PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL – CITY COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, MAY 17, 2017 – 6:30 P.M.

Cumulative

		June 2016-May 2017	
Board Members	**Attendance**	**Present**	**Absent**
Leo Hansen, Chair	A	10	1
Catherine Maus, Vice Chair	P	10	1
Theron Clark	A	5	6
Stephanie Desir-Jean	P	8	3
Howard Elfman	A	10	1
Steven Glassman	P	11	0
Rochelle Golub	P	9	2
Richard Heidelberger	P	10	1

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
Gus Cevallos, Assistant City Attorney
Eric Engmann, Urban Design and Planning
Karlanne Grant, Urban Design and Planning
Florentina Hutt, Urban Design and Planning
Nicholas Kalargyros, Urban Design and Planning
Benjamin Ostrepo, Transportation and Mobility
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

Motion made by Ms. Golub, seconded by Ms. Desir-Jean, that an alternate member of the Planning and Zoning Board be appointed to the City's Infrastructure Committee in the event that the Board's Chair is unable to attend Committee meetings. In a voice vote, the **motion** passed unanimously.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Vice Chair Maus called the meeting to order at 6:36 p.m. and all recited the Pledge of Allegiance. The Chair introduced the Board members present, 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.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

Motion made by Ms. Desir-Jean, seconded by Mr. Heidelberger, to approve [as amended].

Mr. Glassman noted the following correction on p. 2: the Board member who referred to the formatting error in the March 15, 2017 minutes was Mr. Glassman.

In a voice vote, the **motion** passed unanimously.

III. PUBLIC SIGN-IN / SWEARING-IN

At this time all individuals wishing to speak on Agenda Items were sworn in.

IV. AGENDA ITEMS

Index

	Case Number	Applicant
1.	PL17002**	101 SW 27th Avenue, LLC
2.	PL16013**	New Hope Community Church Inc.
3.	R16024**	New Hope Community Church Inc.
4.	R16073**	HS 17th Street, LLC
5.	Z17006* **	HS 17th Street, LLC
6.	V16005**	HS 17th Street, LLC
7.	Z17004* **	Project Andrews, LLC
8.	PL16006**	AALW Properties, Inc.
9.	T17002*	City of Fort Lauderdale

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. CASE:	**PL17002**
REQUEST: **	Plat Review
APPLICANT:	101 SW 27th Avenue, LLC.
PROJECT NAME:	Broward Spin Car Wash Plat
GENERAL LOCATION:	2700 W Broward Boulevard

ABBREVIATED LEGAL DESCRIPTION:	A portion of Lots 1 and 2, Block 1 and Lots, 1, 2, 12, 13, 14, Block 2, "Westwood Heights", according to the Plat thereof recorded in the Plat Book 6, Page 34, of the Public Records of Broward County, Florida, together with a portion of Vacated Westwood Boulevard and Taylor Avenue, vacated by official records Book 3678, Page 645, of said Public records of Broward County, Florida.
ZONING DISTRICT:	Boulevard Business (B-1)
CURRENT LAND USE:	Commercial
COMMISSION DISTRICT:	3
CASE PLANNER:	Florentina Hutt

Disclosures were made at this time.

Elizabeth Tsouroukdissian, representing the Applicant, explained that the requested plat is for a property that has been vacant for a number of years. The Applicant proposes to construct a car wash facility on the property.

Florentina Hutt, representing Urban Design and Planning, advised that the plat request is for 50,179 sq. ft. The Site Plan has been reviewed by the Development Review Committee (DRC) and all comments have been addressed. The Application includes a plat note restriction: the plat is restricted to 5000 sq. ft. of commercial use, and free-standing or drive-through banks may not be permitted without the approval of the Broward County Board of County Commissioners. Staff recommends approval of the Application.

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

Motion made by Ms. Desir-Jean, seconded by Mr. Glassman, that [the] Item be approved. In a roll call vote, the **motion** passed 5-0.

