



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, 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

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

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| 4. PL16008**   | Gummakonda Properties, Inc.                  |
| 5. R17037**    | Florida Power & Light                        |
| 6. R17009**    | Paul Vigil                                   |
| 7. R17014**    | Victoria One Miami Road, LLC                 |
| 8. Z18002* **  | Blue River Realty, LLC                       |
| 9. R17049**    | Madison Fort Lauderdale, LLC                 |
| 10. Z18003* ** | Broward County Board of County Commissioners |

### 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.

**Motion** made by Ms. Fertig, seconded by Ms. Scott, to defer Item 1 to the August 15, 2018 meeting. In a voice vote, the **motion** passed unanimously.

**Motion** made by Mr. Tinter, seconded by Ms. Scott, to defer Item 2 to the August 15, 2018 meeting. In a voice vote, the **motion** passed unanimously.

**Motion** made by Ms. Scott, seconded by Ms. Fertig, to defer Item 3 to the December 19, 2018 meeting.

Mr. Tinter commented that if this Item is deferred to the December 2018 meeting, a full year will have gone by since it first appeared before the Board due to a number of deferrals. He advised that while he did not oppose the deferral at this time, he felt there should be a limit on multiple deferrals.

Stephanie Toothaker, representing Gummakonda Properties, Inc., explained that the Applicant is continuing discussion with neighboring property owners and considering further changes to the Site Plan. She confirmed that the Applicant does not plan to request further deferrals after December 2018.

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

**Motion** made by Ms. Fertig, seconded by Mr. Tinter, to defer Item 4 to the December 19, 2018 meeting. In a voice vote, the **motion** passed unanimously.

**Motion** made by Mr. Tinger, seconded by Ms. Fertig, to defer Item 5 to the August 15, 2018 meeting. In a voice vote, the **motion** passed unanimously.

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<b>6. CASE:</b>	<b>R17009</b>
<b>REQUEST:**</b>	Site Plan Level III Review: Conditional Use for 6-Unit Residential Cluster Development
<b>APPLICANT:</b>	Paul Vigil
<b>PROJECT NAME:</b>	Sailboat Bend Residential Development
<b>GENERAL LOCATION:</b>	1017 SW 4th Street
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	Waverly Place 2-19 D Lot 7,9 Block 107
<b>CURRENT ZONING:</b>	Residential Multifamily Low Rise/Medium High Density (RML-25)
<b>CURRENT LAND USE:</b>	Medium-High Density Residential
<b>COMMISSION DISTRICT:</b>	2 – Steven Glassman
<b>CASE PLANNER:</b>	Randall Robinson

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Seth Yeslow, representing the Applicant, explained that this project first came before the Board in June 2017, at which time a Board member alerted the Applicant to a signage inconsistency. The Item came before the Board for a second time in March 2018. At that time, the Board determined that it would be best if the Applicant went before the Historic Preservation Board (HPB) due to the location of historic structures on the site. The Application went before the HPB in May 2018 and approval of the project was reaffirmed.

Mr. Yeslow continued that the original signage provided for the June 2017 hearing was eventually taken down and there was no current sign on the site. He concluded that the Applicant would defer to the Board's judgment and direction regarding whether or not to proceed at this time. The Applicant is willing to proceed if that is the Board's direction; however, if they cannot proceed, they will request a deferral for the Item.

Assistant City Attorney Shari Wallen advised that ULDR Section 47-27.2 states that sign notice is required; however, Subsection 7 states that failure to provide sign notice is not grounds to invalidate a hearing. She concluded that this means the decision will be left to the Board.

Mr. Tinter asked if the project has been discussed further with the appropriate homeowners' association(s). Mr. Yeslow confirmed this, noting that the association provided near-unanimous approval.

**Motion** made by Mr. Tinter, seconded by Mr. Schectman, to proceed tonight. In a roll call vote, the **motion** passed unanimously.

