



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, AUGUST 15, 2018 – 6:30 P.M.

Cumulative

Board Members	Attendance	June 2018-May 2019	
		Present	Absent
Catherine Maus, Chair	P	2	1
Howard Elfman, Vice Chair	P	3	0
John Barranco (via phone)	P	2	1
Brad Cohen	A	2	1
Mary Fertig	P	2	1
Jacquelyn Scott	P	3	0
Jay Shechtman	P	3	0
Alan Tinter	P	3	0
Michael Weymouth	P	3	0

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

Staff

- Ella Parker, Urban Design and Planning Manager
- D'Wayne Spence, Assistant City Attorney
- Shari Wallen, Assistant City Attorney
- Jim Hetzel, Urban Design and Planning
- Nicholas Kalargyros, Urban Design and Planning
- Yvonne Redding, Urban Design and Planning
- Adam Schnell, Urban Design and Planning
- Dick Eaton, Code Compliance Supervisor
- Sarah Spurlock, Nighttime Economy Manager
- Irma Westbrook, Community Inspections Supervisor
- Jamie Opperee, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Maus called the meeting to order at 6:32 p.m. and all recited the Pledge of Allegiance.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

Motion made by Vice Chair Elfman, seconded by Mr. Tinter, to approve. 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, and Chair Maus introduced the Board members present.

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

I. AGENDA ITEMS

Index

<u>Case Number</u>	<u>Applicant</u>
1. R17037**	Florida Power and Light
2. Z17009* **	Development 4Life Partners, LP
3. PL17007**	Development 4Life Partners, LP
4. R17045**	Mark and Timothy Parker/TowerCom VIII, LLC
5. Z18005* **	Jack and Jill Children's Center, Inc.

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. Scott, seconded by Vice Chair Elfman, to defer Item 1 until December 19, 2018. In a voice vote, the **motion** passed unanimously.

It was decided that Items 2 and 3 would be heard together and voted upon separately.

2. CASE:	Z17009
REQUEST: * **	Rezoning from Residential Single Family / Medium Density District (RDS-15) and Residential Low Rise Multifamily / Medium-High Density District (RML-25) to Residential Single Family Cluster Dwellings / Medium Density District (RC-15)
APPLICANT:	Development 4Life Partners, LP.
PROJECT NAME:	Gardenia Park
GENERAL LOCATION:	501 NW 17 th Street

ABBREVIATED LEGAL DESCRIPTION: Lot 3, Boniello Park, according to the plat thereof, as recorded in Plat Book 45, Page 15, of the Public Records of Broward County, Florida.
ZONING DISTRICT: Residential Single Family / Medium Density District (RDS-15) and Residential Low Rise Multifamily / Medium-High Density District (RML-25)
PROPOSED ZONING: Residential Single Family Cluster Dwellings / Medium Density District (RC-15)
LAND USE: Medium Density Residential
COMMISSION DISTRICT: 2 – Steven Glassman
CASE PLANNER: Nicholas Kalargyros

3. CASE: **PL17007**
REQUEST: ** Plat Review
APPLICANT: Development 4Life Partners, LP.
PROJECT NAME: Gardenia Park
GENERAL LOCATION: 501 NW 17th Street
ABBREVIATED LEGAL DESCRIPTION: Lot 3, "Boniello Park", according to the plat thereof, as recorded in Plat Book 45, Page 15, of the Public Records of Broward County, Florida.
ZONING DISTRICT: Residential Single Family / Medium Density District (RDS-15) and Residential Low Rise Multifamily / Medium-High Density District (RML-25)
LAND USE: Medium Density Residential
COMMISSION DISTRICT: 2 – Steven Glassman
CASE PLANNER: Nicholas Kalargyros

Disclosures were made at this time.

Hope Calhoun, representing the Applicant, stated that the rezoning Application was first heard by the Board in February 2018. She showed a rendering of the property's location, noting that it is currently zoned RDS-15 and RML-25. The Application would rezone it to RC-15. The Applicant proposes 46 two-story town homes. The request would make the entire property consistent with its future Land Use designation.

Ms. Calhoun advised that the Application meets ULDR criteria for rezoning, as it is consistent with the City's Comprehensive Plan, would not adversely affect the character of development in or near the subject area, and is suitable for the uses permitted by the proposed zoning district. The site is surrounded by multi-family and medium residential land use. Differences between the current and requested zoning districts are minor.

Ms. Calhoun also addressed the plat Application, which requests 46 town home units instead of the 49 units requested when the project came before the Board in February 2018. The Applicant has met multiple times with the South Middle River Civic Association and has obtained a letter of support from that organization.

Nicholas Kalargyros, representing Urban Design and Planning, stated that the Applicant is requesting to rezone 4.85 acres of land from residential single-family medium density (RDS-15) and residential low-rise multi-family medium/high density (RML-25) to

residential single-family cluster dwelling medium density (RC-15). This will allow for the future development of town homes.

Applications for rezoning are reviewed in accordance with the following criteria:

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

Prior to the February 2018 Board meeting, the Applicant held three public meetings regarding the Application. After the Item was deferred, three additional meetings were held. At the most recent meeting of the South Middle River Civic Association, the organization provided the Applicant with a letter of support. Staff recommends approval of the request.

Regarding the plat Application, Mr. Kalargyros advised that a plat note restriction limits the plat to 46 townhouse units. The density of the requested zoning district would otherwise allow up to 70 units.

Mr. Tinter recalled that in 1997, the subject area was zoned RD-15, which would have allowed town homes; however, in 1999, neighbors raised concerns that resulted in the designation of the RDS-15 zoning district, which permitted existing multi-family developments but did not allow new developments of this nature. Mr. Kalargyros explained that at the time, redevelopment of the site was restricted only to single-family development.

Ms. Parker continued that Staff analyzed the site's rezoning criteria and considered the context of the surrounding area, including the existence of duplexes at multiple locations near the site. Staff believes the Application is suitable for the character of the surrounding area.