It was determined that the Board would hear Items 2 and 3 presented at the same time, although they would vote upon each Item separately.

2. CASE:	**PL16013**
REQUEST: **	Plat Review
APPLICANT:	New Hope Community Church Inc.
PROJECT NAME:	New Hope Community Church Plat
GENERAL LOCATION:	6400 NW 31st Avenue

ABBREVIATED LEGAL DESCRIPTION:	A plat of a portion of Northwest ¼ Section 8, Township 49 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida and containing 217,798 square feet or 5,000 acres, more or less.
ZONING DISTRICT:	Community Facility – House of Worship/ School District (CF-HS)
CURRENT LAND USE:	Community Facility
COMMISSION DISTRICT:	1
CASE PLANNER:	Karlanne Grant

3. CASE: REQUEST: **	**R16024** Site Plan Level III Review: Conditional Use for 17, 724 Square-Foot Child Care Facility, 17,191 Square-Foot School, 7,341 Square-Foot Multi-Purpose Building associated with an existing House of Worship
APPLICANT:	New Hope Community Church Inc.
PROJECT NAME:	New Hope Christian School and Childcare Facility
GENERAL LOCATION:	6400 NW 31st Avenue
ABBREVIATED LEGAL DESCRIPTION:	A plat of a portion of Northwest ¼ Section 8, Township 49 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida and containing 217,798 square feet or 5,000 acres, more or less.
ZONING DISTRICT:	Community Facility – House of Worship/ School District (CF-HS)
CURRENT LAND USE:	Community Facilities
COMMISSION DISTRICT:	1
CASE PLANNER:	Karlanne Grant

Disclosures for Items 2 and 3 were made at this time.

Jerry McLaughlin, representing the Applicant, stated that the requests are for plat approval and Site Plan Level III review. The property has not been previously platted. It consists of approximately 217,798 sq. ft. or 5 acres, and is currently zoned Community Facility. The plat will be restricted as follows:

- 13,157 sq. ft. of church use
- 23,987 sq. ft. of elementary school use
- 22,250 sq. ft. of preschool/day care use
- 8000 sq. ft. multi-purpose building.

The Applicant has addressed all Staff comments.

Derek Vander Ploeg, also representing the Applicant, advised that the property has continuously operated as a church since 1974. In recent years, the Applicant has added three portable school facilities, which are also used for preschool and day care, to the property. They plan to expand these facilities into a multi-purpose building and two-story classroom/day care buildings. Parking has been expanded as well, and entrance to the site has been rearranged to comply with the requirements of Broward County Transportation Department.

The current school buildings are licensed in accordance with County and State regulations, and the buildings to be constructed will also comply with these requirements. A neighborhood meeting was held at the New Hope Community Church on December 8, 2016, with 25 residents from the surrounding neighborhood in attendance. No objections to the facility were raised.

Mr. Vander Ploeg showed renderings of the proposed project, noting that additional improvements, such as green space, will also be added to the site. The project is not expected to have an effect on the character of the neighborhood.

Ms. Desir-Jean observed that the Applicant plans to provide 133 parking spaces instead of the required 149 spaces. She requested additional information regarding the times of operation of the various facilities. Mr. Vander Ploeg replied that the Applicant submitted methodology used by the Urban Land Institute (ULI) for a shared parking site, as the church and school do not operate at the same time.

Ms. Desir-Jean noted that the school facilities allow for one parking space per classroom and include 14 classrooms. Mr. Vander Ploeg reiterated that the school and sanctuary operations are not concurrent, adding that many students at the school live in the surrounding neighborhood and may walk or bike to school.

Ms. Desir-Jean asked if there is an existing school zone for the safety of students walking or biking to school. Mr. Vander Ploeg advised that Broward County does not want a school zone to be implemented at this time, as the County felt it may affect the nearby intersection of 31st Avenue and 62nd Street; however, if it becomes necessary, flashing lights and a school zone will be added at a later date.