Disclosures were made at this time.

Mr. Yeslow showed a PowerPoint presentation on the Item, which is a cluster residential project providing six new units in the Sailboat Bend neighborhood. The project is proposed to be built around two existing historic structures on the site: a two-story



residence and a one-story accessory cottage. Preservation of these buildings necessitated the proposed cluster design.

After the project's first presentation to the Board in June 2017, the Applicant made substantial changes to the project, including a reduction of the front section of the front building from three stories to two. Most parking for the development is located off a rear alleyway. The project is fully compliant with all density and lot coverage requirements and meets all parking requirements as well. Mr. Yeslow concluded that the HPB has approved both the previous and current iterations of the design.

Mr. Schectman commented that the current design does not provide sidewalks, although the City's Comprehensive Plan states new developments should provide sidewalks and/or other interconnected pedestrian ways. Mr. Yeslow explained that the original Application provided a streetscape design, which had been determined in conjunction with the Department of Transportation and Mobility. He confirmed that the Applicant is willing to construct a sidewalk section and improve the right-of-way as a condition of approval.

Randall Robinson, representing Urban Design and Planning, stated that the request is for Site Plan Level III review, after which the City Commission may call up the Item within 30 days. The Applicant proposes to construct the cluster development between the existing residential building and the accessory cottage, and to demolish the free-standing one-story garage structure on the site.

Mr. Robinson continued that the HPB voted 7-1 to approve the project, with conditions, at their May 7, 2018 meeting. The conditions are as follows:

- All glass shall be clear
- Applicant must provide a protection plan for historic structures on the site
- Height of 3<sup>rd</sup>-floor windows on the north elevation of Building C must be reduced to 8 ft.
- Construction must have archaeological monitoring

Mr. Robinson advised that Staff felt the project meets all criteria for this type of development, including lot, yard and setback, access and entrance, articulation, architectural style, and density requirements. As sidewalk requirements are part of the City's Comprehensive Plan, cluster developments must provide sidewalks. Staff requests that the Board include a condition that a sidewalk shall be placed along SW 4<sup>th</sup> Street.

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.

Ms. Parker clarified that page 7 of the Staff Report includes three additional conditions as well as the sidewalk condition.

**Motion** made by Mr. Schectman, seconded by Ms. Scott, to approve with conditions, including the condition of construction of the sidewalk and Historic Preservation Board conditions. In a roll call vote, the **motion** passed 6-0.

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<b>7. CASE:</b>	<b>R17014</b>
<b>REQUEST: **</b>	Site Plan Level III Review: Conditional Use for a Mixed Use Development; 12 Residential Units, 1,096 Square-Foot Office with Residential Flex Allocation
<b>APPLICANT:</b>	Victoria One Miami Road, LLC.
<b>PROJECT NAME:</b>	Miami 2100
<b>GENERAL LOCATION:</b>	2100 S Miami Road
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	Everglade Land Sales Co first addition to Lauderdale Corr PI 2-15 D Lots 13 & 14 together with vacated SE 21 St and W 1/2 of vacated alley abutting said Lots as Per Or 28160/824
<b>ZONING DISTRICT:</b>	Residential Multifamily Mid Rise/ Medium High Density (RMM-25)
<b>CURRENT LAND USE:</b>	Employment Center
<b>COMMISSION DISTRICT:</b>	4 – Ben Sorensen
<b>CASE PLANNER:</b>	Nicholas Kalargyros

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Disclosures were made at this time.

Courtney Crush, representing the Applicant, advised that the proposed 12-unit condominium first came before the Board in November 2017. No action was taken at that time. The Applicant has since responded to the Board's comments regarding the Application.

Ms. Crush pointed out that there is a conflict between the Harbordale neighborhood's zoning designation, which is RMM-25, and its land use designation, which is Employment Center. This land use designation has been in effect since 1989. What this means for the neighborhood is that residential development is not allowed without the submission of a mixed-use application, which is a conditional use for the allocation of flex units. This has resulted in an eclectic zoning district in which there has been little new residential development.

