



CITY OF FORT LAUDERDALE

**PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301
WEDNESDAY, APRIL 20, 2022 – 6:00 P.M.**

Board Members	June 2021 – May 2022		
	Attendance	Present	Absent
Jacquelyn Scott, Chair	P	11	0
Brad Cohen, Vice Chair (arr. 6:45)	P	8	3
John Barranco	P	10	1
Mary Fertig	P	11	0
Steve Ganon	P	11	0
Shari McCartney	P	10	1
William Rotella	A	9	2
Jay Shechtman	P	9	2
Michael Weymouth	P	8	3

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
- Shari Wallen, Assistant City Attorney
- Karlanne Grant, Urban Design and Planning
- Tyler Laforme, Urban Design and Planning
- Yvonne Redding, Urban Design and Planning
- Adam Schnell, Urban Design and Planning
- Lorraine Tappen, Urban Design and Planning
- Leslie Harmon, Recording Secretary, Prototype, Inc.

Communications to City Commission

Motion made by Mr. Weymouth, and seconded by Mr. Cohen, to return the City Hall Chambers to pre-pandemic conditions and layout. In a voice vote, the **motion** passed unanimously.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Scott called the meeting to order at 6:00 p.m. Roll was called and the Pledge of Allegiance was recited. The Chair introduced the Board members present, and Urban Design and Planning Manager Ella Parker introduced the Staff members present.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

~~pointing out that there is not sufficient room on the site to meet the parking and drive aisle requirements found in Code on a 100 ft. lot with a setback of half the building's height.~~

~~**Motion** made by Mr. Weymouth to approve the project as presented, with conditions that have been laid out.~~

~~Mr. Weymouth's **motion** was **restated** with assistance from Attorney Wallen as follows: **motion** to approve, based on the facts that we have heard, the testimony that we have heard tonight, the documents that we have reviewed, all the evidence on the record, and applying the conditions in the Staff Report, including that in the motion, that they must be complied with, and that it meets the applicable criteria that's in the Resolution for us, which is 47-536, 47-23.8, 47-23.11, 47-25.2, 47-25.3.~~

~~Mr. Ganon **seconded** the **motion**.~~

~~Chair Scott read the following Resolution into the record:~~

~~A Resolution of the Planning and Zoning Board of the City of Fort Lauderdale, Florida, approving a Site Plan Level III development permit for the property located at 500 Hendricks Isle, Fort Lauderdale, Florida, in the RMM-25 zoning district, for the development of a five-story structure with seven multi-family units, and denying a waterway use and yard modification, Case #UDP-S21050.~~

~~In a roll call vote, the **motion** passed 4-3 (Vice Chair Cohen, Ms. Fertig, and Ms. McCartney dissenting). (Mr. Barranco abstained. A memorandum of voting conflict is attached to these minutes.)~~

5. **CASE: UDP-S21031**
REQUEST: ** Site Plan Level IV Review: 54 Multifamily Residential Units and 100-Room Hotel with Associated Setback Modifications in Central Beach Regional Activity Center
APPLICANT: Sunrise FTL Ventures, LLLP
AGENT: Nectaria Chakas, Esq., Lochrie & Chakas, P.A.
PROJECT NAME: Ocean Park
PROPERTY ADDRESS: 2851,2901 NE 9th Court
ABBREVIATED LEGAL DESCRIPTION: Lots 1-13 of Seabridge, According to Plat Thereof, Recorded in Plat Book 21, Page 46
ZONING DISTRICT: Sunrise Lane (SLA) District
LAND USE: Central Beach Regional Activity Center
COMMISSION DISTRICT: 2 – Steven Glassman
NEIGHBORHOOD ASSOCIATION: Central Beach Alliance
CASE PLANNER: Karlanne Grant

Disclosures were made at this time.

Nectaria Chakas, representing the Applicant, stated that the request is for Site Plan Level IV approval for a project known as Ocean Park Hotel and Residences. The hotel and condominium will be in two separate buildings. The location is the Sunrise Lane Area zoning district, which is part of the Central Beach Regional Activity Center (RAC). There have been no development proposals within this area in roughly 23 years.