Mr. Glassman requested additional information regarding the public participation meeting held by the Applicant. Kirby Williams, Pastor, and Brandy Ketterman, Director of Education for New Hope Community Church, stated that most attendees live in the surrounding neighborhood. The church contacted two different neighborhood organizations representing Palm Aire Village. No letters of support were received from either organization.

Ms. Golub noted that the Application does not include a detailed landscaping plan. Mr. Vander Ploeg replied that many large trees on the site were planted in the 1970s, and

the parking lot was developed around them. A complete landscaping and irrigation plan is included in the members' backup materials.

Ms. Golub explained that her concern was for street and school view corridors. Mr. Vander Ploeg advised that a green area located to the left of the sanctuary may be used for outdoor festivals and activities. There is an existing landscaping buffer along 31st Avenue. He added that landscaping was removed from most renderings of the plans in order to better illustrate the buildings. Event parking would include temporary parking on the grass.

Karlanne Grant, representing Urban Design and Planning, stated that the Applicant proposes to plat 217,798 sq. ft. of land to incorporate an elementary school, a child day care facility, and a multi-purpose building in addition to the existing house of worship. The plat is restricted to the square footage and uses presented earlier by the Applicant. Staff recommends approval of the plat Application.

Ms. Grant also addressed Site Plan Level III review, noting that the child care facility is classified as a large facility and is permitted if it meets Code and conditional use criteria. The facility is expected to serve between 180 and 192 children. The Application exceeds indoor and outdoor space requirements and meets the dispersal requirements for a child care facility and social service residential facility.

The new uses will not affect the character of the zoning district, as the proposed facilities will operate in conjunction with the existing house of worship. The proposed redevelopment mitigates the impact on surrounding properties through generous setbacks. The building is also oriented and designed to incorporate variation in building massing and the use of architectural fenestration. The proposed uses are generally consistent with uses in the surrounding area. Staff recommends approval of the Plan Level III Application.

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

Motion made by Ms. Golub, seconded by Mr. Heidelberger, to approve the plat [Item 2]. In a voice vote, the **motion** passed 5-0.

Motion made by Mr. Heidelberger, seconded by Mr. Glassman, to approve Item 3. In a roll call vote, the **motion** passed 5-0.

Attorney Spence pointed out that the analysis included in Item 4 is predicated upon the rezoning of the subject property, which is Item 5. He recommended that the Board consider Item 5 prior to Item 4 for this reason.

Robert Lochrie, representing the Applicant, advised that the Applicant plans to request deferral of these Items to the Board's June 2017 meeting.

Motion made by Ms. Desir-Jean, seconded by Ms. Golub, that Items 4, 5, and 6, per request of the Applicant, be deferred to next month's meeting. In a roll call vote, the **motion** passed 5-0.

7. CASE:	**Z17004**
REQUEST: * **	Rezone from Boulevard Business (B-1) District and Residential Multifamily Mid Rise / Medium High Density (RMM-25) District to Northwest Regional Activity Center - Mixed Use Northeast (NWRAC-MUne) District
APPLICANT:	Project Andrews, LLC
PROJECT NAME:	Progresso Commons
GENERAL LOCATION:	947 N Andrews Avenue
ABBREVIATED LEGAL DESCRIPTION:	Lots 1 and 48, less the north 15 feet of said lots; and lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, in Block 209, of Progresso, according to the plat thereof, as recorded in Plat Book 2, Page 18, of the public records of Miami-Dade County, Florida; said lands situate, lying and being in Broward County, Florida.
CURRENT ZONING:	Boulevard Business (B-1) and Residential Multifamily Mid Rise / Medium High Density (RMM-25)
PROPOSED ZONING:	Northwest Regional Activity Center – Mixed Use Northeast (NWRAC-MUne)
CURRENT LAND USE:	Northwest Regional Activity Center (NW-RAC)
COMMISSION DISTRICT:	2
CASE PLANNER:	Nicholas Kalargyros

Disclosures were made at this time.

