

PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL – 8TH FLOOR CONFERENCE ROOM
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, OCTOBER 21, 2015 – 5:30 P.M.

Cumulative

Board Members	Attendance	June 2015-May 2016	
		Present	Absent
Patrick McTigue, Chair	P	5	0
Leo Hansen, Vice Chair	P	4	1
Theron Clark	P	2	0
Stephanie Desir-Jean	P	5	0
Steven Glassman	P	4	1
Rochelle Golub	P	4	1
Richard Heidelberg	P	2	3
Catherine Maus	P	4	1
James McCulla	P	5	0

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 and 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 6:32 p.m. and all recited the Pledge of Allegiance. The Chair introduced the Board members, and Assistant City Attorney D'Wayne Spence explained the quasi-judicial process used by the Board. Urban Design and Planning Manager Ella Parker introduced the Staff members present.~~

II. APPROVAL OF MINUTES

~~Mr. Glassman noted the following corrections to the September 16, 2015 minutes:~~

- ~~• P.4, paragraph 2: reference to Lauderdale Mall should be to Lauder Del Mar~~

- P.4, paragraph 3: last line should read "respond to the plans"
- P. 17, paragraph 1: first line should read "lack of parking"

~~Motion made by Mr. McCulla, seconded by Ms. Desir Jean, to approve with corrections. In a voice vote, the motion passed unanimously.~~

III. AGENDA ITEMS

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<u>Case Number</u>	<u>Applicant</u>
1. R15029**	133 Isle of Venice LLC / Aqua 133
2. T15004*	City of Fort Lauderdale
3. T15005*	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 ULD. All persons speaking on quasi-judicial matters will be sworn in and will be subject to cross-examination.~~

1.	<u>Applicant / Project:</u>	133 Isle of Venice LLC / Aqua 133
<u>Request: **</u>	<u>Site Plan Level III, Waterway Use and Yard Modification for a 8-unit Multifamily Residential Development</u>	
<u>Case Number:</u>	R15029	
<u>General Location:</u>	133 Isle of Venice, North of Las Olas Boulevard	
<u>Legal Description:</u>	The north 40 feet of Lot 20 and all of Lot 21, Island No. 4, Nurmi Islands, according to the plat thereof, as recorded in Plat Book 24, Page 43, of the public records of Broward County, Florida. Said lands situated, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 14,400 square feet or 0.3306 acres, more or less.	
<u>Case Planner:</u>	Eric Engmann	
<u>Commission District:</u>	2	

~~Disclosures were made at this time.~~

~~Ms. Maus requested clarification of the height at which notice must be posted, stating that during her site visit, she had seen the notice posted at ground level in an area not visible from the road. Chief Zoning Administrator Anthony Fajardo replied that while there are no specific dimension requirements, Code states that notice should be clearly visible from the public right-of-way, and Applicants are informed of this requirement.~~

~~Development Regulations to permit residential multifamily use as a permitted use subject to Site Plan Level III development approval and specific criteria within the entire ABA District where residential multifamily use is currently only permitted within that portion of the ABA District located within the boundaries of the North Beach Area.~~

~~Case Number:~~ T15004
~~General Location:~~ Central Beach
~~Case Planner:~~ Anthony Gregory Fajardo
~~Commission District:~~ 2

~~It was noted that disclosures were not necessary for this item.~~

~~Mr. Fajardo stated that this item requests a ULDR amendment that would add residential uses to the ABA zoning district. In 2011, the City Commission passed Ordinance C 1140, which amends the list of permitted uses only for the portion of the ABA within the North Beach boundaries. A study by the IBI Group, which looked at the traffic impacts created by adding these uses, found that residential uses do not add additional traffic to the roadways; instead, they help reduce traffic, as hotel uses in the area have a heavier impact. The amendment is intended to allow flexibility to the area by providing more neighborhood-serving uses. Staff feels residential uses could also be added to the remainder of this district without a negative impact.~~

