

**PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL – CITY COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, JUNE 15, 2016 – 6:30 P.M.**

Cumulative

Board Members	Attendance	June 2016-May 2017	
		Present	Absent
Leo Hansen, Chair	P	1	0
Catherine Maus, Vice Chair	P	1	0
Theron Clark	P	1	0
Stephanie Desir-Jean (arr. 6:42)	P	1	0
Howard Elfman	P	1	0
Steven Glassman	P	1	0
Rochelle Golub	P	1	0
Richard Heidelberger	P	1	0
James McCulla	P	1	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
Karlanne Grant, Urban Design and Planning
Florentina Hutt, Urban Design and Planning
Randall Robinson, Urban Design and Planning
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Vice Chair Hansen called the meeting to order at 6:31 p.m. and all recited the Pledge of Allegiance. The Board members were introduced, and Urban Design and Planning Manager Ella Parker introduced the Staff members present.

II. APPROVAL OF MINUTES

Motion made by Ms. Golub, seconded by Mr. Heidelberger, to approve. In a voice vote, the **motion** passed unanimously.

III. ELECTION OF BOARD CHAIRPERSON

Motion made by Mr. McCulla, seconded by Ms. Golub, to nominate Leo Hansen as Chair. In a voice vote, the **motion** passed unanimously.

Motion made by Ms. Golub, seconded by Mr. Glassman, to nominate Catherine Maus as Vice Chair. In a voice vote, the **motion** passed unanimously.

Chair, Leo Hansen explained that representatives of associations and groups are allowed five minutes of speaking time, and individuals are allowed three minutes.

IV. AGENDA ITEMS

Index

<u>Case Number</u>	<u>Applicant</u>
1. R16010**	BRYL Development, LLC / Flagler 626
2. R16005**	ALTA Flagler Village, LLC / Alta Flagler Village
3. R15049**	FTL 22 Venture, LLC / 6-Unit Multifamily
4. PL6004**	SR 84, Inc. / Furniture Consignment Warehouse Plat
5. R15056**	1324 Bay View Drive LLC / 1324 Bayview Drive Multifamily

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. <u>Applicant / Project:</u>	BRYL Development, LLC / Flagler 626
Request: **	Site Plan Level III Review; Conditional Use for Building Height / Multifamily Residential Development in Downtown Regional Activity Center – Urban Village
Case Number:	R16010
General Location:	626 NE 1 st Avenue
Legal Description:	Lots 38, 39, 40, 41, 42, 43, 44, 45, Block 318, Progresso 2, According to the plat thereof as recorded in book 2, page 18, Miami-Dade, in Broward.
Case Planner:	Randall Robinson
Commission District:	2

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

Stephanie Toothaker, representing the Applicant, showed a PowerPoint presentation on Item 1, which is a conditional use application for Flagler 626. The Regional Activity Center-Urban Village (RAC-UV) zoning district in which the project is located allows height of up to 55 ft. by right, with conditional use approval required for projects with heights of up to 150 ft.

Flagler 626 will be a 97-unit multi-family building, including three street-level town home units. The property will have 100 parking spaces and an additional seven on-street spaces, as well as 77 air-conditioned bicycle spaces, three charging stations, and 11 moped/motorcycle spaces. Both parking and landscaping exceed Code requirements.

The Applicant requests 126 ft. 10 in. of habitable height in the proposed building. The site will include a public open area with benches, a pocket park, and an art wall. The property complies with the Downtown Master Plan's principles of street design, building design, and character area standards. The building meets all criteria to create a consistent street/walk area, including setback requirements. The Applicant has agreed to continue street and sidewalk improvements as far as the corner, which means an additional 75 ft. along the right-of-way. The pocket park will be approximately 1500 sq. ft. in size.

Ms. Desir-Jean arrived at 6:42 p.m.

Randall Robinson, representing Urban Design and Planning, stated that the Application requests Site Plan Level III review and conditional use approval for building height. Mr. Robinson went over the criteria for Conditional Use requests: off- and on-site conditions exist to reduce the impact of the requested height. The location of the use in proximity to smaller uses has no impact on the zoning district, and there are no adverse effects of the proposed use on adjacent properties. Mr. Robinson noted that this Application represents the first request for additional height in the RAC-UV district.

Mr. Glassman requested additional information on the Application's adequacy and neighborhood compatibility, noting that the neighborhood consists predominantly of one- and two-story buildings. Mr. Robinson replied that the RAC is considered a redevelopment area and the pattern of the neighborhood is urban, with buildings of six stories or greater height.