Debbie Orshefsky, representing the Applicant, explained that this is the first in a series of Applications for the subject site. The Text Amendment presented under Item 9 on tonight's Agenda also applies to the future use of the property.

The subject property has been rezoned to Northwest Regional Activity Center (RAC), which includes the major corridors on the site. The project includes 4.8 acres with three zoning categories, including RM-25, B-1, and RAC. Consolidating these zones will allow the project to be developed as a unified parcel under RAC guidelines.

The Applicant has met with the Progresso Village Civic Association in order to present the project, which Ms. Orshefsky characterized as a shopping center unlike any other recent development within the Progresso community. The project is in need of a unified zoning category.

The Applicant has met with all civic associations in the Northwest Community Redevelopment Agency (CRA) that expressed an interest in the project, and has held two public participation meetings. Ms. Orshefsky also pointed out that the convenience store proposed by this project is not the type of convenience store residents of the Northwest CRA were seeking to prohibit in that area. She showed a PowerPoint presentation on the site, including renderings of the project. The Applicant is currently going through the design review process.

Ms. Golub commented that the Site Plan appears to include three separate buildings surrounded by parking rather than a single shopping center. Ms. Orshefsky replied that the plan submitted for approval includes internal circulation and landscaping. The intent is to avoid creating more strip commercial development, which does not allow for a sense of community. The WaWa proposed for the site includes an outdoor seating area, which connects to both the restaurant planned for the property as well as the restaurant on the adjacent parcel.

Ms. Desir-Jean requested additional clarification of the public participation phase. Ms. Orshefsky confirmed that while only three individuals signed into the April 17, 2017 public meeting, this was the meeting required for the proposed Text Amendment, which will be heard as Item 9. The only attendee of the public meeting required for the rezoning request was a representative of a civic association in the Northwest CRA.

Ms. Orshefsky addressed the prohibition of convenience stores in the Northwest CRA, which was enacted in 2013 after a community initiative. The Applicant was asked by City Staff to reach out to all the civic associations in the Northwest CRA in order to ensure that the CRA population did not object to the project. The Applicant followed up with those civic associations that did not send representatives to the meeting. She concluded that the response from the community was that they had hoped for a project of this nature, and that it was not the type of convenience store they had prohibited.

Ms. Desir-Jean advised that while she did not take issue with the proposed rezoning, she was concerned with the concept and design of the site. She also asked how the project might affect the bus stops along the corridor. Ms. Orshefsky stated that the plat, which will be presented at a later date, includes a County-approved bus stop, wider sidewalks, and a full plan that shows how vehicular, transit, and pedestrian circulation will be improved by the development.

Mr. Glassman noted that no backup materials were provided regarding the public meetings related to rezoning, although the members' backup materials state that multiple public participation meetings were held for adjacent neighborhoods in February, March, and April 2017. Ms. Orshefsky clarified that the April 17, 2017 public participation meeting was a joint meeting with surrounding neighborhoods to discuss the Text Amendment. The Applicant held two meetings with the Progresso Village Civic Association, beginning in November 2016, to discuss the rezoning. She emphasized that the separate elements of the approval process were not isolated from one another.

Mr. Heidelberger requested clarification of the Applicant's intent for a new building on the southern part of the parcel. Ms. Orshefsky replied that at the request of the Progresso Village Civic Association, the Applicant is seeking restaurant providers for this space. They also plan to work with the owner of an adjacent restaurant if that business is in need of additional parking.

Mr. Heidelberger also noted that the Applicant plans to do away with a 15 ft. alley reservation. Ms. Orshefsky confirmed this, stating that requests for an alley vacation and right-of-way are pending. She explained that NW 1st Avenue and NW 2nd Avenue have been closed to vehicular traffic since the 1990s; the Applicant has relocated a barrier to NW 2nd Avenue after contacting individual property owners in the area.