Mr. Tinter pointed out that only the continued existence of surrounding duplexes made the Application consistent with the character of the area. He asked why the request was not considered "spot zoning." Ms. Parker replied that a portion of the site is also being rezoned from RML-25, which is a higher density. She added that townhouse development is considered single-family development.

Ms. Scott asked if the project's Site Plan is expected to come back before the Board if the zoning request is approved. Mr. Kalargyros explained that if there are no setback reductions or other modifications needed for townhouse development, the Site Plan will remain at Staff level, or Level II.

Ms. Fertig asked how many units could be developed on the site under single-family density. Mr. Kalargyros replied that this would be determined by the lot sizes, setbacks,

additional roads, and other considerations. It was noted that the maximum development of 70 units does not factor into elements such as setbacks, but takes only density into consideration.

Mr. Tinter observed that the plat note states parcels B, C, and D include recreational and drainage areas and parking; however, parking is shown separately as part of the right-of-way for a common driveway. Mr. Kalargyros confirmed that the Applicant would be asked to correct these items on the plat.

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

Edward Catalano, treasurer of the South Middle River Civic Association, advised that he is representing the Association's president at tonight's meeting. He felt there have been misrepresentations of the Association's vote, including claims that their meeting was not advertised and the item was not listed on their meeting's agenda. He asserted that the discussion and vote were mentioned during the May 2018 meeting and listed on the June 2018 agenda. The vote was ultimately 22-19 in favor of the project.

Mr. Catalano continued that opponents of the project requested a second vote at the July 2018 Association meeting; however, a motion to reconsider was defeated. He concluded that the Applicant has held numerous meetings with the Association and responded to their suggestions. The Association is in favor of traffic calming measures on 17th Street, which may address some individuals' issues with the project.

Mr. Catalano read a sign regarding the June 2018 Association meeting into the record, which included a reference to "1000 more cars" in the residential neighborhood.

William Cody, private citizen, stated that while he was initially opposed to the project, the Applicant answered and addressed all of his concerns. He is now in favor of the project.

Aaron Beiswenger, private citizen, provided the Board with a map showing the plat and potential development of the property under its current RDS-15 zoning. He pointed out that RDS-15 zoning requires detached single-family dwellings with a minimum lot size of 6000 sq. ft., which would allow a maximum development of 7.2 units per acre. He continued that he is opposed to the zoning change rather than to the plat, as it would change the character of the neighborhood. He felt the restrictions put into place in 1999 should not be removed, and did not believe the letter of support from the South Middle River Civic Association represented all residents of the neighborhood.

Ms. Scott asked if the 1999 zoning agreement was initiated at the request of the neighborhood. Mr. Beiswenger replied that multiple neighborhoods within Fort Lauderdale received the same designation. It was noted that the Staff Report from the February 2018 meeting indicates the neighborhood requested the zoning change. Mr.

Beiswenger also provided the Board with an email sent from Staff, which referred to the history of RDS-15 zoning in the subject area.

Elly du Pre, private citizen, stated that she opposed the zoning change. She felt the design of homes in the South Middle River neighborhood helps the City achieve six of the 12 goals listed in the 2018 Strategic Plan, including living in proximity to amenities and reducing the burden on public infrastructure. She asserted that the neighborhood is not opposed to all development, but felt the proposed project would harm the strategic direction of the community.

Mr. Shechtman asked how many stories can be built in the current zoning district and how many in the proposed district. Ms. Parker referred the members to a table in the Staff Report, which clarifies that the building height would not change if the new zoning district is approved.

Steve Kantner, private citizen, requested that the Board deny the zoning change, as he felt the project would have an adverse effect on the neighborhood.

P.J. Espinal, private citizen, stated that the RDS-15 portion of the neighborhood was designated by special instruction of the City Commission in order to preserve the character of the neighborhood. She asserted that the proposed zoning change was inappropriate for the center of the neighborhood, and requested that the Board deny the Application.

Chris Wainwright, private citizen, advised that the vacant parcel in the neighborhood should be developed in some manner; however, he did not feel the proposed project was appropriate. He pointed out that the Site Plan for an adjacent property uses all available green space, and that the town home project does not closely resemble other nearby development. He also expressed concern with the prospective increase in traffic.

Kaye Ann Baxter, private citizen, stated that she supported the zoning change and the proposed development. She noted that there has been no development on the subject property for several years, and no efforts to build single-family homes on the parcel.

Ray Thrower, private citizen, stated that he is supportive of the proposed development, as the subject parcel is vacant and contributes to blight within the community. He advised that he attended four meetings at which the developer presented the project. While he understood concerns regarding additional traffic and the loss of green space, he felt the project could serve as a catalyst for the development of nearby derelict sites. He noted that there are multiple condominium complexes roughly two blocks from the subject site.

Gerry Scanlon, representing Applicant Development 4Life Partners, explained that the property was purchased in 2014. Three outlying properties were subsequently

purchased and demolished as well. He asserted that the Applicant wants what is best for the community by reducing blight and making the neighborhood more attractive.

Marion Brown, private citizen, stated that streets are very narrow and there are no sidewalks in the subject neighborhood. She did not feel the proposed development would fit into the community, and expressed concern with plans for its landscaping, as well as with the single entrance and exit proposed for the parcel.

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.

Ms. Calhoun reiterated that Staff feels the Application meets the three criteria necessary for rezoning and plat review. She noted that one of the current zoning districts on the property is inconsistent with the underlying Land Use designation, and that the two existing zoning districts allow the same maximum height as the proposed RC-15 zoning district. She concluded that change to the neighborhood would not be dramatic if the Applications are approved.

Mr. Tinter observed that the plat approval request is conditional upon the approval of the rezoning request: if the parcels are not rezoned, they would not meet all the necessary criteria. Ms. Calhoun explained that she was referring to the technical criteria, such as adequacy and concurrency, for plat approval. Staff has indicated that the language of the plat note satisfies these requirements. Mr. Tinter pointed out that the Applicant would be unable to construct 46 units on the site if the rezoning is not approved.