The proposed project is 12 condominium units with 958 sq. ft. of office use in order to meet the requirement for a mixed-use project. The condominium association will control this commercial use. The Applicant proposes a new sidewalk to encourage pedestrian use in the neighborhood, as well as providing two off-site parking spaces in addition to parking provided on the property. The rear setback is 51 ft. and side setbacks are 11 ft.

A previous condition suggested by the Board was that the project's architecture be softened and refined. The Application has been updated to include curved balconies and thinner rails. In response to concerns regarding on-site parking, which was previously accessible by a gate, the updated plan removes the gate and creates a pathway beside an Americans with Disabilities Act- (ADA-) accessible parking space to

improve access to the building's garbage area. On-street parking spaces are not counted toward the parking requirement.

Ms. Crush continued that the Applicant presented the updated project to the Harbordale Civic Association as well as to neighbors across the street to the north and south. The Harbordale Civic Association meeting was also attended by a representative of Village East, which is located east of the project. The Association voted unanimously to approve the project.

Ms. Scott requested clarification of the parking requirement for the commercial aspect of the property. Ms. Crush replied that this is one parking space for every 250 sq. ft. of office or retail. The Applicant will provide four parking spaces under this requirement.

Mr. Tinter asked how the individual balcony areas on the rooftop are accessible. Ms. Crush explained that these areas are accessible by an elevator which opens onto the roof. Residents use a rooftop path to access their areas.

Nicholas Kalargyros, representing Urban Design and Planning, recalled that when the Board first reviewed this Application in November 2017, a motion to approve failed by a vote of 1-6. No action was taken on the Application at that time. He reiterated that the underlying land use of the parcel permits residential mixed-use development, subject to conditional use approval and allocation of flex units.

The Applicant has revised the plans based on comments received at the November 2017 Board meeting. These changes include providing a staging area for dumpsters abutting the retail/office component of the building to ensure access for the private sanitation provider. The Applicant will also provide a 3 ft. 8 in. walkway from the garage from the garbage enclosure to the dumpster staging area, which will not conflict with the ADA-accessible parking space. Parking spaces in the garage will be labeled and reserved for residents or office/retail guests. Signage to this effect will be posted on the building.

Mixed-use development is required to meet the following criteria:

- Limited business use proposed on the first floor with residential units above
- Conditional use permit requirements must be met to allow for approval of the development, including impacts to abutting properties, traffic generation characteristics, roadway capabilities
- Location of the use or structure does not conflict with the City's Comprehensive Plan
- Off- or on-site conditions exist to reduce the effects of permitting the use or structure
- Location of the use does not affect the character of its zoning district or the health, safety, and welfare of adjacent properties



The project meets adequacy and neighborhood compatibility criteria, and public services in the area are sufficient to meet the needs and demands of the project. The proposed project is expected to generate fewer than 70 daily trips and will have a minimal impact on the adjacent roadway network. The project provides 29 on-site parking spaces as well as two off-site spaces.

12 flex units are requested, which would allow the residential use without amendment of the local land use map. The project is located in a flexibility zone that currently includes 24 flex units.

The request is subject to the public participation requirement. The Applicant has met with the Harbordale Civic Association, which has provided a letter of support. Two additional letters of support were provided for the project. Staff recommends that the Board approve the request with conditions consistent with mixed-use and conditional use requirements, adequacy and neighborhood compatibility requirements, and flexibility rules.

Staff proposes the following conditions if the project is approved:

- Applicant is required to pay park impact fees for the proposed residential units prior to the issuance of a building permit
- Prior to final Development Review Committee (DRC) approval, the Applicant must provide a school capacity/availability determination letter, confirming that the schools' capacity is sufficient or that mitigation requirements have been satisfied

Mr. Tinter asked how garbage pickup on the site will be addressed. Mr. Kalargyros explained that the private sanitation provider will have someone move trash receptacles to the staging area before the truck removes them. While he did not feel this was the best possible solution, he confirmed that Staff is comfortable with this agreement.