Mr. Glassman observed that the neighborhood association for the subject area has not provided a letter of support for the Flagler 626 project. Mr. Robinson replied that he has received neither a support letter nor a denial letter for the project. The City's Public Participation Ordinance does not require a letter of support.

Mr. McCulla requested clarification of the height stated by the Applicant, which differs by 4 in. from the height stated in the Staff Report. Mr. Robinson explained that the height listed in the Staff Report was provided to him by the Applicant. Ms. Parker noted that habitable space is 127 ft. 2 in. above grade, while the building's actual height is 136 ft. 8 in. above grade.

Ms. Golub commented that the subject area is a narrow street, and the proposed building has no access from any location other than 1st Street. There is no access for garbage collection inside the building. She pointed out that other projects in the neighborhood provide multiple accesses for services. Mr. Robinson responded that an alternative would be provision of a larger curb cut for service vehicles. He noted that the Downtown Master Plan provides for local streets to become the same width from curb to curb as the neighborhood is redeveloped.

Chair Hansen expressed concern that approval of the project could establish the precedent that buildings of this project's size do not require service space. Ms. Parker stated that service space is not currently a Code requirement, and that planning for the Downtown area seeks to consolidate service space so it does not impede the pedestrian flow of the neighborhood. The City's Sanitation Staff has approved the Application.

Mr. Glassman requested clarification of the difference between the current Application and other applications submitted from within the RAC-UV zoning district for tonight's meeting. Mr. Robinson advised that Staff reviews applications on a case-by-case basis. Staff requested setbacks on the north side of this Application, as well as heavy landscaping. Ms. Parker added that all front setbacks in the RAC-UV are considered from the center line of their rights-of-way in order to create a consistent pedestrian environment.

Mr. Robinson further clarified that the space referred to as an alley is instead an alley reservation. Ms. Golub noted that in this 7.5 ft. space are plans for landscaping and a walkway, with no guarantee that an alley would ever exist in the space. Mr. Robinson asserted that the City has no current plans to place an alley in this location.

There being no other questions from the Board at this time, Chair Hansen 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.

Stewart Robin, architect for the Applicant, replied that the Applicant's team has worked with City Staff to adjust plans according to Staff recommendations. He explained that Staff recommended against use of the alley reservation, as it is not designated alley space; however, the Applicant kept the building set back 7 ft. from the rear property line. Staff also recommended only a single entrance and exit for the 200 ft. wide building due to the landlocked nature of the site.

Mr. Heidelberger requested clarification of where garbage would be stored in the building. Mr. Robin stated that the building's ground floor includes a trash room and compactor. In response to DRC comments, trash is picked up twice each week rather than four times per week. These plans had also included a loading dock, which was removed at Staff's request.

Ms. Desir-Jean commented that she had no issue with the building's height, which she felt was appropriate for the surrounding neighborhood and the Downtown Master Plan.

Ms. Golub also expressed concern for the building's landscaping plans, asking if the sidewalk, landscaping, and lighting would extend all the way to the street corner. Mr. Robin replied that the Applicant is required by law to light the entire walkway; Staff requested that the lighting extend all the way to 7th Street, as well as landscaping, sidewalks, and curb cuts.

Chair Hansen suggested that two parallel parking spaces in front of the building could be eliminated and turned into a loading area, which would allow service vehicles a space in which to pull off the street. Mr. Heidelberger replied that the building extends from lot line to lot line, which meant forthcoming developments on either side of the structure could do the same. He expressed concern for the potential precedent approval of the Application could set.

Ms. Toothaker stated that the building will be a condominium rather than apartments; in addition, the alley reservation could never be made into an alley, as alley space to the south has been vacated.

Mr. Clark stated that he was supportive of the project, which will encourage further development on the Sistrunk corridor. He asked if the Application is compliant with all City rules and regulations. Attorney Spence advised that the Applicant is presenting its case to the Board, which will determine whether or not the Application meets these criteria. Mr. Clark asserted that the project will stimulate greater opportunities and projects in the area, which he felt was more important than the smaller details of the Application.

Motion made by Mr. McCulla, seconded by Mr. Clark, to approve at the Staff-reported height. In a roll call vote, the **motion** passed 5-4 (Mr. Glassman, Ms. Golub, Mr. Heidelberger, and Ms. Maus dissenting).