Mr. Tinter also requested Ms. Calhoun's perception of the rezoning of the subject property from RD-15 to RDS-15 in 1999, which prohibited new townhouses or other multi-family developments. He expressed concern that rezoning the property to RC-15 would be contrary to this designation. Ms. Calhoun advised that the request is not for rezoning only in relation to the town homes: rezoning of the RML-25 parcel would make it consistent with the underlying Land Use. She added that the Board is not asked to approve a plan for town homes through the rezoning Application, but to approve a rezoning category that provides for different types of uses.

Mr. Tinter noted that this could also be achieved by rezoning the RML-25 portion of the property to RDS-15, which would make the property consistent with surrounding parcels. Ms. Calhoun reiterated that the proposed zoning designation is not inconsistent with surrounding zoning categories.

Ms. Scott expressed concern with the possibility of changing the zoning designated in 1999, which she felt represented a commitment to the neighborhood. She also noted there is no guarantee that the City will implement traffic calming measures in the subject area.

Ms. Fertig commented that an email from Planning and Zoning Staff states that the current zoning has affected the ability to approve existing nonconforming properties in the area, and asked if there have been any efforts by Staff to change this zoning without doing so on a property-by-property basis. Ms. Parker recalled that discussions of compatibility and development resulted in the recent Neighborhood Design Criteria Revisions (NDCR) process code amendments. She added that town home developments now have different design criteria to address to lessen their effects on a neighborhood. Townhome developments are considered single-family and are generally compatible if designed at appropriate scale.

Ms. Fertig asked why no change to the neighborhood's zoning has been brought forward on the Staff level if they feel there have been significant changes to the area since 1999. Ms. Parker replied that this would need to be initiated by the community rather than by Staff. Ms. Fertig concluded that another concern was that the Site Plan for the project was unlikely to come back before the Board in the future.

Mr. Tinter noted that the plat includes 46 lots, each of which is 1936 sq. ft. He asked if it would be possible to construct single-family homes on lots of this size. Ms. Parker referred the Board to the lot size requirements in the three zoning districts under discussion, which are included in the staff report and backup materials. Mr. Tinter pointed out that the size requirements for single-family homes are significantly larger than those for town homes. Ms. Parker replied that the City Commission has final authority on both the zoning and plat requests, which means they could technically be approved.

Mr. Tinter asserted that one reason not to approve the plat request is because it was not buildable unless the rezoning is also approved. Assistant City Attorney Shari Wallen advised that the reason not to approve the plat must be that it fails to meet the required criteria. Decisions may not be based upon the separate rezoning request.

Vice Chair Elfman commented that some objections from individuals come from a part of the neighborhood that is not close to the proposed requests. He felt the project could address blight within the neighborhood.

Motion made by Vice Chair Elfman, seconded by Mr. Weymouth, to approve the rezoning. In a roll call vote, the **motion** failed 3-4 (Chair Maus, Ms. Fertig, Ms. Scott, and Mr. Tinter dissenting).

Motion made by Vice Chair Elfman, seconded by Mr. Weymouth, to approve Case Number 17007, which is the plat. In a roll call vote, the **motion** passed 5-2 (Ms. Fertig and Ms. Scott dissenting).

4. CASE:
REQUEST: **

R17045
Site Plan Level III Review: Conditional Use for a
Telecommunications Facility

APPLICANT:	Mark and Timothy Parker / TowerCom VIII, LLC.
PROJECT NAME:	Wireless Telecommunications Tower
GENERAL LOCATION:	1019 NW 1 st Street
ABBREVIATED LEGAL DESCRIPTION:	SEMINOLE ADD F R OLIVERS AMENDED PLAT 1-88 D, LOTS 5,6,11, BLOCK 201
ZONING DISTRICT:	Heavy Commercial/Light Industrial (B-3)
LAND USE:	NW Regional Activity Center
COMMISSION DISTRICT:	3 – Robert L. McKinzie
CASE PLANNER:	Yvonne Redding

Disclosures were made at this time.

Janna Loda, representing the Applicant, stated that the request is to construct a stealth telecommunications facility. The Application is for Site Plan and conditional use approval, which will allow the construction of a 100 ft. stealth “uni-pole,” which will accommodate up to four separate antenna stations and their related ground equipment. She noted that the Staff Report indicates the proposed facility meets all criteria for telecommunications towers, conditional use approval, and neighborhood and adequacy requirements.

Ms. Loda showed a PowerPoint presentation on the facility’s design, pointing out that the proposed facility will lie within a linear fenced compound with the pole located in its center. She noted that there will be no structures for the ground equipment, which will be hidden behind the fence and landscaping surrounding the parcel. Verizon Wireless has committed to using the facility, and lease spaces are available on the tower for at least two additional carriers.

The proposed design for the facility is the uni-pole or mono-pole, which is the preferred design for wireless facilities. Antennae will be internally mounted within the structure itself, which improves the structure’s aesthetic. The facility is intended to accommodate up to four different antenna arrays.

Landscaping is provided on both sides of the parcel’s access drive and the west side of the fenced compound. Additional landscaping will be provided on the south edge of the compound. The Applicant has offered to add landscaping on the north side of the building as well, and to provide for landscaping in the swale along with three new street trees. The Applicant will procure a 5 ft. sidewalk easement in favor of the City for the sidewalk along the north side of the property, as well as a connection to the sidewalk to the east. Ms. Loda showed multiple views of the proposed facility.

Prior to the construction of this facility, a propagation map shows how the area will have enhanced wireless coverage. The facility also helps improve coverage to surrounding cell sites.

The Applicant presented plans for the facility at a meeting of the Dorsey Riverbend Civic Association, where it was positively received. A separate meeting was held for the Sailboat Bend Civic Association, although no residents attended this meeting.

