

City of Fort Lauderdale

*City Hall
100 North Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov*



Meeting Minutes

Tuesday, June 4, 2019

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

***DEAN J. TRANTALIS Mayor
ROBERT L. McKINZIE Vice Mayor - Commissioner - District III
HEATHER MORAITIS Commissioner - District I
STEVEN GLASSMAN Commissioner - District II
BEN SORENSEN Commissioner - District IV***

***CHRIS LAGERBLOOM, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
ALAIN E. BOILEAU, City Attorney***

~~the level of service grade, explaining details regarding mitigation.~~

~~Commissioner Sorensen introduced this Resolution as amended, to conditionally approve the project pending a Comprehensive Traffic Study done during the January 2020 - March 2020 timeframe to maintain the current level of service; should there be degradation to the level of service below "D", the project must mitigate the degradation to maintain a minimum "D" level of service for review and approval by the DRC. The Resolution was read by title only.~~

~~ADOPTED AS AMENDED - Conditional Approval of Site Plan~~

~~Aye:~~ 3- ~~Vice Mayor McKinzie, Commissioner Sorensen and Commissioner Moraitis~~

~~Nay:~~ 2- ~~Commissioner Glassman and Mayor Trantalis~~

19-0619

~~WALK-ON - Motion to Extend Meeting to 11 p.m.~~

~~Commissioner Glassman made a motion to approve this item and was seconded by Commissioner Sorensen.~~

~~APPROVED~~

~~Aye:~~ 4- ~~Commissioner Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis~~

~~Nay:~~ 1- ~~Vice Mayor McKinzie~~

R-5

19-0340

Quasi-Judicial Resolution - Approval of Site Plan Level IV
Development Permit for 115 Multifamily Residential Units, 168 Hotel Rooms, 3,600 Square Feet Restaurant Use, and 3,156 Square Feet Retail Use - Bayshore Hotel LLC and 3030 Bayshore Properties - 3016 and 3030 Bayshore Drive - Case No. R18058 - (Commission District 2)

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each Commission member disclosed verbal and written communications, site visits and expert opinions.

Mayor Trantalis recognized Courtney Crush, Esq., Crush Law, P.A., on behalf of the applicant. Ms. Crush introduced attendees present available to answer Commission questions. Ms. Crush presented the project in a slide presentation. Mr. Reinaldo Borges, on behalf of the applicant, reviewed the project's architectural and site design as illustrated in the presentation.

A copy of the presentation is attached to this presentation.

In response to Mayor Trantalis' question, Mr. Borges explained details of the sustainable landscaping. Ms. Crush explained additional project details, including the planting of trees both on and off-site and meetings with surrounding neighbors and stakeholders. She discussed the Planning and Zoning (P&Z) Board conditions and recommendations. Ms. Crush discussed the approximate 975 trips generated by the project and Staff input. Discussion ensued on the lobby interior of the project. Ms. Crush discussed meeting the criteria for exceeding the FAR increase. Discussion ensued on the request for a side-yard modification. In response to Mayor Trantalis' question, Ms. Crush explained specific details of requested setbacks and other details.

Discussion ensued on several members of the public giving up their time to Michele Melgren. Mayor Trantalis recognized Michele Melgren, 3350 NW 53rd Street and on behalf of Concerned Citizens of Birch Estates. City Attorney Alain Boileau commented on Ms. Melgren speaking as an expert witness. Mayor Trantalis confirmed Ms. Melgren would be speaking as an individual. Comment and discussion ensued.

Commissioner McKinzie left the meeting at 9:37 p.m.

Ms. Melgren provided information regarding this item, expounding on her experience, background, and historical details regarding beach redevelopment as a member of Staff from 1989-1994, subsequent to the adoption of the 1989 Beach Redevelopment Plan. She discussed the request of the Comprehensive Plan for superlative development in exchange for incentives/waivers and the burden of proof being on the developer.

Ms. Melgren reviewed the future land use element of the Comprehensive Plan, explaining details regarding the translation of modifications used to calculate updated formula for determining an accurate number of trip allocations on the barrier island.

Commissioner McKinzie returned to the meeting at 9:49 p.m.

Mayor Trantalis recognized Paula Yukna, 336 N. Birch Road. Ms. Yukna spoke in opposition to this item, commenting on the history of this Central Beach neighborhood and the impact of this project.

Mayor Trantalis recognized Mark Fox, President - Birch Crest Homeowners Association. Mr. Fox spoke in opposition to this item,

commenting on the impact of development on property values and related details.

