



**PLANNING AND ZONING BOARD  
CITY OF FORT LAUDERDALE  
CITY HALL – CITY COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
WEDNESDAY, JUNE 20, 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	A	0	1
Howard Elfman, Vice Chair	P	1	0
John Barranco	A	0	1
Brad Cohen (by phone)	P	1	0
Mary Fertig	P	1	0
Jacquelyn Scott	P	1	0
Jay Schectman	P	1	0
Alan Tinter	P	1	0
Michael Weymouth	P	1	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  
Nicholas Kalargyros, Urban Design and Planning  
Tyler Laforme, Urban Design and Planning  
Yvonne Redding, Urban Design and Planning  
Randall Robinson, Urban Design and Planning  
Adam Schnell, Urban Design and Planning  
Lorraine Tappen, Urban Design and Planning  
Raj Verma, Interim Assistant Public Works Director  
Daniel Fisher, Public Works Department  
Rohan Punit, Public Works Department  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

**Motion** made by Ms. Fertig, seconded by Mr. Schectman, to advise the City Commission that the Planning and Zoning Board would like to commend staff and the Public Works Department for the work they have done in revising the water and wastewater capacity letters that are used in the planning process. It was long overdue and they have done this in a month. In a voice vote (6-0), the **motion** passed unanimously.

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

Vice Chair Elfman called the meeting to order at 6:33 p.m. and all recited the Pledge of Allegiance. The Vice Chair introduced the Board members present, and Urban Design and Planning Manager Ella Parker introduced the Staff members present.

Vice Chair Elfman advised that Board member Brad Cohen would participate in the meeting via telephone. It was noted that Mr. Cohen would not be able to vote on any quasi-judicial items before the Board.

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

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

**III. ELECTION OF BOARD CHAIR / VICE-CHAIRPERSON**

**Motion** made by Ms. Fertig, seconded by Mr. Tinter, to nominate Ms. Maus for Chair. In a voice vote, Chair Maus was unanimously re-elected.

**Motion** made by Ms. Scott, seconded by Ms. Fertig, to nominate Mr. Elfman for Vice Chair. In a voice vote, Vice Chair Elfman was unanimously re-elected.

Vice Chair Elfman requested that the Board vote at this time to appoint a member to the City's Infrastructure Committee.

**Motion** made by Ms. Fertig, seconded by Mr. Schectman, to nominate Ms. Scott.

**Motion** made by Mr. Tinter, seconded by Mr. Schectman, to nominate Mr. Weymouth.

In a roll call vote, Ms. Scott was elected to the Infrastructure Committee by a vote of 5-2.

**IV. PUBLIC SIGN-IN / SWEARING-IN**

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

**V. AGENDA ITEMS**

**Index**

<b><u>Case Number</u></b>	<b><u>Applicant</u></b>
1. Z17009* **	Development 4Life Partners, LP
2. PL17007**	Development 4Life Partners, LP
3. R17013**	Gummakonda Properties, Inc.

Mr. Schectman asked what height was approved for the hotel project previously planned for the site. Ms. Toothaker replied that this proposed height was 102 ft.

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

**Motion** made by Mr. Tinter, seconded by Ms. Scott, to approve, subject to [conditions]:

1. Hours of operation will be limited to 6 a.m. to 8 p.m.
2. The internal lights within the building will be turned off in non-operational hours of the facility
3. That the turning basin will be constructed on the west end of the site that is acceptable to the City and City Staff
4. Agreeing to no signage on the north side of the building

Ms. Toothaker confirmed that these conditions are the same as those requested by the Harbordale Civic Association.

Ms. Fertig asked if allowing no sales or service on the site was also a condition. Ms. Toothaker replied that while there may be some small repairs made inside the building, the site is not intended to be a service facility.

Mr. Tinter made the following **amendment** to his **motion**: that no boat sales would occur on the property.

In a roll call vote, the **motion** passed 6-0.