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 Mr. Tinter, to approve with Staff conditions. In a roll call vote, the **motion** passed 6-0.

Mr. Schectman commented that Staff should consider a change to the future land use of this area in the next iteration of the Comprehensive Plan.

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<b>8. CASE:</b>	<b>Z18002</b>
<b>REQUEST:</b> * **	Rezoning from Residential Multifamily Mid Rise/ Medium High Density (RMM-25) to Northwest Regional Activity Center – Mixed Use East (NWRAC-MUe)
<b>APPLICANT:</b>	Blue River Realty, LLC.



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<b>PROJECT NAME:</b>	0706 Icon
<b>GENERAL LOCATION:</b>	706 NW 1 <sup>st</sup> Avenue
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	Progresso 2-18D Lot 25 to 38 Block 286
<b>CURRENT ZONING DISTRICT:</b>	Residential Multifamily Mid Rise/ Medium High Density (RMM-25)
<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>	Yvonne Redding

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Disclosures were made at this time.

Alejandro Caruso, representing the Applicant, stated that the project is a multi-family residential development including 84 units and 117 parking spaces. The request would change the parcel's zoning from RMM-25 to NWRAC-MUe. This change would allow the developer to construct different unit types, slightly greater height, and include more units than allowed under RMM-25.

The Applicant has worked with the Progresso Village Civic Association, which made recommendations to the project, including reduction of the height of the building by one level. They are also working with the Northwest Community Redevelopment Agency (CRA) to create an attractive and dynamic structure.

Yvonne Redding, representing Urban Design and Planning, explained that the request will rezone 14 lots within the Progresso plat from RMM-25 to NWRAC-MUe. The Site Plan was reviewed by the DRC in May 2018 and comments offered by the DRC will be vetted with the Progresso Village Civic Association regarding minor changes. The Northwest RAC land use is consistent with the requested rezoning. The Civic Association has issued a unanimous letter of approval for the project.

Ms. Redding advised that the following rezoning criteria were used by Staff to review the project:

- The zoning district proposed is consistent with the Comprehensive Plan
- Changes anticipated by the proposed rezoning will not adversely affect the character of development in the area
- The character of the proposed area is suitable for the uses permitted

Mr. Tinter pointed out that the purpose of the Northwest RAC is to provide a range of employment, shopping, services, and cultural/residential opportunities encouraging mixed-use development, while the proposed project is strictly residential. Ms. Redding advised that the development will create additional opportunities for other alternative types of housing. The project provides a more dense type of housing to support the mixed uses in the Northwest RAC. Mr. Tinter commented that surrounding

developments could benefit from the addition of a mixed-use element to the project. He recommended that Staff consider this when reviewing the project's Site Plan.

Mr. Tinter continued that one parking calculation for the project shows 74 on-site spaces and 10 off-site/on-street spaces. He noted that on-street parking does not typically count toward a project's parking requirement without the approval of the Department of Transportation and Mobility. Ms. Redding replied that feedback from the Civic Association encouraged the Applicant to increase on-site parking to 130 spaces.

Mr. Schectman observed that the Comprehensive Plan states the RAC designation shall not be approved where other land use plans provide sufficient flexibility for the proposed land uses. Ms. Parker stated that the zoning districts in the surrounding area focus on the Sistrunk Corridor and provide transit-oriented development (TOD) along the FEC rail line. She concluded that the proposed rezoning is the best option available in terms of not creating "spot zoning," as there is consistent zoning to the north, east, and south of the parcel.