Ms. Orshefsky also confirmed that single-family homes are located along the southern property line of the parcel, noting that the Applicant has added a wall and buffer per the request of these homeowners. It was confirmed that the setbacks of these properties, under RAC guidelines, include a 15 ft. landscape buffer and a 12 ft. parking buffer.

Vice Chair Maus asked why the Board was not considering the project's Site Plan at the same time as the rezoning. Ms. Orshefsky advised that prior to the Text Amendment, the Site Plan would have triggered Level II review, which would not have come before the Board. Staff is now recommending conditional use approval, which will require Site Plan Level III review. She reiterated that numerous Applications related to the subject project will come before the Board in the future.

Attorney Spence further clarified that rezoning has different criteria from Site Plan review. While many developers present an entire project to the Board at the same time, in this case the Board is asked only to consider the criteria for rezoning without allowing the requirements for Site Plan approval to affect their decision. Once the Applicant obtains the desired zoning, they will be able to develop the parcel and its uses under the requirements of that zoning district.

Ms. Parker reiterated that the site's underlying land use is RAC, which supports the requested zoning category. Ms. Orshefsky added that while part of the subject site is already zoned RAC, the remainder is zoned B-1, which does not provide for the same design elements as are allowed by RAC.

Ms. Golub asked if a design plan for the proposed project can be brought forward if Item 9, the Text Amendment, is not approved. It was clarified that if the Text Amendment does not pass, the WaWa component of the project would not be permitted, which would cause the project to fail.

Ms. Golub also asked if the City would have brought the proposed rezoning forward on its own in the absence of a project. Attorney Spence advised that the underlying land

use designation for the parcels is already Northwest RAC; however, the City does not typically rezone parcels without an overall redevelopment plan for them.

Mr. Heidelberger requested clarification of whether the Site Plan was designed to the standards of the existing zoning on the parcel, or to the standards of RAC zoning. Ms. Orshefsky replied that the Applicant wished to request rezoning at the same time as the Text Amendment, which would provide a context for the Amendment. The design shown in the backup materials represents an early iteration that has not been vetted thus far.

Nicholas Kalargyros, representing Urban Design and Planning, stated that the request will rezone 4.8 acres of land from B-1 and RMM-25 to Northwest RAC Mixed-Use—Northeast. Criteria for the rezoning include:

- The proposed zoning district is consistent with the City's Comprehensive Plan
- Changes anticipated by the proposed rezoning will not adversely affect the character of development in or near the area
- The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses
- The Applicant has submitted narrative responses to all criteria and Staff concurs with this assessment

The Applicant has conducted extensive outreach and held multiple public participation meetings for the overall project during February, March, and April 2017. This provided neighborhood associations adjacent to the site with an opportunity to learn about the project. Staff recommends approval of the Application.

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

Ron Centamore, President of the Progresso Village Civic Association, stated that the subject site in Progresso Village has been vacant for the past several years. He praised the project's layout and its multiple buildings, noting that residents of the neighborhood discussed several aspects of the project with the Applicant's team. He asserted that the site is appropriate for the proposed development so residents of the surrounding community have access to shopping.

Mr. Centamore added that residents also requested that the proposed restaurant not be a drive-through facility, which could contribute to congestion. He concluded that the Progresso Village Civic Association voted unanimously to support the project, and the Northwest Progresso-Flagler Heights Redevelopment Advisory Board voted 12-1 in its favor as well. The project has not requested any funding from the Northwest CRA.

Luis Valdez, private citizen, stated that he is the owner of the restaurant adjacent to the proposed development. He spoke in support of the project, which provides an opportunity for positive change in the Progresso neighborhood. He noted that the subject property has been a vacant lot for the past several years.

As there were no other individuals wishing to speak on this Item, Vice Chair Maus closed the public hearing and brought the discussion back to the Board.