Yvonne Redding, representing Urban Design and Planning, stated that the Applicant has met with nearby neighborhood associations. The Application went before the Development Review Committee (DRC) in August 2017 and all comments have been addressed. The Applicant also worked with the City's Department of Transportation and Mobility, landscaping, and engineering to improve the streetscape along 1st Avenue as stated.

The Application complies with criteria for a communications tower, conditional use criteria, and adequacy and neighborhood compatibility requirements. The Applicant is leasing 1937 sq. ft. from the owners of the parcel. Staff recommends approval of the request.

There being no 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. Fertig, seconded by Ms. Scott, to approve.

Mr. Shechtman noted that certain representations regarding the Application have been made by Verizon Wireless rather than by the Applicant named in the documentation. Ms. Loda clarified that TowerCom VIII, Inc. is the facility owner who will build the structure. Representations required by Code are assumed by the carrier. Affidavits to this effect are provided in conjunction with the Application. Ms. Parker confirmed that this was satisfactory to the City.

In a roll call vote, the **motion** passed 7-0.

5.CASE:	Z18005
REQUEST: * **	Rezoning from Community Facility (CF) and Exclusive Use Parking (X-P) to Boulevard Business District (B-1)
APPLICANT:	Jack and Jill Children's Center, Inc.
PROJECT NAME:	1315 W. Broward Rezone
GENERAL LOCATION:	1315 West Broward Boulevard
ABBREVIATED LEGAL DESCRIPTION:	Lots 17 through 30, Block 1, Seminole Forest, as recorded in Plat Book Page 16; and Plat Book 15, Page 16 of the public records of Broward County, Florida
CURRENT ZONING DISTRICTS:	Community Facility (CF) and Exclusive Use Parking (X-P)
PROPOSED ZONING:	Boulevard Business District (B-1)
LAND USE:	Northwest Regional Activity Center (NW-RAC)
COMMISSION DISTRICT:	3 – Robert L. McKinzie
CASE PLANNER:	Adam Schnell

Disclosures were made at this time.

Robert Lochrie, representing the Applicant, explained that the request is to rezone a 1.3 acre portion of a 1.8 acre parcel owned by Jack and Jill Children's Center, Inc. The organization is expanding its services from children through first grade to children through fifth grade.

The subject property currently includes three different zoning districts: B-1, CF, and XP. The request is to unify the property under B-1 zoning. The underlying Land Use for the parcel is Northwest Regional Activity Center (RAC). Rezoning is consistent with this category and with the overall zoning along Broward Boulevard.

Mr. Lochrie advised that under B-1 zoning, the Applicant's school use will move from its existing building into a two-story building. The project has been presented to the Dorsey Riverbend Civic Association at their regular meeting. The Applicant also held a public participation meeting, to which residents in both the Dorsey Riverbend and Sailboat Bend neighborhood associations were invited. The project was received favorably by both associations.

Adam Schnell, representing Urban Design and Planning, stated that the request would rezone a 1.37 acre portion of the subject property from CF and XP to B-1. This will allow the addition of an elementary school to the existing day care facility. The Applicant is seeking rezoning because the XP district is limited to the construction of parking lots and does not provide for the intended site improvements. While both CF and B-1 permit elementary schools and other public purpose uses, the B-1 zoning designation is preferable based on the existing land use pattern of the surrounding area.

The zoning districts surrounding the subject property include RMM-25 to the north and east, CF to the south, and B-1 to the west. The Application must meet the following criteria:

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

Staff believes that these three criteria are met by the Application. Mr. Schnell noted that a corresponding Site Plan Level II application for the site has received DRC comments as of July 2018.

Ms. Fertig asked if the expansion is intended to serve as an elementary school or as an after-school care program for children of elementary school age. Mr. Lochrie replied that the expansion will be an elementary school that includes an after-care component. The school will be managed as a private not-for-profit entity.

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. Fertig, seconded by Mr. Shechtman, to approve. In a roll call vote, the **motion** passed 7-0.

IV. COMMUNICATION TO THE CITY COMMISSION

None.

V. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

Ms. Parker recalled that at the July 2018 meeting, Ms. Scott had raised concerns regarding the City's Noise Ordinance, particularly as it applies to entertainment districts within the City. She advised that Staff would provide information on this topic.

Sarah Spurlock, Nighttime Economy Manager for the City, explained that her position was created in response to a 2017 study by the Responsible Hospitality Institute (RHI). Her office is part of the City Manager's Office. Its responsibilities include permitting for special events, as well as overseeing a team that consists of Police Officers, a Fire Inspector, and Maintenance Staff.

The Officers work on Wednesday through Saturday nights until 2 a.m. or 4 a.m. The City has a 24-hour customer service line, 828-8000, for any neighbors or businesses with non-emergency concerns, such as trespassing, noise, illegal vendors, or illegal parking.

Ms. Spurlock stated that the City has five entertainment districts, which are allowed to sell alcohol until 4 a.m. and allow for open carrying of alcohol within the district(s). Three of the five districts are located west of Andrews Avenue, while the remaining two districts are located on the beach.

The City's Noise Ordinance is enforced differently in these entertainment districts, as louder decibel levels are permitted there. When a complaint is received in an entertainment district, Officers measure the sound from the business itself rather than from the complainant's property. Businesses may play music outdoors until 12 a.m. through the week and until 1 a.m. on weekends, which differs from rules elsewhere in the City.

Ms. Scott requested clarification of the decibel levels allowed. Ms. Spurlock replied that Section 17-7 of Code includes a subsection on special entertainment districts, which states that sound may not exceed 85 or 95 decibels from Monday through Thursday from 12 p.m. to 12 a.m., 70 to 80 decibels from Monday through Thursday from 12 a.m.

to 2 a.m., or 65 to 75 decibels Monday through Thursday from 2 a.m. to 12 p.m. On Friday through Sunday, as well as on legal holidays, these levels may not exceed 85 to 95 decibels from 12 p.m. to 1 a.m., 70 to 80 decibels from 1 a.m. to 3 a.m., and 65 to 75 decibels from 3 a.m. to 12 p.m.