Ms. Chakas noted the project's surrounding buildings, which include a number of condominiums as well as a convenience store and a hotel. There are currently two restaurant buildings on the site, both of which recently closed, among other non-residential uses.

The site presently includes no landscaping or drainage, which means during rains, water flows from the site onto NE 9th Court. The proposed project is expected to address this issue, as new projects are required to contain drainage on-site.

There are two access openings to the site, both of which are located along Sunrise Boulevard. Both of these openings will be closed, as they do not meet current Florida Department of Transportation (FDOT) requirements for distance between openings.

Ms. Chakas showed a rendering of the project, which will consist of a 100-room hotel tower to the east and a 54-unit condominium to the west. The 12-story hotel tower will include a rooftop restaurant and a recreational deck. The 11-story condominium will also include rooftop amenities for its residents. All mechanical equipment is enclosed on the rooftops.

Landscaping from the site will include a landscape island to serve as a buffer between the existing sidewalk on Sunrise Boulevard and traffic travel lanes. There will also be an area at the north end of the building where the sidewalk separates, with one piece traveling up to the bridge and another continuing beneath the bridge. The sidewalk is owned by FDOT.

Because the access points on Sunrise Boulevard will be closed, access to the site will come from NE 9th Court. One access opening is proposed at the main entrance to the development, where valet service will take cars to the subterranean 205-space parking garage. All garage elements are below street level. The Applicant also proposes new parallel parking spaces along the south side of the NE 9th Court right-of-way, as well as new drainage and buried power lines.

Each of the towers will have its own loading area. The condominium loading area is contained within the building, while the hotel loading area is larger and wider to accommodate more service vehicles in bays.

The Applicant had originally included no active uses on the ground floor of the project; however, at the request of City Staff, a Grab & Go was added, as was a public plaza along Sunrise Boulevard. The plaza will grant an easement to the City. Pedestrian

access will be provided through the hotel property. The entire street will be reconstructed with underground power lines, new sidewalks on both sides of the roadway, and new drainage, including a new 16 in. water main.

The request includes setback modifications. The Sunrise Lane Area (SLA) zoning district requirements include setbacks that are one-half the height of the building unless the project is approved upon Site Plan Level IV review. There are no special criteria for yard modifications in this district: the Applicant is required only to show neighborhood compatibility. Ms. Chakas emphasized that the subject area is "dense and very urban."

The required side setbacks to the east and west are 60 ft., and only 24 ft. of separation is required between the buildings. Ms. Chakas characterized this as a wall effect, which allows for less light and air between the buildings. Instead, the Applicant proposes 99 ft. of building separation, which will push the buildings out into the side setbacks. The proposal is for a 40 ft. setback to the east and 10 ft. to the side. She pointed out that the neighboring property has a 6 in. setback.

The required setbacks for the project are 60 ft. on the east and west and 24 ft. of tower separation, which would provide a total of 144 ft. of open space. The Applicant's proposal would provide 149 ft. of open space on the site.

Ms. Chakas recalled that in 1999, the adjacent building, Le Club condominium, received yard modifications permitting 18 ft. to the north and south, 10 ft. on the east, 20 ft. along the right-of-way, and 20 ft. in the rear. She characterized the Applicant's request as in line with these requests and the overall pattern of development within the neighborhood.

Cecilia Ward, also representing the Applicant, stated that she reviewed the Application and found it to be consistent with the City's revitalization plan for the Central Beach Area (CBA), which has been in effect for over 30 years. The Application is also consistent with the City's Comprehensive Plan and the ULDR in relation to the CBA and SLA zoning. She felt the project complies with the criteria for the SLA zoning district with regard to use, density, height, and setbacks.

Ms. Ward continued that she had also reviewed adequacy and neighborhood compatibility standards for the area. This review was included in the Board members' backup materials. She pointed out that Code encourages rooftop activity such as pools and pool decks while screening mechanical equipment. The hours in which amplified music is permitted outdoors have been limited, and the Applicant plans to comply with the City's Noise Ordinance.

Ms. Ward addressed some of the issues raised by residents of Le Club, suggesting that there may have been misinterpretations or misunderstandings of Code. She noted that the Central Beach has unique zoning regulations which are not applicable to the rest of the City, and vice versa. The CBA encourages a mixture of uses, and density for

residential and hotel uses may be combined or may stand alone. The floor area ratio (FAR) criteria reflected in Code apply to commercial and retail space only.

