilities and services are in place to support the proposed residential use of the parcel, and vehicular access to the parcel will be provided via US-1. School impact fees will be paid to Broward County.

Mr. Okolichany noted that on December 6, 2012, the Broward County Planning Council approved an amendment to the Broward County Land Use Plan which states that private golf courses no longer count toward the County's parks requirement. The proposed dedication of a passive park would increase the supply of park and open space in the City. He concluded that Staff recommends approval of the request.

Vice Chair Hansen asked if neighbors to the south would have access to the proposed park through the new neighborhood, or would have to access the park through Federal Highway. Mr. Okolichany said a preliminary conceptual plan

submitted by the Applicant shows access only through US-1 and the main driveway of the proposed development; however, Staff has recommended that the Applicant consider providing pedestrian or bicycle access to connect the park to US-1. Mr. Lochrie added that residents of 37th Drive have also requested public access; the Applicant feels this is a good recommendation, and will include pedestrian and bicycle access within the plan.

Mr. Witschen asked what other items related to the site were likely to come before the Board for future approval. Mr. Okolichany said if the Board recommends approval of transmission of the proposed Amendment to the City Commission, the proposed subdivision would then go through the City's subdivision process. It is possible that other improvements to the property may require Site Plan Level 2 approval in the future.

Mr. Witschen asked if the process could include zoning, platting, or other multi-governmental agencies. Mr. Okolichany said Site Plan Level 2 approval could come back before the Board if the Applicant proposes structures to be built on the golf course. Platting would require County approval.

Mr. Cohen asked if public parking will be available for the park. Mr. Lochrie said there will be parking facilities incorporated within this parcel. The park will be designed in conjunction with the Planning and Parks divisions to arrive at a final plan.

Ms. Desir-Jean asked what the creation of the park would mean for the City and the Parks and Recreation Department: for example, whether the open space would remain as such until City funding is available for its development. Mr. Okolichany replied the Applicant met with the Parks and Recreation Director during the Development Review Committee (DRC) process, and the need for a park was identified, although there are no available resources the City could contribute to its ongoing construction or maintenance. The discussion included a very rough estimate of the park's possible costs. Mr. Okolichany noted that a park of this size typically costs \$250,000-\$300,000 to construct, excluding ongoing maintenance.

Ms. Parker added that the Parks and Recreation Department would not have anticipated the need for these funds in the current budget, although it could be considered in the future. The space would be dedicated to the City, but would remain undeveloped.

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

Betsy Dow, president of the Coral Ridge Homeowners' Association, stated that five members of the Association's Board had attended the Coral Ridge Country

Club Estates' board meeting to view the site plan and presentation prepared by the Applicant; otherwise, members of this Association have seen no plans for the park. She asked that the Board consider allowing more time for a presentation to be made to this Association.

Ms. Dow advised that when the property was originally purchased, a survey was sent to roughly 300 members of the Association asking if they were in favor of rezoning the golf course. Of the 140 surveys returned, 93% were opposed to its development.

She concluded that the next Association meeting is scheduled for February 7 so members could view, discuss, and vote on the project before the February 19 City Commission. She provided the Board with a 2008 *Sun-Sentinel* article which stated that the County Commission had voted to save golf courses.

Mr. Cohen asked which part of the property was public. Ms. Dow said the golf course had been a public facility that did not require membership. She suggested that the facility, or its driving range, set aside one day per week to allow the public to play there, as there are no public golf courses within the City. It was clarified that the property has always been privately owned.

Mr. Witschen asked if final approval lay with the City Commission, or if there would be multiple opportunities for the public to appeal the decision if they wished. Mr. Okolichany said the Board was acting in its capacity as Local Planning Agency to review the Application, which includes Amendments to both the City and County Comprehensive Plans. The Board's recommendation then moves on to the City Commission for the first of two public hearings. The County Commission will then review the items and determine whether or not to transmit the Amendment for review by other agencies, including the Broward County Planning Council as well as State agencies. Following these agencies' input on the Application, it will be sent back to the City Commission for another public hearing and the possibility of adoption.