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

Ron Centamore, representing the Progresso Village Civic Association, advised that the Association provided a letter in support of the project. He noted that the Applicant's architect met with members of the neighborhood in autumn 2017 to discuss the construction of a 6-story building, which the residents did not want. The Applicant revisited the plan and arrived at the proposal that is currently before the Board.

Mr. Centamore continued that the project previously included four townhouses, 48 rental units, and 145 parking spaces. The redesigned plan removed one level from the proposed parking garage, which reduced parking to 84 spaces. He pointed out that on-street parking is not currently available in Progresso Village. The Association felt it was imperative to include enough parking in the proposed development to satisfy the needs of its tenants and guests.

The Applicant returned with a proposal that included roughly 130 parking spaces; however, this latest proposal also added another floor to the development. The Association objected to this, as they did not wish the project to rise above 65 ft. The NWRAC-MUe zoning allows 65 ft. of height by right. He concluded that he would like to see a written agreement that states the project will not be more than 65 ft. in height. Chair Elfman pointed out that the Board is reviewing rezoning criteria only, not the project's Site Plan.

Mr. Kalargyros of Urban Design and Planning clarified that 65 ft. of height is permitted within the NWRAC-MUe zoning district; however, the ULDR includes a note stating that east of NW 1<sup>st</sup> Avenue, up to 110 ft. of height are allowed.

Ms. Parker added that the Site Plan will not come back before the Board. She further clarified that if a development exceeds 65 ft. in height, it must meet specific performance standards, such as an affordable housing component. The City Commission must approve the project if it meets these additional criteria.

Ms. Parker continued that Staff will take the lack of a mixed-use element into consideration when working with the developer to design the Site Plan. Staff typically encourages flexibility in ground-level retail/commercial spaces so they can be designed to accommodate mixed use in the future. Ms. Scott commented that the project does not appear to achieve the goal of its proposed zoning due to the lack of a mixed-use element.

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 Mr. Weymouth, to approve. In a roll call vote, the **motion** passed 6-0.

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<b>9. CASE:</b>	<b>R17049</b>
<b>REQUEST: **</b>	Site Plan Level III Review: Conditional Use Marina, Waterway Use and Parking Reduction
<b>APPLICANT:</b>	Madison Fort Lauderdale, LLC.
<b>PROJECT NAME:</b>	Cordova Boat Club
<b>GENERAL LOCATION:</b>	1335 SE 16 <sup>th</sup> Street
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	Hertzfelds Addition To Lauderdale Harbors 35-22 B E Of W 850 Less S 520 Block 6
<b>ZONING DISTRICT:</b>	Boulevard Business (B-1)
<b>LAND USE:</b>	Commercial
<b>COMMISSION DISTRICT:</b>	4 – Ben Sorensen
<b>CASE PLANNER:</b>	Tyler Laforme

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Disclosures were made at this time.

Stephanie Toothaker, representing the Applicant, stated that the proposed project is a dry stack marina. She showed a PowerPoint presentation on the site, which was formerly occupied by Sundance Marina. There are several marine-related uses throughout the surrounding area. The zoning and land use for the site are commercial (B-1), which permits heights of up to 150 ft. The site has been empty for some time, and its main building is under a demolition order from the City because it is considered unsafe.

Ms. Toothaker advised that the original project design was 148 ft. in height; however, the site's neighbors and City Staff hoped to see a better plan. The current plan reduces this height while maintaining the original design. The redesigned building is not only shorter at 130 ft. 6 in., but is broken up in the middle. Eaves on the north and south



sides of the building are only at 112 ft. 6 in. The site provides a significant pedestrian experience along the waterway and street.

Ms. Toothaker noted that the project is not a traditional building: because it is a dry stack marina, everything takes place inside the building. This means all interior features count against the height limitation. The Applicant significantly increased breezeways to improve the pedestrian realm and added landscaping on the street side of the project. They have also added square footage to the lobby area. The total height reduction is 17 ft. 6 in. The Applicant plans to remove a minimum of three piers at the westernmost end of the site in order to create a turning basin for boats.

