



CITY OF FORT LAUDERDALE

**PLANNING AND ZONING BOARD  
CITY OF FORT LAUDERDALE  
CITY HALL – CITY COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
WEDNESDAY, JULY 18, 2018 – 6:30 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2018-May 2019</b>	
		<b>Present</b>	<b>Absent</b>
Catherine Maus, Chair	P	1	1
Howard Elfman, Vice Chair	P	2	0
John Barranco	P	1	1
Brad Cohen	P	2	0
Mary Fertig	A	1	1
Jacquelyn Scott	P	2	0
Jay Shechtman	P	2	0
Alan Tinter	P	2	0
Michael Weymouth	P	2	0

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

**Staff**

Ella Parker, Urban Design and Planning Manager  
Shari Wallen, Assistant City Attorney  
Florentina Hutt, Urban Design and Planning  
Tyler Laforme, Urban Design and Planning  
Yvonne Redding, Urban Design and Planning  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

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

Chair Maus called the meeting to order at 6:30 p.m. and all recited the Pledge of Allegiance.

**II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM**

Mr. Tinter noted a correction to the spelling of his name on p.3.

**Motion** made by Mr. Tinter, seconded by Vice Chair Elfman, to approve [as amended].  
In a voice vote, the **motion** passed unanimously.

### III. PUBLIC SIGN-IN / SWEARING-IN

Individuals wishing to speak on tonight's Agenda Items were sworn in at this time.

### IV. AGENDA ITEMS

#### Index

<u>Case Number</u>	<u>Applicant</u>
1. PL18003**	Florida Conference Association of Seventh Day Adventists
2. PL18001**	Chaz Desousa, Vanessa Tobin and 1955 Chula, LLC
3. PL18002**	Emanuel Corneille

#### **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.

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<b>1. CASE:</b>	<b>PL18003</b>
<b>REQUEST: **</b>	Plat Review
<b>APPLICANT:</b>	Florida Conference Association of Seventh Day Adventist
<b>PROJECT NAME:</b>	Royal Palm Church
<b>GENERAL LOCATION:</b>	2210 NW 22nd Street
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	Lot 4, Less The North 135.00 Feet Of The East 60.00 Feet Of Block 2, Arrowhead Estates, According To The Plat Thereof, As Recorded In Plat Book 21, Page 27, Of The Public Records Of Broward County, Florida.
<b>ZONING DISTRICT:</b>	Duplex and Attached One-Family Dwelling Districts (RD-10 County)
<b>LAND USE:</b>	Irregular 18.07
<b>COMMISSION DISTRICT:</b>	3 – Robert L. McKinzie
<b>CASE PLANNER:</b>	Florentina Hutt

Disclosures were made at this time.

Jerry McLaughlin, representing the Applicant, stated that the request is for a positive recommendation regarding the Royal Palm Seventh Day Adventist (SDA) plat. The property is 2.94 acres in size and is currently vacant. It will be restricted to 5000 sq. ft. of church use. All Staff comments have been addressed by the Applicant.

Mr. Tinter requested clarification of the current use of the property, pointing out that the Application lists specific square footage for church, school, and day care uses. Mr. McLaughlin reiterated that the parcel is vacant. Florentina Hutt, representing Urban Design and Planning, explained that the uses listed on the Application are a scrivener's error.

Ms. Hutt continued that the request is for a plat for a property of 128,144 sq. ft. The Applicant plans to develop the Royal Palms SDA project. The plat and Site Plan have been reviewed by the Development Review Committee (DRC), and the Site Plan is currently under review by Urban Design and Planning.

The property is located in an area that was annexed by the City in 1989 and has maintained its Broward County zoning and land use designation. The Applicant has addressed all applicable criteria. Staff recommends approval of the request.

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

**Motion** made by Mr. Tinter, seconded by Vice Chair Elfman, to approve. In a roll call vote, the **motion** passed 8-0.