Ms. Ward continued that mixed-use provisions in Code Section 47-18.21 are not applicable to the CBA. These provisions were written to allow for mixed-use development outside of RACs that provides flexibility units or flexibility acres. The comparison of an existing to a proposed building footprint is not a Code standard and should not be considered as part of Site Plan review.

Ms. Ward added that the setbacks comply with Site Plan Level IV review and should not be considered a request for relief. Support was provided in a comparative analysis showing larger buildings and their areas of separation.

With regard to parking, the Application complies with parking requirements of Code Section 47-20. She referred to tables in this Section showing the residential and hotel requirements within the SLA, stating that the mixed-use parking requirement in this table applies only to commercial, retail, and restaurant use. Regarding neighborhood compatibility, Ms. Ward concluded that this requirement is not applicable to residentially zoned properties in RACs, including the Central Beach RAC.

Carl Peterson, also representing the Applicant, also addressed parking and traffic, stating that the Applicant did not deduct existing traffic from the network in terms of operational analysis: the existing patterns are provided for comparative purposes only. He referred to a letter of objection addressing traffic, which took issue with the Applicant's internalization of traffic. The traffic numbers have been adjusted in accordance with the letter and continue to show reductions in traffic during the peak p.m. hour.

Mr. Peterson also noted that there was an objection stating the Applicant should have used a different edition of the trip generation manual. He pointed out that this edition was not available at the time the study was initiated; however, when this edition is used, the reduction in trips would increase.

Operational analysis results of the Sunrise Boulevard/Birch Road and Birch Road/NE 9th Court intersections show that both facilities are operating well under current conditions and will continue to do so with the proposed project's traffic. He concluded that the study reflects an overall reduction in p.m. peak hour trips and meets the level of service (LOS) standard. The valet analysis, which was conducted in accordance with Institute of Transportation Engineers (ITE) procedures, shows that the six required valet spaces will be adequate to meet service standards, provided that three to four valet runners are available to process cars as they arrive and depart.

Ms. Fertig observed that the total peak hour trips show a change of (-3). Mr. Peterson confirmed that this was the total after the adjustments recommended in the letter of objection were made. Ms. Fertig pointed out that the Staff Report shows the beach trips

generation as (-19). Mr. Peterson replied that this was the result of a change in the internalization factor to peak p.m. hours. He reiterated that the Applicant would be willing to update the traffic study using the 11th edition of the trip generation manual rather than the 10th edition, as the 11th edition would result in a larger decrease in peak hour traffic.

Mr. Peterson continued that there are other factors that could have been applied to the Applicant's traffic documentation, including treating the hotel use as an all-suites facility rather than a standard hotel. The study also made no multimodal reduction for other means of transportation to and from the site.

Mr. Weymouth asked how the requirement of a specific number of valet runners would be regulated or monitored. Mr. Peterson replied that this figure was identified in determining the adequacy of the valet parking spaces to be provided. The number of runners needed during the peak hour was based upon the distance from the valet stand to the parking garage as well as processing time.

Ms. Fertig also addressed the limitation on outdoor amplified music, asking if the Applicant anticipated holding events on the hotel's rooftop amenity space. Ms. Chakas replied that the Applicant has agreed to limit the hours during which outdoor amplified music may be played to 11 a.m. to 9:30 p.m. on Monday through Thursday, 11 a.m. to 11 p.m. on Friday, and 10 a.m. to 11 p.m. on Saturday. These limitations do not coincide with the hours of operation for the rooftop restaurant, but are specific to amplified music.

Mr. Weymouth advised that he shared the concerns with amplified music, pointing out that the hotel is a commercial use within a multi-family residential area. He recommended that the ability of sound to travel over water be studied further in this case. Ms. Chakas stated that the Applicant has addressed this issue by agreeing to the limited hours for amplified music.

Motion made by Mr. Weymouth, seconded by Vice Chair Cohen, to make the Staff Report part of the record. In a voice vote, the **motion** passed unanimously.