Ms. Fertig asked how these decibel levels were determined, as well as the length of the periods of time in which they are allowed. Code Compliance Supervisor Dick Eaton stated that the City hired a professional sound company to consult on establishing these levels.

Ms. Scott requested additional information on the difference between decibel levels allowed in the entertainment districts and in the rest of the City. Mr. Eaton replied that the Noise Ordinance includes multiple levels, based on individual districts such as residential and commercial. He briefly reviewed the Ordinance, noting that between 7 p.m. and 10 p.m., 60 decibels are allowed; from 10 p.m. to 7 a.m., this level drops to 50. The Ordinance includes various caveats addressing issues such as proximity to commercial districts, which allows the level to increase by 5 decibels.

Ms. Scott observed that this would seem to allow music to be louder if it is located outside a building in a business district. Mr. Eaton explained that references to indoor and outdoor noise clarify where readings are taken: if noise is coming from the same parcel, such as a condominium, indoor readings are taken, while in the case of noise from another parcel, readings are taken from the property of the complainant or another adjoining property.

Ms. Scott stated that her concern addresses businesses on Las Olas Boulevard that play music both inside and outside a property, which disturbs nearby residents. She felt the Noise Ordinance may be insufficient if residents are sufficiently disturbed to make complaints. Mr. Eaton replied that Code Enforcement has taken readings from specific businesses in that area, which showed that noise levels exceeded what is permitted by Code; however, he pointed out that ambient noise makes it difficult to pinpoint the exact source of noise in some cases. Code Enforcement typically seeks to mediate complaints between businesses and property owners and monitors the situation. He noted that no additional complaints have been made since this occurred, and Code Enforcement has reached out to the subject business.

Mr. Eaton continued that most noise issues occur at night, when Code Enforcement is not available. This means most complainants contact the Police. Most noise issues addressed by Code Enforcement are equipment issues or other noise in residential districts. Ms. Spurlock's office works at night and is expected to address noise issues in business areas more effectively.

Ms. Fertig addressed the Board's earlier discussion of Item 2, stating that if Staff recognizes a need to change Code because a community's circumstances have

changed, it should be discussed with that neighborhood. She suggested that the South Middle River neighborhood could be a good place to begin this process.

Ms. Fertig also addressed streetscapes, proposing that Staff provide a presentation on this section of Code to the Board. She recommended that they review whether the City's streetscape regulations and classifications are adequate or if they could be improved, as this could have significant impact on the City's future planning.

Mr. Shechtman noted that the City's new design standards, which were approved in 2017, include several changes to streetscape requirements. He suggested that the requested presentation could include a review of these changes.

Ms. Parker observed that streetscapes are a broad general topic, and pointed out that guidelines differ for them throughout the City, depending upon context and regulations. In addition, multiple entities that work with Fort Lauderdale on streetscapes, such as Broward County and the Florida Department of Transportation (FDOT), may have different visions for what should be implemented. She advised that a public meeting was scheduled for Thursday, August 16, 2018 to present the Design and Construction Manual, which addresses many components of streetscapes.

Vice Chair Elfman asked to whom a Board member would reach out if s/he wished to make recommendations regarding zoning changes. Ms. Parker replied that this would be a policy discussion that would need to go before the City Commission, which could then determine priority direct Staff's efforts.

Vice Chair Elfman advised that in recent years the City has provided informational presentations to the Board, and requested that if these presentations do not directly relate to Board business, he would prefer that they not be included in meetings.

Ms. Fertig referred again to the discussion of Item 2, pointing out that the subject neighborhood seemed to be evenly divided on the rezoning issue. She felt this presented an opportunity for the Board to be proactive as a planning agency and seek to address neighborhood issues in a timely manner before issues arise. She added that this informed her request regarding streetscapes as well.

Mr. Shechtman commented that while the Board should work to ensure that projects are compatible with their neighborhoods, they should also ensure that future Land Uses are aligned with current zoning. He pointed out that if the future Land Use for the parcel in Item 2 had been changed in 1999 along with its zoning, the Item might not have progressed far enough to come before the Board.

Ms. Parker clarified the Board's upcoming meeting schedule, noting that two upcoming meetings are scheduled for irregular dates. The September meeting will be held on Monday, September 17 and the November meeting will be on Tuesday, November 13, 2018.

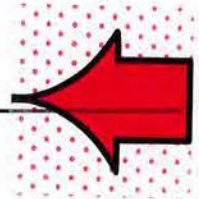
Mr. Barranco commended the City for improvements in the Galt Ocean Mile area, which were achieved in conjunction with that area's neighborhood associations as well as with FDOT.

There being no further business to come before the Board at this time, the meeting was adjourned at 8:47 p.m.

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

Catherine Maus

Chair



Brigitte Chiappetta

Prototype

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

EMAIL CONFIRMATION OF DEVELOPER'S AGREEMENT
TO 25 VOLUNTARY CONDITIONS OF APPROVAL

SOUTH FORK MARINA

-----Original Message-----

From: Colby Cooper [mailto:colby@hixsnedeker.com]

Sent: Monday, September 17, 2018 3:50 PM

To: Heather Keith <Heather.Keith@glhomes.com>; Stephanie J. Toothaker <sjt@trippscott.com>

Cc: Barbara Haggarty <haggertybj@earthlink.net>; Ben Sorensen <BSorensen@fortlauderdale.gov>;

Daniel E. Taylor <det@trippscott.com>; Clayton Ratliff <Clayton.Ratliff@glhomes.com>;

colby@hixsnedeker.com

Subject: RE: P&Z Meeting on South Fork Marina = Tonight 9/17/18

Heather - I am 100% supportive of the original 5/28/18 conditions being added to the site plan as voluntary conditions of approval. That was the original intention and the ensuing effort was only a reaction and solution to the City staff's response. We have never backed away from our promises, collectively we have had to find a vehicle and a way to deliver them.