Ms. Golub advised that it is difficult to vote on the Item due to the number of unknown factors related to the project. She expressed concern that the lot might be rezoned but left undeveloped.

Motion made by Mr. Glassman, seconded by Ms. Desir-Jean, to approve. In a roll call vote, the **motion** failed 2-3 (Vice Chair Maus, Ms. Golub, and Mr. Heidelberger dissenting).

Attorney Spence stated that the Board must make an affirmative **motion** to deny the Item.

Vice Chair Maus asked if the Applicant is prohibited from re-applying to the City if the Item is not approved. Attorney Spence explained that Code allows the Applicant to appeal the denial to the City Commission; however, if the Commission does not grant their appeal, they would be prohibited from re-applying for two years.

Vice Chair Maus requested clarification of whether or not the Applicant might be allowed to withdraw the Application in the absence of an affirmative motion. Attorney Spence replied that restrictions also apply to withdrawal of an Item. Thus far, the Board has made no decision to approve or deny the Application, but has failed to approve it.

Ms. Orshefsky concluded that the Applicant is under a great deal of business pressure, and will move the Application forward to the City Commission on appeal. She reiterated that the neighborhood surrounding the property is in favor of the project.

Motion made by Ms. Desir-Jean, seconded by Mr. Heidelberger, that the Board deny Item 7. In a roll call vote, the **motion** passed 3-2 (Ms. Desir-Jean and Mr. Glassman dissenting).

8. CASE:	**PL16006**
REQUEST: **	Plat Review
APPLICANT:	AALW Properties, Inc.
PROJECT NAME:	Progresso Self Storage Plat
GENERAL LOCATION:	1375 Progresso Drive
ABBREVIATED LEGAL DESCRIPTION:	A portion of the Southwest one-quarter (SW1/4) of Section 35, Township 49 South, Range 42 East, Broward County, Florida.
ZONING DISTRICT:	Heavy Commercial / Light Industrial (B-3)
CURRENT LAND USE:	Commercial

COMMISSION DISTRICT:	2
CASE PLANNER:	Nicholas Kalargyros

Disclosures were made at this time.

Damon Ricks, representing the Applicant, stated that there is currently an active building on the subject site.

Mr. Kalargyros of Urban Design and Planning advised that the plat proposes 36,986 sq. ft. of land on a site currently occupied by a commercial building and lot. The Applicant plans future development of a self-storage warehouse. Staff recommends approval of the Application.

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

Motion made by Ms. Golub, seconded by Mr. Glassman, to approve. In a roll call vote, the **motion** passed 5-0.

9. CASE:	**T17002**
REQUEST: *	Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Amending Section 47-18.5, Automotive Service Station and Section 47-18.43, Liquor Store and Convenience Store and Section 47-35.1 Definitions. This amendment would allow convenience stores in the Northwest Regional Activity Center when meeting specific conditions and eliminates the distance separation requirements between an automotive service station (gas station) and houses of worship, public parks, hospitals and schools.
APPLICANT:	City of Fort Lauderdale
PROJECT NAME:	Updating Requirements for Convenience Stores in the NWRAC and Automotive Service Station Requirements.
GENERAL LOCATION:	City-Wide
CASE PLANNER:	Eric Engmann

Eric Engmann, representing Urban Design and Planning, explained that the request is for a Text Amendment to the existing ULDR Section 47.18-43, which restricts convenience stores and liquor stores in the Northwest RAC. He clarified that the Northwest RAC is located west of the railroad tracks and bounded to the north and south by Sunrise and Broward Boulevards respectively, while the Northwest CRA crosses the tracks and also encompasses the Flagler Village area.

The prohibition of liquor and convenience stores was adopted in 2013 along with Northwest RAC zoning categories as part of a larger effort to improve the area. The goal was to limit crime and blight from the existing liquor and convenience stores in the area; however, Staff now feels the prohibition may have gone too far, and proposes specific examples and scenarios that would be allowed. When these criteria are met, the convenience store multi-purpose use would be allowed.