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

Bill Brown, president of the Central Beach Alliance (CBA), stated that the Applicant's developer first came before that organization's board, seeking neighborhood input, in July 2021. The project was presented to the CBA membership in August 2021, followed by a public outreach meeting in January 2022. The Applicant's team came back to the CBA membership in February 2022.

Concerns raised about the project by the CBA membership included traffic, drainage, and public safety response. The members also responded positively to proposed infrastructure improvements, streetscapes, underground utilities, and improvement of

the storm sewer system and water lines. However, the project did not receive majority support by the membership in February 2022.

Ms. Fertig requested clarification that the CBA's position might have changed since the project was presented in February. Mr. Brown confirmed this, explaining that two of the four condominium projects immediately affected by the proposed project were in favor of it and have worked directly with the developer. Since that meeting, one more of the four condominiums is now supportive of the project.

Matt Cain, representing the Coconut Bay Resort condominium, advised that most unit owners are in favor of the proposal, as they feel it would improve property values.

Danny Dugan, representing the Sunrise East condominium, stated that this building is supportive of the project as submitted. He added that the hours in which amplified music may be played by the Applicant are more restrictive than the City requires. He characterized the project's surrounding area as blighted, and concluded that residents of his building are pleased that the Applicant plans to address this.

Pete Heckebuiker, president of the Sunrise East Condominium Association, reported that this condominium had first engaged in redevelopment of the subject property before it was sold in order to fully understand what is permitted on the site by zoning. This Association developed criteria for what they wished to see on the site and successfully negotiated all of these issues with the developer. They are in favor of the project due to drainage, public safety, and property value improvements.

Kristy Armada, attorney representing Le Club International Condominium Association, requested party status for her clients, who live one street away from the proposed development. This Association was required to receive notice of tonight's hearing under Code. Ms. Armada noted that the interests of the property owners she represents are different from those of other unit owners further away in the same neighborhood because they are more directly affected by the effects of the proposed project.

Attorney Wallen advised that a request for party status seeks the same treatment for these property owners as for the Applicant, which would give Ms. Armada the same amount of time for her presentation as the Applicant's team received, as well as the ability to call witnesses and cross-examine. Ms. Armada replied that her only request was to be allowed to speak for approximately 10 minutes, with up to three minutes reserved for her team's traffic consultant. Attorney Wallen stated that this was not the same as party status, and the request was at the Board's discretion. Chair Scott agreed to the requested time allotment.

Attorney Wallen requested that any materials provided to the Board as part of Ms. Armada's presentation also be provided to Staff so they may be included in the record.

Ms. Armada stated that Le Club is located one street south of the proposed development. Her clients' general objections include the size of the project, which they believe is too large for the proposed site. The site is 1.26 acre, with a width equal to "eight or nine perpendicular, not parallel, parking spaces," on which two 12-story buildings will be constructed, with 100 hotel rooms and 54 residential condominium units respectively.

Ms. Armada continued that the prevailing theme of the Applicant's public participation meetings focused on the congested traffic conditions at the intersection of Sunrise Boulevard and Birch Road. Residents of Le Club currently have access to their building through two curb cuts on Sunrise Boulevard and another on Birch Road, and the Sunrise Boulevard/Birch Road intersection was described as "a bottleneck." The project will add significant traffic to this intersection.

At present, a one-story shopping center with six commercial uses, including two closed restaurant spaces, exists on the subject site. Traffic in the area is still a significant issue, which will be exacerbated by the addition of 100 hotel and 54 condominium units, plus a restaurant and bar.

Ms. Armada stated that the proposed project exceeds the density limits provided in the ULDR, which are listed in Section 47-12 as 48 residential units or 90 hotel rooms per acre. The residential and hotel units each provide 90% and 89%, respectively, of the maximum density allowed. She added that Section 47-12 does not permit "double-dipping" of this nature: development of residential use only would be limited to no more than 60 units, while hotel development only would be limited to 113 rooms. The total measurement of the project's size is fully applied to each category rather than half of its square footage to each category.

Ms. Armada continued that the project does not meet ULDR setback requirements other than those cited in Section 47-12.5.c.d, which lists Site Plan Level IV review as an exception. She pointed out, however, that Code "does imply or suggest" that the setback in this case should be 60 ft. or half the size of the building's height. While the City Commission is permitted to modify the setback requirement, Ms. Armada advised that they should only do so if the developer demonstrates that the proposed setbacks meet the ULDR's intent and protect nearby properties.