Mayor Trantalis recognized Kathy Birr, 336 N. Birch Road. Ms. Birr spoke in opposition to this item, commenting on the impact of ongoing development and this project.

Mayor Trantalis recognized Terri Huml, 336 N. Birch Road. Ms. Huml spoke in opposition to this item, commenting on history related to traffic concerns and the impact of development on Emergency Medical Service (EMS) response times.

Mayor Trantalis recognized Bob Nolan, 336 N. Birch Road. Mr. Nolan spoke in opposition to this item, noting reasons to deny approval and the opposition of the Central Beach Alliance (CBA).

Mayor Trantalis recognized Michele Renick, 336 N. Birch Road. Ms. Renick spoke in opposition to this item, commenting on the negative impact of development in this area during the past five years and safety concerns.

Mayor Trantalis recognized Mary Fertig, 511 Poinciana Drive and on behalf of the Idlewyld Neighborhood Association. Ms. Fertig spoke in opposition to this item, discussing the traffic concerns on the barrier island, roadways leading to State Road A1A in the Central Beach area and EMS response times. She reviewed details in the Comprehensive Plan regarding traffic counts, noting the need for accuracy and expounding on related details. Ms. Fertig submitted a document for the record.

A copy of this document is attached to these minutes.

Mayor Trantalis recognized Dr. Anne Blenke Taylor, 732 Middle River Drive. Dr. Taylor spoke in opposition to this item, confirming the need to provide a safe environment for residents.

Mayor Trantalis recognized Anita Kareska, 550 Bayshore Drive. Ms. Kareska spoke in support of this item, commenting on enhancements to the neighborhood the project would provide.

Mayor Trantalis recognized Rohit Moham, 347 N. Birch Road. Mr. Moham spoke in support of this item, noting the positive aspects this project would provide.

Mayor Trantalis recognized Rhonda Liesenfelt, 101 S. Fort Lauderdale

Beach Boulevard. Ms. Liesenfelt spoke in support of this project, reading from a prepared statement from Mr. Liesenfelt. Ms. Liesenfelt submitted this statement for the record.

A copy of this statement is attached to these minutes.

Mayor Trantalis recognized George Coloney, 606 E. Broward Boulevard. Mr. Coloney spoke in support of this item, commenting on the history of this neighborhood and details related to zoning and investment on the barrier island.

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle spoke in opposition to this item, citing concerns regarding trips, the need for County approval for any changes to the 1989 Interlocal Agreement (1989 ILA) and weekend levels of service determined by traffic consultants.

Mayor Trantalis recognized Abby Laughlin, 1050 Seminole Drive. Ms. Laughlin spoke in opposition to this item, commenting on the history of the buildings impacted by this project and recommending additional developer trade-offs.

There being no one else wishing to speak on this item, Vice Mayor McKinzie made a motion to close the public hearing which was seconded by Commissioner Sorensen. Roll call showed: AYES: Commissioner Glassman, Vice Mayor McKinzie, Commissioner Sorensen, Commissioner Moraitis, and Mayor Trantalis. NAYS: None.

Commissioner Glassman questioned what determines the use of the term "may" in the Code for items such as the length of a building. Mr. Fajardo explained details regarding minimum standards for building length and setbacks limitations built into the Ordinance based on the intent for increases that require Commission approval, expounding on related details. He explained this would be a variance, which would be governed by the Board of Adjustment. The same rationale applies to the minimum side yard setback.

Commissioner Glassman questioned the calculation of the project's trips. Comment and discussion ensued.

Commissioner Glassman noted Central Beach District requirement number four regarding the south side of the project, asking if the project's four to five feet of landscaping adequately mitigates the impact on existing uses. Mr. Fajardo explained that Staff's analysis was based on information provided by the applicant, expounding on details. It is up to

the Commission to agree or disagree with the assessment of Staff.

Commissioner Glassman discussed design compatibility and community character scale for the A1A Beachfront Area (ABA) District. In response to Commissioner Glassman's question, Mr. Fajardo explained why projects not located on A1A are categorized as ABA. They were established through a vetting process when land areas were rezoned, expounding on details related to designation as a Central Area Regional Activity Center (RAC) with no delineated boundaries. Further comment ensued.

In response to Commissioner Glassman's question regarding the point given by Staff for design compatibility and community character scale, Mr. Fajardo explained these buildings were not designated historic properties. Mr. Fajardo explained his perspective regarding addressing the point system, expounding on conversations with Staff regarding their determination relative to this project. Mr. Fajardo confirmed the Commission's ability to determine if this is the case. Further comment and ensued on addressing this topic.