The criteria include:

- Conditional use on a case-by-case basis that examines the context of the specific site
- Stores must be part of a larger shopping center
- Food preparation or other address of the area as a “food desert” must exist on the site
- Inclusion of a gas station means the redevelopment site must be larger

Staff feels these criteria would allow convenience or liquor stores as part of larger developments under specific situations. While public notice is not required for a Text Amendment, the Board members’ backup materials reflect the outreach conducted as part of this effort.

Ms. Desir-Jean recalled that the original moratorium on these stores was added to Code after lengthy discussion of its potential effects. She noted, however, that the moratorium had seemed to be specific to the Sistrunk Corridor rather than extending throughout the Northwest RAC. Ms. Parker clarified that zoning designations for the Northwest RAC, including the Sistrunk Corridor, were adopted at the same time.

Ms. Desir-Jean asked what Staff has seen that merits the Text Amendment. Mr. Engmann replied that the prohibition remains in place, and may not be lifted without the approval of the Board under specific criteria. The Amendment considers the area as a whole and seeks specific scenarios under which these uses would work.

Ms. Desir-Jean pointed out that while the original moratorium was supported by several members of the Northwest RAC community, there did not seem to be a significant community presence at tonight’s meeting. She noted that the convenience stores were previously a negative presence in that community, creating difficulty for the nearby neighborhoods to attract more positive development.

Ms. Parker observed that the Application for Item 7 made Staff analyze the situation differently and reconsider whether or not that proposed project was the type of convenience store the neighborhoods had hoped to prohibit. She pointed out the differences between the development described under Item 7, including its status as part of a larger plaza experience and bringing greater visibility to the site.

With regard to community participation, Mr. Engmann pointed out that the Northwest Progresso-Flagler Heights Redevelopment Advisory Board, which consists of members of the Northwest community, had voted 8-1 in favor of the original moratorium. Ms. Desir-Jean stated that due to the amount of time between the approval of the moratorium and the current Text Amendment, she was not certain that the Amendment represented the feeling of the Northwest community.

Mr. Glassman observed that the Text Amendment refers to Andrews Avenue and Sunrise Boulevard rather than the Sistrunk Corridor. He also noted that the Amendment has the support of the Northwest CRA. Ms. Desir-Jean advised that at the Board meeting at which the prohibition was originally discussed, it was not representatives of the Northwest CRA who spoke on its behalf, but residents of the Northwest community, who she did not feel were present at tonight's meeting.

Ms. Golub stated that she was also not certain it was appropriate to change Code specifically to allow the WaWa project. She also did not feel the requirement of a gas station was a sufficient addition to change the nature of a convenience store.

Mr. Engmann explained that Staff intended the gas station criterion to be indicative of a larger type of use. He cited the example of a Save-A-Lot in the subject neighborhood, pointing out that without this specific criterion, in theory, a convenience store could be placed into this development due to the existence of a gas station within the same parcel. The criterion is intended to ensure that any convenience stores are part of a larger, newer overall project.

Ms. Golub reiterated her concern that the proposed Text Amendment conforms closely to the specifications of the Site Plan for the project discussed under Item 7, such as the requirement for three separate commercial establishments to constitute a shopping center. Vice Chair Maus noted that she felt this requirement prevents the development of a "mom and pop"-style convenience store, which had been the original concern addressed by the moratorium.

Ms. Desir-Jean asked why an Applicant could not simply request conditional use rather than the City enacting a Text Amendment. Mr. Engmann replied that liquor and convenience store uses are not conditional, but are prohibited. The proposed Text Amendment would only allow convenience stores as multi-purpose conditional uses in the subject district.

Ms. Golub requested clarification of what constitutes a shopping center. Mr. Engmann stated that a shopping center is defined as a group of commercial establishments that are planned, developed, owned, and managed as a unit, with common offsite parking that meets the total requirements of the parking section of the property. The property must also use a common name.