The Applicant has met with residents of the Harbordale, Rio Vista, and Lauderdale Harbors neighborhoods, and held a public participation meeting which was attended by their District Commissioner. A site context study shows that the project is located in the middle of a B-1 zoning district and is 125 ft. from its residential neighbors to the north.

Shadow studies conducted for the site show that during 75% of the year, the properties to the north of the canal would be fully affected during only 1% of total annual daylight hours. The building's proposed height is 130 ft. 6 in. and steps down to 121 ft. 4 in. at eave height.

A parking reduction study conducted over Easter weekend (March 31-April 1, 2018), which was considered a high-demand weekend, determined that the original building was extremely overparked. For 240 slips, the parking space peak demand was 8 spaces, which was collected at the Port Marina. The actual parking rate was determined to be 0.06, which would require only 15 spaces. The Applicant proposes 24 spaces.

The original project was presented to the City's Marine Advisory Board, which granted it unanimous approval. Ms. Toothaker pointed out that there is a significant need for marina space in the City, whether it is in the water or in a dry stack facility. Voluntary conditions attached to the site include the following:

- The facility is limited to boat storage, with no sales or service other than fuel
- The facility will operate between the hours of 6 a.m. and 8 p.m.
- The facility will not keep lights on inside the storage area past 8 p.m.
- Finger piers at the west end of the property will be removed to create a turning basin

Ms. Scott expressed concern with the lighting outside the facility facing north, which could negatively affect the surrounding neighborhood. Steve Morales, also representing the Applicant, replied that this lighting was intended to highlight some of the special elements of the project, and could be monitored to ensure they are not a nuisance to the neighborhood. He recommended that safety lighting be maintained to illuminate the walkway along the northern edge of the building.

Mr. Tinter asked how the boat sizes to be accommodated by the project compare to those in the Port Marina. He also requested information regarding the weather on the days traffic counts were taken. Steve Rice, also representing the Applicant, advised that the boats in the proposed facility are shorter in height, beam, and length than those stored in the Port Marina. Typically, multiple cars come to that facility to access a single boat. He noted that it is rare that the Port Marina sees traffic other than individuals accessing their boats, and some of this boat traffic does not return the same day.

Tyler Laforme, representing Urban Design and Planning, advised that there is an inconsistency in the Staff Report: the height listed in the Report refers to the proposed height of 112 ft. 6 in.

Mr. Laforme stated that the Applicant proposes a dry stack boat storage facility of 41,755 sq. ft. on a 59,325 sq. ft. parcel. The site will be redeveloped as the Cordova Boat Club. The Applicant will remove the existing marina and construct the new storage facility. The project was reviewed by the DRC in 2017 and all comments have been addressed.

The following criteria apply to the request for a parking reduction or exemption:

- Impact on public services and facilities by the proposed development
- Use, site, structure, or combination of these must show support or determination that the need for parking is less than what is required by the ULDR for similar uses
- Facility must incorporate design elements to break down the impact of the building mass to be generally consistent with the scale of the surrounding neighborhood

The following criteria apply to a request for a conditional use permit:

- Impact on abutting properties under ULDR neighborhood compatibility requirements
- Consideration will be given to the design capacity of the adjacent roadways, traffic generation characteristics of the proposed conditional use, and traffic generation characteristics of other uses permitted in the zoning district
- Location of use or structure does not conflict with the Comprehensive Plan
- Off- or on-site conditions exist which reduce the effects of permitting the use or structure
- On-site improvements have been incorporated into the plans to minimize adverse impacts of the use or structure
- Location of the use and proximity to similar use does not affect the character of the zoning district
- No adverse impacts of the use affect the health, safety, or welfare of adjacent properties

Mr. Laforme explained that the project is adjacent to other projects zoned B-1, including a marina, restaurant, and retail uses. Residential uses are in the RMM-25 zoning district and are separated from the subject property by a 125 ft. waterway. Massing has been broken up through articulation and original design elements and other features, including glazing to provide light and transparency. The building's height of 112 ft. 6 in. reduces the visual perception of height and massing.