2. <u>Applicant / Project:</u>	ALTA Flagler Village, LLC / Alta Flagler Village
Request: **	Site Plan Level III Review; Conditional Use for Building Height / Mixed Use Multifamily Residential Development in Downtown Regional Activity Center – Urban Village
Case Number:	R16005
General Location:	421 NE 6 th Street

Legal Description: Progresso 2-18 D Lot 16 to 34 Blk 315
Case Planner: Randall Robinson
Commission District: 2

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

Nectaria Chakas, representing the Applicant, showed a PowerPoint presentation on the Item, stating that the property owner, Alta, has purchased an entire block within Flagler Village, including the 1.7 acre parcel on which the subject development will be located. She described the buildings surrounding this location, pointing out that a nine-story hotel and a residential development with two 15-story towers are located near the site, contributing to a mixture of heights within the neighborhood. The RAC-UV is across the street from the RAC-City Center (RAC-CC) district, which has no height requirement.

Ms. Chakas observed that most Downtown projects are approved administratively or go before the City Commission for an allocation of units; however, because of the project's height, Site Plan Level III review is required by the Board before the Applicant may request an allocation of units.

Redevelopment of this area with greater height and density is encouraged due to plans for the Wave Modern Streetcar, which will include a route known as the Flagler loop. The Alta Flagler Village project is located 1.5 blocks from a transit stop for the Wave and is expected to contribute significantly to its ridership.

The Applicant considered input from both Staff and residents of the surrounding neighborhood when developing a plan for the site. The original plan required four curb cuts as well as loading areas; however, due to the neighborhood's desire for more retail use and public space, the Applicant has reserved two spaces on each corner of the site along 6th Street for retail, restaurant, or other ground-floor commercial use. The Applicant took out some of the planned units on the ground floor to create an outdoor dining or sitting area of roughly 3000 sq. ft. on each corner as well as 3250 sq. ft. of indoor space.

A private driveway has been added at the northern end of the site. Because the Applicant owns the entire block, the site has been squared off and a public mid-block connection for pedestrians, including a 7 ft. sidewalk, has been created in addition to the internal driveway. The private drive provides access to the garage, with a total of three access points for loading areas. There is also a large mahogany tree located on 5th Avenue, around which the Applicant created a public plaza. Streetscape design exceeds the requirements of the Downtown Master Plan.

The building includes a two-tower component, each with floor plates of less than 10,000 sq. ft. The Downtown Master Plan requires these floor plans to be at or below this square footage.

Mr. Robinson of Urban Design and Planning stated that this project also requests height modification. Staff feels the project meets the intent of the Downtown Master Plan.

Chair Hansen requested clarification of the major differences between the Downtown area's urban core and an urban village setting. Mr. Robinson replied that the City Center has a higher scale, with neither height limits nor parking requirements. In the RAC-UV, buildings are typically six stories or fewer, with the occasional building, such as the proposed project, at a greater height. Other projects planned for the same area are significantly smaller, which is one reason they do not come before the Board.

Ms. Golub commented that most buildings in the City center, which has no height requirement, are smaller than the projects presented for the urban village. She advised that the Board should be vigilant against large buildings that extend from lot line to lot line and are of significant height.

There being no other questions from the Board at this time, Chair Hansen 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. Glassman, seconded by Ms. Golub, to approve. In a roll call vote, the **motion** passed 9-0.

3. <u>Applicant / Project:</u>	FTL 22 Venture, LLC. / 6-Unit Multifamily
Request: **	Site Plan Level III Review; Modification of Required Yards for Multifamily Residential Development
Case Number:	R15049
General Location:	2200 SE 4 th Avenue
Legal Description:	Lot 10 and 11, Block 115, "Lauderdale," according to the plat thereof, as recorded in Plat Book #2, Page 9, of the public records of Miami-Dade County, Florida
Case Planner:	Karlanne Grant
Commission District:	4

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

Seth Yeslow, architect for the Applicant, stated that the Application is for a six-unit multifamily development in the Poinciana Park neighborhood. Its zoning district is RMM-25. The project consists of two- and three-story multifamily residences.

The Applicant has conferred with City Staff to develop the overall vision for the subject area, including transportation and mobility considerations such as the Wave Modern Streetcar. The project's design places all circulation, including access to the units and their garages, in the rear of the property in order to remove this access from 22nd Street. This pushed the buildings slightly closer to the street and created a 15 ft. setback with no vehicular cross-traffic or parking in front. The only parking at the front of the property will be parallel street parking.

This will provide an enhanced pedestrian experience along 22nd Avenue, which, in conjunction with improvements on SE 4th Street, will present a cohesive pedestrian network and activate the streetfront. The building itself includes modulation of façades with different elements, including wood tone elements, cable railings, and large spans of glass.