Ms. Armada continued that the project does not satisfy parking requirements. Under ULDR requirements, the project requires 212 parking spaces, while the developer has proposed 196 due to a shared parking analysis. The residential and hotel towers will share an underground parking facility with 206 spaces, 150 of which are tandem or lift spaces. She characterized this as meaning only 48 of the hotel and residential towers' parking spaces are standard. In addition, the valet stacking area has only six spaces, which can result in traffic backup onto NE 9th Court.

Ms. Armada described the Applicant's neighborhood compatibility review as evasive, noting that while the project is located within a RAC, many of the criteria for compatibility impose additional obligations on projects that abut residential properties. The developer has indicated that the project does not abut residential property, although it is surrounded by the Sunrise East, Carlton Tower, and Coconut Bay condominiums. This is because the definition of "residential property" in the ULDR does not include the SLA zoning district in which these buildings are located.

Ms. Armada stated that because the developer has disregarded neighborhood compatibility requirements due to this definition of residential property, they have not met ULDR standards or the criteria for Site Plan Level IV approval and cannot be recommended to the City Commission for approval.

While the developer has submitted a traffic impact study which concludes the project would yield a negative number of trips, the fact that restaurants, which are the highest trip generator, have been vacant for years, was not accounted for in the study. Le Club engaged a separate traffic engineer to conduct a review of the Applicant's traffic study, determining that the developer's study does not deliver sufficient information to support its conclusion that the project would not adversely affect the surrounding roadway network.

Juan Calderon, also representing Le Club International, advised that the Applicant's traffic study does not accurately reflect existing conditions and counts on and near the site. The existing land use the Applicant's study applies shows very high numbers for existing conditions, while the actual data reflects very low numbers. This suggests there is a great deal of traffic currently generated for the site, although that is not the case. Mr. Calderon concluded that if the land use is removed from the existing conditions, there would be no negative numbers associated with net trips.

Vice Chair Cohen requested clarification of how these traffic count numbers would change. Mr. Calderon replied that instead of a change of (-3) spaces, the result may actually be +60. Ms. Armada noted that Mr. Calderon's traffic report was attached to a letter the Board members had received.

Ms. Fertig observed that the total number of trips remaining on the barrier island is 74; the adjusted traffic analysis would remain within this limit, although it would be using roughly 60 of them. Mr. Calderon reiterated that once the land use used to generate the traffic study is removed, the number of trips becomes positive rather than negative. This also affects the findings of the intersection LOS analysis, traffic patterns, and valet parking analysis.

Mr. Ganon commented that if the project were not proposed, the shops and restaurants at the site would be open and in use, and the comparison would be significantly different.

Richie Baptista, private citizen, stated that he lives at Sunrise East. He presented photographs of the road beside his building, noting that his biggest concern at present is with speeding. He felt the proposed project would improve safety and beautify the area. He also suggested that the hotel use could serve to slow traffic on East Sunrise Boulevard.

Tim Schiavone, private citizen, stated that his business, the Parrot Lounge, is supportive of the proposed project and is encouraged by its potential economic impact. He noted that the developer had reached out to his business to address their concerns.

Tad Wootten, board member of the Carlton Tower condominium, advised that he had initially opposed the project; however, following the CBA meeting in February 2022, the Applicant had reached out to his condominium once more and resolved many of his and the other board members' concerns. He concluded that he was supportive of the project.

Steve Goodman, president of Le Club International, asserted that while he believed none of the other representatives of buildings in the subject area could say that they spoke for all of their buildings' residents, he was certain that 100% of Le Club residents oppose the project. While he agreed that the subject site is in need of redevelopment, he did not feel this was an appropriate plan for the site's size.

Mr. Goodman continued that hundreds of vehicles entering buildings in the area all use a single lane, and there is only one ingress/egress point onto Sunrise Boulevard. He expressed concern that the elevation necessary to fit two buildings onto the subject site would require termination of two existing curb cuts, which would mean all vehicles accessing the proposed project would need to enter a narrow dead-end street to do so. He also pointed out that providing parallel parking on the existing roadway would narrow it further.

