

**PLANNING AND ZONING BOARD  
CITY OF FORT LAUDERDALE  
CITY HALL – CITY COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
WEDNESDAY, MARCH 16, 2016 – 6:30 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2015-May 2016</b>	
		<b>Present</b>	<b>Absent</b>
Patrick McTigue, Chair	P	10	0
Leo Hansen, Vice Chair	P	8	2
Theron Clark	P	6	1
Stephanie Desir-Jean	P	9	1
Steven Glassman	P	9	1
Rochelle Golub (dep. 8:01)	P	9	1
Richard Heidelberg	P	7	3
Catherine Maus (dep. 8:02)	P	8	2
James McCulla	P	8	2

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

**Staff**

Ella Parker, Urban Design and Planning Manager  
D'Wayne Spence, Assistant City Attorney  
Eric Engmann, Urban Design & Planning  
Anthony Fajardo, Chief Zoning Administrator  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to the City Commission**

None.

**I. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

Chair McTigue called the meeting to order at 6:30 p.m. and all recited the Pledge of Allegiance. The Chair introduced the Board members, and Urban Design and Planning Manager Ella Parker introduced the Staff members present. Assistant City Attorney D'Wayne Spence explained the quasi-judicial process used by the Board.

Chair McTigue advised that Applicants and their agents are allowed 15 minutes for presentations; representatives of associations and groups are allowed five minutes, and individuals are allowed three minutes.

**II. APPROVAL OF MINUTES**

**Motion** made by Ms. Desir-Jean, seconded by Ms. Maus, to approve. In a voice vote, the **motion** passed unanimously.

### III. AGENDA ITEMS

#### Index

<u>Case Number</u>	<u>Applicant</u>
1. 7P13**	PDKN P-4 LLC / Bokamper's Sports Bar and Grill
2. ZR15007** *	WB Divine Investments LLC / Benedetti Medical Office Building

#### **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.

- Applicant / Project:** PDKN P-4 LLC / Bokamper's Sports Bar and Grill

**Request:** \*\* Right-of-Way Vacation / 20 x 35 foot portion of alley

**Case Number:** 7P13

**General Location:** 3212 NE 32 Street

**Legal Description:** A portion of the 20 foot wide alley in Block 2, "Galt Ocean Mile", according to the plat thereof, recorded in Plat Book 34, Page 16 of the Public Records of Broward County, Florida, lying north of Lot 4 and south of Lot 11, and of said Block 2, bounded on the east by a line between the southeast corner of said Lot 11 and the northeast corner of said Lot 4, and bounded on the west by a line between the southwest corner of said Lot 11 and the northwest corner of said Lot 4.

**Case Planner:** Eric Engmann

**Commission District:** 1

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

Courtney Crush, representing the Applicant, explained that the request is for a partial alley vacation. The Applicant, Bokamper's Sports Bar and Grill, first came before the Board for approval in December 2012. Two conditions of final Site Plan approval at that time were a land swap between the City and the Applicant as well as the proposed alley vacation.

Ms. Crush showed an aerial view of the site, noting that a portion labeled as an access easement is a former alley, which was vacated when a fire station was demolished. The request would vacate a 700 sq. ft. portion of the property to extend it for construction of a parking lot on the parcel. The City will then construct a new fire station on a vacant lot to the north.

As part of the Application, a proposed condition of the vacation would be an access easement through the final parking lot for any user of the alley who wishes to continue traveling west. Criteria for vacation of an alley include recognition the right-of-way is no longer necessary for public purposes, and that alternate routes are provided. Ms. Crush pointed out that at present, the alley is a dead end located behind a vacant building. The Application would extend the alley and improve vehicular travel of that portion of the block.

Mr. Glassman noted that a letter from AT&T in the backup materials states that the utility objects to vacation of the alley. Ms. Crush advised that City Code criteria require all utilities to be relocated and/or provided with easements; AT&T has indicated that there is an existing pole that may remain in place with an easement. In addition, due to existing City gravity lines to carry wastewater, the City proposes that the Applicant provide an easement back to the City for utility purposes when the land swap occurs.

Mr. Heidelberger asked if the existing office building would be demolished. Ms. Crush clarified that the property owner is considering possible uses for this property and has no plans to demolish it at this time.

Chair McTigue disclosed that he is a member of the City's Fire Bond Committee.

Eric Engmann, representing Urban Design and Planning, stated that the request would vacate a 20x35 ft. portion of an alley. The request is predicated upon a proposed land swap between a group representing the owners of Bokamper's Sports Bar and Grill and the City. The alley abuts property owned by the Applicant and the City, and would be divided with half the alleyway going to each party if vacated.

Mr. Engmann noted that Staff Conditions 1 and 2 should be struck from the Item and replaced with a revised Condition, which is as follows: The City shall reserve and retain an access and utility easement over the right-of-way area that is to be vacated. Condition 3 will not be changed.

Mr. Engmann concluded that Staff has received a letter from a neighbor of the property, which did not raise any concerns with the proposed alley vacation. Staff recommends approval of the Application.

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

**Motion** made by Ms. Maus, seconded by Vice Chair Hansen, to approve with Staff Conditions. In a roll call vote, the **motion** passed 9-0.