Setbacks are 10 ft. on each side of the building. The right-of-way on SE 4th Street is 80 ft.; however, the roadway is only one lane in each direction, which creates roughly 28 ft. of right-of-way area to be developed and maintained by the Applicant. Landscaping will be 14 ft. at its narrowest point, and continuous sidewalks will be 5 ft. wide. The 10 ft. setback on 4th Avenue combines with this landscaping, providing for 38 ft. of separation between the building façade and the pavement on 4th Avenue.

Mr. Yeslow emphasized the importance of neighborhood engagement, stating that the Applicant met with the Poinciana Park Civic Association at its March 9, 2016 meeting. The Applicant implemented some of the features recommended by residents when the project was submitted to the DRC. The project was presented again at the Association's April meeting, where a formal vote was held and the project was supported unanimously. The Applicant has agreed to certain stipulations of the Association in its documents.

Mr. Yeslow also noted that a concern raised by Staff was the lack of connection between 4th Street and 22nd Avenue, which could result in drivers using the alley as a cut-through. To address this concern, the Applicant has provided a cut-through to connect to the alley, which will be equipped with a security gate that can be used only by residents.

Karlanne Grant, representing Urban Design and Planning, stated that the Applicant requests front and side yard modifications in order to develop the project in a way that enhances the pedestrian experience by placing circulation and parking in the rear of the property and modulating the building façades to have similar scale and mass to surrounding properties. The request is subject to public participation requirements, which were satisfied by the Applicant. The Poinciana Park Civic Association has provided a letter of support for the project. Staff recommends approval of the Application.

There being no other questions from the Board at this time, Chair Hansen 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. Heidelberger, seconded by Ms. Golub, to approve the project.. In a roll call vote, the **motion** passed 9-0.

4. **Applicant / Project:** SR 84, Inc. / Furniture Consignment Warehouse Plat
- Request: **** Plat Approval
- Case Number:** PL16004
- General Location:** 1900 W State Road 84
- Legal Description:** A portion of Block "B" CLAIR Lake, according to the plat thereof, recorded in Plat Book 28, Page 26, of the Public Records of Broward County, Florida, more particularly described as follows: Commencing at the Northeast corner of said Block "B"; thence South 73°43'30" West, as assumed bearing along the North line of said Block "B", a distance of 25.00 feet to the Point of Beginning; thence South 01°14'30" East along a line 24.14 feet West of and parallel with the East line of said Block "B", for a distance of 155.31 feet to a point on the South line of said Block "B", also being the North Right-of-Way line of S.W. 28 Street; thence South 73°43'30" West along the South line of said Block "B", for a distance of 90.86 feet; thence North 16°16'30" West for a distance of 136.90 feet to the South Right-of-Way of State Road 84
- Case Planner:** Karlanne Grant
- Commission District:** 4

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

Kelly Ray, representing the Applicant, stated that this Item is a request to plat a site for up to 6500 sq. ft. of commercial use. The site will house a furniture consignment warehouse.

Ms. Golub required clarification of how the site will be used. Ms. Ray explained that the facility will be both a warehouse and a site where customers may view furniture. The plat will serve as its own parcel, with roadways to the north and south of the property. The site is currently not platted.

Ms. Grant of Urban Design and Planning advised that the proposal will plat a 15,857 sq. ft. portion of land, where a 6500 sq. ft. commercial facility will be constructed. The plat is restricted to 6500 sq. ft. of commercial use; no free-standing or drive-through banking facilities and no other commercial or retail facilities will be permitted without the approval of the Broward County Board of County Commissioners. The plat has been reviewed for adequacy. Staff recommends approval of the request.

There being no other questions from the Board at this time, Chair Hansen 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 Vice Chair Maus, seconded by Mr. McCulla, to approve. In a roll call vote, the **motion** passed 9-0.

5. **Applicant / Project:** 1324 Bay View Drive LLC / 1324 Bayview Drive Multifamily
- Request: **** Site Plan Level III Review; Waterway Use and Modification of Required Yards for 6-unit Multifamily Residential Development
- Case Number:** R15056
- General Location:** 1324 Bayview Drive
- Legal Description:** Lot 18 and the Southwesterly 10 feet of lot 17, "Beach Way Heights Unit "B", according to the Plat thereof, as recorded in Plat Book 25, Page 27 of the public records of Broward County, Florida.
- Case Planner:** Florentina Hutt
- 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, showed a PowerPoint presentation on the Item, which is a proposed six-unit condominium in an RMM-25 zoning district and is subject to the City's medium/high land use designation. The property is currently a triplex.

Ms. Crush explained that the Item has come before the Board as a waterway use request with a yard modification. The proposed structure will have one level of parking and three floors, each of which will include two three-bedroom units. A sun terrace will be located on the roof.