-Colby

Colby J. Cooper
Chief Operating Officer
Hix Snedeker Companies
Post Office Box 130
Daphne, Alabama 36526
251.517.5810 Direct
251.605.9713 Cell
251.252.9898 Fax
colby@hixsnedeker.com

For Record

August 15, 2018

My name is Edward Catalano, I am the Treasurer of South Middle River Civic Association.

Our President and Vice President are unable to attend this meeting and I am representing the South Middle Civic Association at this meeting at the President request.

Many misrepresentations have been circulating about the voting of our Association.

Claims have been that we did not advertise the meeting and that it was not listed on the Agenda for our meeting. The opponents placed many signs throughout the neighborhood warning about 1,000 additional cars would be going through the neighborhood with this project and that everyone should come to the General Meeting.

All of these claims are wrong!

Our Agenda was 2 pages for the June monthly meeting and listed on the second page was the discussion and vote for this project! Also at the heavily attended May General Meeting THE BOARD advised the 36 Attendees that there would be a presentation and vote for or against the Gardenia Project at the next meeting on June 26, 2018.

Several individuals applied for membership at the May meeting, but did not show up for the voting at the June 26 meeting.

At the June 26, 2018 meeting the vote was 22 for and 19 against for approval of the Gardenia project.

When the opponents of the project did not get their way, they tried with a motion to have a revote this motion was defeat 16 to 6.

Therefore, the South Middle River Civic Association is in favor of the project as presented.

Respectfully Submitted,


Edward Catalano, Treasurer

Cc: Terry Nolen, President

In 1998, discussions about preserving the residential single family character in some neighborhoods prompted a study to assess impacts of redevelopment on neighborhood character. At the April 21, 1998, City Commission conference meeting, staff was directed to study several of these neighborhoods. The ensuing meetings with neighborhood representatives revealed the desire to maintain existing single family neighborhoods and resulted in a recommendation to create zoning districts that limit new development to single family detached residences, while allowing existing duplexes, townhouses and multifamily uses to remain conforming and to be allowed to redevelop in the case of fire or natural disaster. The proposed zoning districts only changed the permitted uses, and all three zoning districts retained the same dimensional requirements of their previous zoning. The three separate zoning districts provided a mechanism to permit existing non-conforming uses to rebuild in accordance with the existing dimensional regulations of their respective zoning district, in the event a natural disaster or fire destroys the existing structure.

On May 4, 1999, the City Commission approved an ordinance that amended the City's Unified Land Development Regulations (ULDR) to create new zoning districts known as RDs-15, RCs-15, and RMs-15 ("s" standing for single family). The ordinance also amended ULDR Section 47-18.38 which would permit all existing duplex, townhouse and multi-family development in RDs-15, RCs-15 and RMs-15 to redevelop to their existing conditions in the occurrence of a fire or an act of God. If more than fifty percent (50%) of the replacement value or of the total gross floor area of an existing unit structure is demolished by other than fire, explosion or other casualty or act of God or public enemy, then such structure may not be restored to the condition it was in prior to the damage, and any use of the property on which such structure was located shall be required to meet all of the requirements of the ULDR. The ordinance is attached for your reference.

In the time that has passed since the ordinance was adopted, we have also recognized that the ordinance has impacted the ability to improve existing non-conforming properties from making certain improvements since many property owners do not wish to lose their non-conforming status and keep the status quo. In addition, there are also underlying inconsistencies between land use and the adopted zoning.

If you have any questions, please feel free to respond via email or by phone.

Kind regards,

Karlanne Grant, Planner III

City of Fort Lauderdale | Urban Design and Planning Division

700 NW 19th Avenue | Fort Lauderdale FL 33311

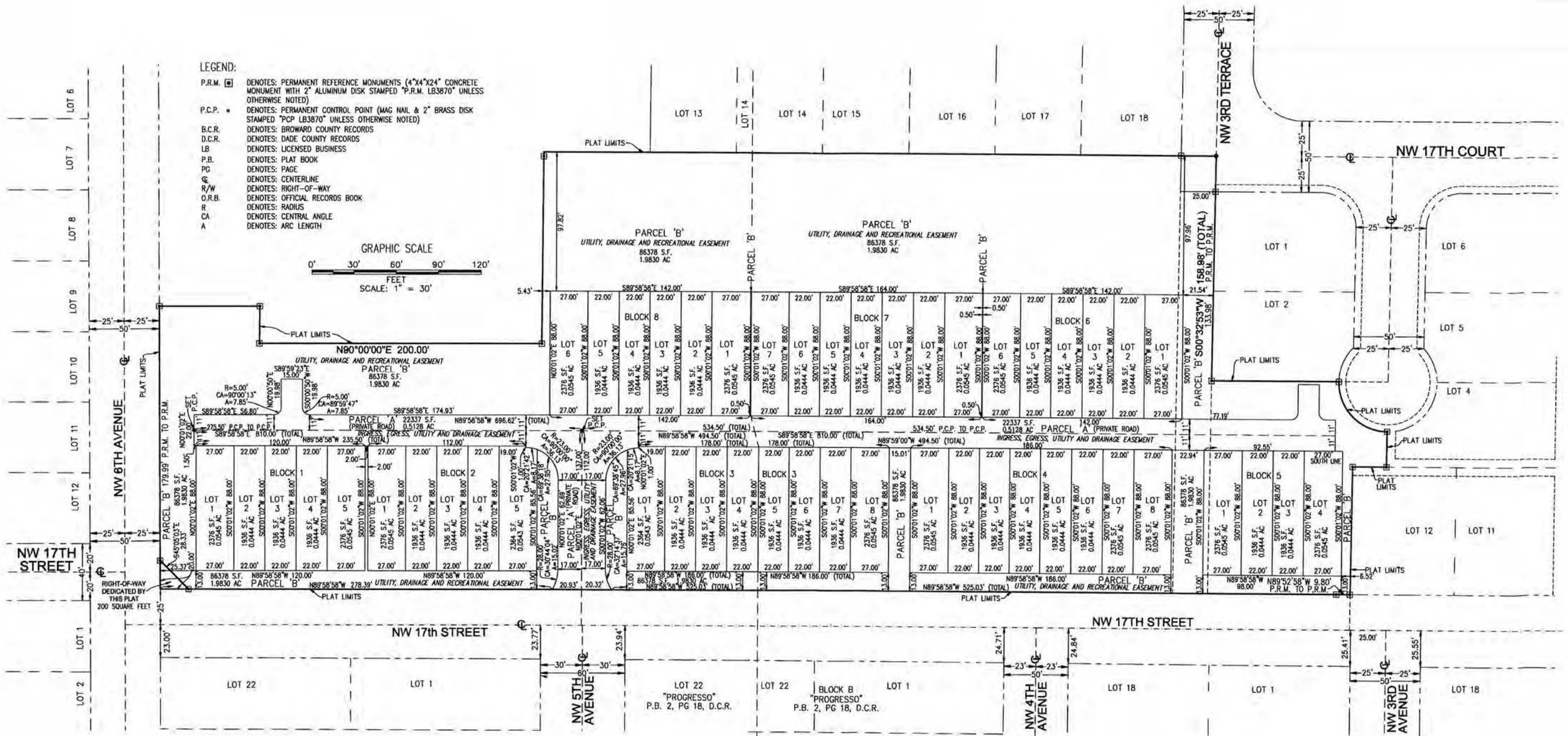
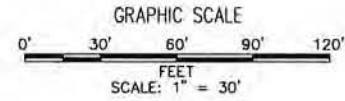
P: (954) 828-6162 | E: kgrant@fortlauderdale.gov