The Applicant proposes landscaping and new sidewalks along SE 16<sup>th</sup> Street to create a streetscape pattern for future projects along the corridor. The proposed facility is not expected to significantly affect existing transportation facilities in the area. The traffic impact statement shows the effects of the previous dry stack marina use and previously proposed hotel use in comparison with the Application, both of which generated more traffic than the current proposed use.

The Applicant has addressed all adequacy requirements and criteria, which evaluate the demand on public services and facilities by a proposed development. The Public Works Department provided a water/sewer capacity letter stating the additional demand will generate a flow less than the permitted treatment plant capacities. Public participation meeting information has been provided in the Applicant's backup materials. Staff recommends approval of the request with conditions offered by the Applicant.

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

Marilyn Mammano, president of the Harbordale Civic Association, stated that at the May 2, 2018 meeting of the Association's general membership, a motion was made to oppose the Application, although it failed for a lack of majority. She explained that during the course of the Association's discussion with the Applicant, certain operational commitments were made that enhanced support for the project. Ms. Mammano requested that if the Board approves the project, they include these commitments as conditions.

The conditions include:

- Applicant agreed to shut off the lights inside the glass building at dusk or another reasonable hour
- Applicant volunteered to abandon a number of finger piers on the west side of the project to create a turning basin
- Because the project is across the waterway from residences, a limitation is requested on the size, location, and illumination of signage on the north side of the building

Ms. Scott commented that establishing a time at which lights must be shut off would not be fair to the Applicant, as dusk arrives at different times throughout the year. Mr. Tinter commented that because the marina's hours of operation would be from 6 a.m. to 8



p.m., an appropriate time would be 8 p.m. Ms. Mammano indicated this would be acceptable to the property's neighbors.

Joseph Goulas, private citizen, advised that he lives across the canal from the project and is supportive of the Application.

Barbara Magill, president of the Lauderdale Harbors Civic Association, stated that this neighborhood would be within the building's line of sight. She pointed out that the surrounding properties are one to two stories in height, while the proposed building is very large. She suggested that the building's height could be lowered slightly, and expressed concern with parking in the area, as the facility would be a rental-based marina. She concluded that the Association would be supportive of the building if it were 110 ft. or less in height.

Steve Rieser, private citizen, observed that there may be unsolved problems related to the development, including concerns regarding its height, which could affect the ambiance of the area. He also expressed concern with the effects of lighting inside the building on the surrounding neighborhood, and with the facility's capacity for fire suppression.

Ms. Toothaker addressed some of the concerns raised during public comment, noting that the building includes a sprinkler system. She clarified that while the original approval for the building referred to a height of 133 ft. 7 in., the most recent approval is for a building with eaves at the 112 ft. 6 in. level.

Mr. Morales further explained that because the stored boats will have fuel in them, the Applicant plans to bring in a specialist to help address any concerns with the sprinkler system.

Ms. Fertig requested additional information regarding lighting on the north side of the building. Ms. Toothaker replied that the Applicant has committed to turning off its lights at 8 p.m. when operations cease for the day. No illuminated signage is proposed for the north side of the building. She indicated that the Applicant was willing to accept these as conditions of approval.

Ms. Fertig also asked for more information regarding hurricane preparedness. Ms. Toothaker stated that the building will be built to withstand a Category 5 hurricane with wind speeds of 148 miles per hour. The Applicant has had discussions with the local Police and Fire Departments regarding their vessels, although they could not currently commit to a condition.

Mr. Tinter asked if the Applicant has requested any variances other than the parking reduction. Mr. Laforme confirmed that there are no other such requests.

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.

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<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

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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 that 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.



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Chair



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Prototype

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