The Board took a brief recess at this time.

<b>10. CASE:</b>	<b>Z18003</b>
<b>REQUEST: * **</b>	Rezoning from General Business (B-2) to Northwest Regional Activity Center – Mixed Use East (NWRAC-MUe)
<b>APPLICANT:</b>	Broward County Board of County Commissioners
<b>PROJECT NAME:</b>	Seven on Seventh
<b>GENERAL LOCATION:</b>	920 NW 7 <sup>th</sup> Avenue
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	Portion of Lots 18 through 31, Block 204 of Progresso
<b>CURRENT ZONING DISTRICT:</b>	General Business (B-2)
<b>PROPOSED ZONING:</b>	Northwest Regional Activity Center – Mixed Use East (NWRAC-MUe)
<b>LAND USE:</b>	Northwest Regional Activity Center (NW-RAC)
<b>COMMISSION DISTRICT:</b>	2 – Steven Glassman
<b>CASE PLANNER:</b>	Adam Schnell

Disclosures were made at this time.



Debbie Orshefsky, representing the Applicant, stated that she is also a Board member of the Broward Partnership for the Homeless, Inc. (BPHI), and represents this organization and its affordable housing partner, Green Mills Development, in addition to the Applicant. She advised that both homelessness and the lack of workforce housing are critical issues in Broward County.

Ms. Orshefsky continued that BPHI opened a facility in 1999 that offered 230 beds and a 90-day stay for homeless individuals. The intent was to prepare these individuals to move into a housing facility. While this model for homeless assistance worked for some time, the federal government decided in 2012 that homeless facilities must instead focus on rapid re-housing. BPHI began receiving federal, state, and local funding to support "scattered sites," which requires working with local realtors for individuals who come to the facility and are ready to be placed in housing. They currently manage over 100 such sites throughout Broward County.

Because some individuals are chronically homeless and require a permanent supportive environment, BPHI decided to partner with Green Mills Development to provide a housing environment in which 50% of units will go to formerly homeless persons requiring permanent supportive housing and 50% to individuals earning 60% or less of the area median income (AMI). Broward County is currently in the process of transferring BPHI's parking lot to BPHI itself. This space will become part of a joint venture with Green Mills Development for up to 100 tax credit units. Because BPHI requires 54 parking spaces for its existing 230-bed facility, this will be incorporated into structured parking for the future development.

Code permits B-2 zoning to include residential use through the assignment of flex units; however, because the property is in the Northwest Regional Activity Center (Northwest RAC), flex units may not be assigned. This means the property must be rezoned to permit residential development. BPHI has chosen to rezone only the parking lot, as the existing Housing Assistance Center (HAC) will continue to be a public purpose use. While the City Commission has authority to approve a public use that is publicly owned, the parking lot does not meet these requirements. The request is to rezone this area to NWRAC-MUe, which permits the proposed uses and intensity.

Ms. Orshefsky added that a companion item to this request will go before the City Commission at a later date. It will remove the parking lot from the coverage of public use zoning.

The parking lot parcel will include up to 100 permanent supportive and affordable housing units. The Applicant has met with numerous civic associations in the area. They hope that the proposed project will be able to use tax credits to construct the project.

Mr. Tinter asked why the Applicant did not consider rezoning the entire B-2 parcel. Ms. Orshefsky replied that while the parking lot development will have some connectivity with the HAC, it will be owned by a private entity and no longer eligible for consideration

as a public use. She added that the Applicant did not wish to ask the Broward County Board of County Commissioners to rezone property that is operated under a lease.

Mr. Tinter expressed concern that the result could be seen as spot zoning. Ms. Parker noted that because the underlying land use is RAC, this is the next realistic alignment of the 7<sup>th</sup> Avenue corridor, consistent with the character of that area, which includes a mix of uses as well as residential. She advised that NWRAC-MUe is more closely aligned with the underlying land use than existing zoning. She felt the proposed rezoning would be appropriate for the entire 7<sup>th</sup> Avenue corridor due to the pattern established south of Sistrunk Boulevard.