Description: Description:
Description:
id:image001.png@01D0DF11
71R7640

W/AMT 1,000 MORE
CARS ON YOUR QUIET
STREET? COMPLAINT
TUESDAY 6:00PM @ AT
TENNIS CLUB
19 STREET + 78 AVENUE
FREE DINNER

LEGEND:

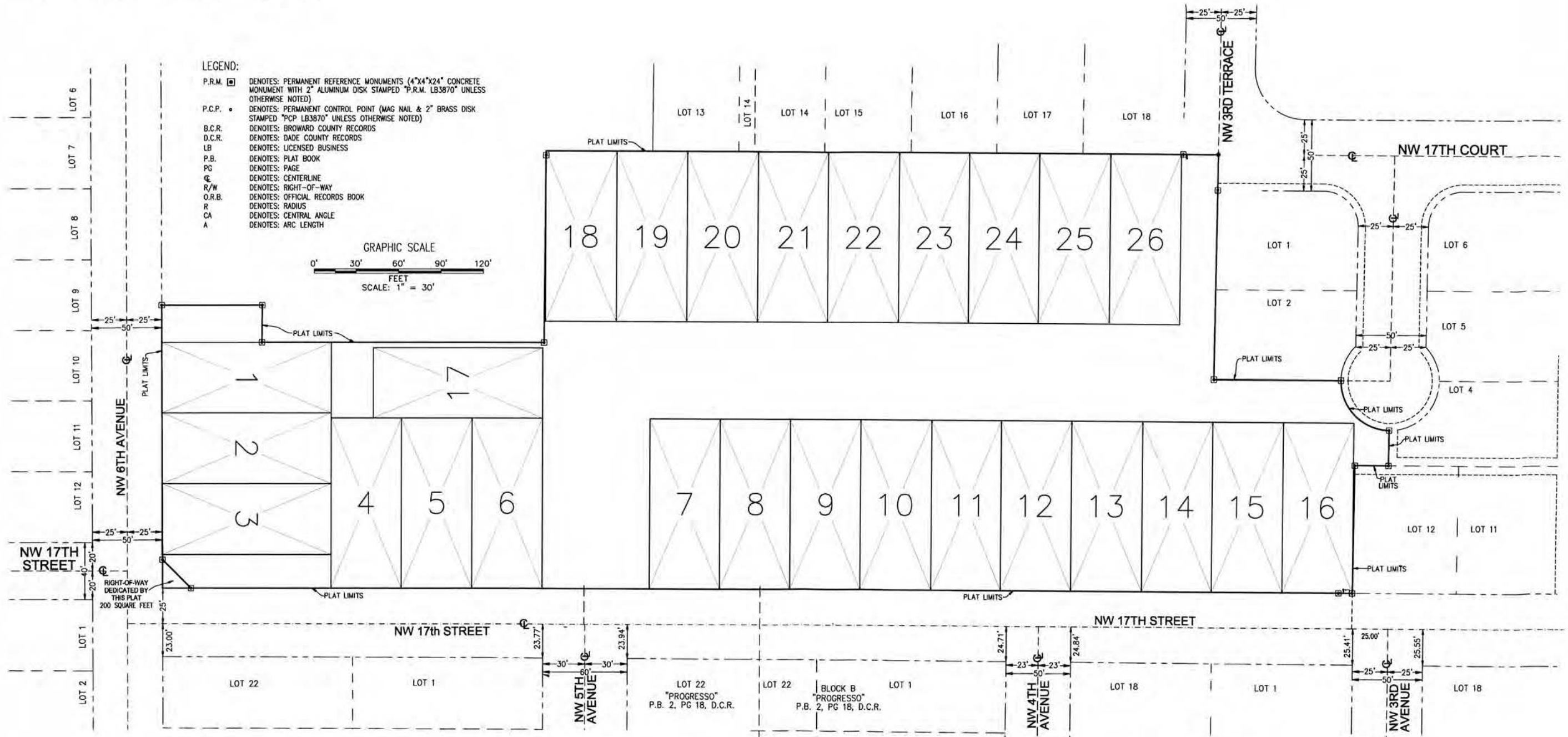
- P.R.M. DENOTES: PERMANENT REFERENCE MONUMENTS (4"X4"X24" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED "P.R.M. LB3870" UNLESS OTHERWISE NOTED)
- P.C.P. • DENOTES: PERMANENT CONTROL POINT (MAG NAIL & 2" BRASS DISK STAMPED "PCP LB3870" UNLESS OTHERWISE NOTED)
- B.C.R. DENOTES: BROWARD COUNTY RECORDS
- D.C.R. DENOTES: DADE COUNTY RECORDS
- LB DENOTES: LICENSED BUSINESS
- P.B. DENOTES: PLAT BOOK
- PG DENOTES: PAGE
- CL DENOTES: CENTERLINE
- R/W DENOTES: RIGHT-OF-WAY
- O.R.B. DENOTES: OFFICIAL RECORDS BOOK
- R DENOTES: RADIUS
- CA DENOTES: CENTRAL ANGLE
- A DENOTES: ARC LENGTH