Commissioner Glassman confirmed for the record that all comments he made regarding traffic concerns relative to Agenda item R-4 also apply to this Agenda item R-5.

Mayor Trantalis commented on his perspective and the need to recognize the impact of development on the community, including traffic and water and sewer infrastructure, expounding on details.

Mayor Trantalis recognized Ms. Crush and she reiterated the goals of the applicant, expounding on project details addressing neighbor concerns and requesting Commission consideration. Commissioner Glassman acknowledged the time and efforts of the applicant, noting his appreciation.

In response to Commissioner Moraitis' question regarding giving this item the same consideration as Agenda item R-4, Commissioner Glassman confirmed and clarified his position on item R-4.

Commissioner Sorensen concurred with Commissioner Glassman's comments regarding his acknowledgement and appreciation for the efforts of the applicant, commenting on his concerns regarding the requested waivers.

Commissioner Glassman introduced a Resolution to deny the approval of this Site Plan Level IV Project which was read by title only.

APPROVED - Resolution DENYING Site Plan

Aye: 3- ~~Commissioner Sorensen, Commissioner Glassman and Mayor Trantalis~~

Nay: 2- ~~Vice Mayor McKinzie and Commissioner Moraitis~~

~~19-0620~~

~~WALK-ON Motion to Extend Meeting to 11:30 p.m.~~

~~Vice Mayor McKinzie made a motion to approve this item and was seconded by Commissioner Sorensen.~~

APPROVED

Aye: 5- ~~Vice Mayor McKinzie, Commissioner Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis~~

~~PUBLIC HEARINGS~~

PH-1 ~~19-0572~~

~~Resolution Approving Lease Agreement for City Owned Property Located at 3110 SW 8 Avenue with Nova Southeastern University, Inc. Request Deferment to August 20, 2019 (Commission District 4)~~

~~Vice Mayor McKinzie made a motion to defer this item to the August 20, 2019 Commission Regular Meeting and was seconded by Commissioner Glassman.~~

~~DEFERRED to August 20, 2019~~

Aye: 5- ~~Vice Mayor McKinzie, Commissioner Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis~~

~~ORDINANCE FIRST READING~~

OFR-1 ~~19-0574~~

~~Ordinance Increasing the Limit on Campaign Contributions to Candidates for Mayor or City Commissioner to \$1,000, and Eliminating the Prohibition of Campaign Contributions by other than Natural Persons (Commission Districts 1, 2, 3, and 4)~~

~~Mayor Trantalis commented on his perspective regarding the time and the impact on non-incumbents. Comment and discussion ensued on this topic. Commissioner Moraitis noted that approval of this item reflects the policy of the State, Broward County and other municipalities regarding campaign contributions to candidates.~~

~~Vice Mayor McKinzie introduced this Ordinance on the First Reading which was read by title only.~~

~~PASSED FIRST READING~~

R-5
6/4/2009
Provided by
Mary Fortig

Central Beach Regional Activity Center

General Location: South of Sunrise Boulevard, north of Harbor Drive, between the Atlantic Ocean and the Intracoastal Waterway.

Density and Intensity of Land Uses:
Density and intensity of uses will be limited by traffic capacity based on specialized traffic studies and plans as agreed by the City and Broward County.

List of Permitted Uses:

Residential	5,500 Dwelling Units (3,050 dwelling units existing as of July 1998) – limited by peak hour trip cap described in Comment #2 below
Commercial	Limited by peak hour trip cap described in Comment #2 below
Recreation/Open Space	Limited by peak hour trip cap described in Comment #2 below
Community Facilities, including "schools within businesses" and excluding electrical	

City of Fort Lauderdale Comprehensive Plan (Ordinance C-15-08)
Volume I – Future Land Use Element

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power plants	Limited by peak hour trip cap described in Comment #2 below
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Comments:

1. In 1990, a land use designation change was made in the Central Beach Area, from residential and recreation and open space to Regional Activity Center (RAC), in order to encourage private sector redevelopment/revitalization efforts in a 262 acre area, primarily commercial in character. Blight and crime had contributed to a decline in the Central Beach Area's character and image, physical appearance and overall attractiveness to tourists. A redevelopment plan was adopted to guide revitalization of the Central Beach and redevelopment is ongoing, including completed infrastructure improvements and new time-share and commercial uses. More details on this are discussed in the Coastal Element.
2. Development shall be consistent with the Fort Lauderdale Beach Action Plan, as approved by the Broward County Commission, which restricts development growth to the equivalent of no more than 3,220 peak hour traffic trips. Peak hour trip generation rates are based on the Institute of Transportation Engineers Trip Generation Manual, Fourth Edition.