Ms. Orshefsky pointed out that along 9<sup>th</sup> Avenue, development and redevelopment have begun to move north and extend the zoning put into place along Sistrunk Boulevard. She advised that zoning may appear to be scattered in this area until it is fully redeveloped.

Adam Schnell, representing Urban Design and Planning, stated that the request is for rezoning of a 3.4 acre parcel of land from B-2 to NWRAC-MUe. Uses to the east and west of NW 7<sup>th</sup> Avenue include warehouses, commercial wholesale establishments, and auto repair uses within the B-3 zone. Commercial wholesale uses also exist to the south, and BHPI is located to the north.

The request meets the following criteria:

- Consistency with the City's Comprehensive Plan
- Changes anticipated by the proposed rezoning will not adversely affect the character of development in or near the area
- Character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts

Staff believes the NWRAC-MUe zoning district is in alignment with the underlying land use and has supporting standards to promote redevelopment and community reinvestment. The surrounding properties' land use designation is Northwest RAC, which supports mixed residential and non-residential uses, as well as redevelopment of underused properties.

Northwest RAC design standards will guide the architectural design of the project through appropriate form and massing in relation to the streets, with minimal setbacks and active occupied spaces that enhance existing community character. Staff recommends approval of the request.

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

**Motion** made by Ms. Fertig, seconded by Ms. Scott, to approve. In a roll call vote, the **motion** passed 6-0.

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

Ms. Fertig recalled that at the May 2018 meeting, she had expressed concern with the City's water/wastewater capacity letters, some of which included outdated information. She added that there was also discussion of the lack of a tracking mechanism for these capacities for multiple projects. Ms. Parker introduced Interim Assistant Public Works Director Raj Verma to address this issue.

Mr. Verma explained that previously issued capacity letters included more information for engineers, but did not fully address problems in a clear manner. When capacity letters are issued, Staff seeks to determine what is compliant with Code, including per-unit water consumption and other considerations. Data from the Reese report, to which Ms. Fertig had previously referred, is used by Staff to make this analysis. If there is not sufficient information for the analysis, Staff applies Broward County standards as well as industry standards. The Staff Report now includes the sum total of Code, Reese report, Broward County, and industry standards to make a determination.

Mr. Verma continued that in addition to these standards, peak factors have also been recommended in the Reese report to consider the condition of the City's infrastructure. He uses discretion to ensure the infrastructure can handle some, if not all, capacity issues. He described the terminology and activity referred to in this report, concluding that capacity letters are not issued until any necessary improvements are complete.

**Motion** made by Ms. Fertig, seconded by Mr. Schectman, to send a communication to the Commission commending these gentlemen for the work they've done in revising the water and wastewater capacity.

Ms. Fertig added that Staff responded in a very timely manner to her request to review water/wastewater capacity letters and to track this information.

Mr. Verma concluded that the Reese report was very well done and useful as a planning document. He also commended Staff for their dedication to resolving this issue quickly.

In a voice vote, the **motion** passed unanimously.

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

Mr. Tinter pointed out that some Applications are deferred multiple times, some for more than a year. He requested that Staff look into this situation to determine if a termination date can be issued, as it currently allows developers to extend the approval process for a very long time. He acknowledged that some of these delays are due to Board activity or recommendations.

Attorney Wallen advised that Staff is working on an amendment to Code that would provide for an expiration date, after which a new application must be filed.

Ms. Fertig asked if Staff tracks how many Items are deferred to the same Agenda. Ms. Parker confirmed this.

There being no further business to come before the Board at this time, the meeting was adjourned at 9:27 p.m.

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

A handwritten signature in blue ink that reads "Catherine A. Manz".

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Chair

A handwritten signature in blue ink that reads "Brigitte Chiappetta".

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Prototype

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