SINGLE FAMILY DWELLING DIMENSIONAL REQUIREMENTS:

Max. Density: 15 du/acre
 Min. Lot Size: 6000 sq.ft.
 Min. Lot Width: 50 ft
 Min. Front Yard: 25 ft

26 LOTS



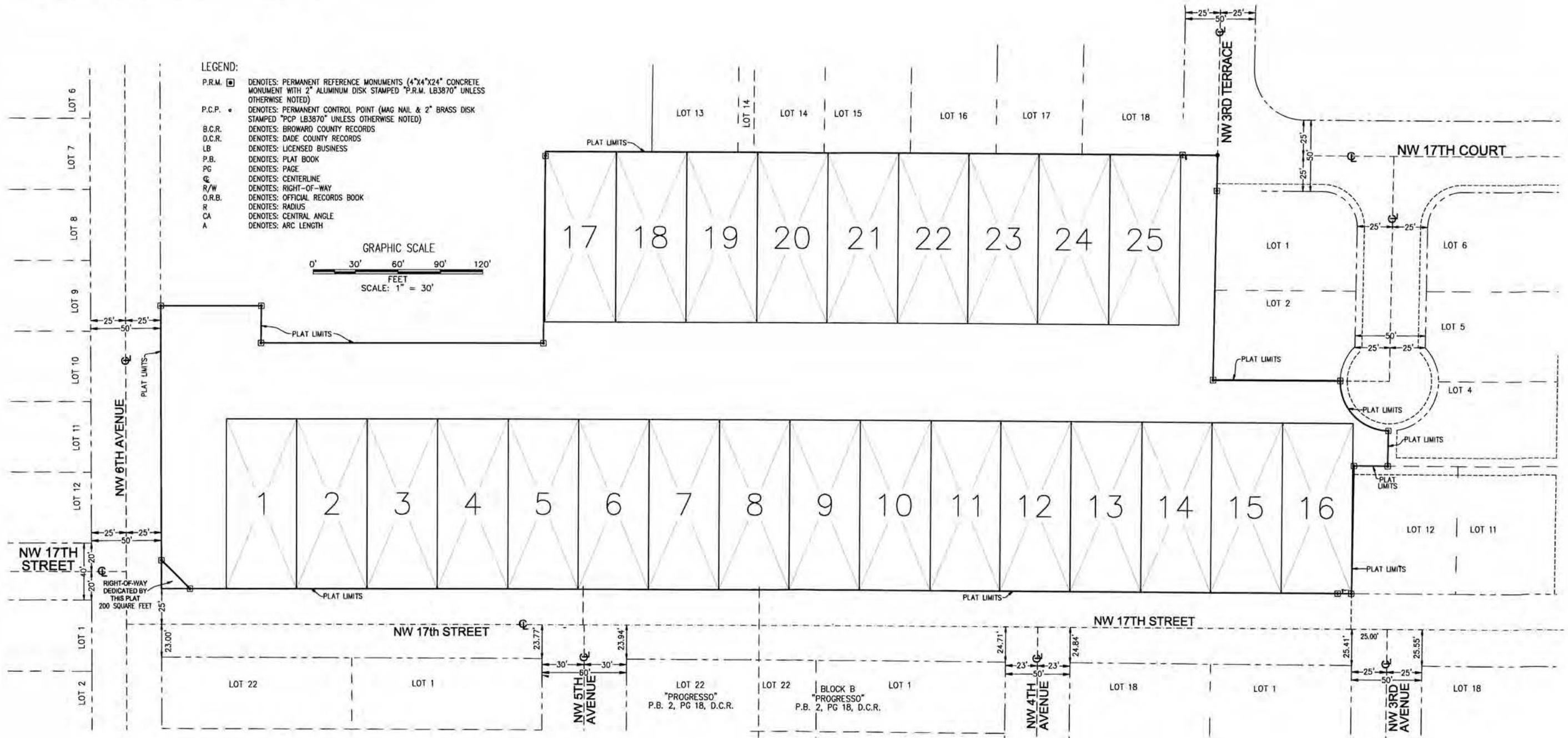
LOT 22 "PROGRESSO" P.B. 2, PG 18, D.C.R.

LOT 22 "BLOCK B PROGRESSO" P.B. 2, PG 18, D.C.R.

SINGLE FAMILY DWELLING DIMENSIONAL REQUIREMENTS:

Max. Density: 15 du/acre
 Min. Lot Size: 6000 sq.ft.
 Min. Lot Width: 50 ft
 Min. Front Yard: 25 ft

25 LOTS



LOT 22
 "PROGRESSO"
 P.B. 2, PG 18, D.C.R.

LOT 22
 BLOCK B
 "PROGRESSO"
 P.B. 2, PG 18, D.C.R.