~~The proposed language change would strike through existing language which limits residential use to the North Beach area only, as shown in the backup materials. The City has informed the Central Beach Alliance (CBA) of the proposed amendment, although they did not provide an official response. The amendment was also presented to the Council of Fort Lauderdale Civic Associations.~~

~~Mr. Glassman asked if the amendment was intended to benefit a land swap proposed for a Sebastian Street parking lot. Mr. Fajardo advised that while the amendment will affect this proposal, it was not intended to specifically address it. He also confirmed that the existing setback requirements within the subject area will remain the same. Ms. Parker added that setback modification requests will continue to come before the Planning and Zoning Board and the City Commission, regardless of whether the request is for a residential or commercial property.~~

~~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 Mr. McCulla, seconded by Ms. Maus, to approve. In a roll call vote, the **motion** passed 8-1 (Ms. Golub dissenting).~~

3. Applicant / Project: City of Fort Lauderdale

Request: *	Section 47-22.3.J Message Center Signs to permit message center signs within the public right-of-way when in association with entertainment, cultural arts, or athletic events or the holding of public expositions, fairs and conventions, museums or some combination of thereof subject to specific criteria.
Case Number:	T15005
General Location:	City-wide
Case Planner:	Anthony Gregory Fajardo
Commission District:	City-wide

Mr. Fajardo explained that this proposed amendment would allow Message Center signs at composite development sites. He cited the example of the City's Arts and Sciences District, which includes the Performing Arts Center, the Museum of Discovery and Science, and a City park. The intent behind this amendment is for entities to enter into an agreement with the City, subject to criteria, regarding the use and location of the signs. The City Commission would have final approval. Message Center signs would be limited to Regional Activity Centers (RACs) and facilities that meet the definition in Code.

Mr. Fajardo continued that since first drafting the amendment, it has been reviewed in greater detail with potential stakeholders, who raised possible issues, including:

- The requirement for 70 acres was intended to be struck from the amendment;
- The language referring to Entertainment facilities would be either stricken from Code or refined further;
- Possible limitation of qualifying developments to nonprofit organizations only.

Mr. Glassman observed that the City should consider collaborating with local visual artists and arts organizations on the designs to be used by the signs. Mr. Fajardo noted that during the DRC phase, Staff would have an opportunity to propose this action to potential applicants.

Ms. Golub asked if any entities have requested these signs. Mr. Fajardo confirmed this, stating that the Broward Center for the Performing Arts has made this request. Ms. Golub commented that the City should consider limiting the signs to governmental entities or public/private partnership facilities. Mr. Fajardo advised that Staff plans to review these potential restrictions with the City Attorney's Office to determine if they are legally defensible.

Attorney Spence clarified that the proposed amendment would broaden the availability and location of Message Center signs to other types of property, including composite development sites such as the Arts and Sciences District, where the intended types of venues already exist. The intent is not to amend Code in a way that would allow every type of entity to have a Message Center sign.

Mr. Fajardo continued that the signs would be subject to a revocable license agreement with the City, as they would be placed in rights-of-way. This would allow the City to have the sign removed if necessary. He further clarified that events, such as the Fort Lauderdale International Boat Show, would not qualify to display a Message Center sign: an event must be affiliated with the specific facility that enters into an agreement with the City. Signs would be able to run continuously.

Ms. Maus asked if there are existing composite development sites in the City. Mr. Fajardo replied that this term was developed specifically for the subject portion of the ULDR. He emphasized that certain requirements of composite development sites may be made clearer if necessary. There is no current language to limit the number of or distance between such signs. Animation would be allowed, subject to certain requirements and refresh rates.

Mr. McCulla observed that the amendment as presented would require additional revision, as it was difficult to determine what is to be included in its present form. Mr. Fajardo confirmed that Staff would have no objection to deferral of the Item.

Motion made by Mr. McCulla, seconded by Mr. Clark, to defer to the November meeting. In a roll call vote, the **motion** passed 9-0.

IV. COMMUNICATION TO THE CITY COMMISSION

None.

V. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

None.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:49 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.]