Art Seitz, private citizen, recalled that the City's Centennial Committee had suggested the parcel in question could be used to create a Centennial Park. He advised that a growing City and County need parks and open space for recreation, and felt the surrounding neighborhood and civic associations should be allowed more input on the disposition of the facility.

James Tidwell, resident of Coral Ridge Country Club Estates, stated that his house sits directly on the property in question. He said he and other nearby residents felt it was time to proceed with the project, and asked that the Board support the proposed Land Use Plan Amendment.

Tim Hernandez, representing the Coral Ridge Country Club Estates Homeowners' Association, advised that the Association's Board of Directors met the previous night to review the proposal. While they voted to support the development, they also raised some concerns, including the need for traffic calming on NE 37th Drive and NE 37th Street. These two roads lie directly to the south of the golf course and the Coral Ridge Country Club Estates and intersect with US-1. Mr. Hernandez requested that the Association be involved in the process to ensure that traffic related to the development and park is handled in a manner compatible with the neighborhood. He provided the Board with a summary of his comments.

John Washburn, private citizen, advised that the Board of the Coral Ridge Country Club Estates Homeowners' Association had first been made aware of the new Application one week ago, and were invited to last night's presentation by the Applicant. Of the 12 members of his Association present at the meeting, nine had voted in favor. Mr. Washburn advised that six of these nine members had residences on the golf course.

He asserted that the association has not had sufficient opportunity to discuss the Application with its 1200 members. In addition, he pointed out that the issue is not limited to Coral Ridge Country Club Estates, but also affected Oakland Park, Imperial Point, the Landings, Coral Ridge, and others, as these neighborhoods would lose open space. He felt the City should demand more than four acres for a park, and that the park should have active components for recreational use. Mr. Washburn concluded that the Board should postpone a decision on the Application until the surrounding neighborhoods have had more time to understand the nature of the project and provide input on it.

Chair McTigue asked when notification of tonight's meeting would have been sent to the surrounding neighborhoods. Mr. Okolichany said notice was posted in the *Sun-Sentinel* on Sunday, January 6; while notice was also posted on the subject property at that time, it is not required that notice be sent to neighboring residents for Land Use Plan Amendments.

Ian Seitel, private citizen, said he was in favor of the proposed facility. He felt it would positively affect the property values of nearby residents and would enhance both the neighborhood and the City.

Bill Ciani, private citizen, said one argument in favor of changing the land use was the inability of the golf course to bring in a profit. He felt this was not accurate, as golf courses in nearby cities continue to be profitable or revenue-neutral for their cities. He felt the City should consider leasing the property or allowing others to manage it as a profitable golf course. He agreed that more time should be taken before a decision is made regarding the Application.

Steve Mehallis, private citizen, stated he has lived on the golf course since 1991. He felt the Applicant has improved the surrounding neighborhood, the golf course, and its facilities in order to do what is right for the community. He asserted that it was inappropriate to suggest the Applicant should not make a profit on the property.

Michael Melvin, private citizen, said his house was located on the former golf course. He described the property in its current state as “a desert,” and stated he was supportive of the project. He felt the concerns expressed at tonight’s meeting would be addressed as the approval process continues.

Diane Dos Santos, private citizen, also lives directly on the former golf course. She pointed out that the facility has been “a vacant lot” for the past seven years. While she did not like the idea of replacing open space with homes, she felt there must be compromise. She added that she would not be in favor of an active park with playing fields and lights, as this would significantly affect the residents in the area.

She asked to know the density requested by the Applicant for the proposed project. Mr. Lochrie said the zoning category would be no more lenient than RS-4.4, and the Applicant would work with Staff to ensure it is appropriate for the area.

Ms. Dos Santos said she had signed a petition in support of the project, and concluded that she had been given only one day’s notice of tonight’s meeting. She asked that the Board recommend the Application for approval.

Peter Cooper, private citizen, is a board member of the Coral Ridge Country Club Estates Homeowners’ Association. He pointed out that 37th Street and 37th Drive are “pass-through” streets for individuals going from US-1 to Bayview, and expressed concern with the current volume of traffic on these residential streets. He felt steps should be taken to control the traffic flow, particularly with additional residents and a park coming into the area.