Waterway use requires a 20 ft. setback, and the building is set back 20 ft. 7 in. from the water; however, the Applicant requests that the pool be located within this waterway setback. Ms. Crush noted that many single-family homes include a pool within the setback area. The building will be 46 ft. 2 in. in height, which is measured to the top of the railing of the sun deck. The Applicant requests reduction of the side setbacks, which will be landscaped, to 18 ft. 6 in.

Code standards for yard modifications require the following:

- Superior site design
- Continuity of architecture
- Compatibility
- Incorporation of architectural features

Ms. Crush concluded that the setback to the western façade is 25 ft. and includes two exterior parking spaces. The remaining parking spaces are inside the building. The parking requirement for the building is 13 spaces. Deliveries or moving trucks may use the two exterior spaces, and trash containers are inside the building and pulled to the street once per week.

Mr. Glassman requested clarification of the project's neighborhood participation process. Ms. Crush explained that the minutes of the Coral Ridge Homeowners' Association's semi-annual meeting are included in the backup materials and indicate unanimous support for the project. At the Association's request, the Applicant has requested construction of a sidewalk on the east side of Bayview Drive. The Association also asked the Applicant to communicate their concerns with the lack of a sidewalk to the City.

Mr. Heidelberger observed that most projects located on a waterway request side yard modifications and the ability to build closer to the water. He asked how denial of these requests would affect the existing plan, particularly with regard to waterway proximity. Ms. Crush replied that if the request were denied, the project would need to be significantly redesigned. She reiterated that the building itself is 20 ft. 7 in. from the waterway.

Ms. Golub requested clarification of where the exterior parking spaces would be located. Ms. Crush replied that the spaces are located between the paver driveway and the garage. There will be no gate separating the driveway from Bayview Drive. Jeff Hendricks, builder for the Applicant, explained that the intent was to place parking inside the building, with green space outside. He felt it was likely that visitors to the building would use the outside parking spaces.

Mr. Hendricks continued that visitors may access the sidewalk that leads to the building's entrance, or may call to have access through the garage. Mr. Heidelberger suggested moving the planned gate further from the walkway to allow visitors access.

Florentina Hutt, representing Urban Design and Planning, stated that the request is for Site Plan Level III, Waterway Use. The project consists of six multi-family residential units along the Seminole Lake waterway. Staff has determined that the proposed design meets waterway use criteria, and that continuity of architectural features with adjacent properties is preserved. The scale and massing of the building are consistent with the surrounding neighborhood.

The Applicant has met with the Coral Ridge Civic Association to present the project. Residents at this meeting provided positive feedback. Staff recommends approval of the request.

Mr. McCulla requested clarification that if the roof were not used as a sun deck, non-habitable roof features would not be counted toward the building's height. Ms. Hutt

confirmed this, further clarifying that if the deck's railing were not counted toward the height, the requested variance could be measured in inches rather than feet.

Ms. Golub noted that the Applicant plans to keep the existing seawall and dock on the property, and asked if they would be required to rebuild the seawall to the newly proposed minimum height. Ms. Hutt advised that seawalls are reviewed during the permitting process.

Ms. Golub asked for information about the setback within which the existing pool on the property is located. Mr. Hendricks replied that the existing pool was constructed in approximately 1970, and estimated that it is within 10 ft. of the seawall.

Ms. Desir-Jean asked if Staff has reviewed Code to reconsider the requirement that waterway uses such as this Item must come before the Board. Ms. Parker replied that as older sites are redeveloped, Staff seeks to maintain aspects such as parking, clear visibility to the waterway, and activation of façades.

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

John Totino, representing the Board of Directors of the Hawthorne Bay Condominiums, asserted that he has not seen the project before tonight. He expressed concern that construction of the project as described could set a precedent within the area, and characterized the structure as more of a five-story than a four-story building, which would be much larger than adjacent properties. He added that the perpendicular docking planned for the site would also be substantially larger than docking for nearby properties.

Mr. Totino concluded that his view from an adjacent property would be obstructed by the proposed project.

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

Attorney Spence clarified that the Board could not address the issue of the sidewalk, as it is outside their purview. He noted that the Board of Adjustment could address this aspect of the project if they wished.

Motion made by Mr. McCulla, seconded by Ms. Desir-Jean, to approve. In a roll call vote, the **motion** passed 7-2 (Vice Chair Maus and Mr. Heidelberger dissenting).

V. COMMUNICATION TO THE CITY COMMISSION

None.

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 8:50 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.]