Mr. Weymouth asked how wide a property would need to be in order to support a hotel. Mr. Goodman replied that this is more closely related to access to the property rather than to its width. He added that he was not aware of another hotel with similar density on a 100 ft. lot.

Motion made by Mr. Weymouth, seconded by Vice Chair Cohen, to extend this meeting to 12 o'clock. In a voice vote, the **motion** passed unanimously.

Mike Vandenburg, private citizen, stated that he is also a resident of Le Club. He clarified that he and other residents of his building were not opposed to developing the subject site, which he described as unsightly, but expressed concern with the proposed closure of the site's two curb cuts, which would affect the amount of parking that can be placed on the lot. He added that this would redirect traffic onto NE 9th Court, which is a dead-end street and would be likely to create traffic backup. He was also concerned for

the pedestrian environment in an area with increased traffic, and concluded that the project's size was too big.

Bev Yanowitch, private citizen, advised that she is a resident of Le Club. She felt the project is too dense for its parcel, proposes insufficient setbacks and parking, has not met adequacy requirements, provided a flawed traffic impact study, and did not meet neighborhood compatibility, particularly with regard to noise from the proposed rooftop bar. She cited other locations throughout the City where there have been complaints related to rooftop bars and Noise Ordinance enforcement.

David _____, private citizen, stated that he is a resident of Le Club. He noted that there is presently "no way" to exit Le Club due to heavy traffic, and expressed concern with traffic traveling through the subject site.

Robert Dean, president of the Carlton Tower board, advised that residents of his building were originally not in favor of the project due to traffic concerns; however, he now felt the proposed development would not have as significant an impact on its surroundings as previously thought. He concluded that the project would be an enhancement to the neighborhood.

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

Ms. Chakas addressed some of the items raised during public comment, noting the assertion by Le Club's representative that the project would exceed density for the site. She pointed out that the location is within the RAC, which is unlike other areas of the City in that it allows for the layering of uses, permitting up to 48 residential units and 90 hotel rooms per acre. The project's density is below these requirements.

With respect to setbacks, Ms. Chakas continued that the Applicant's proposed setbacks are consistent with those of surrounding buildings as well as with the requirements of the SLA zoning district. This district provides a menu of setback options in Code.

Ms. Chakas continued that neighborhood compatibility Code for this area includes sections that do and do not apply to buildings abutting residential properties. An adjacent property may have a residential use but not meet the definition of a residential property as defined in Code. This definition includes specific residential zoning district designations and does not include RAC. Other provisions of neighborhood compatibility are specific to RACs and the beach, including rooftop decks with active uses.

Regarding traffic, Ms. Chakas recalled that it had been suggested that the restaurants currently on the site should not be included in the site's trip generation summary. She characterized the summary as a snapshot, stating that it would be illegal to exclude these existing buildings even though they are not currently occupied.

Ms. Fertig requested clarification of the number of residents and hotel guests who would use the new single access point to the site. Ms. Chakas replied that the existing curb cuts to which she and others had referred were being eliminated because they do not meet FDOT's current engineering standards. She did not know how many residents would be on-site, but reiterated that there would be 54 residential and 100 hotel units. She stated that the Applicant felt the single roadway access would be sufficient to accommodate the buildings. In addition, she noted that the Sunrise Boulevard/Birch Road and 9th Court/Birch Road intersections included in the traffic calculations are currently operating at LOS A/B and A respectively.

Ms. Fertig also observed that there was no public comment provided from Bonnet House, and asked if the Applicant has received any indication of that entity's perception of the project. Ms. Chakas advised that the Applicant's team has met with Bonnet House representatives, whose primary concern had been assistance in facilitating plans for the improvement of Birch Road. She added that the hotel will not include meeting space.

Motion made by Mr. Barranco to approve the findings of fact tonight as well as Staff's conditions presented in our handouts here.

Ms. Chakas advised that the Applicant would dedicate three easements to the City, and wished to include the clarification that these will be non-exclusive easements, as they will overlap with some of the power lines the Applicant plans to relocate underground. Ms. Parker confirmed that Staff would agree to amending the language of the appropriate condition in the Staff Report to ensure the easements are non-exclusive.

Mr. Barranco **amended** his **motion** to include the following: so that the easements are non-exclusive.