Gabe Imperato, private citizen, said his home is adjacent to the former golf course. He commented that he is grateful for the Application, and added that the plans for the project have not been kept secret from nearby residents and homeowners’ associations. He did not feel the project should be delayed.

Michael Gagne, private citizen, said the property’s current zoning of parks and open space had been for the benefit of the entire city rather than for adjacent or current property owners. He felt the disposition of the property should be a concern for the entire city as well, and that reserving only four acres of open space was unacceptable. He concluded that the City should not give away open space for the benefit of the few.

Debbie Sanderson, private citizen, stated that she has lived on the former golf course for 40 years. She felt the Applicant's plan was "excellent," and would benefit the City and its tax base while leaving plenty of green space. She asked that the Board recommend approval of the Application.

Frank Abdo, private citizen, said he was supportive of the Application. He pointed out that the former golf course had never been well-maintained, even when it was an active facility. He added that the project would increase the surrounding property values and tax base, as well as creating construction and service jobs in the community and supporting the commercial businesses in the surrounding area.

Jim LaBate, private citizen, said his home is located on the former golf course. He encouraged the Board to recommend approval of the Application, as the facility is now "an eyesore." He noted that a great deal of the project would remain open space and there would still be an opportunity for local students to practice golf on the facility.

Tom McCormack, private citizen, said he lives on the former golf course as well. He asserted that he had been upset to learn that more homes would be constructed in the area, as there is a great deal of wildlife activity in the area. He noted, however, that if the City wished to establish a golf course or park on the property, this purchase would have already been made. He felt the current situation did not constitute the highest and best use of the property.

Mr. McCormack said he had circulated a petition among the residents living on the golf course. He read the petition into the record, noting that 53 individuals had signed in favor of the project and only two individuals had declined to vote to support it.

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. Lochrie said the Applicant would plan to attend the February 7 meeting of the Coral Ridge Homeowners' Association. With regard to the discussion of public space and open space, he clarified that the property is privately owned and does not include any public open space at present; the proposal would dedicate four acres of the subject property as public open space.

With regard to the size of the proposed passive park, Mr. Lochrie observed that recently purchased smaller parks have cost the City from \$899,000 to \$3.326 million. He added that the development would generate significant tax revenue,

not only from the 37 proposed homes but the increase of surrounding property values along the perimeter of the subject property.

Mr. Witschen advised that members of the public would have multiple additional opportunities to express their concerns as the approval process continued.

Mr. Cohen commented that of the former golf course's 213 acres, only 22 would be developed for the project. Mr. Lochrie added that 4 of these 22 acres would be dedicated to the City and 4 would include commercial development. Mr. Cohen concluded that considering the cost of park space, the dedication of 4 acres to the City was a positive step.

Mr. McCulla recalled that concerns had been expressed with regard to the local streets. He requested clarification that there is only one way in and out of the 37-lot site. Mr. Lochrie confirmed this, pointing out that there is no connection from the site to the local streets; there is also no vehicular connection from the local streets to the proposed park.

Alan Tinter, traffic consultant for the Applicant, said 37 single-family homes would generate approximately 357 trips per day, 37 of which would occur during the p.m. peak hour. The passive park was anticipated to generate 20 trips each day, two to five of which would occur during the peak hour. He did not feel the preliminary layout of the lots would have more than a negligible impact on the through streets.

Vice Chair Hansen said he felt the proceedings could not be delayed if notice appeared in the newspaper according to the current process, although he noted that it was possible the process needed to be modified if the public was not sufficiently informed. He recommended that individuals concerned about the project attend the upcoming City Commission meeting, as the Commission would have the authority to discuss purchasing the property. He concluded that the individuals most directly affected by the project, who live directly on the golf course, seemed to be in favor of the Application.

Mr. McCulla asked to know how many acres are included in a full golf course. Mr. Lochrie said the Coral Ridge Country Club, for example, has roughly 143 acres, while the former American Golf Course had 60 acres. He pointed out that this size prevented the facility from being comparable with full regulation facilities in Pompano and other nearby municipalities.

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

2. Communication to the City Commission

None.

3. For the Good of the City

None.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:59 p.m.

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