<b>2. CASE:</b>	<b>PL18001</b>
<b>REQUEST: **</b>	Plat Review
<b>APPLICANT:</b>	Chaz Desousa, Vanessa Tobin and 1955 Chula, LLC.
<b>PROJECT NAME:</b>	Chula Plat
<b>GENERAL LOCATION:</b>	1955 SW 30 Terrace
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	ROHAN ACRES PB 22, PG 43 B, Block 4, Lot 7
<b>ZONING DISTRICT:</b>	RS-6.85B One-family Detached Dwelling District
<b>LAND USE:</b>	Irregular 6.85
<b>COMMISSION DISTRICT:</b>	4 – Ben Sorensen
<b>CASE PLANNER:</b>	Yvonne Redding

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Disclosures were made at this time.

Mickie Ulrich, representing the Applicant, stated that the request is for a plat for four single-family lots. The Applicant has met with Staff and addressed all comments.



Mr. Tinter asked if an existing house on the property will remain. Ms. Ulrich advised that the house will eventually be demolished. Vanessa Tobin, Applicant, clarified that one structure is under construction on the southwest corner of the property. The City allowed the Applicant to begin construction on this building with their agreement to demolish the existing house prior to receiving a certificate of occupancy (CO).

Mr. Barranco asked if the Applicant has discussed a plan for existing oak trees located on the property. Ms. Tobin replied that they have contacted an arborist to ensure that homes can be arranged around these oaks. Only non-specimen trees were removed from the property with a permit.

Yvonne Redding, representing Urban Design and Planning, stated that the Applicant proposes a plat for a 36,362 sq. ft. lot. The current zoning for the property is RS-6.85B. The Applicant plans to construct four single-family homes. The request meets technical specifications and the City Engineer and City Surveyor have signed off on the Application. The plat note restricts use of the property to four single-family detached units. Staff recommends approval of the Application.

Mr. Barranco urged Staff to follow through on the issue of the live oaks. Ms. Redding confirmed that this would be done.

Mr. Shechtman asked if any of the existing trees were in poor health. Ms. Redding explained that some of the trees on the site were considered invasive species and removed with a permit; however, none of the live oaks are in poor health.

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

**Motion** made by Ms. Scott, seconded by Vice Chair Elfman, to approve. In a roll call vote, the **motion** passed 8-0.

<b>3. CASE:</b>	<b>PL18002</b>
<b>REQUEST:**</b>	Plat Review
<b>APPLICANT:</b>	Emanuel Corneille
<b>PROJECT NAME:</b>	Palm Aire Preserve Plat
<b>GENERAL LOCATION:</b>	3050 NW 68 Street
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	8-49-42 COMM AT NW COR OF NW ¼, SLY 1039.48, ELY 328, SLY 30 TO POB, CONT SLY 318.31, ELY 125, NLY 317.28, WLY 125 TO POB
<b>ZONING DISTRICT:</b>	RMH-25 Residential High Rise Multifamily/Medium High-Density District
<b>LAND USE:</b>	Medium-High

COMMISSION DISTRICT:	1 – Heather Moraitis
CASE PLANNER:	Tyler Laforme

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Disclosures were made at this time.

Emanuel Corneille, Applicant, stated that he was available for questions from the Board.

Mr. Shechtman requested clarification of the extent to which a road through the subject property connects to the existing road. Steven Guasch, owner/developer of the Palm Aire Preserve property, advised that the internal roadway is for emergency ingress/egress only. It has been reviewed and approved by the Fire Marshal. The roadway will be gated.

Mr. Barranco recused himself from hearing the Item at this time.

Tyler Laforme, representing Urban Design and Planning, stated that the request is for a plat for the Palm Aire Preserve project, which is a 22-unit multi-family residential development. The plat is restricted to 22 garden apartment residential units. The proposed plat is generally consistent with the City's Comprehensive Plan. Staff recommends approval of the request.

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

Don Howell, private citizen, requested clarification of what was before the Board regarding the Application. Chair Maus explained that the Item is plat approval only, but the Application will also go before the DRC, which is also a public meeting. She recommended that Mr. Howell share his contact information with the Applicant and Staff so he can be updated on the Item.

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

**Motion** made by Mr. Tinter, seconded by Vice Chair Elfman, to approve. In a roll call vote, the **motion** passed 7-0. (Mr. Barranco abstained. A memorandum of voting conflict is attached to these minutes.)