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

Kim Centamore, private citizen, stated that the subject parcel discussed under Item 7 was an emotional issue for the surrounding community, which was very supportive of it. She recalled that when the prohibition was approved, crime was a problem in the area, with the presence of convenience and liquor stores contributing to these issues. She concluded that the company proposing the WaWa/Aldi development has shown an interest in investing in the Northwest community, which she characterized as a partnership, and the guidelines proposed under the Text Amendment seemed fair.

Ron Centamore, President of the Progresso Village Civic Association, commented that he was supportive of the original moratorium when it was enacted. He advised that while members of the subject community might not be present at tonight's meeting, there was strong attendance at a community meeting within the Northwest RAC to discuss this Item. He felt the proposed exemptions would continue to prevent unwanted uses while allowing the project described under Item 7 or other large projects to be built. He concluded that the surrounding neighborhood is supportive of the project.

Debbie Orshefsky, representing the Applicant of Item 7, clarified that her remarks were only intended to address the proposed Text Amendment. She explained that the prohibition of convenience and liquor stores in the Northwest RAC originally began as a moratorium; when that moratorium approached expiration, the Northwest RAC land use category was created, with the decision to prohibit certain uses within the category. This decision was perceived by residents, however, as only relating to arterials within the RAC rather than the entire area.

Ms. Orshefsky continued that there are three defined types of convenience stores: convenience kiosks, which can be up to 1000 sq. ft. in size; convenience stores, which may be up to 5000 sq. ft.; and convenience store multi-purpose, which is larger than 5000 sq. ft. The definitions of these uses broaden accordingly as size increases.

Ms. Orshefsky pointed out that the term "convenience store" has changed in recent years, employing many additional elements. She noted that up to 50% of the space in a WaWa, for example, is dedicated to food service. She supported Mr. Centamore's description of significant community turnout at local meetings, at which residents agreed that these elements were not what Code intended to prohibit. The current intent is to narrow a previously broad prohibition in order to create special circumstances and the added protection of conditional use.

Ms. Orshefsky concluded that denial of the proposed Text Amendment would result in foreclosure of a business opportunity within the Northwest RAC, as it would not allow modern iterations of convenience stores. She reiterated that the types of stores that were problematic in the past would still be prohibited.

As there were no other individuals wishing to speak on this Item, Vice Chair Maus closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Glassman, seconded by Ms. Golub, to approve.

Ms. Golub stated that her concern that the Text Amendment is specifically intended to accommodate WaWa is alleviated in part due to Ms. Orshefsky's explanation.

In a roll call vote, the **motion** passed 4-1 (Ms. Desir-Jean dissenting).

V. COMMUNICATION TO THE CITY COMMISSION

Mr. Glassman recalled that the City has recently created an Infrastructure Committee, which includes the Chairs of both the Budget Committee and the Planning and Zoning Board; however, the Ordinance that established the Committee was recently amended to include any member of the Planning and Zoning Board rather than only its Chair. He felt the Board should be represented on this Committee.

Ms. Parker explained that Urban Design and Planning Staff reached out to Board Chair Leo Hansen after the first meeting of the Infrastructure Committee. She confirmed that the Board Chair was interested in participating on the Committee.

Attorney Spence added that while the City Commission had appointed Chair Hansen to the Committee to represent the Board, the Board may communicate its interest in appointment of another member if it wishes. Once Chair Hansen's term with the Board has ended, he would no longer be eligible to serve on the Committee.

The Board discussed its representation on the Infrastructure Committee, suggesting that an alternate member might also be appointed.

Motion made by Ms. Golub, seconded by Ms. Desir-Jean, that an alternate member be appointed to the Infrastructure Committee in the event that the Board Chair is unable to attend Committee meetings. In a voice vote, the **motion** passed unanimously.

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

There being no further business to come before the Board at this time, the meeting was adjourned at 9:07 p.m.

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

6-23-2017

Chair

Prototype

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