Mr. Weymouth **seconded** the **motion**.

Ms. Fertig asked if Mr. Barranco wished to include more substantive language regarding noise control. Mr. Barranco replied that the Applicant has already discussed this in depth with residents of the area. Ms. Fertig stated that she felt other measures should be taken in addition to restricting the hours at which amplified music can be played from the site.

It was asked if the Applicant's voluntary restriction of the hours in which amplified music would be played was submitted as part of the Application. Ms. Chakas replied that it was not, although the Applicant made a commitment to this restriction with the project's neighbors and was willing to proffer this as an additional condition of approval. It will be included in the project's condominium documents.

Mr. Barranco further amended his motion as follows: to include the voluntary condition by the Applicant for the restriction on the hours [of amplified sound], as presented earlier. Mr. Weymouth seconded the amended motion.

It was further clarified that the easements which the Applicant had requested be made non-exclusive are those listed under Staff Conditions 4, 5, and 6.

In a roll call vote, the motion passed 8-0.

6. ~~CASE: UDP-Z22003~~
~~REQUEST: * ** Rezone 1.13 Acres of Land from Boulevard Business (B-1) and Residential Multifamily Mid-Rise/Medium High-Density (RMM-25) to Community Facility (CF)~~
~~APPLICANT: City of Fort Lauderdale~~
~~AGENT: Florentina Hutt, Keith~~
~~PROJECT NAME: Fort Lauderdale Police Headquarters~~
~~PROPERTY ADDRESS: 1300 W. Broward Boulevard and 1201 SW 1st Street~~
~~ABBREVIATED LEGAL DESCRIPTION: Waverly Place Subdivision, Lots 1-Through 4 and Lots 15-28, Block 125~~
~~ZONING DISTRICT: Community Facility (CF), Boulevard Business (B-1), and Residential Multifamily Mid-Rise/Medium High-Density (RMM-25)~~
~~PROPOSED ZONING: Community Facility (CF)~~
~~LAND USE: Community Facilities, Commercial, and Residential Medium-High~~
~~COMMISSION DISTRICT: 2 -- Steve Glassman~~
~~NEIGHBORHOOD ASSOCIATION: Sailboat Bend Civic Association~~
~~CASE PLANNER: Lorraine Tappen~~

~~Disclosures were made at this time.~~

~~Lorraine Tappen, representing Urban Design and Planning, advised that the request is for rezoning of 1.2 acres of land from Boulevard Business District (B-1) and Residential Multi-Family Mid-Rise/Medium High-Density (RMM-25) to Community Facility (CF). The purpose of the rezoning is the proposed Police headquarters, which will be built to the east of the existing building. Without the rezoning, it is difficult to establish dimensional requirements for the redevelopment of the site.~~

~~CF zoning is compatible with the adjacent land uses in the area, and the Code section addressing neighborhood compatibility will ensure buffering requirements in the future. The 25-ft. setbacks required by CF zoning are also more generous than B-1 or RMM-25.~~

~~Ms. Fertig asked if the City reached out to the appropriate neighborhood association to discuss the Application. Mike Vonder Meulen, representing the City, replied that the~~

~~V. COMMUNICATION TO THE CITY COMMISSION~~

~~Motion made by Mr. Weymouth, and seconded by Mr. Cohen, to return the City Hall Chambers to pre-pandemic conditions and layout. In a voice vote, the motion passed unanimously.~~

~~VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE~~

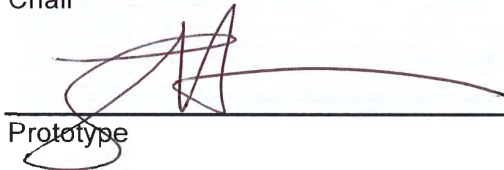
~~Mr. Weymouth requested that when the Board receives a package of the size of tonight's backup materials, it be provided to them somewhat earlier so the members will have sufficient time to review the Agenda. Ms. Parker advised that these materials could be provided electronically if that is the members' wish. The documents could be provided on a reusable thumb drive or via links that could be forwarded to the members.~~

There being no further business to come before the Board at this time, the meeting was adjourned at 11:00 p.m.

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



Chair



Prototype

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