## **V. COMMUNICATION TO THE CITY COMMISSION**

None.

## **VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**

Ms. Scott requested information on the City's Noise Ordinance, asking if there is a single Ordinance governing the entire City or if there are separate Ordinances specific to an entertainment district or area. Urban Design and Planning Manager Ella Parker replied that there are general noise provisions for the City which address noise levels and hours in which certain types of work may be conducted. There is also an Entertainment District Ordinance for areas such as the Fort Lauderdale Beach and the Himmarshee area, which allows for different hours to which businesses may be open.

Ms. Scott asked for clarification regarding decibel levels. Ms. Parker explained that the Entertainment Districts have specific provisions that have been vetted through the City Attorney's and City Manager's Offices. The decibel levels cited in the Noise Ordinance may not be exceeded throughout the City.

Ms. Scott explained that some areas in the City include residential properties on both sides of the street; however, the decibel levels from some businesses in that area are extreme. If authorities are contacted, the businesses are not determined to exceed required decibel limits. She asserted that the City may wish to consider changing the Ordinance from a "one noise level fits all" policy.

Ms. Parker replied that individuals who feel the permitted decibel level has been exceeded may contact Code inspectors to have the levels measured. Ms. Scott reiterated that these levels are not always appropriate for areas where residential development abuts commercial development.

Ms. Parker asked if Ms. Scott could provide Staff with information on areas where she felt the noise level was too high. Ms. Scott stated that she would like clarification of the Noise Ordinance's language. At present, she did not feel residents affected by noise had any means of recourse, as the noise levels are not found to exceed the decibel limit.

Mr. Shechtman advised that he is corresponding with City Manager Lee Feldman and the Planning Department to determine how they can improve walkability in the City. He pointed out that when there are so many units under construction, the City must remain mindful of the impact this development will have on pedestrian activity. There are also major policy issues to be addressed, such as the requirement that individuals must assume liability for sidewalks and their repair and maintenance. He proposed that this liability be shifted from the individuals to the City in order to make people more welcoming of sidewalks on their property.

Mr. Shechtman continued that the easiest opportunity for the City to have sidewalks constructed is to ensure that they are required as part of development projects. He felt this was particularly significant within the Downtown Regional Activity Center (RAC), for which the City's Comprehensive Plan specifically states that there must be a plan to fill in sidewalks within this area. He concluded that the City should provide neighborhoods



with the resources to mitigate the adverse effects of more traffic on the streets, and that he would look for the inclusion of sidewalks in projects that come before the Board.

Chair Maus asked if projects within the Downtown RAC are required to include sidewalks. Ms. Parker replied that this is true of most new projects; however, there may be renovations that do not meet the 50% threshold to trigger additional upgrades such as sidewalks. Staff is considering the creation of a policy document for inclusion in the City's Code, which would establish a sidewalk policy, complete with criteria, distance, and proximity to different types of development and walkable destinations. Additional public outreach is necessary so Staff can ensure they are moving in the right direction.

Mr. Shechtman advised that there are several areas in which parcels are being redeveloped instead of developed, as well as sites that are considered exceptions to the sidewalk requirement for certain reasons. He felt this contributed to the lack of sidewalks being constructed within the City, and requested that it be addressed due to safety concerns.


Vice Chair Elfman addressed Ms. Scott's concern regarding noise, stating that he was not certain this was within the Board's purview. It was clarified that a presentation on this topic would be made to the Board at a subsequent meeting.

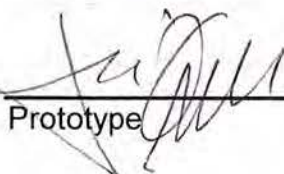
Ms. Parker concluded that the City Commission recently passed Resolution 18-118, which considers the creation of a neighborhood-based working group to develop a seven-mile pedestrian/bicycle trail known as "LauderTrail." The Resolution states that a member of the Planning and Zoning Board should be selected for membership to this group.

**Motion** made by Mr. Cohen, seconded by Mr. Weymouth, to appoint Mr. Shechtman to the committee. In a voice vote, the **motion** passed unanimously.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:02 p.m.

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

  
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Chair

  
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Prototype

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